

Forsyth County Sheriff's Office



Sheriff Ron H. Freeman

Policy Manual



FORSYTH COUNTY SHERIFF'S OFFICE

Ron H. Freeman, Sheriff

GENERAL ORDER

17-01

December 31, 2016

1. BRIDGING DOCUMENT

All policies, procedures and general orders in effect on December 31, 2016 shall continue and remain in effect during a period in which the new administration shall review and take under consideration the need to modify, delete or add to the policies, procedures, and general orders of the Forsyth County Sheriff's Office.

A handwritten signature in blue ink that reads "Ron H. Freeman". The signature is written in a cursive style and is positioned above a horizontal line.

Sheriff Ron H. Freeman

POLICY MANUAL INTRODUCTION



This manual contains the policies of the Forsyth County Sheriff's Office. These policies are identified individually as "General Orders" and they are grouped into common topic areas. General Orders are not intended to serve as procedures. Step by step procedures, which insure compliance with the General Orders, are contained in the Standard Operating Procedures Manual. SOP's are intended to give agency employees guidance as to the most acceptable methods for serving the citizens of Forsyth County while adhering to agency policies.

The policies contained herein are designed to comply with the state standards established by the Georgia Association of Chiefs of Police. The actual policies have been put into place by the Sheriff of Forsyth County in order to provide direction for agency employees in carrying out the duties of the Sheriff's Office. In order to carry out their duties, deputy sheriffs as well as other agency employees must be made aware of the Sheriff's goals, objectives and preferences as to how to best serve the public.

The policies contained in this manual are intended for the administration of the Forsyth County Sheriff's Office only. Nothing contained in this manual should be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of any policy contained in this manual will only form the basis for Sheriff's Office administrative sanctions. Violations of the law will form the basis for civil or criminal sanctions in a recognized judicial setting.

Any statements in this manual found to be illegal, incorrect, or inapplicable shall not affect the validity of any chapter, section or subsection of the manual.

Titles in the manual shall not govern, limit, modify or affect the scope, meaning or intent of any chapter, section or subsection of the manual.

Gender-Masculine or feminine gender pronouns, when used in this manual, will refer to both male and female employees. This is for the purpose of brevity only and is not intended to discriminate or suggest preference to any gender.

Tense - The present tense will include the past and future.

Mandatory and Permissive -"Shall" and "will" are mandatory; "may" and "should" are permissive.

Sheriff of Forsyth County

Forsyth County Sheriff's Office



Sheriff Ron H. Freeman

General Orders

CHAPTER ONE

ADMINISTRATION

GENERAL ORDER: 1-1 OFFICE OF THE SHERIFF

Rescinds/Amends: GO 1-1

Effective Date: October 16, 2017

Committee Review - Date: April 2017

Related Procedure(s): SOP 1-1.100 – 1-1.601

Authorized by: Sheriff Ron H. Freeman



I OFFICE OF THE SHERIFF

The Sheriff is responsible for the operation of the Forsyth County Sheriff's Office and is the final authority in matters of operation, policy, human resources and discipline and will exercise such lawful directives as are necessary to assure the effective performance of the agency. The Sheriff or designee shall have the authority to assign or transfer personnel as he deems necessary and beneficial to the agency.

The Forsyth County Sheriff's Office shall be responsible for law enforcement services in all unincorporated areas of the county.

The Forsyth County Sheriff's Office is comprised of the following operational components:

- Law Enforcement Bureau
- Sheriff's Services Bureau
- Jail Bureau

A. CHAIN-OF-COMMAND

The chain-of-command shall be respected in all matters when practical. Information and communications shall move up and down the chain-of-command through the proper channels. When the next supervisor in line cannot be contacted in important situations or in emergencies, then an attempt should be made to contact the next supervisor in line, and so on, up to the Sheriff. During times when the Office of the Sheriff is closed, an attempt will be made to page or call him at home when necessary.

B. POLICIES AND PROCEDURES

All new agency wide policy or procedure will be approved by the Office of the Sheriff or Chief Deputy prior to dissemination to agency personnel. Any recommendations for new agency wide policy or procedure shall be forwarded through the chain-of-command in writing to the Office of the Chief Deputy for review and approval.

II OATH OF OFFICE

Georgia law mandates that deputies take and subscribe to an Oath of Office, and all personnel take and subscribe to a Loyalty Oath before undertaking the duties of office or position.

A. Deputy Sheriffs (Peace Officers)

The Oath of Office for deputy sheriffs is mandated by O.C.G.A. 45-3-7, and shall be administered by the Sheriff. The proscribed oath shall be executed by each deputy sheriff prior to being assigned to any law enforcement duties.

B. Deputy Sheriffs (Detention Officers)

The Oath of Office for detention officers is mandated by O.C.G.A. 42-4-2, and shall be administered by the Sheriff. The proscribed oath shall be executed by each detention officer prior to being assigned to any correctional duties.

C. All Agency Personnel

The Loyalty Oath for all personnel is mandated by O.C.G.A. 45-3-13. The oath shall be sworn and subscribed by all agency personnel and filed with the Forsyth County Human Resources Department. The proscribed loyalty oath shall be executed by each new hire prior to assuming his/her position.

III CODE OF LAW ENFORCEMENT ETHICS

A. All sworn personnel shall abide by the following Code of Law Enforcement Ethics:

“As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation; the peaceful against violence or disorder; and to respect the constitutional rights of all persons to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; be constantly mindful of the welfare of others; and be honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or what is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty. I will never act officiously or permit personal feelings, prejudices, animosities, or friendships influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence, and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement."

B. Non-sworn members of the agency will abide by the Forsyth County Code of Ethics as set forth in County Ordinance 77-B.

IV MISSION STATEMENT, VALUES, GUIDING PRINCIPLES

"Mission Statement"

Our mission statement conveys what we believe to be our guiding purpose for the Forsyth County Sheriff's Office, it is where we put our walk with our talk:

In an unwavering effort to keep our community safe, the Forsyth County Sheriff's Office exists to protect life and property, deter crime, create relationships in our community, and to set an example of professionalism in our service to others.

"Values"

Our core values are fundamental convictions and beliefs that we hold so firmly that they cannot be altered by circumstances. Our values and how we define our values serve as our ethical compass in making decisions and taking actions. We refer to these as the "Forsyth County Way".

The Forsyth County Way....

"We Are Here To Serve Our Community"

Service is the cornerstone of our value system at the Forsyth County Sheriff's Office. The highest form of service we can provide is to protect the lives and property of one's fellow human beings. Our county provides an exciting and diverse environment for personal and professional achievement. Our school system and county resources are recognized nationally for their value. We recognize that our achievements as law enforcement officers will be measured by the level of safety and well-being enjoyed by our community.

“Integrity”

If Service is the foundation of our value system, Integrity is the mortar that must hold it all together. The Forsyth County Sheriff's Office will demonstrate, through its actions, an uncompromising allegiance to the core principles espoused within the Police Officer's Code of Ethics. Every Forsyth County Sheriff's Office employee will embrace ideals such as honor, duty, courage, equality, fairness, and dignity.

“Courage”

Our courage helps prove us worthy of the trust given to us by the citizens. Our words and actions demonstrate the willingness to venture into danger and difficulty when our duties call for it.

"Service Matters”

This is a phrase that must mean more than words, it must embody a state of mind, an approach to delivering law enforcement services that recognizes that in order to be truly effective we must express genuine concern, with conviction, that we are in the business of serving people. We recognize the dignity of all people and treat them accordingly. Our intent is to always reach beyond the expectations of our citizens. We will work tirelessly to create positive role modeling in our community

“We Approach Crime Proactively”

Stopping crime before it occurs is our most important function. Identifying conditions which foster crime in our community and doing something about them is a joint law enforcement - community responsibility. Thinking about crime fighting is important but the actual prevention of crime is a task which no other entity can assume, it rests squarely on our shoulders.

“We Treat People Consistently and Fairly”

The Forsyth County Sheriff's Office practices this value both within the organization and with the communities we serve. We are flexible in dealing with issues in an open and sensitive manner. However, we are committed to the consistent application of the law for the common good. We treat people with dignity and respect always. We practice impartiality, equity, and honesty without self-interest, prejudice and favoritism. We continually remember that we often encounter good people on less than their best day. We will display patience and empathy for those in distress and work to resolve their issues.

“Excellence”

We deliver the best service or product possible. This is the ultimate goal for each employee of the Forsyth County Sheriff's Office. The effort that one undertakes to obtain such a level of excellence is the most important aspect of this value. Sheriff's employees are expected to do the best possible job at all times.

“Innovation”

Utilizing creativity to meet today's challenges is paramount for the Forsyth County Sheriff's Office to effectively solve problems. While having a consistent process to complete our daily tasks may be valuable in many circumstances, we do not serve this process. We must be willing to seek solutions that exist outside of our normal methodology in order to address the complexities of our era.

“Guiding Principles”

- ❖ Our People: We recognize that our people are our most valuable asset. We are committed to the professional, personal, and educational growth of our employees. We will always act with fairness, understanding, and a desire to see each of our people achieve their goals. We will encourage our people to become engaged in our community in areas outside of traditional law enforcement.
- ❖ Our Professionalism: Professionalism is culture driven by the leadership of the agency. We will set the example each day in our actions both with our citizens, and with our fellow employees. We will commit to hold each other accountable for our and our fellow employee's professionalism.
- ❖ Our Leadership: We recognize that leadership doesn't come with a title, it must be earned daily. We will celebrate, teach, and reinforce examples of servant based leadership models throughout the agency. We recognize that a failure by any of us is failure by all of us. To that extent, we will have the “courage to confront” behavior that does not serve to improve the community or our agency.
- ❖ Organizational Change: We will remain on the cutting edge of law enforcement practices. To do this, we must be willing to constantly learn, test, and evaluate new programs and technology. We are willing to fail in our best efforts to enhance the capabilities of the agency. We are committed to having the best trained and educated agency in Georgia. We must all be committed to supporting any effort that seeks to improve our ability to serve our community

V LEGAL/CONSTITUTIONAL REQUIREMENTS

It shall be the duty of all agency employees to uphold and enforce the law. Employees are prohibited from violating the constitutional rights of any person and shall adhere to current laws and criminal procedure as established by competent judicial authority. Specific procedures related to constitutional requirements are contained in **GO 3-5 Legal Process**.

VI ADA COMPLIANCE

The purpose of this section is to insure that the Forsyth County Sheriff's Office is in compliance with the ADA standards as they apply to law enforcement interactions with individuals protected by the Americans with Disabilities Act. Specific policy and procedures that insure agency compliance with all ADA standards are set forth in **GO 1-10 Americans with Disabilities Act** and corresponding standard operating procedures.

Compliance with ADA guidelines is not voluntary. Whether the person's interactions with the Forsyth County Sheriff's Office is one of public assistance, witness to a crime or implicated as a suspect to a crime; all reasonable efforts to comply with these guidelines will be made to afford persons with ADA recognized disabilities access to all programs and accommodations that are available to persons without a disability.

GENERAL ORDER: 1-2 ORGANIZATION

Rescinds/Amends:

Effective Date: April 3, 2018

Committee Review - Date: March 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I ORGANIZATION

The purpose of this policy is to establish the organizational structure of the Forsyth County Sheriff's Office and to set forth the basic organizational principles of the agency such as organizing by function, ensuring unity of command, delineating responsibility and delegating authority.

The agency shall be organized into three operational components. They shall be identified as:

1. Law Enforcement Bureau
2. Sheriff Services Bureau
3. Jail Bureau

Within the bureaus, various divisions, sections, units, and teams consisting of sworn and/or non-sworn personnel shall be formed in order to accomplish the goals and objectives of the agency.

A. ORGANIZATION

1. Office of the Sheriff
2. Chief Deputy
 - A. Internal Affairs Unit (Internal Investigations Direct Report)
 - B. Communications Unit
3. Law Enforcement Bureau
 - A. North Patrol Division
 - North Uniform Patrol
 - S.W.A.T, C.N.T.
 - Peer Support
 - B. South Patrol Division
 - South Uniform Patrol
 - Honor Guard

- C. Special Enforcement Division
 - SRO Unit
 - Traffic Unit
 - K-9 Unit
 - Traffic Specialist Unit
 - Explorers Unit
 - C.E.R.T.
 - Incident Response Team
 - Seasonal Patrol Unit
 - Motorcycle Unit

- D. Criminal Investigations Division
 - Narcotics
 - Major Crimes Unit
 - Property Crimes Unit
 - Crime Scene Unit
 - Sex Offenders Unit
 - Evidence Unit

4. Sheriffs Services Bureau

A. Support Division

- Crime/Intel Analyst Unit
- S.O.I.T. Unit
- Fleet Management
- Supply Unit
- CTOC Team
- EMA Liaison
- Finance Unit
- Payroll
- S.O. Procurement

B. Headquarters Division

- Court Security Section
- Community Relations Unit
- Warrant Unit
- Transport Unit
- Civil Unit

- Permits/Ordinance Unit
- Animal Control Unit
- Reserve Unit
- Chaplain Unit
- Volunteer Unit

C. Office of Professional Standards Division

- Internal Affairs Unit (Unit Management)
 - Recruiting
 - Background Investigation
- Training Unit
- Records Unit
- GCIC Unit

5. Jail Bureau

- Operations Unit
- Administrative Services Section
- Classifications Unit
- Bond Administrator
- Sentencing Clerk
- Court Coordinator
- Inmate Services Unit
- Jail Resource Unit
- Security Unit
- SRU inmate Movement
- Jail Dispatch Unit
- Jail A-Watch
- Jail B-Watch
- Jail C-Watch
- Jail D-Watch

B. UNITY OF COMMAND

This unity of command is essential to ensure that all employees are aware of what is expected of them and to promote efficiency and responsibility. However, it is understood that there may be times when an employee may be given a command or be responsible to someone other than their immediate supervisor. Under ordinary circumstances, each employee should be able to identify one, and only one, supervisor to whom the employee is accountable.

D. AUTHORITY, RESPONSIBILITY AND DELINEATION OF RESPONSIBILITY

To achieve effective direction, coordination and control, responsibility and accompanying authority are delegated through the chain-of-command. All Sheriff's Office personnel shall be given the authority to effectively complete all law enforcement functions. Personnel may not be given responsibility for a function without the commensurate authority to carry it out.

All levels of agency supervision are required to delegate the necessary authority to lower ranking personnel to allow all agency employees to fulfill their responsibilities.

All agency personnel will be accountable for the use of the delegated authority given to their position. The deputies working for the Forsyth County Sheriff's Office shall have the powers of peace officers as regulated by law, and the power to make arrests and to execute and return criminal warrants and processes in the county.

D. SPAN OF CONTROL

The proper span of control will be determined by such factors as:

1. Ability of the subordinate
2. Complexity of the tasks to be performed by the subordinate
3. Separation by time or place of the supervisor and the immediate subordinates
4. Number of supervisors on duty at a given time

E. COMMAND PROTOCOL / COMMAND PROTOCOL AT SCENES INVOLVING MORE THAN ONE DIVISION/SECTION

The Sheriff is the Chief Executive Officer of the agency and the final agency authority on all matters of policy, operations and discipline. The Sheriff is responsible for the planning, staffing, directing, coordinating and controlling of all agency functions and activities. The Sheriff shall exercise command over all personnel within the agency.

1. Ranks of Authority

The following authority ranking shall establish the chain-of-command within the Forsyth County Sheriff's Office:

- Sheriff
- Chief Deputy
- Major
- Captain
- First Lieutenant
- Lieutenant
- First Sergeant
- Sergeant
- Corporal

Deputy II
Deputy I

2. Command Structure

Command Structure will always follow the chain-of-command. The chain-of-command will also apply to all civilian personnel in their respective division assignments. Whenever command structure is easily distinguished by rank, responsibility of command remains with the command officer of the highest rank.

In law enforcement incidents, there may be an occasion for personnel from multiple sections of the agency to be at a scene. Should a situation such as this occur, the highest-ranking deputy assuming responsibility will always be in charge of the incident. However, the ranking official may defer authority to the section or unit with primary responsibility of the specific incident to be in command (i.e., at the scene of a homicide, the ranking investigator). The highest-ranking deputy, even if deferring authority to a lower ranking deputy, shall always be responsible and accountable for the supervision of the incident.

In situations where more than one section is required at a scene, cooperation between the members of different divisions, sections, units and ranks within the agency is essential. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation with other agency personnel.

F. AGENCY COMMUNICATIONS, COORDINATION AND COOPERATION

1. GENERAL: The timely and accurate exchange of information within the organization is a critical aspect of a supervisor's ability to provide effective direction and control of assigned employees and is an essential ingredient to the ability of all employees to more efficiently accomplish their duties. Because the agency is structured into various specialized and support functions, is geographical dispersed throughout the county, and operates on a continuous 24 hour a day basis, the ability to properly supervise and coordinate the activities of our employees and efficiently share information is made difficult. Consequently, it is imperative that all employees take the initiative to keep each other informed and see to it that information is relayed accurately and expeditiously.
2. METHODS OF INFORMATION EXCHANGE: The exchange of information is accomplished in a variety of ways. These include:
 - a. AGENCY STAFF MEETINGS: The Sheriff and members of the Command Staff assemble to exchange information of general interest, to formulate policy and procedures, to resolve issues of agency concern, and to plan for future operations.
 - b. ROLL CALL: Supervisor should relay information received from various sources to personnel during roll call to facilitate the sharing of information and to keep personnel informed of new agency and/or division requirements. Individuals from other agency units of assignment may attend so that an open exchange of information can be encouraged, problems identified, and appropriate remedial action initiated. For example, detectives and traffic deputies could attend roll-calls in order to provide

- "BOLO" information, Precinct and Watch Commanders may attend Criminal Investigations Division meetings in order to address follow-up crime scene processing issues and may attend Jail Bureau roll-calls to resolve any book-in or victim assistance related problems.
- c. OTHER STAFF MEETINGS: Subordinate commanders may conduct periodic staff meetings in order to exchange information and solicit input from all levels of employment within the agency.
 - d. WRITTEN DIRECTIVES AND CORRESPONDENCE: A more formalized manner of communicating is by issuing a written directive. A directive is any written document used to provide information that guides, directs, or affects the performance or conduct of agency employees, such as General Orders and Special Orders.
 - e. ELECTRONIC MAIL & MESSAGING: Another method of communicating involves the transfer of information between computer terminals. This method of sending messages could be used for matters that are not sensitive, classified, or otherwise require limited access.
 - f. AUDIO / VIDEO COMMUNICATIONS: Wired and wireless telephones, pagers, cellular / Nextel phones, satellite phones, agency radios, audio / video teleconferencing, and other communication devices / services are widely available and have become commonplace in public safety agencies.
 - g. ALL PERSONNEL ARE STRICTLY CHARGED WITH ESTABLISHING AND MAINTAINING A HIGH SPIRIT OF COOPERATION WITH ALL EMPLOYEES, REGARDLESS OF ASSIGNMENT, POSITION, OR RANK.

GENERAL ORDER: 1-3 DIRECTION

Rescinds/Amends: GO 1-3

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s): SOP 1-3.100

Authorized by: Sheriff Ron H. Freeman



I DIRECTION

The purpose of this policy is to establish the authority of the Sheriff of the Forsyth County Sheriff's Office, to designate someone in command during the absence of the Sheriff, to establish accountability of supervisors for the performance of subordinates, and to determine the scope of the written directive system.

II AUTHORITY OF THE SHERIFF

The authority of the chief executive officer of the agency is vested in the Sheriff. The Sheriff is an elected official. This authority is promulgated by O.C.G.A. 15-16-10.

III COMMAND DURING THE ABSENCE OF THE SHERIFF

During the absence of the Sheriff, the authority vested in this position will be delegated to the Chief Deputy. The Sheriff, prior to his absence, will give assumption of command to the Chief Deputy. The Chief Deputy will assume full authority and responsibility within the agency.

IV SUPERVISION

Within the agency, certain members will be designated as having a special responsibility to act or to take command in situations involving law enforcement service matters. The Sheriff shall be responsible for the appointment and supervision of all subordinate employees under his command in the agency.

The Forsyth County Sheriff's Office is an organization with a clearly defined hierarchy of authority and chain of command. Within each division, unit or section, levels of responsibility will be set and delegated to certain personnel in a descending order of supervision. This order of supervision will be known as the chain-of-command.

V AUTHORITY OF SUPERVISION

The authority conferred by supervision or delegated to agency personnel, authorizes and requires them to exercise that authority within their respective divisions, sections or to personnel not under their command when required. In that event, the employee's supervisor will be advised as soon as possible by the disciplining supervisor after the incident.

It is the basic responsibility of a supervisor to assure that each employee under his command is properly equipped and trained to perform the duties and responsibilities of his individual assignment.

Each supervisor, regardless of level, must effectively direct, coordinate and control the performance of those employees under his immediate supervision to achieve the basic objectives and goals of the agency and maintain its high level of standards.

Members of the agency who are designated as supervisors by virtue of their rank or classification will, in conformance with agency directives, be responsible and held accountable for the work and conduct of their subordinate personnel.

VI AUTHORITY OF EMPLOYEES/EMPLOYEE RESPONSIBILITIES

It is important to note that whenever an employee is delegated responsibility, that employee is to be held fully accountable for the use of that authority as well as the failure to use it.

VII OBEYING ORDERS

All agency employees are expected to promptly obey any lawful order given by a supervisor. Orders from supervisors to subordinates will be in a professional, clear, understandable language, civil in tone and manner and issued pursuant to agency directives. This will include any order relayed from a supervisor by another employee.

A. UNLAWFUL ORDERS

Supervisors should not knowingly issue any order which is in violation of any law, ordinance or agency directive. Obedience to an unlawful order is never a defense for an unlawful action; therefore, employees are not required to obey any order which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee and he will be required to justify his action.

B. UNJUST OR IMPROPER ORDERS

Employees who are given orders which they feel to be unjust or contrary to rules or regulations may first question the order in a professional and respectful manner with the issuing authority. If

the order stands as issued, the employee is expected to obey the order to the best of his ability and then may discuss the order with their chain of command.

C. CONFLICTING ORDERS

Upon receipt of an additional order which conflicts with any previous order or instruction, the employee affected will advise the person issuing the second order of this fact, in a professional and respectful manner. The individual issuing the second order has the responsibility to have the original order rescinded.

VIII WRITTEN DIRECTIVES

Whenever possible, the Forsyth County Sheriff's Office will establish all policies, procedures, practices, orders, rules and regulations in the form of written directives that will be available to all personnel within the agency. Employees who do not understand the directive will be responsible for notifying their immediate supervisor for clarification.

A. STATE AND FEDERAL LAW

Every effort should be made to avoid conflict between agency directives and state and federal law. If such conflict does exist, it may be resolved by application of the following principles:

1. Law takes precedence over administrative regulations. (Example: Federal and State law would take precedence over Georgia P.O.S.T. Council regulations.)
2. Law of the higher jurisdiction takes precedence over law of a lower jurisdiction. (Example: U.S. Supreme Court constitutional interpretations take precedence over State law. State law takes precedence over County ordinances.)

In cases where agency policy is more restrictive than state and/or federal law, an employee shall be required to comply with the agency policy.

B. FORSYTH COUNTY SHERIFF'S OFFICE WRITTEN DIRECTIVES

The purpose of this section is:

- To systematically formulate standard statements of agency policy.
- To provide procedures for carrying out agency activities.
- To provide specific directives known as the agency's Rules and Regulations.
- To provide procedures for indexing, purging, updating and revising directives.
- To describe the written directives system format.

This order also establishes definitions, formats and other instructions relating to the system of written directives. Pursuant to authority granted to the Sheriff, the Policy Manual is hereby

established for the operation of the agency. Responsibility for the revision and updating of the manual lies with the Sheriff or his designee.

C. WRITTEN DIRECTIVES THAT ESTABLISH POLICY

A policy is a written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity but rather provide a framework for development of procedures and rules and regulations.

When a written directive is issued and that directive is a policy statement, it will be issued as a General Order.

D. WRITTEN DIRECTIVES THAT ESTABLISH PROCEDURES

Written policy is supported by agency procedures. While policies establish the direction of the agency, procedures provide "how to" guidance to agency personnel. All agency procedures shall be adopted in the same fashion as agency policies. Procedures shall be incorporated into a Standard Operating Procedures manual and shall be consistent with existing agency policy.

E. WRITTEN DIRECTIVES THAT DO NOT ESTABLISH POLICY

Any written directive that is not a General Order and is issued to any division or section will be kept and maintained by the division/section and a written acknowledgment will not be required by the individual employees. A directive that does not establish policy nor affect individuals within a division/section will serve as a matter of information only.

F. EMPLOYEE RESPONSIBILITY FOR WRITTEN DIRECTIVES

Upon signing the receipt indicating that they have been made aware of a written directive, the employee will be responsible for adhering to the specified policy/procedure.

GENERAL ORDER: 1-4 INFORMATION MANAGEMENT

Rescinds/Amends:

Effective Date: April 14, 2021

Committee Review - Date: June 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I INFORMATION MANAGEMENT

The purpose of this policy is to address the management of information.

A. DOCUMENTATION OF LAW ENFORCEMENT ACTIONS

It is the policy of the Forsyth County Sheriff's Office that certain Law Enforcement Actions be documented, whether originated by a citizen or agency employee. Employees shall prepare documentation for the following types of incidents, which occur in Forsyth County:

1. Citizen reports of crimes;
2. Citizen complaints;
3. All citizen requests for services of the agency when a deputy is dispatched, an employee is assigned to investigate, or an employee is assigned to take action at a later time;
4. Criminal and non-criminal cases initiated by or coming to the attention of agency personnel;
5. All auto accidents reported to the agency; and
6. Incidents involving arrests, citations, or summonses.

B. WALK IN / PHONE IN REPORTS

Certain types of reports may be prepared at any Sheriff's Office facility by meeting the complainant in person or by telephone. These reports should be limited to incidents where the physical presence of a deputy at the scene is not necessary. Reports taken may include but not be limited to:

1. Lost property
2. Reports for "Documentation Purposes"
3. Suspicious/unwanted telephone calls
4. Supplemental property lists
5. Those directed by a supervisor

C. Reports Submitted Online

Citizens may report non-emergency incidents on the official Forsyth County Sheriff's Office web site (forsythsheriff.org). These are incidents that occurred within Forsyth County and do not require an on-scene response. Incident types include, but may not be limited to, the following:

1. Bad Checks
2. Identity Theft
3. Lost or Mislaid Property
4. Lost or Stolen Vehicle Tag
5. Theft by Taking (Less than \$500.00 value)

II MANAGEMENT INFORMATION SYSTEMS

To provide reliable information to be used in making management decisions, the agency shall utilize an information management system. This type of information system calls for a collection of reliable and relative information to be forwarded through the chain-of-command which may be used in predicting workloads, determining manpower and other resource needs, setting goals and objectives, and preparing budgets.

III AVAILABLE INFORMATION

It is the responsibility of the individual agency divisions to ensure that all records of activities which involve the day-to-day operations of the agency are properly maintained. Such records shall include, but not be limited to:

1. Calls for Service
2. Incident Reports
3. Offense Reports
4. Arrest Reports
5. Traffic Accident Reports
6. UCR Reports
7. Employee Time Sheets
8. Traffic Citations and Warnings
9. Other Statistical Reports

IV SECURITY AND UTILIZATION OF COUNTY COMPUTERS AND MDT's

The use of all computer/mobile data terminal hardware and software located at the Sheriff's Office that is used, owned or leased by the Sheriff's Office or the Board of Commissioners shall be regulated by agency policy.

V INFORMATION MANAGEMENT PROCEDURES

No Sheriff's Office employee or any other individual or organization is authorized to utilize any Sheriff's Office or county computer/mobile data terminal hardware, software or related facilities and supplies for other than official Sheriff's Office or county business without the approval of the Sheriff or his designee.

A. RESOURCES COVERED

Resources covered by this directive include computer mainframes, minicomputers, and their peripherals; microcomputers and their peripherals; computer terminals, mobile computers, printers, and similar devices; computer workstations; data capture devices such as scanners, card readers, and similar devices; software programs used by the mobile data terminals (including but not limited to, utility programs, control programs, operating systems, and application programs, from any source); control procedures and/or command procedures related to the above; documentation related to any of the above; computer paper and forms related to the above; magnetic or optical storage media such as magnetic tapes related to the above, tape cartridges, optical disks, or magnetic disk packs, diskettes and USB jump drives related to the above.

1. Sheriff's Office employees and/or independent contractors may utilize any of the above-mentioned resources only for projects approved, authorized, and scheduled by the Sheriff's Office or an authorized member of the County Information Systems and Technology Department.
2. Demonstrations, programming activities, and dissemination of data and/or documentation to any individual or organization within or outside of the Sheriff's Office control are prohibited without prior approval from the Sheriff or his designee.
 - a. Division Commanders may authorize demonstrations of their user applications for visitors or for training purposes when such exercises are carried out with reasonable precautions against release of sensitive or proprietary information.

B. GENERATED DATA FILES/REPORTS

The costs for the preparation and distribution of such data files or reports shall be determined by the costs set under the Georgia Open Records Act. The costs for the preparation and distribution of such data files or reports shall be passed onto the recipient and are payable to the Sheriff's Office unless they are prepared in response to directives of another government agency or are authorized by contractual agreement with the County or Sheriff's Office.

C. RELEASE OF DATA REPORTS

Computer generated data files or reports which are requested by persons or organizations outside of the Sheriff's Office may only be released upon the approval of the Sheriff or his designee.

D. INTERNET USAGE

No Sheriff's Office employee or any other individual or organization is authorized to utilize any county computer/mobile data terminal hardware, software or related facilities and supplies for other than official county business without the approval of the Sheriff or his designee.

Any requests for Internet access, access to blocked sites, or other actions that require an exception to normal procedures shall be approved by the Sheriff or his designee.

E. COMPUTER SECURITY

Whenever the vehicle or work area is left unattended, the user should lock the terminal or workstation.

To help prevent corruption of data in network files and unauthorized users from accessing restricted files, do not give passwords to other people or leave them written down where others might see them. Individual users are responsible for actions performed under their login ID and password.

1. If there is suspicion that an unauthorized user has learned and has been using another's assigned password, the password shall be changed immediately and notification made to the employee's supervisor and the IT Unit.
2. The division commander shall notify the Sheriff's Office IT Unit and the Employee Records Unit immediately upon the determination that an employee is to be dismissed or is resigning when the employee has access to any computer system or mobile data terminal. When an employee is transferred/promoted/demoted, the Forsyth County Information Systems and Technology Department and the Sheriff's Office IT Unit shall be notified by the Employee Records Unit so that appropriate access may be given for the new assignment and removed for the old assignment.
3. The Forsyth County Information Systems and Technology Department conducts at a minimum, an annual audit of computer passwords, access codes or access violations:
 - a. During the audit a listing of all present employees from the Sheriff's Office Employee Records Unit shall be compared with a list of present employees from the user file for a verification of job status. This shall be done on an ongoing basis.
 - b. A list of Sheriff's Office employees with access to the county Criminal Justice Information System shall also be compared with a list of current employees from the Employee Records Unit file.

c. If discrepancies are found, adjustments shall be made to the password list. The details of the audit shall be maintained by the Forsyth County IT Unit.

4. Backup and Storage of Central Records Computer Files

Each week the Forsyth County Information Systems and Technology Department completes a full backup of the computer files. Incremental backups shall be done daily.

F. PROCEDURES FOR COMPUTER USAGE

Employees should use extreme caution when eating or drinking at a computer workstation or around the mobile data terminal. In the event any liquid is spilled on the computer system, the user should: Logout immediately; turn off all power; wipe up the spill quickly; and advise the Sheriff's Office Information Technology Unit (SO I.T.).

The use of entertainment software such as games and movies during working hours is strictly forbidden.

All employees at the end of their work day shall logout from the network and properly shut down their computers. This does not apply to shared computers or computers and equipment with a designated task to be performed after hours or computers that the user has been instructed not to shut down.

Mobile data terminals (MDT) shall be used for official agency business only.

The mobile data terminals have been mounted outside of the "airbag" zone as much as possible to prevent injury to the deputy if the airbags were to deploy. For this reason, it is critical that the mount not be adjusted. In all cases where a passenger is present in the front seat of the patrol vehicle and the vehicle is in motion, the MDT shall be positioned safely to the center of the vehicle console so as to not interfere with the safe deployment of the passenger side air bag. If the passenger side air bag were to deploy accidentally or because of an impact, the MDT must be in a position where it shall not become a projectile aimed at the front seat passenger.

Due to safety considerations, the operator must keep use of the mobile data terminal to a minimum while the vehicle is in motion. Actions that require more attention such as Messages and Field Reporting should be used only while the vehicle is stopped.

The use of terminal messages must be restricted. Terminal messages are designed for car-to-car transitory information and shall not be directed to Communications. Terminal messages are not private. They are public record.

GCIC/NCIC checks for vehicle registrations, driver's licenses and warrants may be performed via MDT. Anytime a "hit" is received, the deputy must immediately notify the 911 Communications Center by voice radio transmission. The Communications Center must then perform the GCIC/NCIC check again for confirmation purposes.

Deputies shall make GCIC/NCIC check requests by voice radio transmission anytime officer safety is an issue or the Mobile CAD software is off-line.

G. REGULATIONS ON COMPUTER USAGE

All requests for the alteration of agency computers/MDTs must receive approval from a Sergeant/Supervisor or above. Requests may be submitted in writing via the chain of command. If approval is granted, an IT help ticket shall be completed. In addition, all employees should adhere to the following:

1. The use of copyrighted software without an approved license agreement is strictly prohibited.
2. All approved software should be installed by personnel authorized by the Information Technology Department.
3. All data storage devices must be scanned for malware and viruses upon being introduced into the computer by using the computer's virus scanning software.
4. Computers/Mobile data terminals and related equipment should be repaired and configured by personnel authorized by the Sheriff's Office Information Technology Unit.
5. Unauthorized installation of software or other files is prohibited.

H. SENSITIVE INFORMATION PROCESSING

The Information Technology security policies and procedures provided in this directive shall be required to protect sensitive information. This directive shall adhere to Georgia's Computer System's Protection Act (O.C.G.A. 16-9-90), which pertains to computer-related crimes.

1. Each user's identity shall be positively established. A user's access to the system, as well as activity in the system (including material accessed and actions taken), shall be controlled and open to scrutiny. This requirement is, as a rule, met by applying a combination of administrative procedures and hardware and software controls. When an automated audit trail is available, data should be collected on accesses made to files; how and from where such accesses were initiated; the identity of the person or process initiating the access; and a record of all unauthorized access to data storage media.
2. The Forsyth County Sheriff's Office Information Technology Unit, or, at the discretion of the Sheriff or his designee, the Forsyth County Information Systems and Technology Department shall take measures to make sure that information technology is externally protected against unauthorized access to the central computer facility, unauthorized access to the system from remote terminals and unauthorized access to data storage media.

3. All IT components should operate so that system hardware and software malfunctions are automatically or administratively detected and reported in time to detect or prevent unauthorized disclosure.
4. Each database, file or data set shall have an identifiable origin and use, and an explicitly defined set of access controls based on sensitivity, user identity and established need-to-know. The system shall function so that each user has access to only the information to which they are entitled.

I. Supervisor Responsibility for Review of Electronic Transmission

Supervisors are responsible for the review of electronic transmissions via computer, phone, text, email, radio and other media. This review should be conducted based on information within the immediate knowledge of the supervisor or upon receiving a complaint of inappropriate data transmissions or improper use of electronic devices.

VI RAPID ID DIGITAL FINGERPRINT DEVICE PROCEDURES

The following procedures shall be followed to comply with agency policy regarding the use of the Rapid ID Digital fingerprint device.

A Rapid ID Device (RIDD) is defined as a handheld, wireless supported scanning device that communicates via cellular service to the Georgia Crime Information Center (GCIC) and National Crime Information Center (NCIC) databases through Data Works system (service provider). The device checks two fingerprints obtained from suspects in the field against wants and warrants and can provide positive identification and a criminal history if electronic prints exist in the GCIC / NCIC database.

A RIDD shall only be used by authorized deputies identified by their division commander who have had training on the operation of the unit. Training shall include considerations and requirements for use of the device under various circumstances.

1. All RIDD units must be properly maintained in accordance with the manufacturer's recommendations as detailed in the training provided prior to use.
2. Training
 - a. Training shall be based on manufacturer's recommendations and within the guidelines of training conducted by Data Works. This training shall be in accordance with GCIC/NCIC regulations and all legal mandates.
 - b. Training shall include at a minimum:
 - i. Setup and maintenance procedures;
 - ii. Proper use guidelines;
 - iii. Legal issues involved with the use of the RIDD;
 - iv. Reporting requirements;
 - v. Other issues as deemed necessary and established by the Sheriff's Office Training Committee.

- c. Prior to issuance of a Rapid ID Device, authorized deputies shall complete an agency approved Rapid ID Device course and demonstrate proficiency on the unit.
- d. The Training Unit shall be responsible for overseeing the development and administration of the training process for assuring proficiency of instructors and operators with the Rapid ID Digital Fingerprint Device.

3. Guidelines for Use of the Rapid ID Device

Only devices which conform to the standards as set forth by the Georgia Crime Information Center shall be approved.

- a. The RIDD may be used in situations where the subject to be fingerprinted has given voluntary consent or permission for the member to use the device. This may include consent given during lawful encounters. (i.e.: traffic stops)
 - i. As with other forms of consent, the consent can be limited or withdrawn at any point by the subject.
 - ii. If consent is withdrawn; use of the RIDD is not authorized and its use must stop immediately. Under these circumstances' deputies shall not force or coerce anyone to submit to the scan.
- b. The RIDD may be used in situations where reasonable suspicion can be articulated that the subject to be printed has committed, or is about to commit a criminal act, when there is a justifiable and reasonable belief that such printing via the RIDD shall either establish or nullify the subject's connection with that crime. The key here is that the use of the RIDD is used as quickly as possible after reasonable suspicion is established.
 - i. Failure to comply with the request to provide a RIDD scan under these circumstances may constitute a form of obstruction; however, it may be more appropriate to use the failure to comply as further evidence of suspicion for the suspect crime and simply proceed with the investigation without the scan.
 - ii. The RIDD may be used in situations where the subject to be printed would otherwise be required to give traditional fingerprint samples. Some examples would include:
 - (a) Probable cause criminal arrest situations.
 - (b) Required sentencing fingerprints for court.
 - (c) Identification where arrestee refuses to provide personal information to initiate the booking process.
 - (d) Positive Identification during the execution of a warrant where the subject attempts to present themselves as another and where sufficient identifiers (height, weight, hair and eye color, scars, marks, or tattoos, etc.) match those identified for the wanted person.
 - (e) The RIDD may be used in situations where the use of the device has been specifically authorized pursuant to a valid subpoena; however, if the subpoena is not for immediate compliance, the subject should be allowed to appear for fingerprinting at the future time indicated on the

subpoena. Deputies should be aware that the subject may be able move to quash the subpoena.

- (f) Failure to honor a subpoena for RIDD use should be addressed in court and not be handled by attempting to force compliance via enforcement actions at the time of the refusal to comply.
- (g) The RIDD may be used in situations where the use of the device has been specifically authorized pursuant to a valid court order or search warrant.
 - Where a court order, search warrant or other instrument originating from court requiring the use has been ordained, reasonable and safe efforts to gain compliance may be employed.
 - Failure to comply may constitute contempt of court and may constitute obstruction of justice.
- (g) Use of the RIDD for random or generalized investigative or intelligence gathering, with no focused case or other reason is not authorized. Special care should be taken to ensure devices are not used for purposes that may lend themselves to the inference of improper "profiling."

c. Specialized Non-Standard Use

Any specialized non-standard use of the RIDD shall require notification and authorization by the deputy's immediate supervisor. If the immediate supervisor is not available, the request shall be forwarded to the on-duty watch commander.

Examples of non-standard use may include:

- (1) Request from an outside agency to fingerprint a suspect in custody. (As long as the requesting agency complies with the procedures set forth in this policy.)
- (2) Traffic fatality or homicide investigation in which there is no other identifying documentation for the victim.
- (3) Identification of any deceased person where no identifying documentation is present.
- (4) Guidelines cannot be written to encompass every possible application for the use of a RIDD. Deputies, therefore, should keep in mind the guidelines set forth in this policy to assist them in deciding whether the device may be used or not. If there is a question as to the appropriate use of this device after reviewing this policy, the deputy shall contact their immediate supervisor.

Deputies are expected to be able to justify, based on these guidelines, training, experience and assessment of the circumstances, how they determined that use of the RIDD was justified under the circumstances.

4. The Forsyth County Sheriff's Office Training Unit shall be responsible for:
 - a. Coordinating end user training that is to be conducted by user trainers identified by each division commander based on manufacturer's recommendations, GCIC guidelines and appropriate legal mandates.
 - b. Maintaining Training Records:
 - i. Ensuring that proficiency training is received by each user and;
 - ii. Training is documented
 - c. Reviewing and revising all applicable training criteria on an as needed basis.
5. Those user trainers selected by their respective commanders shall ensure that each approved user of the RIDD receives required training in the field and that the training is documented and forwarded the Training Unit.
6. Division commanders shall ensure that supervisory personnel who manage members equipped with the RIDD device:
 - a. Make certain all authorized users follow established guidelines and procedures for the use and maintenance of the RIDD.
 - b. Repairs and replacement of damaged or non-functional RIDDs are documented and performed as according to manufacturer's recommendations.
7. Tracking
 - a. Monthly, reports involving cases in which the RIDD played in integral part in making an arrest shall be forwarded up through the chain of command to the Office of the Chief Deputy.
 - b. The UPS commander or his designee shall be responsible for maintaining a system of tracking all cases which are sent from the field involving the RIDD. Cases of interest, for example, are ones in which the RIDD enabled the member to make an arrest based on the fingerprint and not solely the running of an individual's name through FCIC/NCIC.
 - c. The UPS commander shall be responsible for overseeing the technology portion of the RIDD Program.
 - i. All RIDD units purchased by the agency shall be approved, inspected and installed as determined by the IT Unit or designee.
 - ii. RIDD units in need of repair or replacement shall be brought to the attention, via the chain of command, to IT Unit or designee.

VII CELL PHONES

Because of the potential for serious injury to an employee and/or the public, agency employees are discouraged from engaging in unnecessary telephone conversations while operating a moving vehicle. Such conversation shall be related to the performance of their official duties

A. Liability

The amount of distraction associated with the use of a cellular telephone increases the potential for an employee to become involved in a traffic accident. As such, the Sheriff's Office must limit the potential liability to the employee as well as the agency.

Under certain exigent circumstances, it may be necessary to continue driving while becoming engaged in a business-related conversation. Examples of exigent circumstances would include, but are not limited to:

1. emergency operations,
2. rolling surveillance/undercover activities,
3. confidential briefings of responding tactical units,
4. urgent calls involving deputies and their supervisors in the performance of official duties.

B. Alternatives

Employees shall utilize a "hands free" cellular telephone system when available. Even though this type of system presents an alternative, employees shall use due care when they are using a hands-free system.

C. Personal Cellular Phone Usage

A personal cellular phone may be used by employees or Reserve Deputies of the Forsyth County Sheriff's Office, providing their vehicle is stationary. This would require that the employee refrain from becoming involved in a conversation on the phone until they are able to get their vehicle safely off the roadway and parked. A personal cellular phone may be utilized when operating a moving vehicle ("hands free" device required if available) for an urgent conversation with a supervisor during the performance of official duties.

Due to the officer safety and perception issues associated with using a cell phone for personal business, employees shall minimize their personal calls while on-duty. Supervisors shall be attentive to employees who utilize their cell phones in a manner which can be viewed as excessive.

D. Agency Owned Cellular Telephones

Several members of the Forsyth County Sheriff's Office are issued agency owned cellular telephones based on the nature of their work assignment. In addition to following the

procedures previously listed, employees with an issued cellular telephone shall be required to reimburse the costs incurred while using the issued phone for personal business.

E. Investigations

As a condition of being allowed to use a personal cellular telephone in an agency issued vehicle, an employee may be requested to furnish a copy of their cellular telephone bill for the purposes of an internal investigation. This may be done when an employee is involved in a vehicular accident in an agency owned vehicle and there is reasonable suspicion that the deputy was engaged in a phone conversation at the time of the accident.

F. Phone Use

When making personal local phone calls from the workplace, and/or using a Sheriff's Office cell phone/radio, employees must use judgment and discretion to limit any calls. Excessive use shall be dealt with as a disciplinary matter. Personal long-distance phone calls are not permitted on any Sheriff's Office phone.

G. Communication Systems

The Forsyth County Sheriff's Office provides a variety of channels for communication to promote the efficient operation of its business. These communication systems include voicemail, e-mail, facsimile, computer networks, internet connections, on-line services, computer files, telephone systems, cellular phones, radio communications and pagers. All communications transmitted by, received from, or stored in these systems are the sole property of the Forsyth County Sheriff's Office and an employee should have no expectation of privacy related thereto.

All Forsyth County Sheriff's Office communications systems as defined above are intended for business use only and are not to be used in a way that may be considered as disruptive, inappropriate, harassing, threatening, or offensive to others. Employees are specifically prohibited from transmitting, forwarding, downloading, or receiving offensive or pornographic materials and messages. These communication systems may not be used to send or to receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization or as allowed in the due course of official law enforcement investigations. Failure to comply with these provisions may result in discipline, up to and including, termination.

GENERAL ORDER: 1-4.1 SOCIAL MEDIA

Rescinds/Amends:

Effective Date: December 17, 2021

Committee Review - Date: January 2019

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. PURPOSE**

The purpose of this policy is to establish oversight and procedures related to the utilization of social media for investigative or public information purposes which promote the mission of the agency,

II. POLICY

The Forsyth County Sheriff's Office recognizes the use of social media as a means to further the mission, vision and goals of the agency. Utilizing social media platforms in successful and strategic ways can enhance the safety and security of Forsyth County and advance the best interests of the Forsyth County Sheriff's Office.

Social media provides a potentially valuable means of assisting agency personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related goals. This policy identifies potential uses that may be explored or expanded upon.

The personal use of social media can have a bearing on agency personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by agency personnel.

The goals of the Forsyth County Sheriff's Office social media program are as follows:

1. To promote positive interaction and engagement between the Forsyth County Sheriff's Office and the public.
2. To disseminate safety, security and emergency information to Forsyth County residents in a trusted and efficient manner.
3. To monitor and respond to community concerns related to public safety.
4. To leverage publicly available social media information to detect and prevent criminal activity and threats to Forsyth County residents.
5. To monitor social media platforms for community members in crisis and connect them with appropriate resources.

III. DEFINITIONS

Blog: A self-published commentary on a particular topic that may allow visitors to post responses, reactions, or comments. This term is short for "Web log."

Editor: Any person or persons authorized to access the areas of the Forsyth County Sheriff's Office Official Website or Facebook Page in order to make any changes to content, templates, images, or any other data contained within the Forsyth County Sheriff's Office or the Forsyth County, Georgia Government's information servers.

Forsyth County Sheriff's Office Official Website (herein referred to as the "Website"): All of the Forsyth County Sheriff's Office information servers and Forsyth County Government information servers which disseminate information to both internal personnel as well as to the general public to include the Official Facebook Page and all information contained thereon.

Information: Any electronic data contained within the County's Website.

Page: The specific portion of a social media website where content is displayed and managed by an individual or individuals.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user shares about himself or herself on a social networking site.

Social Media: A category of internet-based resources that integrate user-generated content and user participation. This may include, but is not limited to, social networking sites (Facebook, Nextdoor); microblogging sites (Twitter); photo and video sharing sites (Flicker, Snap Chat, Instagram, YouTube); wikis (Wikipedia); blogs; and news sites (Digg, Reddit).

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Electronic Communications: Electronic Communications include, among other things, messages, images, data or any other information used in e-mail, instant messages, voice mail, fax machines, computers, pagers, telephones, cellular and mobile devices including those with cameras, intranet, internet, back-up storage, information on a memory or flash card, jump/USB or zip drive, any other type of internal or external removable storage drives or any other technology tool.

Social Media Coordinator: The Sheriff or designee shall appoint an employee to serve as the Social Media Coordinator for the Agency. The Social Media Coordinator shall be responsible for managing and maintaining all Forsyth County Sheriff's Office social media platforms and monitoring programs in accordance with agency goals. The Social Media

Coordinator shall work closely with the Social Media Contributors for the success of the social media program.

Social Media Contributors: The Forsyth County Sheriff's Office's social media program shall be operated by volunteer staff members who shall be designated by the Sheriff or designee as Social Media Contributors. The Social Media Contributors shall assist in advancing the agency's social media program by helping develop and post relevant content on a regular basis that will resonate with Forsyth County community. Additionally, they may assist with monitoring the agency's social media platforms as well as publicly available social media sources. Social Media Contributors shall work closely with the Social Media Coordinator for the success of the social media program.

Social Media Playbook: The Forsyth County Sheriff's Office shall maintain a Social Media Playbook that contains specific guidelines for posting content on the agency's various social media platforms as a guide for both Social Media Contributors as well as the Social Media Coordinator. The Social Media Playbook shall be updated as needed.

IV. RESPONSIBILITIES

The Director of Communications shall serve as the Social Media Manager. The Social Media Manager shall appoint a Social Media Coordinator to oversee the activities of the Social Media Contributors.

The Social Media Manager, or designee, shall conduct Social Media training once a year for the agency Social Media Coordinator and Social Media Contributors.

Employees selected to be Social Media Contributors shall review the Forsyth County Sheriff's Office Social Media Playbook and Social Media Policy prior to being authorized to post content on any social media platform.

V. PROCEDURES

A. Use of Forsyth County Sheriff's Office Social Media Accounts.

The Forsyth County Sheriff's Office may maintain accounts on a variety of social media platforms, including (but not limited to) Facebook, Twitter, Instagram, YouTube and Snapchat. These accounts shall be used only for official business of the agency. A community password shall be maintained by the Social Media Coordinator. This password shall be changed anytime an employee with access to them leaves employment with the agency.

The Forsyth County Sheriff's Office social media platforms constitute a limited public forum. The Forsyth County Sheriff's Office shall establish a Terms of Use that shall govern public interaction with all official Forsyth County Sheriff's Office social media accounts providing guidelines for content and comments. The Terms of Use also provide guidance for the agency's Social Media Coordinator and Social Media Contributors. When permitted by the social media platform, the Terms of Use shall be publicly posted. The Terms of Use shall be updated as needed and is part of the Social Media Playbook.

B. WEB ADMINISTRATION CODE OF CONDUCT

The Forsyth County Sheriff's Office Official Website and social media platform may be used to disseminate information to the general public, media outlets, and others looking for information regarding the Forsyth County Sheriff's Office.

Anyone accessing the Administration Area of the Forsyth County Sheriff's Office Official Website and/or any Sheriff's Office social media platform must adhere to the following set of guidelines, which may be amended at any time by the Sheriff or designee.

1. EDITING OF INFORMATION

When editing the Website or social media platform, editors shall:

- A. Maintain a professional attitude that reflects well upon the Forsyth County Sheriff's Office in all information posted.
- B. Not disclose any confidential information concerning the property, agency, or affairs of the Sheriff's Office without proper legal authorization.
- C. Not willfully or corruptly make any false statement(s), accusations, certificate(s), mark(s), rating(s) or report(s) in regard to any information, or in any manner commit or attempt to commit any fraud via any Sheriff's Office social media platform.
- D. Not willfully or corruptly make any changes to any data other than generic content without expressed written consent by the Sheriff or his designee. This would include but not be limited to Templates, Database Structure(s), Active Server Code, Layout Schemes and directory structures (both true and virtual).
- E. Not inject any information of a subjective nature that could be construed as opinion. All information written to the website shall be of a factual and objective nature.

C. Agency-Sanctioned Presence:

1. All agency social media sites or pages shall be approved by the Sheriff or designee according to agency policies.
2. Social media pages shall clearly indicate they are maintained by the agency and shall have agency contact information displayed.
3. Social media content shall adhere to applicable laws, regulations, and policies, including information technology and records management policies.
4. Content of social media pages is subject to Open Records laws.
5. Agency personnel representing the agency via social media outlets shall conduct themselves as representatives of the agency and shall adhere to the agency's code of ethics. They shall identify themselves as members of the agency; not make comments regarding the guilt or innocence of suspects or arrestees; not make comments concerning pending prosecutions and not post, transmit or otherwise disseminate confidential information, including pictures, videos, evidence, or

other materials of the agency relating to training, work assignments, and enforcement efforts without the express written permission of the Sheriff or designee.

6. Content that is humorous in nature may be posted for community outreach purposes. However, humor can be very subjective, and may be misconstrued by the viewer. Caution shall be used when posting humorous material. Humor shall not be directed at other individuals or groups in a negative or mocking way.
7. Material posted by others may be shared or "retweeted", if appropriate. It is important, however, that the person or organization originally posting the content be vetted prior to sharing their content on agency social media accounts. No content shall be shared which is posted by any person or organization that engages in discriminatory or offensive conduct or speech, conduct or speech which violates the Terms of Service outlined in this policy, or where association with the Forsyth County Sheriff's Office official social media accounts would damage the public perception or reputation of the agency or law enforcement in general.
8. Every effort should be made to acknowledge or respond to all comments on agency postings, or posts related to or mentioning the Forsyth County Sheriff's Office. No response should be made to comments or replies which are abusive or designed to provoke anger or controversy (commonly known as "trolling"), where a response may only provoke further inappropriate comments.
9. Free speech is a constitutionally protected right, and the Forsyth County Sheriff's Office encourages the public to share ideas, opinions and comments on its social media accounts. The Social Media Manager, Coordinator and Contributors responsible for social media management shall be mindful of this, and protective of community discourse and debate conducted in a civil manner.
10. Inappropriate posts or comments on any official agency social media platform which violate the Terms of Use incorporated in the Social Media Playbook should be hidden as soon as practical by the Social Media Coordinator or designee.
11. Agency personnel shall not conduct political activities or private business on agency social media.
12. Agency personnel shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
13. Social media is a valuable tool when seeking evidence or information regarding missing persons, wanted persons, gang activity, crimes perpetrated online, photographs or videos of a crime posted by a participant or observer.
14. Social media can be used for Community Outreach by providing crime prevention tips, offering online reporting opportunities, sharing crime maps and data, and soliciting tips about unsolved crimes.
15. Social media may be used for time-sensitive notifications of road closures, special events, weather emergencies, and missing or endangered persons.

D. Social Media Monitoring

The Forsyth County Sheriff's Office may scan publicly available social media sources to detect and prevent criminal activity and threats to Forsyth County residents and agency members, identify community concerns, and to identify community members in crisis and connect them with appropriate resources. Scanning may be accomplished on an ongoing basis, with special attention during times of heightened security or when there are imminent threats to the safety of Forsyth County residents and agency members.

1. The Forsyth County Sheriff's Office respects the rights of all individuals to engage in constitutionally-protected rights, including free expression via social media and online forums. The agency shall safeguard the privacy of individuals and organizations who choose to use social media. Accessing private or restricted social media content may be considered a search under the Fourth Amendment. No personnel shall access social media accounts or content where a reasonable expectation of privacy exists, except for legitimate law enforcement purposes, where such a search has been authorized by a warrant issued from a court of competent jurisdiction or valid consent obtained from account holder.
2. Social media monitoring shall be used only to advance a legitimate law enforcement purpose, including criminal investigations, criminal intelligence development, crime analysis, and situational assessments, such as an event or large gathering; or to assess social media use during crisis events for law enforcement planning purposes. Employees are strictly forbidden from using social media monitoring tools for any personal, political, or business purpose.
3. Biased-based profiling shall not be utilized in any social media monitoring.
4. Social Media Monitoring software may be used. However, access shall be limited to designated individuals and can only be accessed for legitimate law enforcement purposes.
5. If threatening content is located, it shall be captured, retained or otherwise preserved and the information forwarded to the appropriate enforcement personnel.

E. Social Media Critical Incident Management

In the event of a critical incident, whether criminal, natural, or accidental, the effective use of social media to inform the public in a timely manner is vital.

1. Once the Incident Command System (ICS) is initiated, the Incident Commander or his designee may notify the Social Media Coordinator or an on-duty Social Media Contributor of the incident and determine what information should be released to the public immediately. This information may include:
 - a. Shelter-in-place or evacuation orders.
 - b. Road closures and traffic notifications.
 - c. Severe weather or disaster notifications.

The Incident Commander or Shift Commander may assign a Social Media Contributor to post content and monitor social media during the critical incident if necessary.

2. At times, there may be a critical incident occurrence where no ICS is initiated. If this happens, the Shift Commander may instruct a Social Media Contributor to post the appropriate information for the public as needed. Due to the dynamic nature of critical incidents, it may be necessary to provide preliminary information to the public without delay, in order to better ensure the safety of the community and first responders.
3. If the critical incident is likely to generate significant interest from the media, the Shift Commander should notify the Public Information Officer.

F. Criminal Investigations

Social media may contain data that constitutes evidence in ongoing criminal investigations, including evidentiary photos, admissions and confessions, location data, alibi information, and identities of co-perpetrators. This data shall be captured and forwarded immediately to the appropriate personnel for further investigation.

G. Complaints

In the event a complaint against an officer of the agency is received via social media, it shall be documented according to agency policy.

H. Archiving Requirements

All content created by the Forsyth County Sheriff's Office and posted to its official social media accounts is public record, and subject to the Georgia Open Records Act. All such content, along with associated comments, replies, "likes", and "retweets" should be preserved and retained in accordance with State of Georgia and University System of Georgia retention schedules.

VI PERSONAL USE of SOCIAL NETWORKING

Employees may utilize appropriate personal/social networking pages or sites while on-duty and off-duty. The use of social media while on duty shall be limited in nature, professional and shall not interfere with their work assignment. Employees are prohibited from engaging in any type of conduct on social media sites which may impair the work of the agency for which confidentiality is important; tarnish the agency's reputation; or create a safety/security risk to the agency's mission.

1. Agency personnel are cautioned that representing themselves as employees of the agency in their off duty social networking may bring about targeting of the employee. Agency personnel are cautioned that when using social media, their speech becomes part of worldwide electronic domain. Posting of personal photographs and other personal information by agency personnel may subject them to

becoming targets of criminal acts, harassment, or other forms of abuse due to their employment.

2. Employees are prohibited from posting or re-posting the following information on agency or personal social media or any other medium of communication unless the information is used for investigative or public information purposes which promote the mission of the agency:
 - a. Any text, photograph, audio, video or other multimedia file related to any investigation of this agency
 - b. Video, audio, photographs or any other images that memorialize a law enforcement action of this agency
 - c. Logos, badges, seals, uniforms, vehicles, equipment or any other item or symbol that is affiliated with or representative of this agency
 - d. Any other item or material which is identifiable to this agency
3. Agency personnel shall not post materials which promote violence or weaponry, obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
4. Agency personnel may not divulge information gained by reason of their authority; make statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this agency without express authorization of the Sheriff or designee.
5. Employees are prohibited from using their rank and/or title in any social media or social networking activity unless the communication is of an official nature and is serving the mission of the agency. This also includes signature lines in personal email accounts.
6. Employees who are subject to administrative investigations may be ordered to provide the agency, or its designated investigator, with access to the social media and social networking platforms they maintain.
7. If requested, any employee shall complete an affidavit attesting to all the social media and social networking sites in which they participate.

GENERAL ORDER: 1-5 GOALS & OBJECTIVES

Rescinds/Amends:

Effective Date: October 24, 2018

Committee Review - Date: April 2018

Related Procedure(s): SOP 1-5.100

Authorized by: Sheriff Ron H. Freeman



I Purpose

The purpose of this directive is to prescribe the procedures for the development of agency goals and objectives. The formulation of goals and objectives are an essential part of organizational management and are directly related to the development of the agency's multi-year plan.

II FORMULATION & UPDATING OF AGENCY GOALS

Agency Goals are general statements of the Sheriff's strategic direction for the agency; are directly related to the agency's mission statement; and serve to form the basis for organizational decision making. Normally, goals remain constant over time and do not change, unless the mission of the agency is modified or there are significant changes imposed upon the agency by legislative, legal, social, or other environmental influences.

A. Formulation of Agency Goals

The Sheriff will formulate agency goals to guide future decision making, formulation of objectives by division commanders and establishment of a multi-year plan.

B. Annual Updating of Agency Goals

Agency goals, as stated above, normally remain constant and do not change unless there are significant outside factors that directly impact the agency. To determine whether such factors exist or if there are any other reasons to modify the goals of the agency, a review shall be performed annually and as needed.

III FORMULATION, EVALUATION & UPDATING OF AGENCY OBJECTIVES:

Agency objectives are more specific than goals, in that they are "action oriented" statements leading to measurable results to be achieved within a specified time. The accomplishment of an objective is a step toward achieving one or more agency goals.

A. Formulation of Agency Objectives

1. Bureau Commanders will formulate their objectives for review by the Chief Deputy and approval by the Sheriff. These objectives shall be:
 - a. Directly related to, and in support of, one or more of the agency's stated goals;
and
 - b. Shall represent the major initiative(s) that is to be accomplished during the upcoming fiscal year.

B. Evaluation of Agency Objectives

1. Evaluation of agency objectives aids in determining progress being made to attain a stated objective within a given period of time. This evaluation shall be performed on a semi-annual basis. Each objective shall be formally reviewed to ensure that:
 - a. Its accomplishment is still feasible as planned; or
 - b. Whether other, unforeseen circumstances have developed that may impact the scheduled outcome or that may require the objective to change.
 - c. Factors that may influence the accomplishment of an objective are:
 - A reduction, elimination, or reprogramming of county funding or other outside financial assistance;
 - The need to use personnel or equipment resources in another higher priority area; or
 - The requirement to address a critical problem that needs immediate attention.

C. Updating of Agency Objectives

All agency objectives shall be updated annually. The updated agency objectives shall be submitted to the Chief Deputy prior to the beginning of the formal budget process each year.

IV DISTRIBUTION OF AGENCY GOALS AND OBJECTIVES

Agency goals and objectives shall be distributed to agency employees annually. Distribution may be achieved via PowerDMS. The distribution will usually occur after the goals and objectives have been reviewed and updated.

V. AGENCY MULTI-YEAR PLAN

To effectively plan for future operations and organizational requirements, the agency shall formulate a Five-Year plan.

1. Responsibility

The agency's Five-Year Plan shall be developed by the Sheriff's Services Bureau Commander or designee.

2. Elements to be included in the five-year plan are:

- Long-term agency goals and operational objectives based upon anticipated needs and forecasts;
- Anticipated workload, population, trends, and other demographic data which may impact on agency operations;
- Projected personnel and staffing levels; and
- Anticipated capital improvements and equipment requirements.

3. Review and Revision

The Five-Year Plan shall be reviewed and revised by the Sheriff's Services Bureau Commander or designee on an annual basis or as needed.

GENERAL ORDER: 1-6 CRITICAL INCIDENTS

Rescinds/Amends: SOP 1-6.602

Effective Date: July 25, 2022

Committee Review - Date: November 2019

Related Procedure(s): SOP 1-6.100 – 1-6.600

Authorized by: Sheriff Ron H. Freeman



I CRITICAL INCIDENTS

The purpose of this policy is to ensure all personnel actively participate in and follow the procedures outlined in the Forsyth County Emergency Operation Plan. The Sheriff or designee will act as the law enforcement emergency management commander for actual emergencies. The FCEMA may address administrative matters and the Public Information function.

The Sheriff's Services Bureau Commander, or designee, is the agency designate for planning and coordinating the agency response to unusual occurrences in conjunction with the Forsyth County Emergency Management Agency (FCEMA) and other county departments.

A. JURISDICTIONAL CONSIDERATIONS

As defined in this section, the incident commander or the ranking deputy taking command of a hostage, barricaded person, sniper, or other unusual incident will retain such command until some other agency clearly indicates that jurisdictional responsibility is theirs.

1. Concurrent Jurisdiction in Hostage Incidents / Foreign Officials to the United States

If the hostage is a foreign official or an official guest of the United States, as defined by the U.S. Code Chapter 51, Title 18, jurisdiction is concurrent with the Federal Bureau of Investigation (FBI). If the FBI clearly indicates that it will take command in this instance, the agency will comply.

If the FBI indicates that jurisdiction remains concurrent, joint decision making will be completed by the SWAT commander and the senior or ranking FBI agent at the scene. Concurrent jurisdiction implies concurrent responsibilities; therefore, all subsequent strategy must be mutually planned and implemented.

2. Victims of Federal Crime

If a hostage incident results from the commission of a federal crime such as bank robbery or extortion, jurisdiction is concurrent with the FBI.

If the initial control of the operation is by the Forsyth County Sheriff's Office, it will be retained by the agency until the senior or ranking FBI agent at the scene declares responsibility.

3. If a hostage, sniper or barricaded person incident occurs as a result of criminal activity in another law enforcement jurisdiction, followed by fresh pursuit of the perpetrator by officials of that agency into Forsyth County, concurrent jurisdiction is assumed.

If the hostage, sniper or barricaded person incident occurs as a result of criminal activity in Forsyth County and fresh pursuit requires personnel to enter another jurisdiction, concurrent jurisdiction is assumed.

4. If federal or local agencies declare their intent to control a situation, the SWAT commander and/or the incident commander, will offer the assistance of the agency. Agency personnel will then be guided by all lawful orders given by these officials.

II MASS ARRESTS

In the event of a civil disorder whereby mass arrests occur, the commanding Forsyth County Sheriff's Office law enforcement officer will assume control over the following:

- a. Mass processing and identification of the arrested.
- b. Transporting of prisoners.
- c. Operation of temporary detention facilities.

The commanding officer in charge of this process will coordinate this effort first with the Sheriff's Services Division director.

III ACTIVE SHOOTER/ACTIVE THREAT

Should the Sheriff's Office become involved in an active shooter situation, immediate neutralization and containment of such threat will be the primary goal. First responders shall accomplish this goal using any objectively reasonable force, including the application of deadly force. The intent of this policy is to minimize injuries and the loss of innocent lives in the face of imminent danger. Response efforts will be prioritized as follows:

- a. Stop the active threat
- b. Rescue the victims
- c. Provide medical assistance
- d. Preserve the crime scene
- e. Establish Incident Command

All sworn personnel who are not on an emergency call shall respond to the scene of an active shooter or threat incident unless otherwise directed.

A. RESPONSE PROCEDURES

1. The first responding deputy should immediately attempt to locate and stop the active shooter or threat. The deputy should provide continuous communication about their location, when feasible, and should continue past victims and wounded in order to stop the active threat from assaulting further victims. The locations of victims should be relayed via radio as well as other information regarding explosive devices, areas cleared, etc.
2. If the active shooter or threat has not been contained or stopped, the next responding deputy(s) should make immediate entry and also attempt to locate and stop the active shooter or threat. The deputy(s) should continuously relay his/her location and status, when feasible. All personnel shall restrict their use of the radio for emergency traffic only. This shall continue until the active shooter or threat has been contained or stopped.
3. The use of deadly physical force against the active shooter or threat shall continue until the suspect(s) discards his/her weapons and surrenders or is incapacitated.
4. Directed fire toward the active shooter may be necessary. Directed fire should be used when it doesn't needlessly endanger innocent lives.
5. Once the active shooter or threat has been stopped the responding deputy's focus should change to the treatment and/or evacuation of all wounded victims and all living persons from the incident location. The area will continue to be viewed as "active" even though no more active threats may be occurring and deputies should maintain security while dealing with victims and escorting other public safety personnel in and out of the scene. Due to the possibility of other active shooters mingling with innocent persons in hopes of escape, each deputy should proceed with caution and search for weapons prior to placing evacuees in designated staging and containment areas, when reasonable to do so.

A documented annual review of Active Threat policy and training needs will be conducted by the Training Unit Supervisor.

IV HANDLING OF BOMB THREATS

As a primary response law enforcement agency, the Forsyth County Sheriff's Office shall occasionally be called upon to respond to the report of a bomb threat. The policy shall address the handling the call only, not the bomb. Any suspected packages will be handled by a qualified bomb disposal unit. The requisite criminal investigation associated with a bomb threat or the actual placement of an explosive device shall be the responsibility of the Criminal Investigation Section. The site will be treated as a crime scene.

V EXECUTIVE PROTECTION

The Forsyth County Sheriff's Office, when requested, shall coordinate VIP security with outside agencies whose primary duty is the protection and security of VIP's visiting Forsyth County.

VI SPECIAL EVENTS

The Enforcement Commander or designee shall be responsible for the coordination and supervision of manpower needs for any special event within Forsyth County, requiring more than ordinary law enforcement presence or as may be directed by the Sheriff or his designee.

The Enforcement Commander or designee will formulate a plan for each special event to include a written estimate of traffic density, pattern and best avenues of ingress and egress (i.e. street closing, special one-way streets, emergency no parking zones) as well as a plan for traffic control in the affected area.

The Enforcement Commander or designee will formulate a plan for each special event that will assure adequate control and safety for participants and spectators of each special event. This plan will include estimate of crowd size; any potential for violence by participants or spectators; and delineation of areas where the potential for criminal activity could arise as a result of crowds associated with the special event. Additionally, the SWAT commander, or designee will advise the Detention Center commander to make arrangements to accommodate a possible mass arrest situation.

VII WINTER WEATHER PLAN

The Winter Weather Plan is a guide for how Forsyth County Sheriff's Office will respond during periods of significant winter weather events. These periods would include when ice and snow affect the daily operations of county business, make travel on roadways dangerous, or create debris due to snow and ice accumulation. The primary purpose of this plan is to coordinate activities within the Forsyth County Sheriff's Office to prepare for, respond to, and recover from a significant snow and ice event.

A. SCOPE & APPLICABILITY

The Winter Weather Plan presents operational strategies for preparedness (pre-season and during an imminent threat), coordination of efforts during response, resource allocation, logistical support, and recovery operations.

Due to the scale and impact of ice and snow, this plan may be activated when:

1. Snow and ice accumulation is anticipated to impact Forsyth County in such a manner that emergency response cannot be effectively performed within the county, or when one or more of the following watches/advisories are issued by the National Weather Service of Forsyth County:
 - a. **Winter Storm Watch**: Issued when there is at least a 50 percent chance for winter storm conditions occurring in the next 12 to 48 hours. Winter storm conditions include an accumulation of at least a half inch of sleet, and/or a significant accumulation (1/4 inch or more) of ice due to freezing rain, and/or heavy snow

- accumulation. Snow accumulations must be at least 2 inches (except 3 inches in the Northeast Georgia Mountains) within a 12-hour period, or at least 4 inches in a 24-hour period.
- b. **Winter Weather Advisory**: Issued up to 36 hours before an event for an 80 percent or greater chance of a winter precipitation event (snow, freezing rain/drizzle, sleet or blowing snow) which causes inconvenience but does not meet the warning criteria.
 - c. **Winter Storm Warning**: Issued when there is at least an 80 percent chance for winter storm conditions occurring within the next 24 hours. Winter storm conditions include an accumulation of at least a half inch of sleet, and/or a significant accumulation (1/4 inch or more) of ice due to freezing rain, and/or heavy snow accumulation. Snow accumulations must be at least 2 inches (except 3 inches in the Northeast Georgia Mountains) within a 12-hour period, or at least 4 inches in a 24-hour period.
 - d. **Ice Storm Warning**: Issued when there is at least an 80 percent chance that freezing rain will result in the accumulation of at least 1/4 inch of ice within the next 24 hours.
 - e. **Blizzard Watch**: Issued when there is at least a 50 percent chance for blizzard conditions within the next 12 to 48 hours. Blizzard conditions consist of sustained wind speeds (or gusts) of at least 35 mph, and considerable falling or blowing snow causing a reduction of visibilities to less than 1/4 mile for at least 3 hours.
 - f. **Blizzard Warning**: Issued when there is at least an 80 percent chance that wind and snow will combine to produce blizzard conditions within the next 24 hours. Blizzard conditions consist of sustained wind speeds (or gusts) of at least 35 mph, and considerable falling or blowing snow causing a reduction of visibilities to less than 1/4 mile for at least 3 hours.

B. WINTER WEATHER OPERATIONS

PREPAREDNESS ACTIVITIES

1. Vehicle Snow Chains

- a. Snow chains shall be available for all 2-wheel drive vehicles involved in the Inclement Weather Operations Order.
- b. Snow Chains shall be installed by Fleet Maintenance personnel or a Sheriff's Office approved vendor.
- c. Once winter weather begins, Fleet Maintenance provides extended hours to facilitate installation/maintenance of snow chains as needed.
- d. Snow chains are intended for low speed driving (<35 MPH).

2. All Wheel Drive Vehicles

- a. An All-Wheel Drive Uniform Patrol "spare" vehicles should be issued to Uniform Patrol Deputies who drive two (2) wheel drive vehicles IF the deputy is working during the weather event.
- b. All personnel who are issued a take-home vehicle that is all-wheel drive and are not scheduled to work during any period of the winter weather event shall make the vehicle available for general agency use. The deputy shall communicate with the Uniform Patrol Division Commander, or designee, to determine if the vehicle may be needed.
- c. All agency all-wheel drive vehicles that are recalled shall be stationed at a Precinct prior to the beginning of the winter weather event and made available for general agency use.

RESPONSE ACTIVITIES

1. Emergency Operations Center

- a. The purpose of the Emergency Operations Center (EOC) is to provide a centralized location where public safety personnel can work in partnership to prepare for and respond to a significant event.

When the EOC is activated, only essential personnel shall be allowed access.

- b. Sheriff's Office representatives for the EOC shall be selected to fill Incident Management Team (IMT) positions as needed. The representative(s) shall coordinate with all affected Sheriff's Office Divisions/units and shall compose an Operations Order (preferably (ICS -201) for dissemination.
- c. A designated "Lead" Sheriff's Office representative shall serve as the centralized point of contact for information/requests. The Sheriff's Office designee shall work with other county resources as well as state and federal agencies to facilitate the needs of the Sheriff's Office and Citizens of Forsyth County.

2. Uniform

It is permissible to wear a Class A, Class B or TDU (5-11) uniform during winter weather operational periods. Body armor must be worn at all times by all personnel in uniform. It is strongly encouraged that deputies wear/bring appropriate cold weather clothing/accessories.

3. "Tagging" Abandoned Vehicles

- a. After a vehicle has been checked for occupants and/or left unoccupied off of the roadway, deputies shall apply a visible amount of crime scene tape to the vehicle.
- b. 911 call takers shall ask callers if they see yellow tape to help cut down on repeat dispatches.

4. Radio Traffic

- a. Deputies are encouraged to cancel additional responding deputies responding to a scene once the situation is under control.
- b. It is more efficient to utilize 2 person units during hazardous conditions. With the use of 2 person units, a back-up unit is typically not required. Any car that is a 2-person unit shall use the suffix of "B", "Bravo" at the end of their radio number (i.e. "3170 Bravo").

5. High Call Volume Periods

During high call volume periods when calls for service are pending, the watch commander, or designee, may assign a supervisor to the 911 center to screen calls in an effort to avoid dispatching calls that do not need a law enforcement response.

6. Degradation or Failure of the Radio System

a. Uniform Patrol

If the primary channels (North Patrol or South Patrol) fail, the following plan should be utilized:

- North Patrol shall use North BU1 or BU2
- South Patrol shall use South BU1 or BU2

b. Jail Bureau

If the primary channel fails, the following plan should be utilized:

- JAIL BU1
- JAIL BU2

c. Court Security

If the primary channel fails, the following plan should be utilized:

- COURT BU1
- COURT DIRECT

7. Public Information

- a. As winter weather arrives and the Forsyth County EOC is activated, a member of the Public Information Unit may be stationed at the EOC. The PIO shall utilize social media, press releases and other available means to keep the public informed of the event.
- b. Deputies are encouraged to send the PIO photos or video to assist in keeping the public informed.

8. Wreckers & Towing Vehicles

When calling for wreckers, deputies should provide the dispatcher with a tag number and vehicle description. If a vehicle is left abandoned in the roadway and poses a hazard to other motorists or would prevent an accurate response of public safety vehicles (i.e. fire truck or med unit), deputies should have the vehicle towed if there are no other options. When towing an abandoned vehicle, deputies must inform dispatch that the tow is an abandoned vehicle. The 911 center shall send a tow truck from the Abandoned List to the call. Deputies should take a picture or activate their in-car video camera to document such roadway obstruction for later complaints.

9. Coordination with Forsyth County Roads and Bridges and Georgia Department of Transportation

- a. As hazardous conditions are reported, the Forsyth County Sheriff's Office designated representative shall communicate with agencies responsible for clearing roadways of hazards and evaluate the need for detour operations or other strategic operations.
- b. Law enforcement personnel may escort removal crews to major hazards to alleviate major traffic congestion.

10. Provide Reports On Road Conditions

As the weather event unfolds, the designated Sheriff's Office EOC Representative shall make contact with the Uniform Patrol watch commander for assessment of road conditions.

11. SR-13 Forms

An SR-13 may be used for single vehicle crashes with no injuries and no other property damage.

12. Chainsaws Teams

- a. Forsyth County Sheriff's Office Chainsaws should only be operated by employees who have completed the required Chainsaw Safety Course. All protective gear must be used while operating a chainsaw.
- b. Chainsaw Teams should be in groups of two (2) or more to provide the chainsaw operator assistance.

- c. Chainsaw Teams shall be deployed at the discretion of the on-duty watch commander.

RECOVERY

1. Resupplying snow tire chains and bagged salt shall be a function of Forsyth County Sheriff's Office Supply Unit.
2. As the event comes to a conclusion and road conditions no longer require snow chains, deputies can travel to Fleet or an approved FCSO Tire vendor to remove the snow chains.

VIII CRITICAL SERVICE PERSONNEL

A. CRITICAL SERVICE PERSONNEL, DIVISIONS AND UNITS

During hazardous weather events resulting in the closure of the Forsyth County Sheriff's Administrative Offices, all sworn critical service personnel along with personnel assigned to the GCIC Unit and those employees designated as Inmate Services Specialists are expected to report for duty at their normally scheduled time unless otherwise instructed. Full time and part time non-sworn employees, with the exceptions listed above, will be paid closure pay according to the hours the employee is normally scheduled to work. Part time non-sworn employees will be paid for four (4) hours of pay. To determine when the Sheriff's Office Administrative offices are officially closed call the Forsyth County Government Inclement Weather Phone Line at 678-455-8500.

1. During an event of hazardous weather resulting in the closure of the Forsyth County Sheriff's Administrative offices in conjunction with other county governmental office closures, i.e. Court, County Administration, etc., Division and Unit commanders in the Enforcement Division shall coordinate with the Uniform Patrol commander regarding supplying personnel to assist with ongoing operations, relieving off-going personnel, transporting other duty personnel, etc.
2. Commanders within the Sheriff's Services Division will coordinate with the Jail Bureau commander, and GCIC Unit regarding supplying personnel to assist with ongoing operations, relieving off-going personnel, transporting other duty personnel, etc.
3. Enforcement and Jail Bureau watch commanders should endeavor to allocate these additional personnel throughout all shifts until the weather event subsides, as well as assign personnel to assist in other county functions, such as the Citizens Center, Meals on Wheels, etc.
4. All sworn personnel, as well as GCIC personnel and Inmate Services Specialists, should understand that for the duration of the weather event, their "normal" schedule and/or assignment may be modified to assist in providing appropriate manpower to all shifts in critical service divisions and units.

5. Watch Commander or Incident Commander, as outlined in the chain-of-command, may hold any units from ending their tour of duty or call in additional manpower as needed to handle the situation.

B. PERSONAL/COMPENSATORY LEAVE

1. If questionable weather and/or road conditions exist, but the Sheriff's Administrative offices are open for business, employees should make their own independent safety determinations concerning travel to work. If the employee elects not to attend work due to safety concerns when the Sheriff's Administrative offices are open for business, the employee should contact their immediate supervisor and notify him or her of the employee's decision not to report for duty. The employee's absence will be charged against accrued personal or compensatory time. If insufficient leave time exists, the employee will be compensated up to the maximum number of hours accumulated, and the remainder shall be unpaid.
2. When the Sheriff's Administrative offices are closed during any hazardous/weather-related event and an employee required to report for duty cannot do so, the following guidelines shall apply:
 - a) The employee shall contact their direct supervisor, who shall then contact the watch commander for the location the employee was scheduled to report for duty (Enforcement, Detention, GCIC).
 - b) If the watch commander decides that the employee can be picked up but the employee, for any reason, decides he or she cannot report for duty, then that employee will be required to use personal or compensatory time to cover the required hours.

IX NATIONAL INCIDENT MANAGEMENT SYSTEM

The National Incident Management policy is promulgated through State and Federal legislation and Homeland Security Presidential Directive (HSPD)-5. The National Incident Management System (NIMS) integrates existing best practices into a consistent, nationwide approach to domestic incident management that is applicable to all jurisdictional levels and across functional disciplines in an all-hazards context. The agency will coordinate its resources as provided by the Forsyth County Local Emergency Operations Plan.

In the event of extreme or unusual occurrences, the Sheriff is responsible for coordinating the efforts of the Forsyth County Sheriff's Office.

The Sheriff's designee shall be designated as the single point of contact within the agency to serve as the principal coordinator for overall NIMS implementation and review. The NIMS coordinator will review and make recommendations on changing/adding policies to ensure compliance with NIMS standards. Yearly, the NIMS coordinator will review new standards set by the Office of Homeland Security and will complete the yearly compliance report to be submitted to State and Federal Emergency Management Agencies. The Coordinator will maintain constant contact with local Emergency Management staff.

X EMERGENCY OPERATIONS CENTER

The purpose of the Emergency Operations Center (EOC) is to provide a centralized location where public safety and emergency services personnel can work together in preparation for and in response to a potential or actual disaster, or a potential or actual major emergency. This facility is the primary local resource for managing and controlling emergency operations before, during and after an event. The EOC is located at the Forsyth County Public Safety Complex.

When the EOC is activated, only essential personnel shall be allowed access. Personnel must be able to show proper identification and a legitimate reason for entry. Persons entering the EOC must wear appropriate ID badges or passes. The Forsyth County Sheriff's Office is charged with the security and protection of an activated EOC.

XI AUTHORIZATION TO ACTIVATE EOC

The Sheriff, Board of Commissioners Chairman, or the Mayor of Cumming may request that the EMA director activate the EOC based on information that they have concerning an incident or potential incident. At that time, the Sheriff or his designee along with the NIMS Coordinator may report to the EOC to be responsible for the Emergency Support Function of law enforcement.

XII INCIDENT COMMAND SYSTEM

The Incident Command System (ICS) is a standardized, on-scene emergency management system which provides for the adoption of an integrated organizational structure. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It is used for all kinds of emergencies and is applicable to small as well as large and complex incidents. All responses, man-made or natural, will be handled under the Incident Command System throughout the life cycle of an incident.

XIII SWAT/CNT

The Special Weapons and Tactics Team (SWAT) and the Crisis Negotiation Team (CNT) work in a joint capacity to handle unusual occurrence calls that require a specialized law enforcement response.

XIV CTOC

The primary responsibility of the Command and Tactical Operations Center (CTOC) Team is to support the SWAT Team and/or an incident commander in the execution of their duties during the course of a critical operation/incident(s).

XV OPERATIONAL READINESS OF CRITICAL INCIDENT EQUIPMENT

Equipment designated for use in support of critical incidents shall be inspected quarterly for operational readiness by the personnel of which the equipment is assigned. The inspection must be documented.

XVI UNUSUAL OCCURRENCES

Unusual incidents require a tactical plan to minimize the possibility of injury to deputies and others; appropriate special equipment and trained personnel shall be requested as needed.

In tactical situations, which develop from radio calls or spontaneous activities, the deputy present is in command. Upon being informed by a ranking deputy, the ranking deputy shall take charge of the situation and will assume Incident Command. The deputy in charge will move toward an acceptable solution, either utilizing readily available manpower or by activating the Special Weapons and Tactics (SWAT) response team if necessary. Available units include, but are not limited to:

1. Environmental Protection Agency (EPA) Emergency Response Team (for hazardous materials incidents)
2. Emergency Medical Team (life endangering situations)
3. Fire Department (threat of fire, hazardous materials incident, or explosion exists or wash down is required)
4. Any mutual aid support agreements in effect
5. SWAT
6. GBI Bomb Disposal Unit

A. MOBILIZATION

The purpose of this section is to establish procedures relating to the Forsyth County Sheriff's Office emergency operations and tactical unit (SWAT). SWAT is a mobilization of agency personnel to efficiently handle duties and responsibilities related to unusual occurrences. SWAT is utilized for crime suppression and unusual occurrences. The Unit may be deployed for but is not limited to:

1. Stake-out / undercover surveillance situations;
2. General support for major case investigations;
3. SWAT operations;
4. Hostage negotiations; and
5. Other tactical operations.

B. OPERATION ORDER

Prior to the deployment of the SWAT Team, the SWAT commander or his designee shall complete an operation order. See SOP 1-6.101 for a sample.

C. SPECIFIC SITUATIONS

In most situations certain procedures can be followed. Listed below are some problem areas that the deputy may encounter:

1. When Hostages Are Involved

When hostages are taken by the perpetrator(s), the primary concern will be for the safety of all persons involved, including hostage(s), public safety personnel, and the perpetrator(s). Every extreme situation and an appropriate procedure to alleviate the problem cannot be stated. Therefore, the deputy on scene must make decisions based on rational facts and not the emotional situation, time is on the deputy's side, so it is best to contain the situation until a supervisor arrives.

2. House to House Searches

Personnel used in this type of search must be kept to a minimum to ensure that adequate communications, proper leadership by the supervisor and the safety of the deputies involved in the search are maintained. In cases of "open space" searches, the incident commander will coordinate the search operation. All other deputies will cooperate and direct other law enforcement personnel from the suggestions of the incident commander.

3. Snipers

Sniper instances must be approached with caution. The SWAT commander should cover vantage points before deploying personnel.

D. SPECIAL EVENTS

The incident commander or designee will notify and coordinate with County Departments affected by the special event (Fire Department, Transportation Department, and Public Works Department) as well as those agencies in adjacent jurisdictions who could be affected by a special event held within jurisdiction of this agency.

The incident commander or designee will also coordinate with the sponsor of the special event to assure understanding of their responsibilities in regard to a special event held in Forsyth County. The commander or designee will coordinate with the affected watch commander as to manpower needs and requirements or as the Sheriff or his designee may direct. The Incident Commander will also coordinate with any outside agency as circumstances dictate.

The commander or designee will obtain all necessary material for the handling of a special event, to include but not be limited to, traffic and crowd control barricades, special signs and other equipment required to ensure a successful operation. SWAT personnel may be responsible for security at special events, VIP protection and such duties as may be required by the special event or at the direction of the SWAT commander.

E. AFTER-ACTION REPORTS

At the conclusion of the unusual occurrence event, an after-action debriefing and critique will take place. For SWAT deployments, the SWAT commander shall be responsible for the after-action report. Depending on the type of incident, the incident commander at the time of the incident shall be responsible for completing a detailed narrative report of the operation; with copies of all logs, case reports, witness statements, and other documentation attached.

XVII Training

Documented annual training on the Critical Incidents (All Hazards) Plan, to include the Incident Command System (ICS), shall be provided for affected agency personnel. Biennial training shall be conducted consisting of a tabletop or full-scale exercise to assess the agency's capabilities with the All Hazards Plan and the Incident Command System.

GENERAL ORDER: 1-7 PUBLIC INFORMATION

Rescinds/Amends: GO 1-7

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s): SOP 1-7.100

Authorized by: Sheriff Ron H. Freeman



I PUBLIC INFORMATION

The purpose of this policy is to establish guidelines regarding the release of information to the news media and establishes policy concerning the confidentiality of documents maintained by the agency and its employees.

II RELEASE OF INFORMATION TO NEWS MEDIA

- A. Agency personnel will not be restricted from responding directly to the news media in regard to their daily operations; however, the Public Information Officer on duty/call must be informed by the commanding officer at the scene, as soon as possible, of any major or newsworthy incident and any follow-up regarding that incident.
- B. The commanding officer on the scene of any newsworthy law enforcement incident, at which reporters are present, will give only basic information to those reporters or designate someone to fulfill this obligation. (Refer to Sections 1-7.3 A and B of this policy to determine what information may or may not be released.)
- C. Employees of the agency must exercise care, common sense and discretion to avoid rendering statements or information which, if later quoted, may create a misunderstanding or compromise the effectiveness of the service.
- D. No preferential treatment will be accorded any representative of the news media. This statement will not be construed to prohibit initiative reporting, nor will it require notifying all news media prior to the release of information.
- E. All actual press releases will be issued by the Sheriff, the Public Information Officer or other person designated by the Sheriff.
- F. Whenever this agency is involved in a joint operation with other law enforcement agencies, the Public Information Officer or person designated to represent the agency in the release of newsworthy information will coordinate this effort with the other agencies involved.

III NEWS RELEASE GUIDELINES IN CRIMINAL / ARREST CASES

News media representatives will not be permitted to interview persons in custody.

- A. The following information may be made available to news media in criminal matters:
- The type or nature of an incident such as fire, accident, suicide, rape, robbery assault, or burglary.
 - The location, date and time, injuries sustained, damages and a description of how the incident occurred
 - The identity and general area of a victim (see exceptions).
 - Casualty figures, to include known dead or injured, may be released.
 - The name of any adult charged with a crime
 - The type of force used against the victim and extent of injuries to either victim or assailant.
 - The fact that a juvenile has been taken into custody and substance of the charge(s), age and sex, and general area of residence only.
 - Requests for aid in locating evidence, a complainant or a suspect.
 - A person's race may be released as descriptive information in such cases.
 - Numbers of officers, or people, involved in an event or investigation and the length of the investigation.
- B. The following information should not be released to the news media in criminal matters:
- The identity of any victim of a sex crime, abduction, spouse or child abuse, or related information which, if divulged, would tend to lead to the victim's identification.
 - The identity of any juvenile under the age of 17 who is a suspect or a defendant in any case over which a Juvenile Court has jurisdiction.
 - The identity of any critically injured or deceased person prior to the notification of next of kin. (Exception will be when notification has been attempted, but is not possible within a reasonable time as determined by the Sheriff.)
 - The performance or the results of any test(s) or the refusal of the accused to take a test or tests, or to participate in a lineup.
 - The specific cause of death until determined by the County Coroner.
 - Investigative information and information of an evidentiary nature.
 - Opinions concerning guilt of a suspect.
 - Name and address of witnesses.
 - Name and address of any subject sought for a crime, but not yet formally charged, unless help is wanted from the news media in an effort to locate the subject.
 - Home addresses and telephone numbers of employees of the agency.
 - The contents of any suicide note.
 - Amount of cash or valuables taken or overlooked by crime perpetrators.
 - Unofficial statements or information concerning personnel or internal affairs matters.
 - Any information from another agency which is considered confidential.
- C. The following information may be released to the media in arrest cases:
- The accused's name, age, description, residence, employment, and marital status (except juveniles).

- The substance or text of the charge as contained in a complaint, warrant, or indictment.
- The circumstances immediately surrounding an arrest. Time and place of arrest; methods of apprehension; resistance, and any resulting injury.
- Possession and use of weapons by the suspect.
- Amount of bond, scheduled court dates, place of detention.

D. The following information **should not** be released to the media in arrest cases:

- The identity or location of any suspect. The existence of a suspect may be acknowledged without further comment.
- Results of investigative procedures such as lineup, polygraph, fingerprinting, confessions, lab or ballistics test. The fact that tests were performed may be acknowledged without further comment.
- Information which if prematurely disclosed, would significantly interfere with an investigation or apprehension, particularly; unchecked leads, unverified information, specifics of "MO", details known only to suspect or officer, information which may cause a suspect to flee or avoid apprehension.
- Identity of a prospective non-victim witness.
- Identity of a victim / witness if such disclosure would prejudice an investigation to any significant degree, or it would place the victim in clear personal danger. (Consider "degree" and "danger" carefully, and state reasons clearly, when withholding information.)

After an arrest and formal charging, but **prior to adjudication**, certain information is restricted to ensure constitutional guarantees of a fair and impartial trial. Also, improper disclosure could form the basis for a legal defense.

Therefore, during this sensitive period, information should not be released concerning:

- prior criminal record, character or reputation of a defendant, information identifying juveniles and mug shots of accused; or
- existence, or contents, of any confession, admission, statement of a defendant, or the failure to make such; or
- performance or results of any tests, or a defendant's refusal or failure to submit to investigative tests such as a polygraph and other types; or
- identity, credibility, character, statement(s) or expected testimony of any victim, witness, or prospective witness; or
- any opinion about the guilt or innocence of a defendant, or the merits of the case, including arguments and evidence, or whether their use in court is expected; or
- possibility of plea bargaining or other disposition; or
- reports, transcripts, or summaries or proceedings from which the press and public have been excluded by judicial order; or
- information received from other law enforcement agencies without their consent.

IV REQUESTING THE WITHHOLDING OF PUBLICATION

When publication or broadcast of such coverage would interfere with an investigation or place a victim, suspect or others in jeopardy, the commanding officer at the scene

or the PIO will explain the situation to the news media representatives and request they withhold release of the story.

V PHOTOGRAPHING, TELEVISIONING AND RELEASING PHOTOGRAPHS OF SUSPECTS

- A. Agency employees will not prevent the photographing of defendants when they are in public places.
- B. Agency photographs of a suspect or arrested person may be released provided the photograph will not jeopardize an investigation. Photographs may also be released if a valid law enforcement function is served. It is proper to disclose this type of information to enlist public assistance in apprehending fugitives from justice. Such disclosure may include photographs or other pertinent information, unless otherwise prohibited by policy or law. Any release of agency photographs of a suspect or arrested person must be done after approval from the Sheriff or the Public Information Officer. Any agency arrest photos released outside the Forsyth County Sheriff's Office will have all identifying data removed from the photo, i.e., case number, date, agency name, etc.
- C. In the event of a major incident, crime or disaster, Sheriff's Office lines will be established for crowd control and to preserve evidence. Permission to enter a secured crime scene will only be granted by the Sheriff or his designee. The tactical situation or the likelihood of jeopardizing agency operations will determine if and when employees of the news media may or may not be allowed to enter these secured areas.
- D. Upon completion of any scene (crime scene, fire, or other emergency or disaster), only the owner, legal occupant, or their agents, may grant permission to news people to enter private property to gather news.
- E. In hostage or barricade situations, the officer in charge shall designate a preliminary press area at the scene and may establish it closer to the scene when safe to do so.
- F. When news media arrive at a fire scene, the ranking law enforcement officer on the scene shall refer the media to the fire official in charge.
- G. Media access to disaster scenes shall be controlled by the procedures in Unusual Occurrences policy directive of this Manual.

VI CONFIDENTIAL AND INTERNAL INVESTIGATIONS

A. CONFIDENTIAL OPERATIONS

Confidential intelligence or investigative information from the Criminal Investigation Section will not be disclosed except by express permission of the Sheriff or designee.

B. INTERNAL INVESTIGATIONS

Sensitive or investigative information (particularly the identity of officers involved) from Internal Affairs will not be disclosed except by express permission of the Sheriff or his designee.

C. SUICIDES

The fact that a suicide has occurred may be acknowledged and the suicide method may be released. The name, address, age, sex, and occupation of the victim may also be released after notification of next of kin. The fact that a suicide note exists may also be acknowledged, without further comment. Contents of all such messages are considered personal and confidential and shall not be made public.

D. CITIZEN REQUESTS

Should a citizen request that information on an incident not be released or reported to the media, officers will explain that crime information is generally considered public information and therefore, available to the news media.

VII PROFESSIONAL BEHAVIOR AND COURTESY

Any complaint of rudeness, hostility or deliberate harassment toward the media will be investigated. If substantiated, appropriate disciplinary action will be taken.

VIII CONFIDENTIALITY OF AGENCY DOCUMENTS

For the most part, law enforcement matters are of public interest and public concern. Under the Georgia Open Records Act, Ga. O.C.G.A. 50-18-70, certain information is available to the public. This information may be obtained in accordance with the Act's disclosure requirements. Specific information related to the release of agency documents is addressed in **SOP 1-7.100**.

IX VIOLATIONS OF THIS POLICY

Employees of the Forsyth County Sheriff's Office are expected to adhere to the above policies. Improper, illegal or wrongful release of any agency information, whether for personal gain or in violation of agency regulations, policy, state or federal law, could result in severe disciplinary action up to and including termination and possible criminal prosecution.

GENERAL ORDER: 1-8 COMMUNICATIONS

Rescinds/Amends: GO 1-8

Effective Date: January 1, 2017

Committee Review - Date: May 2016

Related Procedure(s): SOP 1-8.100

Authorized by: Sheriff Ron H. Freeman



I COMMUNICATIONS

The communications function for the Forsyth County Sheriff's Office will be the responsibility of the Forsyth County 911 Communications Center. The 911 Communications Center will be responsible for all emergency 911 operations and general radio system including EMS and Fire, all telecommunications, alarm monitoring, communications related computer network, teletype and automated data communications and the training required for the communications function.

II ORGANIZATIONAL STRUCTURE

The 911 Communications Center provides support services to the agency as set forth in the Law Enforcement Radio Procedures Policy adopted on 12/01/2009. This document provides for the maintenance of policies and procedures that are in compliance with the Georgia Law Enforcement Certification Program.

III CITIZEN TOLL FREE ACCESS TO 911

All citizens in Forsyth County will have the capability of dialing "911" and immediately reaching the Forsyth County 911 Communications Center to place an emergency call.

IV ACCESS TO OTHER INFORMATION SYSTEMS

The 911 Communications Center will maintain, operate and manage the equipment necessary to gain access to other local, state and criminal justice information systems. These will include NCIC and GCIC systems.

The 911 Communications Center will receive a daily duty roster at the beginning of each watch. These duty rosters will include the name of the personnel on-duty, their radio number and their assignments; names of personnel off-duty and the supervisor in charge of the units that are in-service. These duty rosters will also designate an on-call person if the component is not operational during certain hours.

Each operator's console will maintain a current directory of all agency employees, which will include their home address and telephone number.

The 911 Communications Center will maintain at all times established written procedures for procuring necessary services external to the agency. These policies and procedures will include, but not be limited to, locations and telephone numbers to all surrounding local, state and federal law enforcement and other criminal justice agencies; state and federal emergency management agencies; outside fire and medical emergency agencies; and all other ancillary and support agencies that may be law enforcement related.

V COMPUTER AIDED DISPATCH SYSTEM (CAD)

The Computer Aided Dispatch (CAD) System installation, operation, programming, maintenance and upkeep will be the responsibility of the 911 Communications Center. Additionally, the 911 Communications Center will also be responsible for interaction with the State of Georgia regarding any computer access or networking maintained by the State.

VI RADIO / CAD USAGE

All communications equipment, including radios, portable and command portable radios and CAD terminals will only be used for agency business. Employees are reminded that there is no expectation of privacy concerning the use of communication equipment; therefore, any and all verbal or written conversations may be monitored. Misuse of any agency communications equipment for other than official business will subject the user to corrective action.

In using the radio or CAD terminals, employees should, if at all possible, utilize the agency's signals and codes listed in the Radio Procedure Policy manual.

The radio system maintenance, upkeep, and all related electronic equipment for the overall system is the responsibility of the 911 Communications Center. The Sheriff's Office will be responsible for the installation, maintenance, programming, upkeep, and inventory of the portable and mobile radios.

GENERAL ORDER: 1-9 SUPPLY/FLEET MANAGEMENT

Rescinds/Amends: GO 1-9

Effective Date: January 1, 2017

Committee Review - Date: March 2015

Related Procedure(s): SOP 1-9.100

Authorized by: Sheriff Ron H. Freeman



I SUPPLY/FLEET MANAGEMENT

All supplies, equipment, computers, desks, information, and any other material obtained and used during the course of employment is property exclusively owned by the Forsyth County Sheriff's Office (hereinafter collectively referred to as "Sheriff's Property"). As a result, an employee should have no expectation of privacy with respect to Sheriff's Property.

The purpose of this policy is to establish guidelines regarding the use, maintenance, operation and control of agency equipment and property. The Supply Unit will report directly to the Manager of Financial Operations.

A. RESPONSIBILITIES

1. The Supply Unit shall maintain and control the requisition, distribution, issuance and accountability of agency-owned quartermaster and fleet type property. After issuance by the Supply Unit, accountability for the equipment falls upon the employee and his/her chain of command. The Supply Unit shall be responsible for coordinating all agency fleet maintenance issues. Firearms and ammunition shall be requisitioned and issued by the Training Section. Accountability and maintenance of computer equipment shall fall under the Information Technology Unit.
2. The Supply Unit shall coordinate an annual inventory of all fixed assets valued at \$5000 or more, less computer equipment. These items shall have their status maintained and tracked. All items in stock shall be maintained in a state of operational readiness by the person, unit or section to which the property is assigned.
3. Employee's shall ensure that all expendable items, property, equipment and personal-wear items assigned to them are returned and accounted for at the end of their employment. The Supply Unit shall review the employee's clearance form and review all property hand receipts to ensure that all equipment is accounted for prior to signing the employee's clearance form.

II AGENCY PROPERTY

A. GENERAL PROVISIONS FOR USE AND CARE OF AGENCY-OWNED PROPERTY

1. Maintaining agency equipment and property in operational ready condition is the responsibility of all agency employees. Loss, damage, malfunction or theft of any agency equipment or property, regardless of value, must be immediately reported upon discovery of such status.
2. Any damage to agency equipment or property while in possession of an employee, or while being used by an employee, shall be reported to the employee's immediate supervisor, and shall require the employee to complete an incident report describing the incident and how it occurred. Loss or damage of agency equipment that is the result of a traffic crash shall be included as part of the total damage estimate of the crash for the purpose of insurance claims. The incident report shall be submitted to the respective employee's supervisor within 24 hours of the incident. If it is determined the equipment was lost due to employee negligence, the agency may require the employee to reimburse the county for the loss.
3. The employee's supervisor shall conduct a review and make a determination as to whether the loss, damage, malfunction or theft was preventable on the part of the employee. Whenever the determination is made that the incident was preventable, the involved employee's supervisor shall proceed with disciplinary actions. Whenever a determination is made that the incident was non-preventable on the part of the involved employee, the involved employee's supervisor shall inform the involved employee via memorandum.
4. The supervisor shall submit a copy of the report and/or memorandum documenting the damage, theft or loss of equipment or property through the chain of command to the attention of the respective division director.
5. A copy of the memorandum and/or incident report shall be submitted to the respective supervisor, Risk Management and the Sheriff's Office Finance Unit.
6. Whenever a hazardous condition or defect is apparent or exists in any agency equipment or property, the employee responsible for using the equipment or property or having knowledge of such hazardous condition or defect is responsible for reporting it to their supervisor immediately. Subsequently, the supervisor shall ensure timely notification to their section or division commander.
7. Employees shall not allow unauthorized persons to possess or use agency equipment or property.
8. Property turned in to the Supply Unit that can be re-issued will be done in a manner consistent with this chapter.

B. PROVISIONS FOR ISSUED PROPERTY; EXTENDED MILITARY DEPLOYMENT

In individual cases where an agency employee is deployed as an active member of the United States military, the following equipment shall be turned in to the Supply Unit for proper maintenance:

- Agency issued cellular telephones;
- Agency issued pagers and portable radios/chargers;
- Other equipment as specified by the division director.

GENERAL ORDER: 1-10 AMERICANS WITH DISABILITIES ACT

Rescinds/Amends: GO 1-10

Effective Date: December 13, 2019

Committee Review - Date: November 2017

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I AMERICAN WITH DISABILITIES ACT

The purpose of this section is to ensure the Forsyth County Sheriff's Office is in compliance with the ADA standards as they apply to law enforcement interactions with individuals protected by the Americans with Disabilities Act.

A. OBJECTIVES

Compliance with ADA guidelines is not voluntary. Whether the person's interactions with the Forsyth County Sheriff's Office is one of public assistance, witness to a crime or implicated as a suspect to a crime; all reasonable efforts to comply with these guidelines will be made to afford persons with ADA recognized disabilities access to all programs and accommodations that are available to persons without a disability.

B. COMPLIANCE MEASURES

The following measures are put into place to insure with as much certainty as possible that the operating procedures of the Forsyth County Sheriff's Office maintain compliance with ADA regulations with regard to the interaction an employee of the Sheriff's Office has with a person protected by the Americans with Disabilities Act.

1. ADA COORDINATOR

The Sheriff's Services Bureau Commander will designate the Forsyth County Sheriff's Office ADA Coordinator. It is the responsibility of the coordinator to ensure compliance with ADA standards. The following is a list of the duties assigned to the coordinator:

- a) Maintain records of all training conducted with regards to ADA compliance issues.
- b) Conduct monthly tests of all auxiliary aids, maintain logs of inspections and any repairs needed and completed.
- c) Maintain a list of all active services to ensure effective communications with individuals with hearing, speech or vision impairments.

- d) Maintain a list of any Sheriff's Office employees that are recognized as certified interpreters for the hearing impaired.
- e) On a monthly basis, review any changes or updates to ADA compliance issues and suggest any needed policy changes.
- f) Review grievances filed by any person protected by the Americans with Disabilities Act and maintain all findings of any grievances filed.
- g) Review of all arrests of disabled persons to ensure ADA compliance.
- h) Conduct site visits to all offices occupied by the agency to ensure buildings and access to the offices meet ADA standards. If any deficiency is found, and the Sheriff's Office can remove the barrier, immediate action will be taken to remove the barrier. If it is a physical plant issue, the ADA coordinator will make a formal request to the Forsyth County Building Maintenance Division to make the appropriate modifications to remove the physical barrier.

2. TRAINING

All Sheriff's Office personnel, sworn and civilian, will receive training with regards to the protections assured to persons protected under the Americans with Disabilities Act. Training will be conducted at prescribed times throughout the year and during specific points of employment for all employees.

Training will include the following topics:

- a) Effective communication with individuals who are deaf or hard of hearing, blind, mentally ill, developmentally disabled, or have speech impediments that affect normal communications.
- b) Response of deputies with individuals who have service dogs, mobility issues, diabetes or epilepsy.

Training will be conducted as follows:

- c) Annual training will be conducted for all sworn employees to review any changes to the Americans with Disabilities act. This training will be conducted in conjunction with legal update training.
- d) Beginning with the implementation of the revised Field Training Program, initial training of all sworn personnel is conducted during the Field Training Program. This material is included in the common tasks and is covered in the initial training of a deputy.
- e) The handout Communicating with People who are Deaf or Hard of Hearing ADA Guide for Law Enforcement Officers will be provided to all sworn personnel and is to be used as a reference tool for the deputy that interacts with people that are deaf or hard of hearing.

- f) The Forsyth County Sheriff's Office ADA Tool Kit consisting of handouts that can be given to business owners when questions arise about service animals. Reference material for the deputy and internal grievance forms will be provided to every deputy.
- g) Detention personnel and personnel at every location that is equipped with a TTY machine will receive training as needed and be familiar with TTY machines so that they may assist those individuals that need help using the devices.
- h) All civilian personnel will receive initial training at time of employment, as well as, annual training in compliance with ADA guidelines.
- i) Annual Crisis Intervention Training is hosted by the Forsyth County Sheriff's Office for Forsyth County deputies and deputies of other agencies that are interested in Crisis Intervention Training.

3. INTERNAL GRIEVANCE PROCESS

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Forsyth County Sheriff's Office. The Forsyth County Sheriff's Office personnel policy governs employment-related complaints of disability discrimination.

- a) The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.
- b) The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than sixty (60) calendar days after the alleged violation to:

Forsyth County Sheriff's Office
ADA Coordinator
100 East Courthouse Square
Cumming, GA 30040

- c) Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator or their designee will meet with the complainant to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days of the meeting, the ADA Coordinator or their designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Forsyth County Sheriff's Office and offer options for substantive resolution of the complaint.

- d) If the response by the ADA Coordinator or their designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the response to the Sheriff or his designee.
- e) Within fifteen (15) calendar days after receipt of the appeal, the Sheriff or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Sheriff or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- f) All written complaints received by the ADA Coordinator or their designee, appeals to the Sheriff or his designee, and responses from these two offices will be retained by the Sheriff's Office for at least three years.

II DEALING WITH THE HEARING IMPAIRED

It is the policy of the Forsyth County Sheriff's Office to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. This agency has specific legal obligations under the Americans with Disabilities Act and the Rehabilitation Act to communicate effectively with people who are deaf or hard of hearing.

A. HEARING IMPAIRED CONSIDERATIONS

To carry out these policies and legal obligations, the agency instructs its employees as follows:

- 1) People who are deaf or hard of hearing are entitled to a level of service equivalent to that provided to other persons.
- 2) The agency will make every effort to ensure that its employees communicate effectively with people who are deaf or hard of hearing.
- 3) Effective communication with a person who is deaf or hard of hearing involved in an incident; whether as a victim, witness, suspect, or arrestee; is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
- 4) Various types of communication aids; known as "auxiliary aids and services;" are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of an assistive listening system or device to amplify sound for persons who are hard of hearing; or use of a qualified oral or sign language interpreter.

- 5) The type of aid that will be required for effective communication will depend on the individual's usual method of communication, and the nature, importance, and duration of the communication at issue.
- 6) In many circumstances, oral communication supplemented by gestures and visual aids or an exchange of written notes will be an effective means of communicating with people who are deaf or hard of hearing. In other circumstances, a qualified sign language or oral interpreter may be needed to communicate effectively with persons who are deaf or hard of hearing. The lengthier, more complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication.
 - i. If there has been an incident and the deputy is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language. A qualified oral interpreter may be required to communicate effectively with someone who has been trained to speech read (read lips).
 - ii. If a person is asking a deputy for directions to a location, gestures or an exchange of written notes will likely be sufficient to communicate effectively.
- 7) To serve each individual effectively, primary consideration should be given to providing the type of communication aid or service requested by the individual. Deputies should find out from the person who is deaf or hard of hearing what type of auxiliary aid or service he or she needs. Deputies should defer to those expressed choices, unless:
 - i. There is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing; or
 - ii. Doing so would fundamentally alter the nature of the law enforcement activity in question or would cause an undue administrative or financial burden; only the Sheriff or his designee may make this determination.

The input of people who are deaf or hard of hearing who are involved in incidents is just as important to the law enforcement process as the input of others. Deputies must not draw conclusions about incidents unless they fully understand, and are understood by all those involved, including people who are deaf or hard of hearing.

People who are deaf or hard of hearing shall not be charged for the cost of an auxiliary aid or service needed for effective communication.

Authorization for the procurement of an auxiliary aid or service shall be at the discretion of the watch commander.

- 8) Employees may utilize the following auxiliary aids, when available, to communicate effectively:
- i. Use of gestures;
 - ii. Use of visual aids;
 - iii. Use of a notepad and pen or pencil;
 - iv. Use of a computer or typewriter;
 - v. Use of an assistive listening system or device;
 - vi. Use of a teletypewriter (TTY);
 - vii. Use of a qualified oral or sign language interpreter.

Deputies shall review and have a working knowledge of the publication [Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers](#). This document reviews how officers should communicate effectively in the types of situations deputies will encounter.

B. ON-CALL INTERPRETIVE SERVICES

The agency will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors such as cost. This list will be maintained at the 911 Center.

A qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who speech reads) what is being said by the deputy and be able to voice to the deputy what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases.

1. Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is deaf may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. A deputy should not rely on an adult accompanying an individual with a disability to interpret or facilitate communication except in the following circumstances:
 - a) In an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or
 - b) Where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on that adult for such assistance is appropriate under the circumstances.

2. A deputy should not rely on a minor child to interpret or facilitate communication, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.
3. Additionally, although a "qualified" interpreter may be certified, a certified interpreter is not necessarily "qualified," if he or she is not a good communications match for the deaf person or for the situation. For example; cases where the deaf person uses Signed English and the interpreter uses American Sign Language, or where the interpreter is unfamiliar with law enforcement vocabulary.

C. TTY AND RELAY SERVICES

In situations when a nondisabled person would have access to a telephone, employees shall provide persons who are deaf or hard of hearing the opportunity to place calls using a teletypewriter (TTY, also known as a telecommunications device for deaf people, or TDD). Agency employees are authorized to accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service.

III ARREST OF INDIVIDUALS PROTECTED BY THE AMERICANS WITH DISABILITIES ACT

A. ARREST PROCEDURES

Any time a person protected by the ADA is taken into custody, the arresting deputy will notify their immediate supervisor who will in turn notify the ADA Coordinator of the arrest and case number. Once it is determined that an arrest will be made, the arresting deputy will follow standard procedures to insure officer safety. It may be necessary to restrain the person with their hands in front of their body to allow the person to read and sign any paperwork needed to meet the standard of initial effective communication. Those individuals with limited mobility may need the use of their hands to prevent possible injury during transport and entering or exiting the patrol car. Once at the Detention Center and all investigative procedures are completed, the individual and all documentation including a copy of the implied consent form will be turned over to Detention Center personnel. Refer to Detention Center Policy Order 4-6 (Securing Individuals Prior to Booking) for further details with regard to ADA compliance.

1. Deaf, Hard of Hearing or Speech Impaired Persons

Once the individual is properly restrained, the deputy will then refer to the Sheriff's Office ADA Tool Kit and retrieve the appropriate forms for the situation. For example: if a person is arrested for DUI and they are deaf or hard of hearing, the deputy will supply the arrestee with the implied consent form. The person arrested will be directed to read the implied consent warning and acknowledge that they have read the form by signing it. This form will also have notification that an interpreter will be available for them at the Detention Center and that there could be a delay of up to one (1) hour before the interpreter arrives. If the arrestee requests a certified sign language interpreter, they need to indicate such on the form at the time of arrest. That form will be placed into evidence. After that is done,

the deputy will notify dispatch to contact one of the contracted vendors for this service and request an interpreter be in route to the Detention Center.

2. Blind or Visually Impaired Persons

It is important to remember that when dealing with those who are blind or visually impaired, it is necessary to speak clearly and deliberately. Deputies and other Sheriff's Office employees will attempt to remove or reduce as much ambient or background noise as possible when communicating with individuals that are blind or visually impaired. All communications should be recorded by video / audio devices and/or be handwritten to insure effective communication has occurred.

3. Individuals with Impaired Mobility

Individuals with impaired mobility may need assistance entering and exiting the patrol vehicle. All mobility aids, within reason, will be transported with the arrestee. These individuals will be handcuffed with their hands in front of their body at all times and securely restrained in the seat of a patrol car. Individuals with limited mobility will not be transported in a van, unless the van is equipped with a lift and appropriate seating to insure the safety of the individual.

4. Individuals Arrested that Are Accompanied by Service Animals

Any time a person is arrested that is accompanied by a service animal, the deputy will make every effort to allow the arrestee to have someone come to the arrest location and pick up the service animal. If no one is available to pick up the animal, animal control will be contacted to impound the animal at no expense to the owner. The animal shall be picked up by the owner's designee within forty-eight (48) hours. From that point forward, the owner of the service animal will be responsible for all expenses associated with the impound. The only time a service animal will be left unattended, is at the owner's request when the arrest is made at the residence of the owner. The deputy will document the request and the fact that sufficient food and water was left for the animal. This documentation will be signed by the owner of the service animal. The service animal shall not be left alone for the period of more than twenty-four (24) hours. If the period of time the animal will be left alone will exceed twenty-four (24) hours, animal control will be called to impound the animal. In this event, the owner of the service animal will be responsible for all costs associated with the impounding of the animal.

5. Other Individuals Protected Under the Ada

Law enforcement encounters with individuals that are protected by the Americans with Disabilities Act are each unique to the individual, and are too widely varied to be able to be comprehensively covered in this policy. If a situation arises that is not covered by this policy, please refer to the ADA Home Page at www.ADA.gov

B. AIDS TO EFFECTIVE COMMUNICATION FOR PERSONS WITH HEARING, VISION, AND SPEECH DISABILITIES

There are many aids to help communicate with those individuals that cannot communicate with the spoken word. The following aids will be used by the agency to insure effective communication with these individuals.

1. Qualified Sign Language Interpreters

Qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who speech reads) what is being said by the officer and be able to voice to the officer what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. A qualified interpreter must be able to interpret impartially. A family member, child, or friend of the individual who is deaf, may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. Additionally, although a "qualified" interpreter may be certified, a certified interpreter is not necessarily "qualified," if he or she is not a good communications match for the deaf person (e.g., where the deaf person uses Signed English and the interpreter uses American Sign Language) or for the situation (e.g., where the interpreter is unfamiliar with law enforcement vocabulary).

2. The Sheriff's Office utilizes qualified sign language interpreters:

- a) To insure effective communications with people who are deaf or hard of hearing to the point that sound amplification devices, such as hearing aids, are not sufficient;
- b) To insure effective communications or those individuals who have a speech impediment and require the assistance of a sign language interpreter to communicate.

The Sheriff's Office will maintain an ongoing agreement with at least one contracted vendor for this purpose. As a stipulation to the agreement the provider will assure a one (1) hour maximum response time of the interpreter to the requested location.

- c) Any time a person who is deaf or hard of hearing is arrested, the arresting deputy will make every effort to communicate with the person in the field to insure they are aware of why they are being arrested and that a qualified interpreter will be notified and will be present at time of booking.
- d) Any time a person is interrogated by agency personnel, a qualified interpreter will be present to insure proper and effective communication has transpired.

- e) In the event a witness is not able to communicate verbally, a supervisor will determine whether a qualified interpreter is needed or if written communication will be sufficient to insure all pertinent information is gathered. In the event a sign language interpreter is called, that transaction will be recorded either by a video or audio recording device. This recording will be transcribed and both the transcription and digital copy of the recording will be placed into evidence.

3. TTY Devices

TTY devices are available at each precinct and in the Detention Center. These devices are available as a tool for effective communications between people who are deaf or hard of hearing and individuals that they need to communicate with outside of the Sheriff's Office. Some examples of use are as follows:

- a) In the event a person is arrested and is deaf, hard of hearing or cannot effectively communicate through speech, these devices can be used to communicate with family members, attorneys, or bonding companies.
- b) If a person is a witness to a crime, these devices can be utilized by CIS to conduct an interview.

C. WRITTEN / PRINTED MATERIAL

1. Material for Communication with the Deaf, Hard of Hearing, or Speech Impaired

Written material can be in the form of pre-printed forms and documents or hand written notes between a Sheriff's Office employee and the arrestee or citizen that is not able to communicate verbally. All written material between a Sheriff's Office employee and an arrestee/inmate will be placed in the inmate's file. Once the arrestee/inmate leaves the Detention Center, a copy of any and all employee to arrestee/inmate written communications and booking information will be forwarded to the ADA coordinator for review.

2. Material for the Blind or Visually Impaired

If an individual that is arrested is considered legally blind or has limited sight capabilities but they can read large print, a large print inmate handbook will be provided if the person is not able to post bond. Booking procedures for these individuals will be done face to face in a question and answer format. The booking information, and all other printed material that is associated with the booking process, will be signed by the arrestee if they are capable, or the booking deputy and a supervisor will sign verifying that all information is correct and that the individual being processed agrees that all information is correct and accurate. Any discrepancies will be noted and acknowledged likewise. The booking process will be done with the arrestee in close proximity to the booking deputy for privacy and to prevent distractions or miscommunication.

D. JUVENILE ARRESTS (Refer to **SOP 3-7.100**)

**GENERAL ORDER: GO 1-11 Agency
Jurisdiction & Mutual Aid**

Rescinds/Amends:

Effective Date: November 27, 2017

Committee Review - Date: October 2017

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



A. PURPOSE: The purpose of this General Order is to establish policy and procedures pertaining to the jurisdiction of the Forsyth County Sheriff's Office and the manner in which the agency provides and receives mutual aid in the event of natural disasters, mass disorders, or other emergency situations.

B. POLICY: The Forsyth County Sheriff's Office shall provide law enforcement services within the boundaries of Forsyth County and shall render mutual aid during emergency situations to other jurisdictions as appropriate.

C. JURISDICTION:

1. The jurisdiction of the Sheriff and Deputy Sheriffs are generally limited to the geographical boundaries of Forsyth County. (OCGA 15-16-10)

2. The Sheriff and Deputy Sheriffs have the authority to execute an arrest in any county in the State of Georgia. (OCGA 17-4-25)

3. A crime committed on, or immediately adjacent to, a boundary line between Forsyth County and a contiguous jurisdiction shall be considered as having been committed in either county. (OCGA 17-2-2)

4. The Forsyth County 911 Center has a detailed map that shows the geographical boundaries of the county and its incorporated areas.

D. CONCURRENT JURISDICTION:

1. **AGENCY CONCURRENT JURISDICTION:** Within the geographical boundaries of Forsyth County, the Sheriff's Office normally limits its law enforcement activities to the unincorporated areas of the county. However, the agency may perform law enforcement activities either in conjunction with or on a unilateral basis without their participation, within the boundaries of the City of Cumming. The following are examples of when such law enforcement assistance may be provided:

- a. When requested;
- b. In response to established mutual aid agreements;
- c. In conjunction with a criminal investigation or intelligence gathering activities;
- d. For the purpose of serving legal process; AND
- e. For traffic enforcement.

2. OUTSIDE AGENCY CONCURRENT JURISDICTION: The Forsyth County Sheriff's Office is the primary responder to all law enforcement related matters within the unincorporated areas of the county. However, the following agencies have jurisdiction within the county as indicated:

- a. Georgia State Patrol for traffic enforcement, traffic accident investigations, and other duties as assigned (OCGA 35-2-32/33);
- b. Georgia Bureau of Investigations to conduct criminal investigations and other duties as assigned (OCGA 35-3-4/8);
- c. Georgia Department of Revenue for enforcement of criminal statutes pertaining to manufacture, transportation, distribution, sale, or possession of liquor, wine, beer, alcoholic beverages, or tobacco products (OCGA 3-2-30);
- d. Georgia Department of Natural Resources (DNR) for the conduct of investigations related to the natural mining industry and commercial resources of the state. (OCGA 12-2-4)
- e. State and Federal law enforcement agencies for the conduct of investigations related to their respective areas of jurisdiction.

3. RESOLVING JURISDICTIONAL DISPUTES: In any situation where a question arises concerning jurisdiction, the responding officer shall make every attempt to resolve the matter in a professional manner. If the dispute cannot be resolved, the Field Supervisor shall be informed of the situation and will take action as appropriate.

E. MUTUAL AID:

1. Mutual aid shall be provided during local emergencies in accordance with the provisions of Title 36, Chapter 69 to the Official Code of Georgia Annotated.

a. A local emergency is "The existence of conditions of extreme peril to the safety of persons and property within the territorial limits of a political subdivision...that is caused by natural disasters, riots, civil disturbances, or other situations presenting major law enforcement and other public safety problems, which are likely to be beyond the control of the services, personnel, equipment,

and facilities of the agency and which require the combined forces of other jurisdictions to combat." (OCGA 36-69-2)

b. Whenever members of the Forsyth County Sheriff's Office render emergency aid or assistance outside the boundaries of the county pursuant to the "Georgia Mutual Aid Act" or to an established mutual aid agreement, each employee shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties within Forsyth County. (OCGA 36-69-6)

c. Such emergency aid does not pertain to the routine exchange of information and assistance in conjunction with day-to-day law enforcement operations.

2. When necessary, written agreements will be executed between the Forsyth County Sheriff's Office and other law enforcement agencies to provide mutual aid and assistance in emergency situations.

3. AUTHORIZATION TO FURNISH MUTUAL AID:

a. WITHIN THE BOUNDARIES OF FORSYTH COUNTY:

(1) The appropriate Supervisor is authorized to provide assistance when requested by other agencies within Forsyth County based upon the availability of personnel and equipment. Should additional personnel and/or equipment be required, the Field Supervisor shall contact the Division Commander for necessary action.

b. OUTSIDE THE BOUNDARIES OF FORSYTH COUNTY:

(1) **DURING EMERGENCY SITUATIONS**, only a Watch Commander or above may approve requests for the use of agency personnel and/or equipment in jurisdictions outside Forsyth County. The Watch Commander will immediately notify the Division Commander of the situation. The next higher Senior Commander will be advised of the situation as soon as possible and will approve/disapprove/modify the request as appropriate. This requirement does not pertain to the normal exchange of information or assistance in conjunction with official law enforcement business OR for requests in response to inter-jurisdictional pursuit operations.

(2) **DURING NON- EMERGENCY SITUATIONS**, all requests for the use of personnel and/or equipment outside Forsyth County shall be forwarded to the appropriate Bureau Commander for review.

4. AUTHORIZATION TO REQUEST MUTUAL AID:

a. FROM AGENCIES WITHIN FORSYTH COUNTY:

(1) The Field Supervisor is authorized to request assistance from the appropriate Forsyth County agency or municipal agency(s) within Forsyth County.

b. FROM AGENCIES OUTSIDE FORSYTH COUNTY:

(1) **DURING EMERGENCY SITUATIONS**, only supervisors in the grade of lieutenant or higher are authorized to request assistance from the appropriate agency located outside Forsyth County. Once the request is made, the requesting supervisor shall immediately inform the next higher commander of the situation and the assistance requested.

(2) **DURING NON- EMERGENCY SITUATIONS**, the request for assistance shall be forwarded to the appropriate Bureau Commander, who in turn shall make the coordination for assistance with the appropriate agency located outside Forsyth County.

F. FEDERAL LAW ENFORCEMENT OR NATIONAL GUARD ASSISTANCE:

1. **FEDERAL LAW ENFORCEMENT ASSISTANCE:** Such requests for assistance shall be made by the Sheriff or designee directly with the nearest office of the appropriate Federal agency. Once the request is made, the Field Supervisor shall immediately inform the next higher commander of the situation and the assistance requested.

2. **FEDERAL MILITARY ASSISTANCE:** The request for Federal Military assistance shall be made by the Sheriff or designee to the FCEMA Director who shall in turn notify the Georgia Emergency Management Agency (GEMA).

3. **NATIONAL GUARD ASSISTANCE:** The request for National Guard assistance shall be made by the Sheriff or designee to the FCEMA Director who shall in turn notify the Georgia Emergency Management Agency (GEMA).

**GENERAL ORDER: GO 1-12 ADMINISTRATIVE
REPORTS / FORMS MANAGEMENT**

Rescinds/Amends:

Effective Date: February 21, 22

Committee Review - Date: July 2019

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



A. PURPOSE:

The purpose of this General Order is to prescribe the policy and procedures for the agency's administrative reporting program.

B. POLICY:

Administrative reports and approved forms shall be used to record and convey information that is necessary for the effective management of the agency. Accreditation/Certification processes are established for effective communication and compliance.

C. ADMINISTRATIVE REPORTING PROGRAM:

The following administrative reports are used to provide information within and outside the agency:

1. ANNUAL REPORT:

- a. Responsibility: Communications Director;
- b. Purpose: to provide historical information about the general operations of the agency and to highlight major accomplishments and significant problem areas;
- c. Frequency: annually, following the end of the calendar year;
- d. Distribution: general public, local agencies and civic groups, employees and Accreditation Manager.

2. ANNUAL FISCAL AUDIT: CALEA 17.4.3

- a. Responsibility: Conducted by independent source and a copy obtained by Chief Deputy;
- b. Purpose: to evaluate fiscal accountability procedures;
- c. Frequency: annually;
- d. Distribution: Sheriff, Chief Deputy and governing authority.

3. ANNUAL GRIEVANCE ANALYSIS: CALEA 22.4.3
 - a. Responsibility: Office of Professional Standards Supervisor;
 - b. Purpose: to discover recurring problems or possible trends related to employee morale and discipline;
 - c. Frequency: annually, following the end of the calendar year;
 - d. Distribution: Sheriff, Chief Deputy and Accreditation Manager.

4. ANNUAL USE OF FORCE ANALYSIS: CALEA 4.2.4
 - a. Responsibility: Training Unit Commander;
 - b. Purpose: to identify patterns or trends in the application of deadly and non-deadly force that may require training and/or policy adjustments;
 - c. Frequency: annually, following the end of the calendar year;
 - d. Distribution: Sheriff, Command Staff and Accreditation Manager.

5. ANNUAL JUVENILE PROGRAM ANALYSIS: CALEA 44.1.3
 - a. Responsibility: Commander, Special Enforcement Division;
 - b. Purpose: to review the effectiveness of juvenile enforcement and prevention programs to determine whether they should be continued, modified, or discontinued;
 - c. Frequency: annually, following the end of the calendar year;
 - d. Distribution: Sheriff, Chief Deputy and Accreditation Manager.

6. ANNUAL EVIDENCE & PROPERTY AUDIT: CALEA 84.1.6
 - a. Responsibility: Chief Deputy;
 - b. Purpose: to ensure that the security, accuracy and integrity of narcotics, weapons and money are maintained.;
 - c. Frequency: annually, following the end of the calendar year;
 - d. Distribution: Sheriff and Accreditation Manager.

7. MONTHLY AND QUARTERLY CASH FUND ACCOUNTING REPORT: CALEA 17.4.2
 - a. Responsibility: Fund Custodians;
 - b. Purpose: to balance and to identify any discrepancies within each agency fund account;
 - c. Frequency: monthly and at the end of each quarter;
 - d. Distribution: immediate supervisor of the fund custodian and Accreditation Manager.

8. FORMULATION OF AGENCY GOALS AND OBJECTIVES: CALEA 15.2.1
 - a. Responsibility: Senior Command Staff
 - b. Purpose: to provide strategic direction for the agency and serve to form the basis for organizational decision making;
 - c. Frequency: annually prior to formal budget process;
 - d. Distribution: Command Staff and Accreditation Manager.

9. SEMI-ANNUAL GOALS & OBJECTIVES PROGRESS REPORTS: CALEA 15.2.2
 - a. Responsibility: Command Staff;
 - b. Purpose: to check the progress of stated agency objectives;
 - c. Frequency: Mid Calendar Year
 - d. Distribution: Command Staff and Accreditation Manager.

10. MULTI-YEAR PLAN REVIEW: CALEA 15.1.3
- a. Responsibility: Commander, Sheriff's Services Bureau;
 - b. Purpose: to ensure effective planning for future operations and organizational requirements;
 - c. Frequency: reviewed and revised on an annual basis or as needed;
 - d. Distribution: Command Staff and Accreditation Manager.
11. WORKLOAD ANALYSIS: CALEA 21.2.4
- a. Responsibility: Bureau Commanders;
 - b. Purpose: to identify staffing requirements for the upcoming budget year
 - c. Frequency: at least once every four years,
 - d. Distribution: Senior Commanders and Accreditation Manager.
12. COMMUNITY SURVEY: CALEA 45.2.2
- a. Responsibility: Community Relations Supervisor;
 - b. Purpose: to ensure overall agency performance, competence of agency employees, attitudes and behaviors of employees toward citizens, public safety concerns, and suggestions for agency improvement.
 - c. Frequency: Every two years;
 - d. Distribution: Sheriff and Accreditation Manager.
13. AFTER ACTION REPORT: CALEA 46.1.3;
- a. Responsibility: Each Incident Commander;
 - b. Purpose: to provide general overview of incident, describe special or unique problems encountered, indicate personnel involved & expenditures, identify employees for commendation, and provide recommendations;
 - c. Frequency: Per incident,
 - d. Distribution: Sheriff, Affected Command Staff and Accreditation Manager.
14. QUARTERLY EQUIPMENT INSPECTION: CALEA 46.1.8
- a. Responsibility: Bureau Commanders, or designee;
 - b. Purpose: to ensure equipment readiness and operability;
 - c. Frequency: Quarterly;
 - d. Distribution: Accreditation Manager.
15. ANNUAL INTERNAL AFFAIRS STATISTICAL SUMMARY: CALEA 26.2.5
- a. Responsibility: Internal Affairs Officer;
 - b. Purpose: to provide information to the Chief Deputy for inclusion in agency' s annual report;
 - c. Frequency: annually just after end of each calendar year;
 - d. Distribution: Chief Deputy and Accreditation Manager.
16. BIENNIAL VICTIM/WITNESS REVIEW: CALEA 55.1.2
- a. Responsibility: Commander, Criminal Investigations Division;
 - b. Purpose: to evaluate the efficiency of victim witness services;
 - c. Frequency: Biennial;
 - d. Distribution: Command Staff and Accreditation Manager.

17. TRAFFIC SELECTIVE ENFORCEMENT ANALYSIS: CALEA 61.1.1

- a. Responsibility: Traffic Unit Commander
- b. Purpose: to maximize the effectiveness of traffic enforcement and design appropriate prevention programs;
- c. Frequency: annual;
- d. Distribution: Command Staff, Accreditation Manager and county engineering or road department as necessary.

18. BIENNIAL COURT SECURITY SURVEY: CALEA 73.2.1

- a. Responsibility: Commander, Judicial Services;
- b. Purpose: to identify security, equipment and/or personnel needs;
- c. Frequency: every two years;
- d. Distribution: Sheriff, justice center staff as necessary and Accreditation Manager.

19. UNANNOUNCED INSPECTION OF EVIDENCE/PROPERTY: CALEA 84.1.6

- a. Responsibility: Designee as appointed by Sheriff or Chief Deputy;
- b. Purpose: to ensure accountability of evidence and property and that established policies and procedures are being followed;
- c. Frequency: semi-annually;
- d. Distribution: Chief Deputy and Accreditation Manager.

20. SEMI-ANNUAL EVIDENCE/PROPERTY INSPECTION: CALEA 84.1.6

- a. Responsibility: Property and Evidence Custodian;
- b. Purpose: to ensure that all evidence and property is properly accounted for;
- c. Frequency: Semi-Annual;
- d. Distribution: Sheriff, Chief Deputy and Accreditation Manager.

21. AGENCY FORMS REVIEW: CALEA 11.4.2

- a. Responsibility: Sheriff Services Bureau Commander, or designee;
- b. Purpose: to ensure forms meet current requirements, identify forms that need revision or to be rescinded, and identify need for new forms.
- c. Frequency: annually;
- d. Distribution: Sheriff Services Bureau Commander and Accreditation Manager.

22. ANNUAL PURSUIT ANALYSIS: CALEA 41.2.2

- a. Responsibility: Commander, Traffic Unit;
- b. Purpose: to reveal any patterns or trends that may indicate training needs and/or policy modifications;
- c. Frequency: annually just after the first of the year;
- d. Distribution: Sheriff, Command Staff, Training and Accreditation Manager.

23. ANNUAL REVIEW OF CRIMINAL INTELLIGENCE PROCESS AND PROCEDURES: CALEA 40.2.3

- a. Responsibility: Criminal Intelligence Analyst, or designee;
- b. Purpose: to maintain accountability for, and integrity of, criminal intelligence information.
- c. Frequency: annually, due directly after end of each calendar year.
- d. Distribution: Sheriff and Accreditation Manager.

- 24. Annual Recruitment Plan Analysis
CALEA 31.2.2
 - a. Responsibility: Recruitment Unit
 - b. Purpose: to determine if recruitment activities are achieving the stated objectives of seeking applicants of under-represented demographic categories.
 - c. Frequency: Annually
 - d. Distribution: Sheriff, Senior Command Staff, Recruitment Unit and Accreditation Manager

D. FORMS MANAGEMENT:

1. RESPONSIBILITIES:

- a. The Sheriff's Services Bureau Commander, or designee, is responsible for the management of all agency forms.
- b. Management of agency forms shall include the following:
 - (1) Facilitating the development, modification, approval and review of agency forms;
 - (2) Ensuring that the form is compatible with the agency's data-processing system and other agency needs;
 - (3) Assigning a form control number for each approved form.

2. FORMS DEVELOPMENT & MODIFICATION:

- a. Any employee may request the development, modification or review of an agency form based upon identified needs to record and transmit information.
- b. Recommendations for new forms or revision of a current form shall be forwarded to the Forms Administrator for processing.

3. REVIEW:

The Sheriff Services Bureau Commander, or designee, shall complete a review of all agency forms at least once every three (3) years to ensure they meet current requirements of the agency; to determine whether each form should be revised or rescinded; to identify the need for new forms and to ensure that only those forms which are necessary for the effective management of the agency are retained.

GENERAL ORDER: GO 1-13 Surplus Property Designation and Inventory

Rescinds/Amends:

Effective Date: February 8, 2021

Committee Review - Date: February 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



1. Purpose

To establish guidance in identifying surplus agency property which is no longer suitable for agency operations. To provide a method for collecting, evaluating and inventorying surplus property.

2. Definitions

Agency Property refers to any fixed or movable asset, with the exception of real estate, which has a current approximate value of Two Hundred Fifty (250) Dollars or more.

Surplus Agency Property: Agency Property which has been declared obsolete, outmoded, unusable or property whereof future needs do not justify the cost of maintenance and/or storage.

Waste Property: Property which is damaged, defective or deteriorated to the point of being unusable, of which the expense of selling the property is more than the current market value.

3. Surplus Property Evaluation

Designated agency personnel may request agency property be surplus when to the best of their knowledge the property is obsolete, outmoded, unusable or future needs do not justify the cost of its maintenance and/or storage. All property matching these conditions, shall be turned over to the Forsyth County Sheriff's Office Supply Unit, accompanied with a designated form containing property identifiers and the purpose for recommending the property be surplus.

4. Surplus Property Review and Inventory

The Supply Unit shall review all property submitted as surplus for potential use in another area of the Sheriff's Office. Assistance may be requested from appropriate personnel with expertise in evaluating specialty items (i.e., computers, vehicles, equipment, etc.) to make a final determination regarding reallocation or surplus of the property. Property which has no further use in agency operations shall be added to the surplus inventory.

The Supply Unit shall maintain an inventory of Surplus and Waste items, including an indication of how the property was originally acquired (i.e., purchased with budgetary funds, donated to the agency, purchased with asset forfeiture funds, etc.) The Sheriff's Services Bureau Commander shall periodically review this inventory with the Chief Deputy, who shall have final authority to designate property as Surplus or Waste.

**GENERAL ORDER: GO 1-14 Disposal of
Assets Purchased with
Asset Forfeiture Funds**

Rescinds/Amends:

Effective Date: February 8, 2021

Committee Review - Date: February 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



1. Purpose

To designate the manner in which surplus agency property, purchased with asset forfeiture funds, may be disposed of.

2. Definitions

Agency Property refers to any fixed or movable asset, with the exception of real estate.

Surplus Property: Agency Property which has been declared obsolete, outmoded, unusable or property whereof future needs do not justify the cost of maintenance and/or storage.

Waste Property: Property which is damaged, defective or deteriorated to the point of being unusable, and of which the expense of selling the property is more than the current market value.

3. Ownership of Property Purchased with Asset Forfeiture Funds

All Agency Property purchased with State or Federal seized funds is owned and managed solely by the Forsyth County Sheriff's Office.

4. Disposal of Surplus Property

The Sheriff or designee shall determine if and in what manner to authorize the disposal of surplus agency property purchased with asset forfeiture funds. Disposal may be accomplished in one of the following methods:

- a. Waste Property may be destroyed and disposed of in accordance with applicable waste disposal laws;

- b. Surplus Property may be:
 - 1) Donated or sold to a Law Enforcement Agency or other entity, provided any such transaction complies with rules and guidelines of the Asset Forfeiture program;
 - 2) Traded for fair market value in the purchase of equipment or vehicles;
OR
 - 3) Sold in a public sale or to a qualifying entity.

5. Documentation of Property Disposal

The disposal of all surplus property shall be documented and inventory logs updated to reflect the date and manner of disposal. Documentation of the disposal of all surplus property purchased with state or federal asset forfeiture funds shall be maintained by the designated asset funds coordinator.

All funds derived from the sale of the agency property purchased with asset forfeiture funds shall be deposited into the appropriate State or Federal asset forfeiture fund.

CHAPTER TWO

PERSONNEL

GENERAL ORDER: 2-1 PERSONNEL POLICIES

Rescinds/Amends:

Effective Date: July 25, 2022

Committee Review - Date: November 2019

Related Procedure(s): SOP 2-1.100 – 2-1.400

Authorized by: Sheriff Ron H. Freeman



I PERSONNEL POLICIES

The personnel policy for employees of the Forsyth County Sheriff's Office is made by and directed through the Sheriff. These policies apply equally to all employees of the Forsyth County Sheriff's Office. Nothing in this personnel policy shall restrict the Sheriff from acting in the best interest of the agency in the administration of this personnel policy.

A. SMOKE-FREE ENVIRONMENT

Consistent with the public health concerns addressed by the adoption of the Georgia Smoke-Free Air Act of 2005, all Forsyth County Sheriff's Office enclosed buildings and vehicles and all other Forsyth County enclosed buildings and vehicles are hereby declared to be smoke-free areas. In addition, based upon the maintenance and cleanliness issues presented by the use of smoke-less tobacco that gives rise to increased facilities costs and resulting public health concerns, all Forsyth County Sheriff's Office and Forsyth County enclosed buildings and vehicles are hereby declared to be tobacco-free areas. The Sheriff's Office and Forsyth County have provided designated outdoor smoking areas that may also be utilized for the purposes of smokeless tobacco use.

B. EQUAL EMPLOYMENT OPPORTUNITY

The Forsyth County Sheriff's Office is an equal opportunity employer. It is the policy of Forsyth County Sheriff's Office to provide equal employment opportunity to qualified persons.

C. CIVIL SERVICE SYSTEM

All employees of the Forsyth County Sheriff, except for appointed members of the Sheriff's command staff and Reserve Deputies, are members of the Forsyth County Civil Service System. The Forsyth County Civil Service System separately publishes a Civil Service Handbook which is available through PowerDMS and the Forsyth County Intranet. This policy manual and the Civil Service Handbook are administered in conjunction with each other.

All employees, whether covered by the Civil Service System or not, are expected to comply with this Policy Manual, as it may be amended from time to time. Employees who are covered by the Forsyth County Civil Service System may only receive additional merit system protections in accordance with the Forsyth County Civil Service System Manual. Employees who are covered by the Forsyth County Civil Service System may be subject to reassignment, reclassification, transfer, non-disciplinary demotion, administrative leave and other employment related decisions without cause and with no right of appeal.

Employees are encouraged to familiarize themselves with the Civil Service Handbook as well as with this Policy Manual. Any employee wishing to appeal any qualified adverse employment action must comply with the appeals and grievance procedures contained within this Policy Manual and must also comply with the appeal procedures set forth in the Civil Service Handbook.

D. NOTIFICATIONS TO BE TIMELY MADE

In the event an employee has a change to their classification, compensation, salary or other staffing issues which require a change in payroll and/or benefits, such changes must be given as expeditiously as possible and no later than five (5) days following the change. For purposes of illustration only, notifications must be timely made regarding any changes to the classification plan, compensation plan, salary adjustments, risk management strategies and staffing tables. In the event of a salary adjustment, notice must be provided to Payroll no later than seven (7) days prior to the beginning of the pay period for which the adjustment shall occur.

II CLASSIFICATION PLAN

The Forsyth County Sheriff's Office may utilize a job classification plan as described below. The classification plan may be established by an outside expert in the areas of job classification and compensation analysis (hereinafter referred to as the "Third-Party Administrator"). The classification plan is based upon a categorical designation of classification descriptions that contain appropriate classification titles. In turn, each classification description is grouped into a corresponding grade within the classification plan, which governs the pay scale for that classification description.

The Classification Plan will include:

1. categorization of every job by class on the basis of similarities in duties, responsibilities, and qualification requirements;
2. class specifications for every job within a class;
3. provisions for relating compensation to classes; and,
4. provisions for reclassification

The Sheriff maintains the right to change or reclassify any deputy in his agency without regard to the classification plan.

A. ADMINISTERING THE CLASSIFICATION PLAN

At the Sheriff's direction, the Forsyth County Personnel Services Director or his/her designee shall be responsible for administering the classification plan with the assistance of the third-party administrator. The Forsyth County Sheriff's Office may use the same third-party administrator as Forsyth County Government.

B. OFFICIAL COPY OF THE CLASSIFICATION PLAN

At the Sheriff's Direction, the Forsyth County Personnel Services Department will maintain a copy of the Classification Plan and is charged with maintaining the integrity of the Classification Plan. The Sheriff has the right to modify said classification plan and in the event of such change will provide the Forsyth County Personnel Director with a copy of the Sheriff's classification plan.

C. CLASSIFICATION DESCRIPTIONS

Classification descriptions are similar to job descriptions, but do not necessarily include all duties of the position. The language of a classification description does not limit the authority of the Sheriff to add, withdraw, or eliminate duties, functions and responsibilities applicable to particular jobs or positions.

D. MINIMUM QUALIFICATIONS

The minimum qualifications contained in each classification description are considered comprehensive statements of the minimum required education, experience, and other qualifications for all classes as evidence of an employee's ability to perform the work properly and shall be strictly followed. Other qualifications cannot be considered in lieu of, or in substitution of, the minimum qualifications established. To the extent authorized by the Sheriff, the Forsyth County Personnel Services Director, or his/her designee, will review and determine whether applicants meet minimum qualifications.

E. NEW CLASSIFICATION DESCRIPTIONS / MODIFICATION AND ABOLISHMENT OF EXISTING DESCRIPTIONS

The Forsyth County Personnel Services Director shall be responsible for:

- The creation of new classification descriptions;
- The modification of existing classification descriptions; and
- The abolishment of existing classification descriptions consistent with the procedures contained in this section

1. New Classification Descriptions

Whenever the Sheriff or designee requests a drafted classification job description or a new position that would require the adoption of a new classification description, a written request and a position description questionnaire or a draft of the proposed job description must be submitted to the Forsyth County Personnel Services Director. The questionnaire or job description draft must describe in detail the intended duties of the requested position.

Upon receipt and verification of the request and questionnaire or drafted job description, the Director will review the information and then forward it to the third-party administrator for grading, analysis and assignment into the appropriate grade within the classification plan. The Forsyth County Personnel Services Director shall consult with the Sheriff or designee in making the above decisions.

Once the Forsyth County Personnel Services Director receives the grading analysis, the Sheriff or designee shall review and approve or disapprove the new classification description(s). All new classification descriptions are subject to funding contained within the Forsyth County Sheriff's Office budget.

2. Job Descriptions

Each position and / or job assignment in the Forsyth County Sheriff's Office shall have a written job description that details the duties and responsibilities of that position and / or assignment. Each job description should indicate the nature of the work, desirable knowledge, abilities and skills, experience and training, necessary special requirements and physical profile. All job descriptions shall be reviewed and updated as necessary every four years to ensure they are current.

3. Modification of Existing Classification Descriptions

Whenever the Sheriff or designee requests a drafted revision of a job description or the modification of an existing classification description, a written request and a position description questionnaire or drafted revisions to the job description should be submitted to the Forsyth County Personnel Services Director. The questionnaire should describe in detail the changes, in duties or other reasons, for the requested modification. The Director will review the information and then forward it to the third-party administrator for purposes of grading analysis to determine whether the modification produces a corresponding change in grade for the position contained in the classification description.

Upon receipt and verification of both the request and questionnaire, the Forsyth County Personnel Services Director shall conduct an analysis of the request for the

purposes of determining whether any additional information is required and shall consult with the Sheriff in order to obtain any such additional information.

Once the Forsyth County Personnel Services Director completes the analysis, consults with the Sheriff or designee and makes any necessary adjustments, the Sheriff or designee shall review and approve or disapprove the modifications of existing classification descriptions.

4. Abolishment of Existing Classification Descriptions

Whenever the Sheriff determines that it is appropriate to abolish a position, a written notification will be submitted to the Forsyth County Personnel Director. Any directive for abolishment may describe in detail the reasons for the abolishment but the sheriff maintains the right to abolish the existing classification description

After such directive for abolishment is made, the Forsyth County Personnel Director will meet and confer with the Sheriff before making necessary adjustments so that the Sheriff may approve or disapprove the abolishment in final.

F. PROCEDURES FOR THE RECLASSIFICATION OF POSITIONS

Each position of employment in the Forsyth County Sheriff's Office is categorically assigned to a particular classification description. This section allows for changing the assignment of a particular position to a different and more suitable classification description when it is determined that the position is incorrectly assigned. This change may produce a corresponding change in the grade and/or change in title for the position. This procedure shall be known as reclassification of the position.

If the Sheriff requires a reclassification, a request for reclassification shall be submitted in writing to the Forsyth County Personnel Services Director, together with a position description questionnaire and a detailed statement of justification for the request. The information will be sent to the third-party administrator for purposes of assigning the position to the appropriate grade. Reclassifications are justified as a result of the following:

- The position was incorrectly assigned to an inappropriate classification description; or
- There has been a substantial change in the duties and responsibilities associated with a position since it was assigned to a particular classification description.
- Any other reason that the Sheriff believes is appropriate.

Once the Forsyth County Personnel Services Director receives the completed analysis, the Sheriff or his/her designee shall review and approve or disapprove the requests for reclassification. Nothing in this policy shall restrict the Sheriff from reclassifying any employee for any reason or no reason.

1. Treatment of Affected Employees upon Reclassification of Position

- a. If the position is occupied at the time of reclassification, the employee may be eligible to serve therein with the corresponding status after the reclassification.
- b. If the position is assigned to a higher grade as a result of the reclassification, such action is considered an upgrade of the position. If the position is occupied at the time of an upgrade, the employee's salary shall be increased by the dollar difference between the minimum salary of the old grade and the minimum salary of the new grade but shall be capped so the salary does not exceed the maximum of the new grade.
- c. If the position is assigned to a lower grade as a result of the reclassification, such action is considered a downgrade of the position. If the position is occupied at the time of a downgrade, the employee's salary will be decreased by the dollar difference between the minimum salary of the old grade and the minimum salary of the new grade but shall be capped so the salary does not exceed the maximum of the new grade.
- d. In all cases of reclassification of a vacant position, the position will be filled according to the recruitment policies contained in this Policy Manual.

At the direction of the Sheriff or designee, the Forsyth County Personnel Services Director will advertise all vacancies, including any in-house positions, internally. Criteria for the selection of in-house vacant positions will be at the Sheriff's discretion after consideration of, but not limited to, length of service, education, special skills, training, and / or other criteria which may be required for the position(s).

III POSITION PLACEMENT

The different mechanisms for placement of employees in positions are set forth in this policy. Placements shall be made only to positions that have been allocated under the classification plan and for which funding is available.

A. Initial Probationary Period

Each applicant/employee newly hired or reinstated (not including reinstatements after disciplinary suspensions or administrative leave), to a position within the Civil Service System shall be designated as a probationary employee for a period of one (1) year from the date of hire or adjusted date of reinstatement, as applicable. During the Initial Probationary Period, an employee is not eligible for transfer, promotion, or demotion to another County position outside of the Forsyth County Sheriff's Office. However, if an employee is reassigned, reclassified to a higher or lower grade, demoted, laterally transferred, and/or promoted within the same department but before completion of the Initial Probationary Period, he/she is still subject to completion of the remainder of the Initial Probationary Period in the new position.

B. Position Probationary Period

Each employee who is reassigned, reclassified to a higher or lower grade, demoted and/or promoted, as applicable, shall be subject to a Position Probationary Period of six (6) months in the new position. An employee who has previously completed a Position Probationary Period in the assigned classification position or was demoted due to restructuring or position elimination shall not be subject to a subsequent Position Probationary Period for that classification unless the employee has been reassigned, reclassified or demoted to a lower grade for disciplinary reasons.

C. ORIGINAL HIRE

An original hire occurs upon hiring an individual as a result of recruitment efforts, except as specifically indicated herein. Original hires may consist of employment in a full-time position, part time position or a reserve/volunteer position.

D. Full Time Position

An employee who works in a position that is budgeted as a full-time position for twelve (12) months of the year, and who works more than thirty (30) hours per week. A full-time employee is entitled to all personal leave and benefits as described in this manual.

E. Part Time Position

A part-time employee is an employee who works in a position that is budgeted as a part-time position for twelve (12) months of the year, but who works less than thirty (30) hour per week. Part-time employees are eligible to accrue personal leave at one-half the rate of accrual of personal leave for a full-time employee as described in this handbook. Part-time employees are not eligible for benefits.

F. Reserve/Volunteer Position

A Reserve Deputy or volunteer is subject to the orders, directives and procedures of the Sheriff's Office. A Reserve Deputy or volunteer is not entitled to any personal leave or benefits with the Forsyth County Sheriff's Office. A Reserve Deputy will be entitled to Worker's Compensation benefits if injured in the line of duty.

G. PROMOTION

A promotion occurs when an employee is promoted from a position in one grade to another position having a higher grade and pay range. Unless a promotional examination program or a period of time in a classification is a specified promotional prerequisite instituted by the Sheriff, all promotions will occur as a result of the recruitment procedures outlined in this manual.

Except for promotions to an appointed position, when an employee is promoted to a position in a higher grade, the employee's salary will increase by the dollar difference between the minimum salary of the old grade and the minimum salary of the new grade but shall be capped so the salary does not exceed the maximum of the new grade.

An employee is eligible for promotion at any time. To the extent an employee seeks a promotion outside of the Sheriff's Office and to a Forsyth County Government position; an employee must have successfully completed the full probationary period prior to being eligible for a promotion to a Forsyth County Government position except for an employee reassigned due to restructuring, position elimination or who has previously satisfactorily completed a Position Probationary Period in the position to which the employee is reassigned. In these cases, the employee shall not be subject again to the Position Probationary Period for that position. Such promotion is governed by the Forsyth County Personnel Handbook. The receiving Forsyth County Government Department must be willing to accept/hire the employee. The Sheriff reserves the right to promote any employee as necessary to accomplish the staffing requirements of the agency.

H. DEMOTION

A demotion occurs when an employee is moved from a position in one grade to a position having a lower grade and pay range. Except for a demotion to an appointed position, when an employee is demoted to a lower grade the employee's salary will decrease by the dollar difference between the minimum salary of the old grade and the minimum salary of the new grade but is capped so the salary does not exceed the maximum of the new grade.

1. A demotion appointment will be one of the following types:
 - a. Disciplinary demotion;
 - b. Administrative demotion, which results from layoff, reduction in force, reorganization, or disability accommodation;
 - c. Voluntary demotion, which results from the request of the employee or agreed to by an employee, provided the following requirements are met:
 - (1) The request or agreement is in writing;
 - (2) Approval is obtained from the Sheriff; and
 - (3) If the demotion includes the transfer of the employee from the Sheriff's Office to a Forsyth County Government position in a County Department, the receiving Department must be willing to accept the employee.
 - d. Probationary demotion, which occurs when an employee, who is covered by the Forsyth County Civil Service System, fails to satisfactorily complete a position probationary period as set forth in more detail in the Civil Service Handbook.

An employee is eligible for demotion at any time. To the extent an employee seeks a demotion outside of the Sheriff's Office, an employee must have successfully completed the full probationary period prior to being eligible for such demotion except for an employee reassigned due to restructuring, position elimination or who has previously satisfactorily completed a Position Probationary Period in the position to which the employee is reassigned. In these cases, the employee shall not be subject again to the Position Probationary Period for that position. The receiving Forsyth County Government Department must be willing to accept/hire the employee.

I. REINSTATEMENT

A reinstatement will only be made when an employee who was laid off, subject to an administrative demotion, on an approved leave of absence, or on an approved military leave is eligible for return to the position the employee previously held with the Forsyth County Sheriff's Office, or in the case of military leave, to a position consistent with the Uniformed Services Employment and Reemployment Rights Act, and as set forth herein. Reinstatements are not intended to include an employee's return to work subsequent to a disciplinary suspension or administrative leave. In addition, reinstatements are not intended to include an employee's request to return to work after leaving employment with the Forsyth County Sheriff's Office voluntarily or involuntarily.

1. Employees Reinstated After Non-Military Leave

A reinstated employee shall be paid at the employee's salary rate prior to the separation, provided the employee assumes his/her prior position, or the minimum salary provided for by the classification description for that position, whichever is greater. In the event an employee is reinstated to a position other than the prior position he/she held, the employee's salary shall be the same as the employee's previous salary if the position is within the same grade. In the event that the employee is reinstated to a position that is not within the same grade as the position that the employee previously held, the pay provisions related to treatment of salary in the event of demotion or promotion shall apply to determine the rate of pay upon reassignment to the new position and the new grade.

2. Employees Reinstated After Military Leave

A reinstated employee who has been on military leave shall be paid, provided the employee assumes his/her prior position, at the employee's salary rate prior to the separation taking into account average annual appraisal adjustments that were or would have been provided to the employee's position, or the minimum salary provided for by the classification description for that position, whichever is greater. Consistent with the Uniformed Services Employment and Reemployment Rights Act, in the event an employee is reinstated to a position other than the prior position he/she held, the employee's salary shall be the same as the employee's previous salary if the position is within the same grade, taking into account average annual appraisal adjustments that were or would have been provided to the employee's position. In the event that the employee is reinstated to a position that is not within the same grade as the position that the employee previously held, the pay provisions related to treatment of salary in the event of demotion or promotion shall apply to determine the rate of pay upon reassignment to the new position and the new grade.

J. LATERAL TRANSFER

A lateral transfer may be made without following the recruitment procedures, as a lateral transfer is designed as an administrative mechanism for movement of an employee as needed at the discretion of the Sheriff.

In the event that an employee requests a lateral transfer, the employee must submit a transfer request form through the chain of command. An employee is eligible to apply for a vacant position that would constitute a lateral transfer at any time.

K. REASSIGNMENT

A reassignment shall be made at the discretion of the Sheriff. A reassignment consists of the movement of an employee from one position with a certain classification title to another position within the Sheriff's Office with the same classification title. For instance, an employee with the classification title of "Deputy Sheriff" may be reassigned from a position in the Uniform Patrol Section to a position in Court Services. The Sheriff or his designee shall provide written notification to the Forsyth County Personnel Services Director for purposes of allocating cost centers. The employee's rate of salary upon reassignment will remain the same.

L. GRANT-FUNDED PLACEMENT

A grant-funded placement is the placement of an individual in a position that is a full-time or part-time position established for a specific period of time not to exceed the scheduled termination date of the grant. This position will end by operation of law at the date of the grant's termination unless the Sheriff provides appropriate funding to continue the program or position on or prior to the date the grant expires. Full-time grant-funded placements are eligible for annual appraisal adjustments to the extent funding is available, and such positions are also eligible for Civil Service coverage. All grant-funded placements will occur as a result of the recruitment procedures outlined in this manual.

M. TEMPORARY WORK AT A HIGHER GRADE/EMERGENCY ASSIGNMENT

With the prior approval of the Sheriff, an employee may be required to work at a higher grade on a temporary, emergency basis and must do so for a period of thirty (30) days or less with no increase in pay. If the employee is required to perform the duties for a period exceeding thirty (30) days, a pay adjustment shall occur as set forth herein. Commencing the first full pay period following the thirty-first day of the emergency assignment, the employee will be paid the appropriate rate for the higher grade, which shall be the dollar difference between the minimum salary of the old grade and the minimum salary of the new grade. The higher pay adjustment shall be applied retroactively to the first day upon which the thirty (30) day period commenced. When the emergency assignment is to a classification appointed by the Sheriff, the appropriate salary rate and duration of the emergency assignment shall be determined by the Sheriff. At the conclusion of the assignment, however, the employee's pay shall revert to the authorized rate established for the employee's regular position. Any such temporary increase shall not affect the employee's eligibility for normal merit advancements. Temporary assignments pursuant to this emergency assignment position may not in any event exceed six (6) months without approval for an extension by the Sheriff. Recruitment procedures need not be followed in the event of an employee being required to perform work at a higher grade on a temporary, emergency basis.

N. RE-EMPLOYMENT

In the event that the Sheriff specifies on the personnel action form, or an attachment thereto, that a former employee should not be considered for re-employment, said employee shall not be eligible for re-employment with the Sheriff's Office; provided that if the acting Sheriff is someone other than the Sheriff serving at the time of separation, the acting Sheriff may, at his/her discretion, waive this eligibility requirement and re-employ said employee.

O. LATERAL ENTRY

Applicants who meet the minimum External Recruitment qualifications as stated in each job classification description and who pass all other requirements of the hiring process may be granted lateral entry to the position.

IV JOB ANALYSIS

In order to properly classify positions within the agency, at the direction of the Sheriff or designee, the Forsyth County Personnel Services Director will be responsible for performing a written task analysis and developing written classification plans for every position within the agency subject to approval by the Sheriff. The objectives of task analysis are to:

- Serve as a basis for the determination of a position classification plan and compensation;
- Provide a basis for establishing minimum qualification requirements for recruitment, examination, physical fitness, selection, appointment promotion and retention;
- Assist in the establishment of training curricula; and
- Provide guidance to employees and their supervisors concerning the duties and responsibilities of individual positions.

The agency will keep written classification plans that address the task analysis and will also include, at a minimum, the following:

- Duties, responsibilities and tasks of each position;
- Frequency with which each task is performed; and
- The criticality of the job-related skills, knowledge and abilities.

Written task analysis for every position will be maintained on file at the Forsyth County Personnel Services Director. In addition, a copy of the written task analysis will be made available to each employee upon request.

The agency will review the written classification plan (as needed) to ensure that the plan is current and reflective of jobs as they actually exist. If no revisions are necessary, the review will be noted, dated and signed by the Sheriff or his designee.

V DELINEATION OF DUTIES AND RESPONSIBILITIES

The task analysis of each specific job will provide a statement of the duties and responsibilities of each position within the agency. These task analyses will allow employees to review the specifics of each job within a class, aid in career decisions and allow supervisors to help evaluate subordinates specific job performances.

The task analysis will include:

- Class or Job Title - describes the type of work performed and indicates its relative level or rank.
- Definition - indicates the basic purpose of the work performed and gives some indication of the difficulty and responsibility of the class and those characteristics of the work which distinguishes it from other classes.
- Examples of Duties - lists typical tasks which are common to most positions in the class described. An attempt is made here to give a good indication of the range of different duties. Any single position in a class will rarely include all examples of tasks. The list is descriptive but is not intended to be restrictive or limiting.
- Minimum Qualifications - lists statements which make general qualitative and quantitative distinctions between levels of knowledge, skill and ability components, training and experience.

VI ALLOCATION OF PERSONNEL

The Sheriff's Office will maintain and update, as needed, a staffing table that provides the following information:

- Total personnel strength; and
- Number of personnel, by rank or job title, within each organizational component, including civilian personnel, and their location on the staffing table.

In addition, the staffing table will indicate actual personnel along with authorized personnel, and a position status information system for indicating if the authorized position is currently vacant. Agency personnel will be allocated to organizational components in accordance to workload assessments. In order to prevent over or under staffing of personnel, the strength of each organizational component must be consistent with the workload.

A. WORKLOAD ASSESSMENT / PERSONNEL ALLOCATION

At least every four years, the bureau commanders shall cause a documented workload assessment of all organizational components of the agency to be generated which shall include their recommendations for future distribution/allocation of personnel within the organizational components of the agency based on reported statistical information and the forecasted service needs within Forsyth County. The report shall be completed in the first quarter of the year following the period to be examined and forwarded to the Chief Deputy for review/action.

B. DISTRIBUTION OF PERSONNEL

Distribution of personnel allocated to an organizational component is determined in accordance with workload assessments and as required to fulfill the legal duties assigned to the Sheriff. Equalization of individual workloads within each component will be encouraged. Factors that influence workload demand are as follows:

- Nature or number of tasks;
- Complexity;
- Location; and
- Time required for completion.

VII PEACE OFFICER'S ANNUITY AND BENEFIT (POAB)

The Forsyth County Sheriff's Office pays monthly dues for employees who are a member of the Peace Officers' Annuity and Benefit Fund of Georgia. Employees seeking to receive this benefit shall submit a membership application form, a certification form and required fees to the Sheriff's Office Finance Unit. The Finance Unit shall submit the application to P.O.A.B. for approval. Once P.O.A.B. membership has been approved, the Sheriff's Office shall begin paying the monthly dues.

VIII LIABILITY PROTECTION PROGRAM

The Forsyth County Sheriff's Office participates in the Forsyth County Government Risk Management and Loss Prevention program. This program provides liability insurance protection to Forsyth County Sheriff's Office employees, reserve unit deputies and volunteers while acting within the course and scope of their official duties, provided the individual has been authorized to act on behalf of the Forsyth County Sheriff's Office. Whenever any claim is made or proceeding is brought against an employee, reserve unit deputy or volunteer, the Forsyth County Sheriff's

Office may provide legal assistance through the Forsyth County Sheriff's Office attorney or other counsel as may be assigned through the various insurance programs.

IX DEPUTY STATUS NOTIFICATION

The Training Unit shall notify the Georgia Peace Officers Standards and Training Council (POST) of any of the following changes in personnel status for any deputy or POST applicant/candidate:

- Suspension of 30 days or longer;
- Demoted for other than administrative purposes;
- Termination;
- Accepting resignation in lieu of termination;
- Hiring, resignation, name or address change, promotion and change in educational status;
- Arrest; or
- Medical Disability.

The Training Unit should report these status changes within 15 days of the action. For disciplinary actions, the complete investigative file shall be made available to the POST investigator when requested. These reports shall be in compliance with Georgia P.O.S.T. rules 464-3-.05, 464-3-.06, 464-3-.09, 464-3-.10 and any other applicable P.O.S.T. rule.

X NOTIFICATION OF ARREST

An employee must report any arrest or citation to his/her supervisor or next chain of command within twenty-four (24) hours, whether the violation occurs in or outside the workplace or on or off duty.

An arrest of either POST certified peace officers or applicant/candidates for anything other than minor traffic violations shall be forwarded to POST within 15 days of the incident and the arrest records shall be made available to a POST investigator. This includes arrests by local, state or federal authorities, or indictments in any state or federal court. These notifications shall be in compliance with Georgia P.O.S.T. rules 464-3-.05, 464-3-.10 and any other applicable P.O.S.T. rule.

XI TRANSFER REQUESTS**A. Inter-Division Transfers**

1. An employee desiring to transfer from one section to another within their currently assigned division will submit a completed transfer request form to their supervisor.
2. The transfer request will then be forwarded via chain of command to the Division Commander.
3. Each supervisor will recommend approval or denial of the request. Note: All recommendations for denial will require a comment.
4. The Division Commander will approve or disapprove the request.
5. The finalized transfer request will be forwarded to the Employee Records Unit to be filed in the employee's personnel file.
6. A copy of the finalized transfer request will be delivered to the effected employee.
7. The Division Commander or designee will be responsible for notifying the employee of the date of transfer if approved.
8. The Division Commander or designee will notify the Administrative Assistant, Sheriff's Services Bureau, of all approved transfers along with the date of transfer.

B. Bureau Transfer

1. An employee desiring a change of assignment shall complete an Employee Transfer Request Form and deliver the form, in person or via email, to the Sheriff's Services Bureau, Administrative Assistant for routing.
2. The administrative assistant will scan the form into PowerDMS for routing to all affected supervisors and commanders.
3. Each supervisor or commander will recommend approval or denial of the request. Note: All recommendations for denial will require a comment.
4. The administrative assistant will forward the final recommendations, to the affected Bureau/Division Commanders, the employee and the Employee Records Unit.
5. All finalized transfer request forms will be forwarded to the Employee Records Unit to be filed in the employee's personnel file.
6. The Bureau/Division Commander or designee will be responsible for notifying the employee of the date of transfer if approved.
7. The Bureau/Division Commander or designee will notify the Administrative Assistant, Sheriff's Services Bureau, of all approved transfers and along with the date of transfer.

C. Administrative Transfers

Administrative transfers may be authorized by the Bureau or Division Commander.

Reasons for administrative transfers may include, but not be limited to the following:

- Specialized assignment
- Specialized skills possessed by the deputy
- Education of the deputy

- Recommendation of the Bureau Commander, Division Commander or Section/Unit Commander
- Recommendation of the Chief Deputy or Sheriff

XII COMPENSATION PLAN

The Compensation Plan has been designed by the third-party administrator and is intended to establish a basic salary schedule as approved by the Sheriff. There are minimum and maximum salary ranges for each position included in the classification plan. The compensation for each employee is comprised of the basic salary structure and the components for salary adjustments described further in this manual. Every employee will be issued a copy of their job description upon assuming their position. A signed receipt documenting the issuance will be placed in their personnel file. Copies of all agency job descriptions are available through the Forsyth County Personnel Services Department and on the county network S Drive.

A. ADMINISTRATION

The Compensation Plan is maintained by the Forsyth County Personnel Services Director and is administered by the Sheriff or designee as it regards employees of the Forsyth County Sheriff's Office. The Forsyth County Personnel Services Director shall annually review the applicable wage index indicators to determine whether the salary ranges for Sheriff's Office employees contained within the compensation plan warrant adjustment and shall seek recommendations from the third-party administrator regarding such adjustments. The compensation plan shall be available for review upon request during business hours.

B. STARTING RATES FOR GENERAL EMPLOYEES

A new employee shall be paid the minimum rate of pay for the applicable grade unless the Sheriff, in his discretion, determines that a higher rate within the grade pay range is necessary to attract and/or retain properly qualified applicants. The minimum rate of pay is based upon the assumption that a new employee meets the minimum qualifications stated in the classification description. In the event that qualified applicants cannot be located for a given position, consideration should be given to establishing a new classification description at a lower grade that will reflect lower-level duties and corresponding lower entrance requirements, or in the alternative, consideration should be given to assigning the classification description to a higher grade.

C. STARTING RATES FOR EXECUTIVE EMPLOYEES

For purposes of this provision, executive employees are defined to include any employee that the Sheriff, in his discretion, so designates as an executive employee.

It is expected that incoming executive employees shall be paid the minimum rate of pay for the position. Every effort should be made to recruit a qualified candidate who will accept appointment at the minimum rate of pay for the position. However, in recognition of the important role and increasing demands placed upon executive

employees, an executive employee may be appointed at a higher rate of pay, within or above the salary range, at the discretion of the Sheriff, in the event that desirable and qualified applicants cannot be located for a given position at the minimum rate of pay. To seek appointment at a higher rate of pay, the Sheriff may consider the following:

- Whether the candidate possesses objectively outstanding or unusual abilities, experience, and/or training above the minimum requirements for the position
- Whether the Sheriff's Office is unable to find a desirable and qualified candidate to accept the position at the minimum rate of pay
- Whether funds are available for such appointment.

Upon consideration of the above, the Sheriff shall make a determination of the appropriateness of the appointment above the minimum rate of pay. Only the Sheriff is authorized to make appointment above the minimum rate of pay and only for executive employees except as otherwise allowed herein. The decision of the Sheriff shall be final.

XIII SALARY ADJUSTMENTS

If an employee's salary has not reached or exceeded the maximum of the assigned position grade, an employee's salary may be adjusted based upon a maximum of three independent components as detailed in this section: Market Adjustment to the Compensation Plan; Annual Appraisal Adjustment; and/or Cost of Living Adjustment (COLA). In any given year, an employee may receive an increase in salary as a result of either the Market Adjustment, the Annual Appraisal Adjustment, the COLA or any combination thereof. However, in any given year, an employee may not receive any additional increase in salary, except for the purpose of reclassification or promotion. All salary increases are discretionary and dependent on available funds.

1. Market Adjustment

The market adjustment is the salary adjustment component that is used to ensure that the salary structure is adjusted as applicable across the Forsyth County Sheriff's Office to reflect changes in the wage index. Two considerations dictate whether or not a market adjustment will be administered: changes in the wage index based upon references such as the Bureau of Labor Statistics and the budgetary constraints of the Forsyth County Sheriff's Office. The Sheriff may consider the applicability and the ability of the Forsyth County Sheriff's Office to apply a market adjustment to the compensation plan. When applicable, should the compensation plan fall below the market for example, a percentage increase may be applied to the compensation plan.

2. Annual Appraisal Adjustment

Based upon information obtained during the appraisal process, the Sheriff or the Forsyth County Personnel Services Director, if so designated by the Sheriff, will objectively appropriate pay raises consistent with the compensation plan and subject to the availability of designated funds. Pay raises reflected on appraisal forms are not guaranteed. Employees cannot and should not rely on the appraisal form or any verbal representations for purposes of determining future compensation adjustments until the Sheriff or the Forsyth County Personnel Services Director has completed the review and appropriated the compensation adjustments. Each employee will be notified of any changes to his/her compensation adjustment in writing by the Forsyth County Personnel Services Unit.

a. Employees at the Maximum Rate

Employees at or above the maximum of their salary ranges are eligible for annual appraisal adjustments to be issued in a lump sum payment which will not result in a base salary increase. Because the Annual Appraisal adjustment is in recognition of employee performance during the preceding year, this lump sum shall be issued in the pay period most closely associated to the new calendar year as determined by and at the discretion of the Sheriff or his designee.

b. Pro Rata Entitlement to Adjustment

Because the annual appraisal adjustment is in recognition of employee performance during the preceding year, an employee who has not been employed with the Forsyth County Sheriff's Office for the full year of the appraisal period will be subject to the following schedule for pro rata entitlement to the annual appraisal adjustment:

DATE HIRED	% OF EARNED INCREASE
Jan. 1st – March 31st	100%
April 1st – June 30th	75%
July 1st – December 31st	No annual appraisal adjustments; COLA applied upon approval of the Sheriff

c. Cost of Living (COLA)

The Sheriff may consider the applicability and the ability of the Forsyth County Sheriff's Office to apply a cost-of-living adjustment to employee's salaries collectively. A COLA is defined as a measurement of the price of goods and services required for maintaining an average level standard of living in a regional area. Any COLA adjustments would be applied to all employees' base salary after all other annual

adjustments have been applied or as recommended by the Sheriff or, if so designated, by the Forsyth County Personnel Services Director.

Employees at or above the maximum of their salary ranges are eligible for a COLA to be issued in a lump sum payment which will not result in a base salary increase. Because a COLA is reflective of a current and future cost measurement, the COLA lump sum shall be issued as the conclusion of the calendar year to which the COLA was approved to be applied. If separation of employment occurs during the calendar year, the lump sum payment shall be prorated to the date of separation.

A. ANNUAL APPRASIAL PROCESS

For purposes of determining the annual compensation adjustments and/or to monitor employee performance, a comprehensive annual performance appraisal will be conducted for all civil service employees at the end of each calendar year, or more frequent as needed to address performance. It is strongly suggested that such appraisals also be conducted for all non-civil service employees. Each employee subject to this section shall be evaluated by his/her immediate supervisor, and the evaluation may be endorsed by any appropriate intermediate supervisors, with final approval by the Sheriff or designee. The annual appraisal is the only performance evaluation that can result in a compensation adjustment for civil service employees. Any subsequent or interim appraisals are solely for the purposes of ensuring performance standards.

1. Annual Appraisal Forms

Under the direction of the Sheriff, annual appraisal forms prepared by the Forsyth County Sheriff's Office must be utilized for each employee. Upon completion of the evaluation process, the finalized forms must be submitted to the Forsyth County Sheriff's Office Employee Records Unit by a designated date. A copy of the approved appraisal forms will be forwarded to the Forsyth County Personnel Services Director and will serve as documentation to authorize any salary adjustment.

2. Annual Appraisal for Employees on Extended Military Leave

Employees who are on approved military leave in excess of six (6) months of the appraisal period shall receive a compensation adjustment based upon calculating the average of the employee's past two (2) annual appraisal ratings. This average shall be the percentage of the employee's compensation adjustment. In the event that a two (2) year history of annual appraisal ratings is unavailable, the employee shall receive a compensation adjustment based on the average rating within the employee's department.

3. Restructuring of Appraisal Forms

As the need arises, the Sheriff or the Forsyth County Personnel Services Director may periodically restructure appraisal forms to adequately reflect the job responsibilities or expectations of Forsyth County Sheriff's Office employees.

4. Frequent Performance Appraisals

Notwithstanding the annual appraisals required for compensation adjustment purposes, additional performance appraisals may be utilized as a management tool as frequently as necessary to monitor and/or improve job performance of employees. Any such interim appraisals must be submitted to the Forsyth County Sheriff's Office Employee Records Unit to be placed in the employee's personnel file.

5. Re-Evaluation of Unsatisfactory Performance

Any regular employee who receives an unsatisfactory appraisal must be re-evaluated within three months for purposes of monitoring employee performance. If the employee receives a second unsatisfactory appraisal, the employee may be subject to termination. Any such re-evaluation must be submitted to the Forsyth County Sheriff's Office Employee Records Unit to be placed in the employee's personnel file. This re-evaluation process shall not in any event result in a salary adjustment. Additionally, a copy of each employee's completed and approved re-appraisal form will be forwarded to the Forsyth County Personnel Services Office

6. Appraisal Disputes

The appraisal rating is final upon approval of the rating by the Sheriff or designee. The appeal and grievance procedures outlined in the Civil Service Handbook are not available to address a dispute over an appraisal rating. Additionally, an employee receiving a satisfactory score on their appraisal (typically indicated by a score of three (3) or higher) does not have a right to dispute or appeal their appraisal rating. In the event that an employee desires to dispute his or her appraisal rating, the employee must submit to his or her supervisor a written statement advising of the dispute within five (5) days of the appraisal conference. Upon receiving such a written statement of dispute from an employee, the next highest-ranking supervisor over the supervisor that conducted the employee's review shall provide a written reply within five (5) days of receipt of the dispute. In any event, the decision of that next highest-ranking supervisor is final.

B. EFFECTIVE DATE OF SALARY ADJUSTMENTS

All salary adjustments shall become effective the date of the first full pay period following any salary change. A request for a salary change made in the middle of a pay period shall not be retroactively applied, and in no event, shall a salary change become effective in the middle of a pay period. However, annual appraisal adjustments to salary shall be applied in the pay period most closely associated to the new calendar year as determined by and at the discretion of the Sheriff or the Forsyth County Personnel Services Director.

C. LIMITATIONS TO THE COMPENSATION PLAN

The compensation plan and all provisions in this manual related to salaries are contingent upon funds being available. Any deviation from paying employees in accordance with the compensation plan or the provisions of this manual because of budgetary limitations must be approved by the Sheriff.

XIV WORKING HOURS, OVERTIME AND COMPENSATORY TIME

The Forsyth County Sheriff's Office is subject to the Federal Fair Labor Standards Act (F.L.S.A.). These regulations govern rates of pay, overtime compensation and hours of work.

A. HOURS OF WORK

1. Hours and Breaks

The exact time for beginning and ending work each day may vary and shall be established by the Sheriff. Each civilian employee is entitled to one thirty (30) minute unpaid break each day for a meal. In addition, each civilian employee is entitled to two fifteen (15) minute paid breaks each day. With the approval of the employee's supervisor, a civilian employee may combine paid breaks and the unpaid meal period to allow for a total of a one-hour break for a meal each day. In any event, the employee is responsible for his/her attendance and is required to work the schedule assigned by the Sheriff.

Whether combined with lunch or taken separately, a civilian employee must take the two fifteen (15) minute paid breaks each day. However, if a civilian employee elects to work through the thirty (30) minute unpaid meal period, the employee must receive prior approval from his/her supervisor because such action will raise hours worked and potentially implicate overtime compensation. If the supervisor approves the employee's request to work through the thirty (30) minute unpaid meal period, the supervisor should notify the timekeeper in writing that he/she should be credited with thirty (30) minutes of time worked.

Sworn personnel may take a break from regular duties for meals but must remain available to take immediate action when warranted, to respond to a call for service or to perform other duties as directed.

2. Work Period and Annual Period

The "work period" for all civilian full-time and part-time employees shall begin on Monday at 12:01 a.m. and continue until Sunday at 12:00 Midnight. The work period for sworn law enforcement officers shall begin at 12:01 a.m. on the 1st day and continue until 12:00 Midnight on the 28th consecutive day, or until the end of the active shift occurring on the 28th day.

The "annual period" for purposes of determining rights under this manual shall commence on June 1st and conclude on May 31st.

3. Maximum Work Hours

The following table sets forth the maximum work hours for purposes of computing overtime. In accordance with the table, employees are not entitled to overtime compensation until the maximum work hours in the applicable work period have been exceeded.

<u>Classification of Employees</u>	<u>Work Period</u>	<u>Maximum Hours</u>
Law Enforcement	28 days	171 per period
Other civilian employees	7 days	40 per period

4. Emergency On-Call Policy

Employees may be required to be "on-call" for the purpose of responding to emergency situations. "On-call" is defined as a state of readiness, prior to or after normally scheduled work hours, in which they are required to be available and accessible by telephone in the event they are needed for an emergency. According to the Fair Labor Standards Act, the waiting time while on-call is not compensable as hours worked if the conditions on the employee's activities are not so restrictive that they cannot use the time effectively for personal pursuits. It is the intent of the Forsyth County Sheriff's Office that employees shall be able to effectively use on call time for personal pursuits such that on call time is not compensable.

Employees will be compensated at time and one-half their regular rate of pay for all time worked if called into work to respond to an emergency or to remotely respond to an emergency. This premium rate of compensation shall apply even if the employee has not met the maximum hour's threshold that would require payment of overtime compensation.

Compensable time shall begin to run immediately when the employee commences travel to or remotely responds to the emergency on-call location. Additional emergency calls that occur while an employee is responding to a prior emergency call will not be reimbursed as a separate emergency call but is considered as a continuous event.

5. Time Clock Procedures for Recording Hours Worked

All employees, exempt and non-exempt, are required to utilize the Forsyth County Sheriff's Office electronic time-keeping system. Although there are several methods in which an employee may record their time punch, it is the responsibility of the Division Commanders to determine the most efficient method in which an employee is to record their daily time punch. All employees are responsible for reviewing their recorded time and for notifying their assigned timekeeper of any deviation to their punch-in or punch-out time. It is a violation of this policy for an employee to punch in/out for another employee, except by the authorized timekeeper for the employee.

Pursuant to the electronic time-keeping system that the Sheriff's Office utilizes, an employee will not be compensated for time worked nor docked in pay if the employee punches the time clock seven (7) minutes prior to, or seven (7) minutes

after, the employee's scheduled start/finish time. Instead, any start time punches made between seven (7) minutes before and after the employee's scheduled start/finish time will be considered to have been punched at the scheduled start/finish time for payroll purposes and an employee will not be compensated for time worked or docked in pay.

The seven-minute window has been established to accommodate the inability of all employees to clock in at the precise start or finish time. However, for attendance purposes, a punch made after the scheduled start time or before the scheduled finish time will be noted as a late arrival or early departure, respectively, and the employee may be subject to discipline according to this manual.

Any employee that elects to come early or stay late shall not perform work for the Sheriff's Office during that early or late period because to do so may result in the accrual of unauthorized overtime hours. While the Sheriff's Office desires to afford employees the benefit and opportunity to arrive early and leave late to engage in reasonable non-work-related activities, the employees must not abuse this privilege by engaging in unauthorized work outside of the assigned schedule for which the Sheriff's Office would be required to pay overtime compensation. Consistent with this policy, all overtime hours must be approved by the Sheriff or his designee.

It is the expressed intent of the Sheriff's Office to pay employees for all hours actually worked, whether in the seven-minute window or otherwise. However, in order to avoid the recording of hours that are not hours worked in the electronic timekeeping system, employees should not clock in early to engage in non-work-related activities and should clock out promptly upon completion of work at the end of the day if the employee elects to remain at the workplace to engage in non-work-related activities. Employees failing to do so are subject to disciplinary action. Timekeepers shall not subtract unauthorized clocked time from the employee. Instead, the employee shall be compensated and appropriate disciplinary action taken for the unauthorized time.

All Division Commanders are responsible for assuring that the employee's recorded time are reviewed by the supervisor and the employee for accuracy and are signed off in the time-keeping system by an assigned representative with supervisory authority. When an individual signs off on an employee's recorded time they attest that the time recorded and other hours used, are true and accurate. Intentional falsification of time punches or recorded time shall constitute grounds for disciplinary action, including termination.

The paycheck issued to each employee contains a statement as to the number of compensable hours worked. Employees may obtain an accurate listing of time punched from their timekeeper. If an employee disputes the statement of compensable hours worked during a pay period, the employee should immediately advise his/her supervisor so that appropriate corrections can be made.

In any case, employees shall be responsible for clocking into and out of the system, having their time entered manually by an authorized timekeeper and/or filing a Time Verification Form to document their work hours in accordance with this policy.

6. Use of Employee Health & Wellness Center During Scheduled Work Hours

Employees are encouraged to work with their Supervisor and Manager when scheduling an appointment to minimize conflict with the workday. In the event an employee must schedule an appointment during his or her regular work hours, the following policy will apply:

- a. Employee must contact their manager or supervisor prior to scheduling an appointment during regular working hours.
- b. Employee will not be required to use personal time off (PTO) or comp-time.
- c. Employee must provide their manager or supervisor with notice provided from the center indicating their appointment arrival and departure time.

Employees will be required to use PTO or comp-time if they are accompanying a spouse or dependent to an appointment.

Employees who are advised not to return to work by the center's healthcare provider must notify their manager or supervisor. The employee will be required to use PTO or comp-time as they would under other circumstances.

B. COMPENSATION FOR OVER TIME HOURS WORKED

1. Classification as Exempt or Non-Exempt

All employees will be classified as either "exempt" or "non-exempt" according to the Fair Labor Standards Act ("FLSA") and its governing regulations. These classifications are established by the Forsyth County Sheriff's Office based upon the prevailing law and the actual duties and compensation earned by each employee. The Sheriff's Office is not required to compensate employees who are exempt under the FLSA for overtime work. Nonetheless, the Sheriff's Office has elected to reward overtime work by exempt employees as described herein. In contrast, the Sheriff's Office is obligated to compensate employees who are deemed non-exempt under the FLSA for overtime work and does so according to the FLSA and the policies set forth herein. It is the expressed intent of the Forsyth County Sheriff's Office to strictly comply with the FLSA with regard to overtime payment.

2. Approval and Recording of Overtime Hours Worked

The Forsyth County Sheriff's Office shall keep work in excess of established schedules to a minimum and all overtime work performed must be approved by the Sheriff or his designee. In addition, all overtime hours worked must be recorded by the employee during the pay period in which the employee performed the work. No employee should be subjected to being requested by a supervisor to work overtime without allowing the employee to record and receive compensation for overtime hours worked. Employees shall respond promptly to all subpoenas for Court appearances. The employee shall notify their immediate supervisor of the scheduled appearance so that the supervisor may make the appropriate scheduling arrangements. If any employee has concerns about the overtime compensation practices occurring in his/her division, the employee should immediately advise the Forsyth County

Personnel Services Director or the Chief Deputy via chain of command. Agency employees shall complete the Forsyth County Sheriff's Office Overtime/Comp Time Report for overtime documentation.

3. Rate of Overtime Compensation

Non-exempt employees who perform overtime work shall be paid either in wages or accrued overtime hours at the rate of one and one-half times their regular rate of pay. Exempt employees who perform overtime work shall receive compensatory time at the rate of one and one-half times hours worked.

4. Computation of Hours Worked for Overtime Compensation Purposes

The computation of hours worked for purposes of reaching the maximum hour threshold (as specified in Section A above) to trigger the entitlement to overtime compensation or accrued comp time shall include actual hours worked, holiday time worked, court appearances (sworn personnel only and job related), jury duty, military leave, training time and worker's comp leave.

The computation of hours worked shall not include paid personal leave, bereavement, unpaid holiday, holiday pay, furlough leave, accrued overtime, compensatory time, any form of FMLA time, or administrative leave time with pay.

The overtime or comp time calculation for all full-time employees with a forty (40) hour maximum threshold will be based on a forty (40) hour workweek, not eight (8) hours per day. When an employee has to use personal, accrued overtime or comp time to reach the maximum threshold of forty (40) hours, the personal leave, accrued overtime or comp time shall be added at the end of the forty (40) hour workweek, not the eight (8) hour day.

The overtime or comp time calculation for all full-time employees employed in law enforcement with a 171-hour maximum threshold will be based on a 171-hour work period (28 days). When an employee has to use personal and/or comp time to reach the maximum threshold of 171 hours, the personal leave and/or comp time shall be added at the end of the 171-hour work period (28 days).

5. Use of Compensatory Time

Employees desiring to utilize compensatory time off must receive prior approval from their supervisor. A non-exempt employee who has accrued compensatory time and requests use of the time must be permitted to use the time off within a reasonable period after making the request if it does not unduly disrupt the operations of the Sheriff's Office.

In the event that an exempt employee requests use of compensatory time, but is denied use of the time due to operations of the Sheriff's Office, the Sheriff may, at his or her discretion, approve a request by the employee to carry forward into the next annual period an additional forty (40) hours of compensatory time for 40-hour per week employees, and an additional sixty (60) hours of compensatory time for sworn

law enforcement officers over and above the limitations set forth below for exempt employees in paragraph (f 6).

6. Accrual of Compensatory Time

Non-exempt civilian employees may accrue up to 240 hours of compensatory time; sworn law enforcement officers may accrue up to 480 hours of compensatory time. Any subsequent overtime hours worked after reaching the applicable accrual cap must be compensated in wages.

All unused compensatory time accrued by non-exempt employees may be paid out in wages pursuant to the first payroll after the conclusion of the annual period (on May 31st of each year), or may be carried forward as compensatory time to the next annual period, at the discretion of the employee. Notwithstanding an employees' option to carry compensatory time forward as set forth herein, all overtime hours worked after reaching the accrual caps set forth in the preceding paragraph shall be compensated in wages, with no option to carry such hours forward.

In the event a non-exempt employee is promoted to a position with a pay increase of more than five percent (5%), all unused compensatory time accrued by that employee shall be paid out in wages at his/her rate of pay prior to the promotion.

While there are no limits as to the hours of compensatory time that may be accrued by exempt employees, all unused compensatory time accrued by exempt employees will be forfeited at the conclusion of the annual period (as of May 31st of each year), with the exception of a maximum of eighty (80) hours that may be carried forward from one year to the next. Exempt employees have no right to request that unused compensatory time be paid out in wages.

7. Payment of Compensatory Time upon Separation

All unused compensatory time accrued by non-exempt employees will be paid to the employee immediately upon separation from employment with the Forsyth County Sheriff's Office, whether the employee is terminating his/her employment voluntarily or involuntarily. All compensatory time paid shall be treated as regular pensionable earnings.

All unused compensatory time accrued by exempt employees will be forfeited by the employee immediately upon separation from employment with the Forsyth County Sheriff's Office, whether the employee is terminating his/her employment voluntarily or involuntarily.

At the time of separation, an employee shall not be entitled to remain on the payroll to extend benefits by using compensatory time.

C. COMPENSATION DEDUCTIONS AND CORRECTIONS

1. Jury and Witness Fee Deductions

While an employer cannot make deductions from pay from an exempt employee occasioned by jury duty or attendance as a witness, the Sheriff's Office can and will off-set the amount the employee may receive as jury fees or witness fees, for a particular week against the salary due for that particular week.

2. Deductions for FMLA Leave

Partial or full day deductions may be made to an exempt employee's compensation for FMLA unpaid leave purposes. Such deductions may be made from a non-exempt employee's pay.

3. Pro-Rated Salaries

The Sheriff's Office shall pay pro-rated salary for partial initial or terminated weeks of employment of all employees.

4. Disciplinary Suspensions

Deductions from pay for exempt employees may be made for an unpaid disciplinary suspension of one or more full days imposed in good faith for infractions of workplace conduct rules. Such deductions may also be made in full or partial day increments for non-exempt employees.

5. Corrections

If an employee believes that an improper compensation deduction or addition has been made to his or her salary, the employee is to report this information to their direct supervisor. The supervisor is then to contact the Forsyth County Sheriff's Office Payroll Coordinator for an analysis and corrections if warranted.

D. HOLIDAY LEAVE

1. Holidays Observed

All full-time and part-time employees shall be eligible for the following ten holidays observed each year: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day (and the day after Thanksgiving), Christmas eve and Christmas Day. Any other holidays shall be upon specific authorization of the Sheriff and in keeping with other holidays as may be approved by the Board of Commissioners. When a holiday falls on a Saturday it shall be observed by the Sheriff's Office on Friday. When a holiday falls on Sunday it shall be observed by the Sheriff's Office on Monday.

2. Holiday Pay

Full-time and part-time employees, employees on administrative paid leave, military, FMLA and/or on paid worker's comp leave shall be paid for all observed holidays as described above according to hours worked in their regularly scheduled shift. Reserve/volunteer employees are not entitled to holiday pay. Part-time employees shall be paid four (4) hours of holiday pay.

3. Work on Holidays

Non-exempt employees required to work on or during one of the holidays observed by the Sheriff's Office and/or on the traditionally observed holiday shall be compensated at time and one-half his/her regular rate of pay for the hours worked on that holiday. Exempt employees required to work on or during one of the holidays observed by the Sheriff's Office and/or on the traditionally observed holiday shall be compensated at one-time his/her regular rate of pay for the hours worked on that holiday. In addition, the exempt employee shall be compensated at half-time his/her regular rate of pay for the hours worked on that holiday in the form of comp time. Any employee working on an unpaid holiday shall not be eligible to receive any additional holiday pay. Accrued personal leave, comp time or over-time cannot be used in-lieu of holiday pay.

E. PERSONAL LEAVE

1. Accrual of Personal Leave

All full-time employees are eligible to accrue personal leave based upon their seniority date to be established in the manner set forth below. Part-Time employees are eligible to accrue personal leave at one-half the rate of accrual of personal leave for full-time employees. Reserve/volunteer employees are not eligible to accrue personal leave. Accrual of leave shall be according to the following table:

<u>Years of Service</u>	<u>Leave</u>	
0 – 1 year	96 hours	(12 days)
1 – 4 years	160 hours	(20 days)
5 – 14 years	200 hours	(25 days)
15+ years	240 hours	(30 days)

2. Seniority Date

The seniority date for a reinstated employee shall be established as follows: full-time employees may receive full credit for all past employment. Part-time employees shall receive credit for one-half of his/her past employment. No credit for past employment shall be given to reserve/volunteer employees. This provision shall expressly apply, but not be limited, to rehired employees of the Forsyth County Sheriff's Office. No credit for service shall be given to employees for the period of time spent on a leave of absence without pay, unless such leave is pursuant to the FMLA.

3. Approval of Personal Leave

All requests for personal leave must be pre-approved by the employee's chain of command and/or the Sheriff.

4. Unused Personal Leave

Employees are entitled to sell back to the County unused personal leave at any time during the annual period. Requests to sell back personal leave must be submitted (preferably by email but hand delivery is also acceptable) to the County Payroll Department by 5:00 p.m. on the last day of the pay period in which the employee wishes to receive payment.

In addition, full-time employees may carry forward from one annual period to the next annual period a maximum of one thousand and forty (1040) hours. Part-time employees may carry forward from one annual period to the next annual period a maximum of five hundred and twenty (520) hours. Any hours accrued in excess of one thousand and forty (1,040) for full-time employees and five hundred and twenty (520) hours for part-time on the last pay date in December will be paid out to the employee in the first pay period in January of the following year.

5. Compensation for Personal Leave upon Separation

Employees terminating employment with the Forsyth County Sheriff's Office voluntarily or involuntarily shall be compensated for personal leave up to one thousand and forty (1,040) hours in the case of full-time employees.

At the time of separation, an employee shall not be entitled to remain on the payroll to extend benefits by using personal leave time. All personal leave time paid upon separation shall be treated as regular pensionable earnings.

F. WORKERS' COMPENSATION LEAVE FOR ON-THE-JOB INJURY

An employee who sustains an injury on-the-job during the course and scope of employment must immediately notify his/her supervisor on the forms prepared and provided by the Forsyth County Sheriff's Office, no matter how minor the injury may be. An employee may lose the right to receive compensation if an accident is not reported promptly.

All employees receiving treatment for a work-related injury are subject to post-accident drug screening. If an employee unjustifiably refuses to submit to a drug test following an on-the-job injury, there will be a presumption that the accident and injury were caused by alcohol or drugs; if the presumption is not overcome by other evidence, any claim for workers' compensation benefits will be denied.

If medical attention by a physician is needed, the employee must select a doctor from the Workers' Compensation Approved Panel of Physicians. In an emergency, the employee may get temporary medical care from any doctor until the emergency is over, then the employee must get treatment from a doctor on the Panel of Physicians.

The employee must, upon request, submit a physician's statement from a physician who is listed on the Worker's Compensation Approved Panel of Physicians, to the effect that the injury will prevent the employee from working in his/her regular capacity. The Forsyth County Sheriff's Office and Forsyth County shall reserve the right to refuse payment of medical services for any employee examined by a physician not listed on the Workers' Compensation Approved Panel of Physicians. The Panel physician may arrange for appropriate consultations, referrals, and other specialized services as the nature of the injury requires. If the employee is dissatisfied with the Panel Physician selected, he or she may request a one-time change of physician by providing a written request to Risk Management. Further changes require approval of the County /Third-Party Administrator or the State Board of Workers' Compensation.

If an on-the-job injury necessitates the employee's absence from work, the employee shall receive his/her regular rate of pay for a maximum of seven (7) calendar days. Thereafter, the County's workers' compensation Third-Party Administrator shall determine if further compensation is required.

An employee on Workers' Compensation Intermittent Leave, while on Modified Duty and working, shall be paid time-off for physician visits. Modified Duty assignments may be provided for the duration of the temporary period of an employee's impairment as a result of an on-the-job injury. A medical note from the employee's physician must be presented to the Forsyth County Risk and Safety Manager and a time verification form should be forwarded to the Forsyth County Sheriff's Office Payroll Coordinator. An employee who has been released to work is expected to report to work promptly as required.

An employee who is unable to work and is on paid Worker's Compensation Continuous Leave shall continue to accrue personal leave and holiday compensation while on Leave and consistent with this policy. Workers' Compensation time cannot be added in the computation of overtime or Compensatory Time. A Workers' Compensation Continuous Leave may not exceed six (6) months. If an employee does not return to work, employment will be terminated. Employees are reminded that the Forsyth County Sheriff's Office participates in the Forsyth County Loss Prevention Program and that further information regarding Worker's Compensation and other Loss Prevention issues may be obtained from the Loss Prevention Risk Manager.

Workers' Compensation Intermittent or Continuous Leave will not run concurrently with any other leave provided by the Forsyth County Sheriff's Office or Forsyth County (e.g., FMLA, Medical Leave of Absence, etc.). Employees are eligible for an initial 90 days of Workers' Compensation Continuous Leave. After the expiration of 90 days of Workers' Compensation Continuous Leave, the employee may seek an extension of the Workers' Compensation Continuous Leave not to exceed an additional 90 days by submitting a written request for an extension to the Forsyth County Risk and Safety Manager. The request must detail the employee's reasons for an extended leave and address the employee's projected return-to-work status as contemplated by the Loss Prevention Return to Work Program. The Forsyth County Risk and Safety Manager will review the request and present said request to the Sheriff. The Sheriff, or his designee will have the final decision-making authority in

regards to the request. Once a determination has been made, the Forsyth County Risk and Safety Manager will be responsible for notifying the employee if the extended Workers' Compensation Continuous Leave is approved. Upon the expiration of the employee's Workers' Compensation Continuous Leave, the employee may seek other leave that may be available (FMLA, Medical Leave of Absence, etc.). In no case will Workers' Compensation Continuous Leave exceed 180 days.

Nothing in this Policy should be construed to impede or prohibit an employee's right to seek a reasonable accommodation pursuant to the Americans with Disabilities Act (ADA). The Forsyth County Sheriff's Office is committed to providing reasonable accommodations to employees and applicants for employment in order to assure that qualified individuals with disabilities enjoy full access to equal employment opportunity. The Forsyth County Sheriff's Office shall provide reasonable accommodation for employees and applicants with disabilities, unless such accommodation imposes an undue hardship.

G. SUPPLEMENTAL COMPENSATION FOR INTENTIONALLY AND/OR MALICIOUSLY INJURED EMPLOYEE.

An employee who is intentionally and/or maliciously injured while acting within the scope of his or her employment, and thereby sustains a serious injury compensable under Georgia Workers' Compensation, may be considered for supplemental compensation from the Sheriff's Office for a period of up to eighteen (18) weeks. The Sheriff, at his or her discretion, may extend the supplemental compensation period up to an additional twelve (12) weeks for a total of thirty (30) weeks. Such compensation, when combined with Workers' Compensation, will not exceed the tax-adjusted compensation being paid to the employee for their regular assigned schedule when the injury occurred. This supplemental compensation policy shall expire on December 31 of each year and may be renewed at the discretion of the Sheriff. Requests for supplemental compensation must be submitted through the employee's chain of command to the Sheriff's Services Bureau Commander, who will recommend appropriate action to the Chief Deputy. Final approval is at the sole discretion of the Sheriff.

H. REPORTING OF PERSONAL LEAVE OR ILLNESS

An employee who is absent from work without prior approval is responsible for personally contacting (which shall expressly not include e-mail, voice mail, or contact through a third-party), unless otherwise directed by that employee's supervisor or chain of command, the appropriate supervisor within thirty (30) minutes after the designating reporting time on the day of absence, and reporting thereafter on any subsequent days unless approved ahead of time. Leave for an illness will be charged against personal leave or compensatory time. In the event of failure of compliance with this section, the employee may be charged on the payroll with leave without pay and it will be a disciplinary matter. The method of notification of absences pursuant to this section may be varied at the discretion of the Sheriff, which method or notification should be clearly communicated to the employees.

Personal leave for an illness that exceeds three full consecutive working days, without prior approval, shall be allowed at the discretion of the Sheriff or his designee

only after presentation of a satisfactory written statement by a licensed physician or dentist certifying that the employee's condition prevented him/her from performing the duties of his/her position. With the exception of a leave without pay approved pursuant to the applicable leave policies set forth herein, there is no "leave without pay" available to employees; provided, however, an employee may petition the Sheriff or his designee for leave without pay as needed to accommodate a documented emergency situation. To the extent an employee seeks an absence as leave without pay, if the employee has any accrued personal leave or compensatory time, the request for the absence will not be denied, but the absence will be charged against that accrued leave or compensatory time.

I. **Conditions Involving Pandemic or Influenza**

Sick employees who report to work with Contagious Symptoms and/or a Contagious Condition, as those terms are defined in this Section, may significantly impact Sheriff's Office operations due to the potential for spreading sickness, diminished productivity, and lack of quality or attention to safety.

Employees should consider options and practices that will reduce the risk of contracting a contagious condition or passing on a contagious condition by observing healthy practices such as: receiving flu vaccinations, covering their noses or mouths when coughing or sneezing, washing or sanitizing their hands, using sanitizers on common work areas, and other health practices that are designed to reduce infection and the spread of disease. Employees should also refrain from reporting to work with Contagious Symptoms and/or a Contagious Condition, so as not to spread a condition or disease.

In the interest of maintaining a safe and healthy workplace, the Sheriff's Office may require persons with Contagious Symptoms and/or a Contagious Condition not to report to work and/or may send employees with Contagious Symptoms and/or a Contagious Condition home.

(a) **Contagious Symptoms and/or Condition**

For purposes of this Section, Contagious Symptoms and/or a Contagious Condition exist when:

- (1) An employee exhibits influenza-related symptoms (e.g., fever, vomiting, diarrhea, headache, cough, sore throat, runny or stuffy nose, muscle aches) or other symptoms, described by a public health organization as indicative of other contagion, such as Coronavirus; and/or
- (2) An employee who is awaiting diagnostic test results for an infectious/contagious condition after having exhibited symptoms; or exposed to a person with a documented positive test for same contagion; or been directed by a healthcare provider to self-quarantine; or
- (3) An employee who has been diagnosed with an infectious/contagious condition (e.g., influenza, strep throat, tuberculosis, bacterial meningitis, mononucleosis, mumps, measles, rubella, chicken pox, etc.); or

- (4) An employee and/or family member/household member who has recently traveled or plans to travel to a geographic area or has been subjected to a confined area, such as cruise ship or airplane, actively identified by a recognized health organization to present a high degree of contagion health risk or an area for which the CDC has issued a Level 2 or 3 travel advisory.

(b) Workplace Requirements

The Sheriff's Office and its employees bear responsibility for a safe and productive workplace environment. Accordingly, an employee with Contagious Symptoms and/or a Contagious Condition:

- (1) Will not report to the workplace so as not to infect other employees or members of the public.
- (2) Will not report to the workplace until his/her symptoms have subsided and the employee has been cleared with a health care provider's statement that the employee may return to work. (Such statement must be submitted to Forsyth County Personnel Services Department for approval as provided in subsection (d), below, in advance of returning to the workplace.)
- (3) Will not report to the workplace after returning from, or after a family/household member has returned from, a geographic area or confined area recently identified by a recognized health organization to present a high degree of contagion health risk or an area for which the CDC has issued a Level 2 or 3 travel advisory. In such case, the employee cannot return to the workplace until completion of the incubation period as identified by a public health organization and until the employee has been cleared with a health care provider's statement that the employee may return to work. (Such statement must be submitted to Forsyth County Personnel Services Department for approval as provided in subsection (d), below, in advance of returning to the workplace.)
- (4) May be sent home, with or without the opportunity to work from home, based on observations of symptoms of a Contagious Condition.

(c) Absence Due to Contagious Symptoms or Conditions

An employee who has been sent home by the Sheriff's Office and/or has not reported to work due to Contagious Symptoms and/or a Contagious Condition, or who has been quarantined, will be required to use accrued Paid Time Off ("PTO") and/or accrued compensatory time. If PTO or compensatory time is unavailable or exhausted, the employee will be recorded as absent with approved unpaid leave. In the event that an employee's absence pursuant to an approved unpaid leave extends beyond five (5) days and/or an employee's absence pursuant to an approved unpaid leave becomes a recurring issue, and such absences are deemed to constitute an undue burden upon the Sheriff's Office, the Sheriff or designee may request that the employee provide a doctor's certification as to the employee's current condition. Ultimately, any prolonged absences will be addressed in compliance with all federal and state laws and regulations, including the ADA and the FMLA (where a serious health condition is involved).

The Sheriff or designee may approve an employee to work from home or another private location while recuperating. Such approval is dependent upon consideration of factors, including the employee's position, the severity of the illness, and other safety and logistical considerations.

Any employee subject to absence due to Contagious Symptoms or a Contagious Condition must contact Forsyth County Personnel Services Department to determine if the employee and medical condition qualifies for Family Medical Leave. In such case, the policy covering Family Medical Leave Act shall apply.

(d) Return to Work from Contagious Symptoms or Contagious Condition

As a condition for return to work, the employee will be required to provide certification from a professional health care provider stating the Contagious Symptom or Contagious Condition that the employee experienced has been cleared and the employee may return to work without risk to other employees. The written statement must be submitted **electronically** to the Forsyth County Personnel Services Department, which shall review and must approve the release **before** the employee may return to work. An employee failing to provide a written return to work authorization prior to reporting to work will be immediately sent home and may be subject to disciplinary action for failure to comply with this requirement.

(e) Compliance

Due to the seriousness of the ramifications of non-compliance, any violation of the policy as set forth will subject the employee to disciplinary action, up to and including, termination.

This Section will be administered in accordance with all federal and state laws and regulations, including the ADA and the FMLA (where a serious health condition is involved).

J. FUNERAL LEAVE

Leave with pay for a maximum of up to three (3) working days may be granted to any employee in the event of a death in the employee's immediate family. An employee is not automatically entitled to the maximum three-day funeral leave period, but rather, the period of leave is at the discretion of the Sheriff or his designee.

The employee is charged with the responsibility of verbally requesting funeral leave directly from his/her supervisor or the Sheriff, and providing supportive information if requested. The length of approved leave is to be provided to the employee at the time of the request. The supervisor may also request that supporting documentation, such as a funeral announcement, be submitted by the employee when the employee returns from funeral leave.

It is presumed that in most cases, funeral leave shall only consist of one day. Length of funeral leave is to be determined on a case-by-case basis with consideration given to the following:

- Funeral occurring on a weekend or holiday will likely not warrant a full 3-day leave, absent exceptional circumstances;
- Out of state funeral or a funeral held at a location that is more than two (2) hours from the employee's home, may provide up to 3 days for travel and funeral;
- Death of a child, spouse, mother, father, mother-in-law, or father-in-law may provide for a 3-day leave, whereas more distant immediate family members will not likely provide for a full 3-day leave; and
- An employee who is the only family member and must have time to handle funeral arrangements and contact other relatives may warrant more than one day of funeral leave.

Immediate family for purposes of this section shall include the employee's spouse, child, step-child, parent, step-parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandchild, grandparent, spouse's grandparent, son-in-law, daughter-in-law, aunt, and uncle. Such leave shall not be charged to personal leave, even if the employee has been absent from work to care for the deceased family member pursuant to the Family Medical Leave Act.

Leave is dependent upon prior approval by the attending employee's supervisor or the Sheriff. This decision shall be dependent upon non-disruption of agency operations.

K. MILITARY LEAVE

The Forsyth County Sheriff's Office shall comply with the applicable State of Georgia law and federal law for public employees.

An employee who is a member of the National Guard, an organized military reserve of the United States, or any employee who is otherwise engaged in the performance of military duty, and while any of the above described employees are going to and/or returning from such duty, shall be paid his/her salary or other compensation and will be allowed leaves of absence with pay for periods not to exceed eighteen (18) working days (one working day equals one twelve (12) hour or one (8) hour shift for public safety employees depending on their assignment within the agency) during any federal fiscal year (beginning on October 1st and ending on September 30th) and not exceeding eighteen (18) days in any one continuous period of absence. This shall include the attendance at training camps upon presentation of orders pursuant to such training. Such leaves shall not be charged to personal leave and may be intermittent in nature. Such an employee shall also receive his/her salary or other compensation for a period not exceeding thirty (30) days in any federal fiscal year and not exceeding thirty (30) days in any one continuous period if ordered to active-duty service.

In addition, any employee who is called up to active duty in any branch of the military service of the United States will be allowed leaves of absence and maintenance of

rights and benefits consistent with state and federal law upon presentation of orders pursuant to such active duty.

Email connectivity will remain in effect for employees on military leave. This method of communication will ensure that employees are kept informed on agency news, significant events, promotions and promotions opportunities.

A member of the Sheriff's Office Training Unit will be designated as the agency point of contact for an employee on military leave. The employee may communicate with the point of contact while on deployment to exchange information or ask questions concerning any aspect of his/her employment with the Sheriff's Office.

The purpose of maintaining a strong point contact during military deployment is to keep lines of communication open and provide for a seamless transition.

All employees called up to extended activity duty (exceeding 180 days) in any branch of the military service of the United States shall prior to deployment:

- A. Meet with the Sheriff, or his designee, for a pre-deployment interview.
- B. Meet with the agency point of contact in the Training Unit to develop methods of contact during deployment.
- C. Provide copy of military orders to the Employee Records Unit to be placed in their personnel file.
- D. Transfer all firearms and intermediate weapons to the custody of the Training Unit for safe keeping during their deployment. This process will ensure that the weapons which the employee has trained and qualified with are returned to them upon their return.
- E. Transfer agency issued cellular telephones, pagers and portable radios/chargers to the Supply Unit for safekeeping. The items will be returned to the employee upon their return.

Upon return from military deployment the employee shall:

- A. Meet with the Sheriff, or his designee, for a post-deployment interview.
- B. Meet with the Training Unit point of contact and obtain all weapons and intermediate weapons.
- C. Qualify with all weapons as required by existing policy.
- D. Complete all mandatory training which occurred during their deployment.
- E. Retrieve agency cellular telephones, pagers and portable radios/chargers previously left in the care of the Supply Unit.

All military leave time shall be counted towards all seniority rights and towards eligibility of FMLA leave. All military leave shall be eligible to receive holiday compensation for the holidays recognized herein.

L. CIVIL LEAVE

An employee shall be given necessary time off without loss of pay when performing jury duty or when required by subpoena to be a witness in a legal proceeding, provided such call to duty is reported in advance to the individual's supervisor or the Sheriff. Any remuneration given by the court to an individual or by a party serving a subpoena upon an individual must be turned over to the Forsyth County Sheriff's Office to avoid double payment. Failure to turn over such remuneration shall result in the employee's pay being off-set or deducted in the amount of the remuneration received. Civil leave pursuant to this section shall not be charged to personal leave.

An employee who is required to perform jury duty or who is required to be a witness in a legal proceeding pursuant to subpoena is obligated to specifically utilize his/her best efforts to minimize the time spent away from work and to request an on-call arrangement for appearance in response to a subpoena.

Notwithstanding the foregoing, an employee shall not be granted paid civil leave for any case or proceeding in which the employee is a litigant, defendant, or other principal party, or if the employee has any other personal or familiar interest in the proceeding other than as is required in the fulfillment of their law enforcement duties. In addition, an employee shall not be granted paid civil leave for any case in which the employee is charged with a crime.

The employee seeking civil leave must submit to the applicable supervisor or the Sheriff a copy of the subpoena, summons for jury duty, or other court order or process as a pre-requisite for approval of civil leave. Appropriate certification and service is also required and as may be allowed by Sheriff's Office policy.

An employee shall not be discharged, disciplined, threatened, or otherwise penalized because the employee's absence is for the purpose of a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process that requires the employee's attendance at the judicial proceeding.

M. MATERNITY LEAVE

Maternity leave is afforded to employees pursuant to, and governed by, the provisions of the Family and Medical Leave Act ("FMLA") and those provisions set forth herein. Maternity leave shall be granted to employees upon written request filed by the employee at least two weeks prior to the effective date (unless emergency conditions prohibit the filing of such prior notice, in which case, it shall be filed as soon as possible). Time for beginning maternity leave shall be when the employee, with the approval of her doctor, deems she is no longer able to carry out the duties and responsibilities of her position. Time for termination of maternity leave shall be governed by the FMLA when applicable time provided thereunder has elapsed.

The Forsyth County Sheriff's Office will seek to provide light duty work assignments for all pregnant employees who are temporarily unable to perform their job duties due to pregnancy. Light duty work assignments will be considered consistent with the Sheriff's Office light duty policy. These light duty assignments are intended to assist pregnant workers who are temporarily not able to perform their normal job duties and

all such assignments will be productive.

An employee on maternity leave must utilize any available paid leave and/or compensatory time during any period of maternity leave. Upon expiration of any paid leave, the remainder of FMLA leave, if any, shall be unpaid.

N. FAMILY AND MEDICAL LEAVE

Pursuant to the Family and Medical Leave Act ("FMLA"), 29 U.S.C. § 2601, et seq., employees may be eligible to take up to twelve (12) weeks (or up to twenty-six weeks of Military Caregiver Leave to care for a covered service member with a serious injury or illness) of unpaid leave during any 12-month period for one or more of the following:

1. The birth, adoption, or placement of a child
2. The serious medical condition of a parent, spouse, or child
3. The employee's own serious medical condition that prevents him/her from performing the functions of his/her job to include qualified injuries or illnesses that existed prior to military active duty and were aggravated by service while on active duty in the Armed Forces;
 - a. Qualifying Exigency Leave is available to eligible employees who are family members of a covered military member to take FMLA Leave to address the most common issues that arise when a covered military member is on covered active duty or called to covered active duty; or
 - b. Military Caregiver Leave is available to eligible employees (defined as the spouse, son, daughter, parent, or next of kin of an injured or ill service member or veteran) to care for the covered service member. Eligible employees are entitled to twenty-six work weeks of leave during a single twelve-month period to care for a covered service member with a serious injury or illness.

For purposes of this section, a "12-month period" means a rolling twelve (12) months measured forward from the date the employee uses any FMLA leave. If the policies set forth in this manual conflict or come into conflict with the FMLA as it presently exists or is amended from time to time, the provisions contained in the FMLA shall control.

1. Eligibility

Employees are eligible for unpaid family and medical leave (FMLA leave) if they:

- Have been employed by the Forsyth County Sheriff's Office for a total of at least 12 months, counting all periods of time during which the employee has ever worked for the Sheriff's Office whether consecutive or not; and
- Have worked a total of at least 1,250 hours during the 12-month period immediately preceding the commencement of the FMLA leave.

2. Request for Leave

It shall be the responsibility of the employee to ensure that the appropriate forms required by the Forsyth County Personnel Services Director are timely submitted in order to request leave pursuant to the FMLA. Failure to submit an application for leave pursuant to the FMLA within a reasonable period of time prior to the requested effective date of the leave, when the reason for the leave is foreseeable, may constitute grounds for denial of the request. Upon receipt of a request for leave and a completed medical certificate pursuant to the FMLA, the Forsyth County Personnel Services Director or designee shall respond in writing with approval or denial of the leave within three (3) working days. An approval should specify the terms and conditions of the leave. If a request is denied in whole or in part, the response of the Forsyth County Personnel Services Director or designee will specify the reasons for the denial and shall include a notice of the right to appeal consistent with this section.

3. Concurrent Utilization of Paid Leave and/or Compensatory Time and Worker's Compensation Time

An employee requesting leave pursuant to the FMLA is required to utilize all accrued personal leave and/or compensatory time available as part of the 12-week leave period. If the available paid leave for the employee is less than twelve working weeks, the additional weeks of leave necessary to obtain the twelve work weeks of leave available under the FMLA shall be provided without compensation. In any event, any combination of personal leave, compensatory time, and/or unpaid family and medical leave shall not exceed twelve (12) weeks. Use of personal and/or compensatory leave, or any combination thereof, must be used concurrently with FMLA leave. FMLA requests will be retroactively dated to the beginning of the current personal and/or compensatory leave, or any combination thereof in the event that the paid leave is commenced prior to the request for FMLA leave.

Regardless of paid or unpaid FMLA leave, the employee will receive holiday compensation for the holidays recognized by the County set forth per policy.

Worker's Compensation Intermittent or Continuous Leave will not run concurrently with any other leave provided by Forsyth County (e.g., FMLA, Medical Leave of Absence, etc.).

4. Intermittent Leave or Reduced Schedule Leave

Leave for childbirth, adoption, or foster care may not be taken intermittently or on a reduced schedule. Leave for a serious health condition of a qualifying family member or service member of the employee may not be taken on an intermittent basis or on a reduced leave schedule unless medically necessary. The taking of any leave intermittently or on a reduced schedule basis shall reduce the total amount of FMLA leave that has been approved for the eligible employee according to the actual hours of leave taken. For example, if an eligible employee takes ten (10) hours of leave intermittently over twenty (20) business days, the employee's bank of available FMLA leave will be reduced only by ten (10) hours and not by twenty (20) days. If an eligible employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, the Sheriff may require the employee to transfer temporarily to an available equivalent position for which the employee is qualified that better accommodates recurring periods of absence.

5. Spouses Employed by Same Employer

In any occasion in which spouses in a legally recognized marriage are eligible for leave under the FMLA and are both employed by the Forsyth County Sheriff's Office, the aggregate number of work weeks of leave to which both may be entitled may be limited to twelve (12) work weeks during any 12-month rolling period, in the case where leave is taken for childbirth, adoption, foster care, or to care for a sick parent.

In any occasion in which spouses in a legally recognized marriage are eligible for leave under the FMLA and are both employed by the Forsyth County Sheriff's Office, the aggregate number of work weeks of leave to which both may be entitled, will be limited to twenty-six work weeks during any twelve-month rolling period, in the case where leave is taken to care for a covered injured or ill service member.

6. Foreseeable Leave

In any case in which the necessity for leave under the FMLA is foreseeable, based on an expected birth or placement of a child or based on planned medical treatment or supervision, the employee shall provide the Sheriff or his designee with written application for the requested leave and certification no less than thirty (30) days before the date the leave is to begin.

In a case where the necessity for leave is based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider and shall provide the Forsyth County Personnel Services Director with at least thirty (30) days' notice before the date the leave is to begin, except that if the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

7. Certification of Serious Health Conditions

An eligible employee who requests leave for a serious health condition of the employee or a qualifying family member, shall submit certification from an appropriate health care provider to the Forsyth County Personnel Services Director or designee when requesting leave. Certification shall be sufficient if it states:

- The date on which the serious health condition commenced
- The probable duration of the treatment or condition
- The appropriate medical facts within the health care provider's knowledge
- The estimated amount of time the employee needs to care for the qualifying family member or a statement of the extent to which the employee is unable to perform the essential functions of the employee's position.

In any case in which the Forsyth County Personnel Services Director has reasonable doubt as to the validity of the certification, the employee may be required to obtain the opinion of a second health care provider at the expense of the Forsyth County Sheriff's Office. In any case in which the second opinion differs from the original certification, the Forsyth County Personnel Services Director may require the employee to obtain the opinion of a third health care provider designated or approved jointly by the Forsyth County Personnel Services Director and the employee at the expense of the Forsyth County Sheriff's Office. The opinion of the third health care provider shall be considered to be final and shall be binding on the Sheriff's Office and the employee. The Forsyth County Personnel Services Director may also require that the employee obtain subsequent re-certification on a reasonable basis.

An eligible employee who requests intermittent leave for a serious health condition of the employee or a qualifying family member shall submit certification from an appropriate health care provider to the Forsyth County Personnel Services Director when requesting Leave.

Certification shall be sufficient if it states:

- If an employee requests Leave on an intermittent or reduced schedule basis for planned medical treatment of the employee's or a covered family member's serious health condition, information sufficient to establish the medical necessity for such intermittent or reduced schedule Leave and an estimate of the dates and duration of such treatments and any periods of recovery;
- If an employee requests Leave on an intermittent or reduced schedule basis for the employee's serious health condition, including pregnancy, that may result in unforeseeable episodes of incapacity, information sufficient to establish the medical necessity for such intermittent or reduced schedule Leave and an estimate of the frequency and duration of the episodes of incapacity; and

- If an employee requests Leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such Leave is medically necessary to care for the family member, as described in 29 C.F.R. §§ 825.124 and 825.203(b), which can include assisting in the family member's recovery, and an estimate of the frequency and duration of the required Leave.

The Forsyth County Sheriff's Office requires certification of the qualifying exigency for Military Family Leave. The employee must respond to such a request within fifteen days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of Leave. This certification will be provided using the United States Department of Labor Certification of Qualifying Exigency for Military Family Leave.

The Forsyth County Sheriff's Office requires certification for the serious injury or illness of a covered service member. The employee must respond to such a request within fifteen days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of Leave. This certification will be provided using the United States Department of Labor Certification for Serious Injury or Illness of Covered Service member.

8. Accruals and Benefits during FMLA Leave

The employee, while on paid FMLA leave, is entitled to accrue personal leave during the periods of paid FMLA leave. For the purposes of pension or retirement plans, any period of FMLA leave will be treated as continuous service for the purposes of vesting and eligibility to participate.

FMLA time will not be counted as part of an employee's probationary period, but will be added to the remaining probationary period, extending the ending date of the probationary period.

During any period of leave, Forsyth County will maintain any health insurance provided by Forsyth County to the employee for the duration of the leave at the level and under the condition's coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. If, however, the employee fails to return from leave after the period of leave to which the employee is entitled has expired, and the employee fails to return for a reason other than the continuation, recurrence, or on-set of a serious health condition or other conditions beyond the control of the employee, Forsyth County may recover the premium(s) that the County may have paid for maintaining coverage for the employee during the period of leave. If the employee is unable to return to work because of the continuation, recurrence, or on-set of a serious health condition, the Forsyth County Personnel Services Director may require that the employee provide a certification of such circumstance.

None of the above and foregoing limits the accrual of seniority or Annual Leave time for those on Worker's Compensation Leave.

9. Appeals of Denials

In the event that the Forsyth County Personnel Services Director denies in whole or in part a request for leave pursuant to the FMLA, an employee has the right to appeal that decision consistent with the following procedures.

Any such appeal from an employee must be filed within three (3) working days following receipt of the denial decision from the Forsyth County Personnel Services Director. The written notice of appeal shall include the request for leave and all supporting documentation provided to the Forsyth County Personnel Services Director. The appeal shall be filed with the Sheriff, who has the authority to amend or reverse the decision of the Forsyth County Personnel Services Director. Failure of the employee to appeal within three (3) working days shall result in forfeiture of any further right of appeal of a denial.

The Sheriff shall review the record of the appeal and shall, within five (5) working days, issue a final determination. The decision of the Sheriff shall be final.

10. Return to Duty from FMLA Leave

As a condition for return to duty, the employee is required to provide certification from the employee's health care provider that the employee is able to resume work. Upon expiration of the period of leave pursuant to the FMLA, the employee shall be returned to his/her former position or a position of equal grade and pay, provided that the employee has complied with the terms of the leave and reported for return of duty at the appropriate time. While the employee shall be restored to a position of employment without loss of employment benefits accrued prior to the date on which the leave commenced, the employee shall have no greater rights than those in effect prior to the commencement of the leave.

O. Leave of Absence

(a) Medical Leave of Absence

A full-time employee may request a medical leave of absence (MLA) after having exhausted all FMLA due to a personal illness. The MLA will be without pay and for a period no less than three (3) months, but not to exceed twelve (12) months. An individual on active worker's compensation is not eligible for Medical Leave of Absence. An individual on MLA shall be eligible for continued county healthcare coverage. An individual shall be separated from employment and not be eligible for any other employment benefit including, but not limited to, any personal leave, holiday pay, or contributions to any Forsyth County sponsored retirement plan. The continued county healthcare coverage would be available at prevailing retiree rates, regardless of age, to be paid by the individual for up to twelve (12) months, unless the individual is non-compliant with MLA processes and/or timelines. Failure to comply will result in expiration of leave. On the thirteenth (13th) month the retiree healthcare eligibility will cease and the individual will then be offered COBRA (PHSA) healthcare benefits.

Upon exhausting FMLA due to personal illness, Personnel Services shall provide the employee with an application to request an MLA. The application must be approved by the Forsyth County Sheriff, or designee, for the MLA to commence. An employee on active Workers' Compensation Leave is not eligible for a Medical Leave of Absence. A request for a leave period less than three (3) months in duration will not be approved. Medical Leave cannot be added in the computation of overtime or compensatory time.

Upon approval of an individual's MLA, the individual will be considered as separated from employment and required to immediately turn in all county assets and equipment remaining in his/her possession, including, but not limited to, all county identification badges, keys, telephones, punch cards, and any other county documentation or property.

During the approved MLA, it is at the discretion of the Sheriff whether the position is filled, retained as vacant, frozen, or abolished. Staffing levels and budgetary constraints will be considered when determining the disposition of the vacated position. Regardless of the position status, Personnel Services will maintain a list of all individuals on MLA, with the individual remaining on the list for a period not to exceed twelve (12) months from the date the individual is approved for an MLA. The individual shall be removed from the list if during this twelve (12) month period, the individual returns to the position, the individual's medical condition is resolved or the individual provides a written request to be removed from the list.

During the individual's approved MLA, the position may remain vacant, be filled, frozen, or abolished. At least two (2) weeks prior to the individual's anticipated return, a written request to return from MLA must be submitted to Personnel Services. The Sheriff has the authority to either approve or deny the request. If approved, the Sheriff may authorize that the individual be returned to the former position, if vacant, or to a vacant position within the Sheriff's Office, of equal or lesser grade for which the individual meets the minimum qualifications. Salary shall comply with Section 5(a) of Policy 6 ("Position Placement"), as applicable. Prior to the individual's return to work, Personnel Services must have received a physician's return to work release form and the individual must have successfully completed a return-to-work drug test. All previous time served in full-time status will be credited for the purposes of establishing the employee's seniority date. However, the employee will not be given credit for time spent on an MLA for purposes of establishing the employee's seniority date.

If the request to return to work is not granted, the individual is eligible to apply for posted positions for which they meet the minimum qualifications. If a position of the same classification and in the same department as when granted MLA becomes available within one year from the date of the original MLA, the individual may be returned to the position at the rate of pay in force when the MLA was granted, unless the individual has accepted another position within the county and is under a probationary employment period. After one year from the date of an individual being granted a MLA, that individual shall have no right to be considered for reinstatement or return to the same or new position, and would be required to comply with Policy 5 ("Recruitment") if interested in seeking employment with the County.

An individual that has been rehired from an MLA prior to exhausting the full twelve (12) month MLA period may request another MLA only after having exhausted all FMLA due to a personal illness. All MLA previously served during the twelve (12) months preceding the new MLA request will be counted towards establishing the individual's total available MLA period.

Any individual approved for an MLA is eligible to request participation in the Direct Deposit Assistance Program.

(b) Direct Deposit Assistance Program

The Direct Deposit Assistance program is designed to serve as a conduit by which an active employee may voluntarily defer a designated amount of their compensation on a regular basis to the bank account of an individual of their choice that is actively on an MLA and who has requested enrollment into the program. All donated compensation will be made on an after-tax basis and must run for a minimum of three (3) months. It is recommended that an employee deferring compensation consult with their tax advisor regarding IRS gift tax limitations and any personal tax implications.

An individual approved for MLA may request enrollment into the program by submitting an enrollment form to Personnel Services. The individual must have an active bank account into which the donated compensation can be deposited during the county's regular payroll processing. A HIPAA Release form must also be signed allowing the county to post the individual's name on the list of MLA individuals enrolled in the program. Personnel Services will maintain the list. The individual's name will remain on the list until the individual is no longer eligible for MLA or until the individual provides a written request to be removed from the list, whichever comes first.

(c) Leave of Absence [For Military Leave of Absence see Section XVIII (I) of this policy]

A full-time employee not eligible for MLA may, upon written application to the sheriff or his designee, request a continuous leave of absence without pay for a period no less than three (3) months, but not to exceed twelve (12) months. An application for a leave of absence shall be submitted in writing by the individual to the sheriff or his designee, showing the individual's reason for requesting such leave, statement that the individual intends to return to the Forsyth County Sheriff's Office upon expiration of such leave, and that the individual otherwise agrees to the terms and conditions as outlined in this policy. Approval of a request for a leave of absence is within the sole discretion of Sheriff. A notice of approval/denial of the request for a leave of absence shall be provided to the individual by the Sheriff or his designee and shall contain the terms and conditions of the approval or reasons for denial. A request for a leave period less than three (3) months in duration will not be approved. A leave of absence cannot be added in the computation of overtime or compensatory time.

In any event, an individual shall not be eligible for any employment benefit during the leave of absence period, including but not limited to, any personal leave, holiday pay, contributions to any Forsyth County sponsored retirement plan or continued

insurance benefits. The individual may be eligible for COBRA (PHSA) based upon eligibility guidelines.

Upon approval of an employee's leave of absence, the employee will be required to turn in all Sheriff's Office equipment, including, but not limited to, all identification badges, keys, telephones, punch cards, firearms, badge and any other Sheriff's Office documentation or property. Additionally, during the leave of absence the employee may not hold himself out as or function as a Sheriff's deputy or law enforcement officer. Any powers of arrest or other powers bestowed upon the employee by reason of his employment with the Sheriff's Office shall be rescinded during the leave of absence.

During the individual's approved leave of absence, the position may remain vacant, be filled, frozen or abolished. At least two (2) weeks prior to the individual's anticipated return, even if the individual is ready to return earlier than the requested time, a written request to return from the leave of absence must be submitted to the Sheriff or his designee. The Sheriff has the authority to either approve or deny the request. If approved, the Sheriff may authorize the individual be returned to the former position, if vacant, or to a vacant position within the Sheriff's Office, of equal or lesser grade of which the individual meets the minimum qualifications. Prior to the individual's actual return to work, the Forsyth County Personnel Services Director must have received a physician's return to work release form and the individual must have successfully completed a return-to-work drug test. All previous time served in full-time status will be credited for the purposes of establishing the employee's seniority date. However, the employee will not be given credit for time spent on a leave of absence for purposes of establishing the employee's seniority date.

Any individual approved for a non-medical leave of absence under this section is not eligible for participation in the Direct Deposit Assistance Program.

P. LEAVE OF ABSENCE

An employee may, upon written application to the Sheriff, obtain a continuous leave of absence without pay for a period no less than three (3) months, but not to exceed twelve (12) months. An application for a leave of absence shall be submitted in writing by the employee to the Sheriff, showing the employee's reason for requesting such leave, statement that the employee intends to return to the employment of the Forsyth County Sheriff's Office upon expiration of such leave, and that the employee otherwise agrees to the terms and conditions as outlined in this manual. Approval of a request for a leave of absence is within the sole discretion of the Sheriff. A notice of approval/denial of the request for a leave of absence shall be provided to the employee by the Forsyth County Personnel Services Director and shall contain the terms and conditions of the approval or reasons for denial. A request for a leave period less than three (3) months in duration will not be approved.

During the employee's approved leave of absence, the position may be filled. At the expiration of the leave, the employee shall be reinstated to the former position or to a position of equal grade and pay without loss of any rights, provided the employee returns within the terms of the leave granted and provided that such a position is

available. Once a leave of absence is approved the employee may not request reinstatement earlier than the time for which the leave of absence was approved. In any event, an employee will not be entitled to accrue any employment benefits during the period of the leave. Specifically, an employee shall not be entitled to accrue personal leave during the period of any leave of absence. In addition, an employee is not entitled to continued contributions to Forsyth County's 401k plan or continued insurance benefits. The employee may be eligible for COBRA based upon eligibility guidelines. Upon approval of an employee's leave of absence, the employee will be required to turn in all Sheriff's Office equipment, including, but not limited to, all identification badges, keys, telephones, punch cards, firearms, badge and any other Sheriff's Office documentation or property. Additionally, during the leave of absence the employee may not hold himself out as or function as a Sheriff's deputy or law enforcement officer. Any powers of arrest or other powers bestowed upon the employee by reason of his employment with the Sheriff's Office shall be rescinded during the leave of absence.

Q. VOTING LEAVE

Each employee may, upon at least twenty-four (24) hours prior notice to his/her supervisor, take necessary time off from employment without loss of pay to vote in any municipal, county, state, or federal primary or election for which the employee is qualified and registered to vote. Such time off to vote shall not exceed two (2) hours. However, if the hours of work of the employee commences at least two hours after the opening of the polls or ends at least two hours prior to the closing of the polls, an employee is not entitled to any time off pursuant to this section. For example, voting polls are open from 7:00 a.m. until 7:00 p.m., and thus an employee who works from 8:30 a.m. until 5:00 p.m. should require no time off to vote. Any time off taken to vote pursuant to this section must be approved by the appropriate chain of command and will not be charged against the employee's personal leave.

R. REQUEST FOR LEAVE TO OBSERVE RELIGIOUS HOLIDAYS

An employee, upon request to the Sheriff or designee at least seven (7) days in advance, shall be given priority consideration for leave from work for observance of religious holidays not already provided for as a holiday. Any paid leave for such religious holiday observance shall be charged to compensatory time or accrued personal leave as available to the employee at the time of the holiday observance. A request by an employee for time away from work to observe religious holidays shall not be denied, unless the duties performed by the employee are urgently required and the employee, in the judgment of the Sheriff, is the only person available who can perform the duties.

S. ADMINISTRATIVE LEAVE

The Sheriff, or his designee, may place an employee on administrative leave when it is considered to be in the interest of the Forsyth County Sheriff's Office or when an employee is being investigated by the Forsyth County Sheriff's Office for possible misconduct or by another law enforcement agency for possible violation of a criminal law. In addition, written notification must be provided by the official who placed the

employee on administrative leave to the Sheriff's Services Bureau Commander or his/her designee with instructions that the leave shall be with or without pay. The commander or his/her designee will coordinate with County Payroll to ensure the employee is paid appropriately.

Administrative leave shall be with pay for the initial ten (10) working days of the administrative leave period.

At the expiration of the initial ten-day period, if the investigation has not been completed, the employee may be placed on administrative leave with or without pay for an additional twenty (20) working days upon written notification to the Forsyth County Personnel Services Director by the Sheriff or designee. An extension with pay of the initial ten-day administrative leave period may only be granted by the Sheriff. At the conclusion of the twenty-day paid or unpaid administrative leave period, if the investigation has not been concluded, an extension may be considered or the employee may be terminated.

Notice of the conclusion of the administrative leave period shall be provided in writing to the employee by the Sheriff or designee with copies of the written notice provided to the Forsyth County Personnel Services Director.

T. LEAVE DUE TO COUNTY OFFICE CLOSURE

In the event of hazardous weather, or other occurrence resulting in the closure of the County offices, all non-essential civilian employees who are scheduled to work during the period for which the County is officially closed will be paid. Full-time civilian employees shall be paid closure pay according to hours worked in their regularly scheduled shifts. Part-time civilian employees shall be paid for four (4) hours of pay. Reserve/volunteer employees shall not be paid. To determine when the County is officially closed, the employee should contact the County's Inclement Weather Line at 678-455-8500. All sworn law enforcement personnel shall report to their duty assignments in the event of hazardous weather as discussed in this manual.

In the event that an employee is not scheduled to work on a county closure day due to the employee being absent from work to use compensatory time or personal leave time, the employee shall be entitled to request that he/she receive hazardous weather pay in lieu of the expenditure of the compensatory time or personal leave time for that day.

If questionable weather exists, but the County is open for business, employees should make their own independent safety determinations concerning travel to work. If the employee elects not to attend work due to safety concerns when the County is open for business, the employee's absence will be charged against any accrued personal leave or compensatory time. If no such accrued leave exists, the employee will not be compensated. Public safety employees are expected to monitor weather conditions and report to work as scheduled.

All employees will still be subject to overtime compensation in the event their hours worked for their applicable work period in which the County had a closure exceeds the maximum hours for the applicable work period.

XV CONDITIONS OF WORK

PHYSICAL FITNESS

It is imperative and required that all law enforcement personnel maintain a level of physical fitness which will allow them to effectively carry out all essential functions of the job in a safe, productive and efficient manner.

A. FITNESS FOR DUTY

Any time a supervisor considers that an employee is physically and/or mentally unfit to carry out their assigned duties and/or their essential job functions, the supervisor will make a written report through the chain-of-command to the Sheriff. The Sheriff will make a determination and if facts support the recommendation of the supervisor, an order will be issued to have the employee examined by an authorized physician to determine fitness and ability to perform assigned duties and/or the essential job functions. The physical examination required by the agency will be provided at no cost to the employee.

If the employee selects a personal physician over a Sheriff's Office or County authorized physician, any fees charged by the personal physician will be the responsibility of the employee. Any results from the personal physician will be subject to confirmation by a Sheriff's Office or County selected physician.

B. ON-THE-JOB INJURIES/WORKER'S COMPENSATION

On-the-job injuries are those injuries which occur while an employee is performing their regular assigned duties as a member of the Forsyth County Sheriff's Office in other words, duties that are within and during the course and scope of employment. These injuries require special processing and procedures to ensure that employees receive timely medical treatment and are returned to duty in the safest and most efficient manner possible. When an employee has submitted a claim for payment of weekly income benefits or the employer has paid any medical expenses, that employee shall be deemed to have waived any privilege or confidentiality concerning communications related to the claim or history or treatment of injuries arising from the incident and the claimant shall provide to the agency a HIPPA authorization so that any communication that the employee has had with any physician, including but not limited to, communications with psychiatrists or psychologists according to Georgia law shall be available to the agency. When requested by the agency, any physician who has examined, treated, or tested the employee or consulted about the employee shall provide within a reasonable amount of time and for a reasonable charge all information and records related to examination, treatment, testing, or consultation concerning the employee. At the direction of the Sheriff, it is the responsibility of the Forsyth County Risk and Safety Manager to provide any posters, forms, and other literature.

1. Official Notice Posters

It is the responsibility of the Forsyth County Risk and Safety Manager to provide current and official notice of the Panel of Physicians and State Board of Worker's Compensation Bill of Rights. Such notices should be posted in all common areas frequented by employees.

Once an employee selects an appropriate physician from the official notice, they should notify the Forsyth County Risk and Safety Manager of which approved physician they selected and request assistance in contacting panel physicians when necessary.

Employees who elect and receive medical care from an unauthorized physician or care facility may be subject to their claim being denied, thus resulting in any and all medical expenses incurred to be considered the personal responsibility of the employee. Any and all time away from work during such events will then be considered the employee's personal leave time.

Employees should contact the Forsyth County Risk and Safety Manager for assistance with coordination of such services.

2. Reporting

When an employee has any type of on-the-job accident injury or is exposed to a communicable disease or hazardous substance, the following report procedure will be followed. An employee shall notify a supervisor immediately of such incidents. Failure to do so in a timely manner may result in discipline.

The following reports are to be turned in via the chain-of-command within twenty-four (24) hours or as soon as feasible of the incident to the Forsyth County Risk and Safety Manager:

- A report of the incident describing the details of how the injury occurred to include the names of persons witnessing the injury will be completed by the employee's immediate supervisor.
- Supervisor's Incident Investigation Supplemental Report.
- Department of Driver Services (DDS) Accident Report (Vehicle accidents only). This report should be completed by GSP if occurring in Forsyth County, or if occurring outside of the county, by the appropriate authority having jurisdiction.
- An employee or supervisor, as the case may be, must complete a WC-1 First Report of Injury form.
- Urine Drug Screen Report. The supervisor on the scene of a vehicle accident will make a determination at the scene on whether a drug screen is needed. The supervisor will require a drug screen if the employee is determined to be at fault, or if fault cannot be determined at the scene. If an employee is involved in an accident outside of Forsyth County, the employee will notify his supervisor immediately. The supervisor will make a determination regarding the need for a drug screen based on all available information. A drug screen will be required if there is any injury reported.

- In instances where one employee may have caused injury to another employee, the employee who caused the injury, if it can be determined, or all involved employees if it cannot be determined who caused the injury, may be required to undergo substance abuse testing. The supervisor on scene shall make the determination on whether a drug screen is needed.
- Employee Treatment Refusal Form (An employee may refuse immediate medical treatment at a County approved medical facility. In such cases, a Refusal of Treatment Form must be completed. An employee acknowledging and signing a treatment refusal form at the time of injury does not waive their rights to future treatment for the injury, if needed.)

In the event an injury has occurred, the following form must be included in the reporting packet. The Employee Treatment Refusal Form should not be completed in this case. However, should treatment for an injury occur sometime after the initial incident, the employee should contact the Forsyth County Risk and Safety Manager to request the Doctor's Task Appraisal Form. The employee, prior to each doctor's visit, must obtain this form. The employee should return this form immediately upon completion to the Forsyth County Risk and Safety Manager.

- Doctor's Task Appraisal Form (This two-page form should be completed by the attending physician.) The supervisor should accompany the employee to the County or Sheriff's Office approved medical treatment facility and should assist the physician with questions and concerns about the Doctor's Task Appraisal Form. The employee should return the form to the Forsyth County Risk and Safety Manager.

In the event of a follow-up visit, the employee should advise his/her immediate supervisor and obtain a Doctor's Task Appraisal Form from the Forsyth County Risk and Safety Manager. After the form has been completed, the employee should return it to the Forsyth County Risk and Safety Manager.

In the event that a complete on-the-job Injury package is not available prior to the end of the shift, such as an accident report from GSP, the supervisor will be responsible for obtaining and turning in any missing items.

The on-the-job injury package will be faxed or emailed to the Forsyth County Risk and Safety Manager prior to the end of the shift. The original package will be forwarded up the chain-of- command.

In the event of a life-threatening emergency or during after-hours events, an employee may seek treatment at the nearest medical facility.

C. LIGHT DUTY ASSIGNMENTS

When an employee is injured on the job during the course and scope of employment and is under a doctor's restrictions which prevent them from performing in their regular job classification but they are able to perform some work, they may, at the discretion of the Bureau Commander or Chief Deputy, be placed on "light duty." Light duty positions will meet the following qualifications:

- The duty position was previously existing - no positions will be created to allow an employee to work light duty. However, Forsyth County Government's Risk Management program may provide or create a Forsyth County Government light duty position.
- The duties of the position must conform to any restrictions imposed by the doctor's restrictions.
- Employees assigned to light duty will report to the supervisor of the unit/section of the light duty assignment. All matters concerning the employee will be channeled through the chain of command of the light duty assignment.
- In the event a light duty assignment is not available within the Forsyth County Sheriff's Office and as part of the cooperative effort with Forsyth County Risk Management, the Risk Manager can seek to place an employee in an available light duty assignment within Forsyth County Government.

1. While on Light Duty the Employee:

- Must wear civilian clothing
- Cannot have any involvement in any type of enforcement activity
- May operate a county owned vehicle with the approval of the Sheriff of his/her designee
- Cannot work any law enforcement related part-time off duty jobs
- Will work an 8-hour day unless an appropriate light duty assignment exists in a 12-hour shift position
- May attend class room style, in-house training sessions.
- If the employee is employed in any additional part-time jobs (non-law enforcement related) outside of the regular employment of the county, written approval from the Sheriff to continue working the other job(s) is required along with written approval from the attending physician.
- The light duty assignment will not be allowed to become permanent. The need for a light duty assignment will be reviewed on a monthly basis by the granting authority to ensure that the employee is progressing toward recovery and a return

to full duty is expected in a reasonable length of time. This review will be based on agency need, medical reports of recovery made to date, and the continued availability of the assignment.

- At the request of the Forsyth County Sheriff or his/her designee or the Forsyth County Risk and Safety Manager, the employee may be required to complete a physical evaluation (if light duty is due to an illness or injury) to determine:
 - The extent of the injury/illness at the time of occurrence
 - Recovery period/progress; and/or
 - If the employee is fit for full duty or will be fit for full duty in a reasonable period of time

2. Doctor's Task Appraisal Form

This form must be completed by the doctor and returned to the Forsyth County Risk and Safety Manager prior to any light duty assignment and any time the employee will not be returning to their normal duties, or anytime they are returning to their normal duties at the conclusion of a light duty assignment. If the situation involves workman's compensation, a copy of the form should be forwarded to the Forsyth County Risk and Safety Manager.

D. PERSONAL ILLNESS/INJURY (Not Job Related)

Employees who are unable to perform their regularly assigned duties (or meet the physical requirements of their job classification) because of illness or an injury which occurred off-duty will, in most cases, be required to use personal leave for the period of time of their recovery.

Under certain restrictions, employees may be allowed to return to work in light duty capacities. Those restrictions are the same as for an on-the-job injury, as described in Section XIX (D) Light Duty Assignments.

E. MANDATORY REPORTING OF NON-JOB-RELATED INJURY/ILLNESS

Any employee who is injured or contracts any illness which could reasonably be expected to affect their ability to meet the physical requirements of their job classification must prepare a memorandum outlining the nature of the illness/injury, expected recovery period, physical limitations, any and all medications, and the name and address of the treating physician and submit it, within 24 hours or prior to the employee's return to work to the Forsyth County Risk and Safety Manager.

XVI SEPARATION FROM EMPLOYMENT

Employees shall be separated in accordance with provisions of this policy manual.

The termination report, which contains information related to the employee's performance records and re-hire information will be placed in the employee's permanent file located within the Forsyth County Sheriff's Employee Records Unit.

The Forsyth County Personnel Services Director shall complete an Employee Separation Form which indicates the reason for separation and information regarding health and retirement benefits.

Employees shall be separated in accordance with the provisions of this policy and in accordance with the non-discrimination policies and non-harassment policies contained in this manual. A separated employee shall be paid accumulated salary and for any accrued personal leave and/or compensatory pay, except those exempt employees are not eligible for monetary compensation for any accrued compensatory time upon separation.

A. RESIGNATION

An employee may be separated from employment with the Forsyth County Sheriff's Office upon the submission of the employee's resignation. Resignation may be submitted in writing or orally to the Sheriff, the employee's supervisor, or the Forsyth County Personnel Services Director. Whether the employee resigns in writing or by making an oral statement of resignation, the resignation is effective immediately. Upon receiving an employee's resignation, the Sheriff's Office will notify the Forsyth County Personnel Services Director of the resignation. Once a resignation is tendered, oral or written, the resignation is final and there is no opportunity for the employee to seek to withdraw or rescind the resignation.

In order to resign in good standing, an employee must, at a minimum, give written notice at least two (2) weeks prior to the effective date of the resignation and otherwise have demonstrated satisfactory performance. Failure to comply with this provision shall be entered on the service record of the employee and will result in a denial of re-employment rights for two (2) years from the date of resignation.

After submitting a resignation, the employee should not utilize compensatory time or personal leave time since this will be paid out to non-exempt employees at the conclusion of their employment. However, with Section/Unit Commander approval the employee may use compensatory time or personal leave time during the days prior to the effective resignation date. The employee will be monetarily compensated for any accrued compensatory time and/or personal leave time at the conclusion of the employment relationship, except those exempt employees are not eligible for monetary compensation for any accrued compensatory time upon separation.

The Forsyth County Personnel Services Director will forward a copy of resignation, retirement, and any other material relative to an employee leaving the agency to the respective Watch or Unit Commander. The Watch or Unit Commander is responsible for collecting and submitting to the Supply Unit the exiting employee's weapon, keys,

access cards, and identification card(s). The exiting employee shall be responsible for submitting all other issued equipment to the Supply Unit.

The employee will be responsible for completing and forwarding the Exiting Employee Equipment Return Payroll Release Form to the Forsyth County Personnel Services Director certifying that all of the property and identification card(s) have been returned. The employee's final check for accrued leave or compensatory time will not be released to the separated employee unless the exiting employee equipment return payroll release form is submitted.

B. ABANDONMENT OF POSITION/FAILURE TO RETURN FROM LEAVE

An employee shall be considered to have abandoned his/her position when any of the following occur: (1) an employee is absent without notice to the Sheriff or his/her designee for three (3) or more consecutive working days; (2) an employee is absent for three (3) or more consecutive working days after providing notice, but without having any compensatory or personal leave time available for the absences and is not eligible for FMLA leave; or (3) an employee is absent for three (3) or more consecutive working days without receiving approval for the absences. In this instance a "working day" is defined as eight hours worked for civilian employees and twelve (12) hours worked for Law Enforcement sworn officers who work a 12-hour shift. In any of the three (3) situations set forth herein, the employee shall be deemed to have abandoned his/her position and to have resigned as of the end of the third day. The Forsyth County Personnel Services Director should be notified immediately of any employee who has resigned as a result of abandonment of the position.

Any employee who fails to return to duty at the expiration of a duly approved leave of absence for three (3) consecutive days following the expiration of the leave of absence shall be deemed to have abandoned his/her position and to have resigned as of the end of the third day

An employee who has been deemed to have abandoned his/her position shall be given written notice of such action by the Sheriff or the Forsyth County Personnel Services Director by regular mail. The notice shall include a statement as to the employee's rights to petition the Forsyth County Personnel Services Director as set forth herein. An employee who has been deemed to have abandoned his/her position may petition the Forsyth County Personnel Services Director for a review of the case, provided the petition is made in writing within five (5) business days from the date of the notice of abandonment. The Forsyth County Personnel Services Director, in consultation with the Sheriff, shall make a determination as to whether extenuating circumstances existed, such as the employee was prevented from calling or otherwise providing notice of the absences, such that the employee should not be deemed to have abandoned his/her position. The decision of the Forsyth County Personnel Services Director and/or the Sheriff shall be rendered within five (5) business days after receipt of the petition, unless additional time is required for investigation, in which case the employee will be notified in writing of the need for delay. The decision of the Sheriff shall be final.

C. LAY-OFF

Lay-off is defined as a reduction in force that may result in the separation of employee(s) due to abolishment of a position, a shortage of funds or work, a need to increase efficiency, or a material change in the duties or organizational unit of the Sheriff's Office. No lay-offs shall be made for the purpose of dismissing an employee for incompetence, misconduct, or for other reasons, except as included in this policy. The lay-off does not reflect discredit upon the service of the employee.

Prior to the lay-off, the Sheriff shall determine which employees shall be laid off. In making this determination the Sheriff may take, but is not limited to, consideration of the following: the nature and reasons for the lay-off, the required chain of command and span of control, the required duties of the Sheriff's Office, the work records of the employees, employee evaluation ratings, employee capabilities and performance, and length of service. No full-time employee shall be laid-off while another person is employed on a temporary or part-time basis in a position within the same classification description if the employee is willing to accept the temporary or part-time work. In evaluating employees for purposes of a lay-off, care should be taken to accurately evaluate all employees. An employee shall not be laid-off based on race, color, creed, religion, sex, national origin, age, political affiliation, disability, or any other category protected by federal and/or State law.

Prior to lay-off and in an effort to avoid separation of employment, the Sheriff may direct lateral transfers or demotions as necessary to place employees into positions for which they are qualified rather than lay them off. Lateral transfers or demotions in accordance with this section will be effective unless the employee elects in writing to be laid off. Written notice of said election from the employee must be received by the Forsyth County Personnel Services Director within three (3) working days after the employee has received notice of lateral transfer or demotion.

D. DEATH

An employee who dies while in the Forsyth County Sheriff's Office employment shall be separated effective as of the date of death. Accumulated leave and salary due the employee shall be paid to the estate of the deceased.

E. RETIREMENT

An employee may be separated from employment with the Forsyth County Sheriff's Office upon his/her retirement in accordance with the Forsyth County Benefits Plan. Any employee who wishes to retire shall provide a minimum of two (2) weeks' notice to the Sheriff whenever reasonably possible. After providing notice of retirement, the employee is not eligible to utilize compensatory or personal leave time. Instead, the employee will be monetarily compensated for any accrued compensatory time and/or personal leave time at the conclusion of the employment relationship, except those exempt employees are not eligible for monetary compensation for any accrued compensatory time. Any employee eligible for the Forsyth County Defined Benefits Plan who retires from employment with the Forsyth County Sheriff's Office is eligible to seek re-employment with the Forsyth County Sheriff's Office or with Forsyth

County on any full-time, part-time, temporary, seasonal, or independent contractor basis.

F. DISMISSALS

Dismissal for disciplinary reasons may be instituted without prior notice when deemed necessary to protect the agency or the employee concerned. The Sheriff, or his designee and the employee, shall meet in a dismissal conference to discuss the proposed termination. Specifically, the employee should be advised that the agency intends to terminate him or her.

The employee should be further advised that he/she has an opportunity to respond to the reasons for dismissal prior to being discharged. The employee's response should be considered. If deemed appropriate, the agency shall proceed with termination. If deemed inappropriate, the agency shall proceed with another disciplinary action.

Dismissal due to failure to perform work up to the standard requirements shall occur only after the supervisor has counseled the employee, explained how the employee needs to improve and stipulated a time or times for further review and evaluation.

Failure of the employee to affect such required improvements in the time stipulated may result in dismissal. Records shall be made of such counseling sessions and shall be signed by the employee, through the chain-of-command to the Sheriff or his designee.

Dismissal for cause may be initiated by the Sheriff or supervisor when alternative personnel actions are not deemed sufficient, appropriate, or in the best interest of the Sheriff's Office or Forsyth County. The employee shall be furnished a written notice of dismissal containing the nature of the proposed action, the reasons therefore, the effective date of dismissal, and the appeal rights available to the employee.

A dismissed employee shall be paid accumulated salary and for any accrued personal leave and/or compensatory pay, except those exempt employees are not eligible for monetary compensation for any accrued compensatory time upon separation. The employee shall be provided a written statement of the status of accrued employee benefits after termination.

G. RECOMMENDATION OF RE-EMPLOYMENT

In every instance other than death or retirement, upon the separation of an employee from a position, the Sheriff or designee shall specify on the personnel action form whether the employee can be considered for re-employment with the Forsyth County Sheriff's Office. The acting Sheriff may, at his/her discretion, waive this eligibility requirement and re-employ said employee.

XVII DISABILITY RETIREMENT

Whenever any employee receives a disability pension and thus retires from service, whether the disability pension is service connected or not, the employee is to surrender to the Forsyth County Sheriff's Office all issued equipment including, but not limited to: uniforms, weapons, badges and identification card(s). The Sheriff, at his sole discretion, may issue to such employee his/her badge for commemorative plaque purposes and/or an identification card which will carry the stamped word "RETIRED."

XVIII LEAVE AND LEAVE REQUEST PROCEDURES**A. PERSONAL LEAVE**

Employees are granted the use of accrued personal leave upon request or at those times designated by the supervisor which will least obstruct normal operations of the agency. A supervisor may refuse to authorize use of personal leave if the absence of the employee at the requested time would result in undue disruption of normal operations of the agency.

Employees desiring to take personal time will submit a completed request to their supervisor as far in advance as possible to allow for schedule coverage.

B. PERSONAL LEAVE FOR AN ILLNESS

Any employee who is absent from work due to personal illness is responsible for reporting their absence to the appropriate supervisor at least thirty (30) minutes before their scheduled shift.

C. ABSENCES - LEAVE WITHOUT PAY

An employee shall not be entitled to be absent from work and seek approval for that absence as leave without pay if the employee has any accrued personal leave or compensatory time. If the employee has accrued personal leave or compensatory time, the absence will be charged against that accrued leave or compensatory time until such accrued leave or compensatory time is exhausted.

XIX OVERTIME APPROVAL PROCEDURES

All overtime work performed must have prior approval of their supervisor and all overtime hours worked must be recorded by the employee during the pay period in which the employee performed the work. No employee should be subjected to being requested by a supervisor to work overtime without allowing the employee to record and receive compensation for overtime hours worked. If any employee has concerns about the overtime compensation practices occurring, the employee should immediately advise the Chief Deputy via the chain-of-command. Agency employees shall complete the Forsyth County Sheriff's Office Overtime/Comp Time Report for overtime documentation.

XX TARDINESS AND ABSENTEEISM

A. TARDINESS

An employee shall be considered tardy for disciplinary purposes when reporting one (1) minute after the employee's established workday start time, assigned shift hour, or lunch/supper hour. Occasional excused late arrivals may be permitted with pre-approval by the Sheriff or his designee. An employee who is tardy or requests excused late arrivals on a recurrent basis will be subject to discipline. An employee is required to speak directly with their supervisor regarding an unforeseen tardiness. Such notification does not release the employee from disciplinary action.

B. ABSENTEEISM

All employees are expected to attend and be available to provide services to the Forsyth County Sheriff's Office during established workdays. An employee shall not be entitled to be absent from work and seek approval for that absence as leave without pay. Such an absence will be unexcused and may be a matter for discipline, unless upon presentation of a written statement by a licensed physician or dentist or for other cause, it is certified to the satisfaction of the Sheriff or designee that the employee's condition prevented him/her from performing the duties of his/her position.

This section applies to intermittent absences from work and shall not affect an employee's right to seek a continuous leave of absence without pay pursuant to this policy manual.

XXI EMPLOYEE ASSISTANCE PROGRAM

An Employee Assistance Program (EAP) is sponsored and paid for by Forsyth County Government and is available to all employees of the Forsyth County Sheriff's Office and their immediate family members. This program provides confidential professional assistance for any type of personal or work-related problem. Typical problems are emotional or family distress, alcoholism, drug abuse, financial difficulties, or legal problems.

Participation in the program is voluntary, even if referred by a supervisor, the Sheriff or any other individual within the Sheriff's Office or Forsyth County Government. Participation in the EAP does not relieve the employee of his/her responsibility to meet job performance requirements, attendance standards or compliance to all Forsyth County Sheriff's Office policies. Absence from work to attend an EAP appointment is subject to established policy for excused absences.

A. REFERRAL METHODS

Any employee or family member with a personal problem may request a confidential, professional consultation by calling the EAP support line and asking to speak to an EAP consultant. The Employee Assistance Consultant will arrange to see the employee in a local office or will provide the necessary assistance on the telephone.

A supervisor, the Sheriff or the Forsyth County Personnel Services Director may refer an employee to the EAP based upon:

- a request by the employee for assistance with a personal problem; or
- a decline in work performance on the part of the employee; or
- a particular on-the-job incident which indicates the possible presence of a personal problem, excluding incidents of misconduct, which require immediate suspension, termination, or other severe disciplinary action.
- Information provided by co-workers or other employees of the Forsyth County Sheriff's Office or Forsyth County Government.

When an employee has come to a supervisor, the Sheriff or the Forsyth County Personnel Services Director to seek advice regarding a personal problem, the supervisor, the Sheriff or the Forsyth County Personnel Services Director should make the employee aware of the professional assistance available through the EAP and encourage the employee to call for an appointment with an employee assistance consultant.

The supervisor may call the EAP to inform them of a possible referral. The EAP may contact the manager to obtain all pertinent information relevant to the performance problem of the employee. Only with informed, signed consent by the employee, will the EAP tell the manager whether or not the employee kept the appointment and if the employee is working with the EAP on a plan of action. The specifics of the plan or personal problem are usually not discussed with the manager.

B. CONFIDENTIALITY

The Employee Assistance Program is designed to comply with all federal and state laws regarding confidentiality and privilege. All information between the EAP consultant and the employee or family member will be held confidential with the following exceptions:

- the employee provides written authorization to release information;
- based upon the EAP consultant's opinion, the employee or family member presents a serious danger to self or others;
- suspected child abuse/neglect, elder abuse/neglect or dependent adult abuse/neglect; or
- a court order is presented.

C. EAP AND A DRUG AND ALCOHOL-FREE WORKPLACE

The ultimate responsibility for dealing successfully with and eliminating addiction and chemical dependency shall be solely with the affected employee. The Forsyth County Sheriff's Office policy shall be to encourage all employees with addictive disorders or chemical dependency to seek proper medical and/or psychological treatment, in addition to compliance with the appropriate disciplinary action(s), if applicable.

No employee shall be terminated, disciplined, or suffer any adverse employment action solely for requesting a referral to an assistance program, provided the employee is not in violation of Forsyth County Sheriff's Office policies. Similarly, no employee who identifies himself/herself as in need of such assistance before an incident leading to detection occurs and/or before receiving notice of an upcoming drug or alcohol test shall suffer any adverse term or condition of employment because of his or her disclosure of such condition. This is provided the employee discloses the condition and then seeks such assistance and adheres to the treatment plan prescribed by his or her physician or other competent medical, psychological, or addiction counselor, and provided that he or she remains free of the illicit chemical substance, and provided that the employee is otherwise eligible, qualified, and entitled to the position.

No employee shall be subject to any discriminatory treatment if the employee has successfully completed a drug or alcohol addiction program, provided that the employee remains drug and alcohol free and otherwise complies with all Forsyth County Sheriff's Office policies. Notwithstanding the foregoing provisions, the requirement that an employee who has returned to duty following completion of a drug or alcohol addiction treatment program submit to more frequent unscheduled drug screening tests as a means of ensuring the employee's continued compliance shall not be considered as adverse or discriminatory treatment.

Contact the Forsyth County Personnel Services Unit for current EAP contact information.

XXII DRUG AND ALCOHOL-FREE WORKPLACE

The Forsyth County Sheriff's Office is committed to maintaining a work environment free from the adverse impact of employee drug and alcohol abuse. Drug and alcohol abuse by employees and/or Reserve Deputies constitutes a direct threat to the public health, safety, welfare, lives and property of the employees and of all persons in the County. The term "individuals" shall include both employees and reserve deputies of the Forsyth County Sheriff's Office throughout section XXII of this policy.

The Forsyth County Sheriff's Office does not and will not tolerate any individual's possession, sale, distribution, consumption or presence in the body of alcoholic beverages or illegal drugs while on County property and/or on Sheriff's Office property or on Sheriff's Office or County business at any time except as provided in SOP 3-3.803(B) regarding undercover operations.

This policy is intended to comply with federal regulations and state laws that mandate pre-employment, reasonable suspicion, random, and post-accident testing of certain positions of employment, and to further the objective of protecting the persons and property of the Sheriff's Office as well as County employees, citizens and the general public. This policy will be strictly enforced against all individuals, Contractors and appointed positions.

A. DRUG AND ALCOHOL USE PROHIBITED

This policy applies to all individuals of the Forsyth County Sheriff's Office. For purposes of this Policy, the term "employees" does not include elected officials. This policy applies to off-site lunch periods or breaks when an individual is scheduled to return to work, as well as to Sheriff's Office and County Premises as discussed in Section C below. Visitors, vendors, and contractors are governed by this policy to the extent they are on Sheriff's Office or County Premises or in Sheriff's Office or county motor vehicles or Special Mobile Equipment and will not be permitted to conduct business if found to be in violation of this policy.

B. DRUG AND ALCOHOL USE PROHIBITED ON SHERIFF'S OFFICE AND COUNTY PREMISES

Substance and alcohol use by individuals of the Forsyth County Sheriff's Office during assigned working hours on Sheriff's Office or County Premises, or otherwise while on Sheriff's Office business, is prohibited except as provided in SOP 3-3.803(B) regarding undercover operations. This shall include the use of illegal substances, the abuse of prescription medications and over-the-counter medications, and the use of or abuse of alcohol.

As used herein, "County Premises" includes all property, facilities, land, platforms, buildings, structures, fixtures, installations, parking lots, Special Mobile Equipment and motor and vehicles, whether leased or used by the Forsyth County Sheriff's Office or Forsyth County Government or its officials, managers, supervisors, employees, or other agents. This definition also includes locations of Sheriff's Office or County Government sponsored recreational, social, or educational events, and any place where a Forsyth County Sheriff's Office employee is located while traveling to or from such location in the course and scope of his duties on behalf of the Sheriff's Office or County Government, including an employee's own vehicle when the employee is using it on Sheriff's Office or County Government business, or when the vehicle is parked on County property. This definition shall not be interpreted to imply that the Sheriff's Office or County Government assumes or accepts responsibility for any wrongful, tortuous, negligent or criminal acts of any person whom it employs when such person is not acting pursuant to a supervisor's instruction in furtherance of the Sheriff's business, nor shall it constitute a waiver of any immunity which the Sheriff or Forsyth County Government, including their officials or employees, might have under federal, state or local laws or ordinances.

C. IMPAIRMENT

Drug and alcohol abuse on or off Sheriff's Office or County Premises is entirely inconsistent with fitness for duty and as such shall constitute an impairment. The Forsyth County Sheriff's Office prohibits individuals from being at work, on Sheriff's Office premises on County Premises, operating county or Sheriff's Office equipment, or operating any other equipment Special Mobile Equipment or motor vehicles on Sheriff's Office or County business while impaired due to any illegal drug(s), legally obtained drug(s), or alcohol.

D. PROHIBITED SUBSTANCES

1. Illegal Drugs or Controlled Substances

"Illegal drug(s) or controlled substance(s)" means any drug or substances the law prohibits individuals from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring, including, without limitation, all drugs listed as controlled substances under Title 16 of the Official Code of Georgia. This definition encompasses any measurable amount of any drugs or controlled substances such as amphetamines, cannabinoids, synthetic cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene or other drugs made unlawful under federal or state laws, or a metabolite of any such substances, "look-alikes," "designer drugs" having the same or similar psychotropic effects, unauthorized alcoholic beverages, marijuana (whether natural or synthetic), hallucinogens (whether natural or synthetic), inhalants, unauthorized prescription drugs, or authorized drugs which are not prescribed for a verifiable medical condition and/or are not used in strict accordance with this policy and with the prescribing physician's instructions, or any other substances that are mood-altering, mind or consciousness-affecting, or which are likely to have an effect upon a person's perceptions, sensations, thought processes, self-awareness, emotions, or other mental or physiological or psychological reactions or behavior. It also includes urinaid or other substances, natural or synthetic, of a similar nature or purpose designated or used to alter a urine specimen or to conceal illicit chemical substances or their metabolites in an initial screening test.

The Forsyth County Sheriff's Office prohibits individuals from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling or otherwise illegally transferring any illegal drug(s) or controlled substance(s) while on the job, on call, on Sheriff's Office or County Premises, while operating Sheriff's Office or County equipment or vehicles, or while operating any other equipment Special Mobile Equipment or motor vehicle while on Sheriff's Office or County business.

An individual is impaired due to the influence of illegal drug(s) or controlled substance(s) if such employee's drug test results indicate the presence of an illegal drug or controlled substance in an amount that constitutes a positive test under accepted scientific standards.

2. Legally Obtained Drugs

A "legally obtained drug" includes prescription drugs and over-the-counter drugs. "Prescription drug" means any substance that is attainable only by lawful prescription from a physician. "Over-the-counter" medication includes any substance that does not require a prescription, but which has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person's ability to perform.

Individuals must not be on the job, on call, on Sheriff's Office or County Premises, operating Sheriff's Office or County equipment, Special Mobile Equipment or motor vehicles, or operating any other equipment or vehicle while on Sheriff's Office or County business while impaired due to any drug, legal or illegal, that renders the individual unfit for duty. An individual is "unfit for duty" if, in the Sheriff's opinion, the individual's use of legally obtained drugs jeopardizes his or her ability to work safely and efficiently. An individual who is using legally obtained drugs must notify his or her immediate supervisor of any and all symptoms and probable adverse side effects that may render him or her unfit for duty. An individual's failure to so notify the Sheriff's Office constitutes grounds for disciplinary action, up to and including, termination. If any individual's medically required use of legally obtained drugs renders the individual unfit for duty and, in the opinion of the Sheriff, a temporary alternative job assignment is not available, the individual will be considered unfit for duty. Any individual using legally obtained narcotic or opioid drugs (i.e., tramadol, valium, etc.) or psychotropic drugs which sedate the central nervous system must provide a doctor's note to their supervisor clearing the individual to perform their required duties prior to reporting for duty.

Individuals using legally obtained drugs while on the job shall do so in strict accordance with physician and/or manufacturer's directions. It is the individual's responsibility to notify the prescribing physician of the duties required by the individual's position and to ensure that the physician approves the use of the prescription medication while the individual is performing his or her duties.

The abuse and/or inappropriate use of legally obtained drugs while on the job, on call, on Sheriff's Office or County Premises, while operating Sheriff's Office or county equipment, Special Mobile Equipment or motor vehicles, or while operating any other equipment or vehicle while on Sheriff's Office or County business shall be prohibited and is a disciplinary matter. Job performance or attendance deficiencies resulting from abuse and/or inappropriate use shall subject the individual to discipline up to and including termination.

3. Alcohol

"Alcohol" includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption as well as other substances, such as medications containing alcohol, that can be consumed in excess of manufacturer or physician instructions. The Forsyth County Sheriff's Office prohibits individuals from using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring alcoholic beverages on the job, on call, while operating Sheriff's Office or County equipment, Special Mobile Equipment or motor vehicles, or while operating

any other equipment or vehicles while on Sheriff's Office or County business. In addition, no individual shall use alcohol within four (4) hours of reporting for duty. Violation of these provisions is prohibited and subjects the individual to discipline, up to and including, termination.

The Forsyth County Sheriff's Office also prohibits individuals from being on the job, on call, on Sheriff's Office or County Premises or operating Sheriff's Office or County equipment, Special Mobile Equipment or motor vehicles, or operating any other equipment or vehicles on Sheriff's Office or County business while under the influence of alcohol. An individual is "under the influence of alcohol" if, based upon the individuals' speech statements, behavior, conduct, appearance, or odor, the Sheriff or his designee or any other supervisor who is trained to detect the signs and symptoms of alcohol use reasonably believes the individual is under the influence of alcohol in a manner that is adversely affecting the individual's behavior. An individual is also under the influence if an evidential breath test, including but not limited to a PBT, indicates a result of 0.02 percent or higher. An individual is further considered under the influence of alcohol if he or she has been arrested for operating under the influence of alcohol any Sheriff's Office or County equipment, Special Mobile Equipment or motor vehicles, or any other equipment or vehicles while on Sheriff's Office or County business.

It shall not be a violation of this section if an individual is under the influence of alcohol or has consumed alcohol in strict compliance with current policy regarding undercover operations.

E. WHEN TESTING IS REQUIRED

1. Pre-Employment/Post-Offer Testing

All applicants for positions of employment with the Forsyth County Sheriff's Office will be tested for drugs after a conditional offer of employment has been extended. Drug tests must also be performed on all volunteer and reserve applicants after a conditional offer of acceptance has been extended. No applicant/new hire, volunteer, or reserve employee as described above shall report to duty or be allowed to report to duty until the results of the drug test are obtained. Any such applicant/new hire, volunteer or reserve applicant described above who refuses a pre/post-offer drug test(s) or who tests positive, shall not be extended a final offer of employment and will not be considered for any subsequent employment for a period of two (2) years. The applicant will, however, be afforded the opportunity to contest the test results as set forth in this policy.

2. Random Testing

All individuals shall be subject to random testing as follows:

- Tests will be ordered on a random, unannounced basis from the pool of individuals.
- A random selection method and test rates as adopted by the Sheriff will be used to select individuals, thereby allowing each individual an equal chance of being tested each month. Random selection test rates are subject to change as determined by the Sheriff.
- An individual's name will remain in the pool after being selected so that every individual will have an equal chance of being tested each time selections are made. Therefore, it is possible that any individual, who is randomly selected for testing, may be randomly selected again during the same year.

3. After-Care Testing

Individuals returning to work from an approved treatment program for drug or alcohol abuse may be subject to unannounced testing at the discretion of the Sheriff for a period of six (6) months following the individual's return to work.

4. Return to Duty Testing

All individuals who are absent from work for more than thirty (30) days, for any reason, shall be tested for drugs immediately upon returning to work and before performing any job duties.

5. Reasonable Suspicion

All individuals will be subject to testing when there is reasonable suspicion that the individual has used or misused drugs or alcohol in violation of this policy. Any individual who is required to take a reasonable suspicion test will be immediately suspended without pay pending the results of the test and confirmation of the results, if applicable.

Any supervisor who has received training in the signs and symptoms of drug and alcohol use and impairment may require an individual to undergo a reasonable suspicion test(s) for drugs or alcohol. Failure to act upon a report of reasonable suspicion or failure to act upon the discovery of reasonable suspicion is grounds for disciplinary action, up to and including termination. A reasonable suspicion test may be required based upon, but not limited to the following:

- the personal observation of the individual's job performance, appearance, behavior, speech, or odor by the trained individual creating a reasonable

suspicion that the individual has used drugs or alcohol in violation of this policy; or

- personal observation of the individual by another individual who has fully disclosed the observation to the Sheriff's Office; or
- observation of the individual by a nurse or physician engaged in the treatment or evaluation of a work-related injury who has disclosed such observations to the Sheriff's Office; or
- information from a law enforcement agency received by the Sheriff's Office.

Additionally, any untrained supervisor may require a reasonable suspicion test(s) for drugs or alcohol when a trained supervisor or the Sheriff has reviewed the underlying facts and agrees that reasonable suspicion exists to require a test.

Specific and objective facts may indicate that an individual's drug or alcohol use caused or was a contributing factor to an on-duty Motor Vehicle accident. The following is a list of circumstances that if present give rise to reasonable suspicion:

- The appearance, behavior, speech or odor of the individual immediately prior to or after the event giving the impression of alcohol or drug use;
- The individual left the scene or attempted to leave the crash scene without legal authority or permission to do so or failed to report the accident to the appropriate individual or otherwise attempted to keep appropriate persons from learning about the accident or event or the extent of the accident or event;
- The individual acted contrary to a safety rule, established safety practice or otherwise engaged in demonstrably unsafe behavior for which there is no reasonable explanation;
- The individual was arrested or received a traffic citation;
- The individual or any person received medical attention as a result of the accident; or
- The individual has been involved, as a contributing factor, in a pattern of repetitive on-duty crashes whether or not they involved actual or potential injury.

Even if none of the foregoing circumstances exist providing reasonable suspicion of drug or alcohol use due to involvement in an on-duty motor vehicle accident, it is the policy of the Forsyth County Sheriff's Office to administer drug and alcohol tests to any and all individuals involved in any of the accidents described in paragraph (6) below.

Specific and objective facts may indicate that an individual's drug or alcohol use caused or was a contributing factor to an on-duty accident involving the use of heavy machinery or Special Mobile Equipment. The following is a list of circumstances that if present give rise to reasonable suspicion:

- the appearance, behavior, speech or odor of the individual immediately prior to, or after, the accident;
- the individual left the accident scene or attempted to leave the accident scene without legal authority or authorization to do so, or failed to report the accident to the appropriate individual or otherwise attempted to keep appropriate persons from learning about the accident or the extent of the accident;
- the individual acted contrary to a safety rule, established safety practices or otherwise engaged in demonstrably unsafe behavior for which there is no reasonable explanation;
- the individual or any other person received medical attention as a result of the accident; or
- individual has been involved as a contributing factor in a pattern of on-duty accidents whether or not they involved actual or potential injury.

Even if none of the foregoing circumstances exist providing reasonable suspicion of drug or alcohol use due to involvement in an on-duty accident involving the use of heavy machinery or Special Mobile Equipment, it is the policy of the Forsyth County Sheriff's Office to administer drug and alcohol tests to any and all individuals involved in any of the accidents described in paragraph (6) below.

6. Post-Accident Testing

Alcohol and drug test(s) should be completed within eight (8) hours of an accident resulting in any of the events described below. This testing is to be performed in addition to any drug or alcohol test(s) ordered by law enforcement authorities. It is the responsibility of the immediate supervisor or the ranking supervisor on scene if the individual's immediate supervisor is not present, to ensure the involved individual, contractor or other individual reports as soon as possible and in no event more than eight (8) hours of an accident for testing. Failure to do so may result in disciplinary action taken against the supervisor and/or individual up to and including termination.

Drug and alcohol testing must be performed within policy guidelines when any individual, contractor or other individual while operating a Sheriff's Office or County vehicle, motor vehicle, Special Mobile Equipment, transit vehicle or heavy machinery is involved in an accident that results in: (1) a fatality; or (2) a citation issued to the individual, contractor or other individual; or (3) an injured person requiring immediate medical treatment away from the scene; or (4) damage to a Motor Vehicle, Special Mobile Equipment, transit vehicle, heavy machinery or other property to the extent that any are inoperable.

7. On-the-Job Injury Testing

All individuals who suffer an on-the-job injury and/or are receiving medical treatment under worker's compensation may be directed by a supervisor to be tested for alcohol and/or drug use as soon as possible after the injury but in no event more than eight (8) hours after the injury. This testing is to be performed in addition to any drug or alcohol test(s) ordered by law enforcement authorities. It is the responsibility of the immediate supervisor, or the ranking supervisor on scene if the individual's immediate supervisor is not present, to ensure the involved individual reports as soon as possible and in no event more than eight (8) hours of an injury for testing. Failure to do so may result in disciplinary action taken against the supervisor and/or individual up to and including termination. Testing pursuant to this section shall conform to all applicable testing procedures as outlined in the Forsyth County Government Risk Management and Loss Prevention policies regarding on-the-job injuries. Individuals may obtain a copy of the Risk Management and Loss Prevention policies by contacting the Forsyth County Risk Manager.

8. Testing Consistent with Risk Management and Loss Prevention Policies

The Forsyth County Risk Manager, or her designee, is authorized to conduct testing on Sheriff's Office individuals consistent with the Sheriff's Office participation in the Forsyth County Risk Management and Loss Prevention Programs.

9. Chain of Custody

Whenever an individual is required to take a drug and/or alcohol test pursuant to this policy or the Forsyth County Government Risk Management/Loss Prevention policies the appropriate chain of custody form shall be completed. When the testing is undertaken at the request of a Sheriff's Office supervisor or individual, the Chain of Custody form shall list the Forsyth County Sheriff's Office as the Employer. When the testing is undertaken pursuant to Forsyth County Government Risk Management and/or Loss Prevention Policy, the Forsyth County Risk Manager, or her designee, shall complete the Chain of Custody form as the representative of the employer, the Forsyth County Sheriff's Office.

F. PERSONS SUBJECT TO TESTING

1. CDL Individuals

Individuals who are required to possess a CDL license as a job requirement are subject to testing in all circumstances outlined in this policy including, but not limited to the following: pre-employment, post-accident, reasonable suspicion, random testing, position testing, return to duty and follow-up testing. CDL individuals will be tested using procedures in compliance with the U.S. Department of Transportation's Transportation Workplace Drug and Alcohol Testing Program's regulations set forth in 49 CFR Part 40 ("DOT Guidelines") and in accordance with this policy and all applicable Forsyth County Government Risk Management/Loss Prevention policies.

2. Safety Sensitive Individuals

Safety sensitive individuals occupy positions where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the individual, fellow individuals, citizens, inmates, or others. Safety sensitive positions include, but are not limited to, those which, as a part of the essential job functions, require the performance of law enforcement duties as a POST-certified law enforcement officer; possession of a firearm; providing emergency medical, rescue, or fire suppression services; interacting with incarcerated persons or persons on probation for drug charges; directly involve the enforcement of drug laws; directly involve access to, the handling of or the testing of illegal drugs that have been seized, confiscated by or taken into custody by law enforcement; require or involve performing duties essential to drug interdiction; performing duties related to the operation of heavy machinery, Special Mobile Equipment or the maintenance of motor vehicles, motorized equipment, heavy machinery or heavy equipment and are not otherwise designated as a CDL position subject to DOT Guidelines; or require the performance of duties which directly affect public health or safety. Safety sensitive individuals are subject to testing in all circumstances outlined in this policy, including, but not limited to the following: pre-employment, post-accident, reasonable suspicion, random, position testing, return to duty and follow-up testing. Safety Sensitive individuals will be tested using procedures in compliance with DOT Guidelines.

3. All Individuals

Individuals are subject to testing in the circumstances outlined in this Policy, including but not limited to the following: pre-employment, post-accident, reasonable suspicion, position testing, return to duty and follow-up testing. Individuals not holding a CDL or safety sensitive position shall be drug tested via non-DOT drug testing guidelines.

4. Job Applicants

All applicants for positions of employment are subject to pre-employment testing after a conditional offer of employment has been extended.

G. PROCEDURES FOR TESTING

Whenever a drug or alcohol test(s) is to be performed under this policy, the Sheriff or his/her designee shall be notified of the circumstances necessitating the test(s) as soon as possible.

Alcohol screening will be conducted using a federally approved evidential breath-testing device, a PBT, an ETG test, or the use of a swab/saliva test performed by an approved independent medical facility.

All drug tests, regardless of the purpose for the test, shall be performed as a Panel 5 test for the following five drugs or classes of drugs: (a) Marijuana metabolites; (b) Cocaine metabolites; (c) Amphetamines; (d) Opiate metabolites; and (e) Phencyclidine (PCP), unless the Sheriff, in his discretion, determines that a different

Panel test is warranted. Additionally, individuals may be tested for the use of synthetic cannabinoids and substances commonly known as "bath salts" pursuant to scientifically accepted testing procedures.

All drug tests shall be administered and accounted for by an approved laboratory and/or medical facility certified to be operating in compliance with the U. S. Department of Health and Human Services (DHHS). Testing will involve an initial screening test(s) and confirmation of positive tests by gas chromatography/mass spectrometry (GC/MS) analysis. Tests will be certified, to the fullest extent possible under the circumstances, by a laboratory approved by the DHHS.

All positive test results for drugs will be interpreted by a physician approved by the Sheriff as a medical review officer. The MRO will make reasonable efforts to contact the applicant or individual for the purpose of allowing the applicant or individual to offer an alternative medical explanation for the positive test result. If the MRO is able to contact the applicant or individual and determines there is a legitimate medical explanation for the positive test, the result will be communicated as negative to the Sheriff, or the County as the case may be. The MRO's inability to contact the applicant or individual before providing test results to the Sheriff, or the County as the case may be, will not void the test results or make the test results unusable in any subsequent disciplinary action. An applicant or individual who fails to respond to an inquiry by the MRO within forty-eight (48) hours of such inquiry, shall have waived his/her opportunity to offer an alternative medical explanation for the positive test result or to request confirmation testing. At the discretion of the Sheriff, an individual may be placed on administrative leave or administrative suspension pending the MRO interpretation. Because the individual is present for interpretation of an alcohol test, the procedure concerning prior notification by the MRO is not applicable and the applicant or individual must provide any alternative medical explanation within 48 hours of such test.

Upon notification by the MRO of a confirmed positive result for drugs the Sheriff, the county or the individual may request, within five (5) calendar days of such notification, that the remaining portion of his/her specimen undergo a second confirmation test at his/her expense at a DHHS laboratory of his/her choice. The individual is to provide written notice to the Sheriff, or his designee, or, when applicable, to the County of their request for a second confirmation test. If the test conducted by the laboratory selected by the individual is negative for the presence of drugs, a third test may be made at the Sheriff's, or the County's as the case may be, sole expense at a separate DHHS facility of its own choosing. The results of the third facility will be determinative. If the results from the third facility are negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action. This option of a confirmation test is contingent upon there being enough of the specimen remaining to allow for a confirmation test and the specimen being appropriately stored and handled to allow for confirmation testing.

The Sheriff's Office, or the County as the case may be, will make reasonable efforts to notify the individual of a positive drug test within five (5) business days from the date it receives the test results. Because the results of a breath alcohol test are immediately available, this provision will not apply to alcohol tests conducted in such a manner.

Any individual ordered to be tested based upon reasonable suspicion, shall immediately be temporarily removed from duty, escorted to the testing facility, and taken home (unless other suitable arrangements have been made to transport the individual). Under no circumstances will the individual be allowed to drive himself or herself home. The individual shall be suspended without pay pending the results of the test and any confirmation tests, if applicable. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the individual shall be reinstated with back pay and the suspension without pay will be expunged from the individual's personnel file.

In the event that it is not reasonable under the circumstances to conduct an alcohol test using a breath test, the Sheriff's Office, or the County as the case may be, reserves the right to test for the presence of drugs or alcohol by a blood test analysis. If a blood test analysis is used, the Sheriff's Office, or the County as the case may be, will make reasonable efforts to notify the individual of the results within five (5) business days after the results are received. An MRO will not be used when a blood test for alcohol is conducted.

H. CONSENT FOR TESTING

All individuals and job applicants will be provided a consent form consenting to any and all frequency of drug and/or alcohol test(s) set forth in this policy and permitting the release of test results to the designated agent or other authorized personnel for the employer and/or the medical review officials. Signed consent forms are kept on file by the Forsyth County Personnel Services Department and are enforceable for the duration of employment.

Any individual subject to drug and alcohol testing under this policy who refuses to submit to a drug and/or alcohol test as required herein shall be subject to termination. Individuals who refuse to be escorted or fail to appear at the designated collection site to take the test when so directed shall also be subject to termination.

If an individual is unable to provide a sufficient urine specimen, breath or saliva sample without a valid medical explanation, provides a verbal declaration refusing to provide a sample or to undergo testing, engages in obstructive behavior, or is physically absent resulting in the inability to conduct the test, this shall be deemed to be a refusal by the individual to be tested.

I. ARRESTS INDICTMENT, ACCUSATION, CITATION, CONVICTION FOR DRUG OR ALCOHOL RELATED OFFENSES

An individual must report his/her arrest, indictment, accusation, citation and/or conviction for violation of a criminal drug/alcohol statute or ordinance (including any drug or alcohol offenses under local, state or federal law, including but not limited to any drug or alcohol offense enumerated in the Official Code of Georgia Annotated) whether the violation occurs in or outside the workplace or on or off duty, to his/her immediate supervisor or next chain of command. An individual must report such an arrest, indictment,

accusation, citation and/or conviction as soon as possible, but in no event later than twenty-four (24) hours after such event. The term "conviction" as used in this Policy means a plea of guilty or a finding of guilty (including a plea of nolo contendere and regardless of treatment as a first offender under Georgia or Federal law), the imposition of a sentence, or both, by any judicial body charged with a responsibility to determine violations of the federal, state, or local criminal drug and alcohol statutes. The Sheriff will make a determination at that time whether the arrest, indictment, accusation, citation and/or conviction causes a temporary or permanent disqualification from holding that position, or constitutes grounds for disciplinary action up to and including termination.

An individual who violates this policy may be subject to disciplinary action, up to and including termination of employment.

J. SEARCHES

All Sheriff's Office or other County Government issued equipment, property and facilities, including but not limited to desks, lockers, bags, weapons, clothing and vehicles (collectively "Materials") are subject to inspection at any time and for any reason. No individual shall have any privacy interest whatsoever in any Sheriff's Office or other County-issued Materials. No personal property may be searched unless the owner of the property has consented or a search is otherwise legally permissible.

If a search uncovers evidence of individual wrong doing, illegal activity, or individual violations of Sheriff's Office rules or policies, the evidence may be used to support disciplinary actions up to, and including, termination. By employment with the Sheriff's Office, individuals consent to the use of this evidence in a disciplinary hearing. In cases involving suspected illegal activities, the evidence may be turned over to the proper legal authorities.

K. CONFIDENTIALITY

All reports of test results for drug and alcohol, searches, or any individual referral, or participation in an assistance program or treatment program for addictive disorders, will be maintained in strict confidence and consistent with this policy. Any person authorized to have access to such confidential information, who, without authorization, discloses it to another person shall have engaged in gross misconduct and be subject to severe disciplinary action, up to and including, termination. The confidentiality of such information shall not apply to any use by or communication to, law enforcement, the Forsyth County Sheriff's Office attorneys or the Forsyth County Government attorneys, or where the information is relevant to the Sheriff's Office or the County Government's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state or local law, statute, ordinance or regulation.

L. DISCIPLINE

1. Immediate Suspension

An individual who is tested under reasonable suspicion or who tests positive for drugs or alcohol shall immediately be temporarily relieved from duty and placed on suspension without pay. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the individual shall be reinstated with back pay and the suspension without pay will be expunged from the individual's personnel file.

2. Disciplinary Action

An individual who violates any provision of this policy is subject to discipline, up to and including termination.

3. Immediate Termination

The following reasons shall result in immediate termination of an individual:

- Manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, or selling, or otherwise transferring an illegal drug(s) or controlled substance(s) while on the job, on call, on Sheriff's Office or County Government Premises, while operating Sheriff's Office or County Government equipment, Special Mobile Equipment, heavy machinery or vehicles, or while operating any other equipment or vehicles on Sheriff's Office or County business.
- Operating Sheriff's Office or County Government motorized equipment, motor vehicle or Special Mobile Equipment while unfit for duty due to the use of drugs and/or alcohol.
- Conviction for violation of any drug or alcohol related offense or law. The individual will be given the opportunity to demonstrate that the conviction should not exclude him/her from employment with the Sheriff's Office. Thereafter, the Sheriff will make a determination on whether said termination is job related and consistent with business necessity.
- Refusing to consent to or to take a drug or alcohol test pursuant to this policy.
- Failure to appear at the designated collection site to take a drug or alcohol test when so directed.
- A confirmed positive test for drugs or alcohol.

XXIII WORKPLACE SAFETY

It is the policy of the Forsyth County Sheriff's Office that every employee is entitled to work under the safest possible conditions. Every reasonable effort will be made to provide and maintain a safe and healthy workplace, safe equipment, proper materials, and to establish and insist upon safe methods and practices at all times. It is the basic responsibility of every employee to make safety a part of their daily concern. Employees are obligated to observe the rules of conduct and safety and to properly use the safety equipment provided.

Consistent with the Forsyth County Sheriff's Office commitment to safety, there is established an Accident Review Board that reviews all accidents and injuries. All employees are subject to the jurisdiction, rules, and procedures of the Accident Review Board, which rules and procedures are incorporated herein by reference, including, but not limited to, the Forsyth County Loss Prevention Program. To the extent that there is a conflict between the above-referenced rules, procedures, and the Loss Prevention Program and this policy, the most strenuous provision shall govern.

A. REPORTING SAFETY DEFICIENCIES

Any employee who believes that a safety or health risk exists, must report the matter to the Forsyth County Personnel Services Director or the employee's supervisor so that the Sheriff's Office may take appropriate action. Upon detection of a safety or health risk, an employee should immediately report the matter to the Forsyth County Personnel Services Director or the employee's supervisor no later than the close of business on the date the safety or health risk is detected. A safety or health risk may consist of, among other things, a condition in the workplace or the manner of operation of other employees.

B. REPORTING INJURIES

Any employee who is injured while at work must immediately report the injury to their supervisor and consistent with the Loss Prevention Program and the rules of the Accident Review Board, if applicable.

C. SAFETY VIOLATIONS

Accidents, injuries, damaged machinery or equipment, and destroying materials or property cause needless suffering, inconvenience, and expense to the Sheriff's Office. As a result, such actions when avoidable by utilizing appropriate safety practices may result in disciplinary action up to, and including, termination.

XXIV WORKPLACE VIOLENCE

The Forsyth County Sheriff's Office is concerned about the well-being and personal safety of its employees and anyone doing business or otherwise interacting with the Sheriff's Office. The Sheriff's Office consequently strictly prohibits workplace violence. Acts of violence and/or threats of violence, whether expressed or implied toward individuals in the Sheriff's Office workplace, are prohibited and will not be tolerated. All reports of incidents will be taken seriously and will be addressed appropriately. This policy defines prohibited conduct, as well as general procedures and potential responsive steps in the unfortunate event that workplace violence occurs despite these preventive measures.

A. SCOPE

This prohibition against threats and acts of violence (including domestic violence) applies to all persons involved in the operation of the Forsyth County Sheriff's Office, including but not limited to, the personnel of the Sheriff's Office, contract and temporary workers, and anyone else on the property of the Sheriff's Office.

B. DEFINITION OF WORKPLACE VIOLENCE

Workplace violence is any conduct that is severe, offensive or intimidating enough to make an individual reasonably fear for his/her personal safety or the safety of family, friends or property. Examples of workplace violence include, but are not limited to, threats or acts of violence or behavior that cause a reasonable fear or intimidation response that occur:

- On Sheriff's Office or County Government premises, no matter what the relationship is between the Sheriff's Office or County Government and the perpetrator or victim of the behavior.
- Off Sheriff's Office or County Government premises, where the perpetrator is someone who is acting as an employee or representative of the Sheriff's Office at the time, where the victim is an employee of the Sheriff's Office who is exposed to the conduct because of work for the Sheriff's Office, or where there is a reasonable basis for believing that violence may occur against the targeted employee or others in the workplace.

Examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to the following:

- Threatening physical or aggressive contact directed toward another individual or engaging in behavior that causes a reasonable fear of such contact.
- Threatening an individual or his/her family, friends, associates or property with physical harm or behavior that causes a reasonable fear of such harm.

- Intentional destruction or threat of destruction of the Sheriff's Office or another's property.
- Harassing or threatening physical, verbal, written or electronic communications, including verbal statements, phone calls, emails, letter, faxes, website materials, diagrams or drawings, gestures and any other form of communication that causes a reasonable fear or intimidation response in others.
- Stalking is defined as a pattern of conduct over a period of time, however short, which evidences a continuity of purpose and includes physical presence, telephone calls, emails and any other type of correspondence sent by any means.
- Veiled threats of physical harm or like intimidation or statements, in any form, that lead to a reasonable fear of harm or an intimidation response.
- Communicating an endorsement of the inappropriate use of firearms or weapons of any kind.

Unauthorized possession of weapons of any type, whether licensed or not, by civilian personnel. This does not apply to any sworn personnel. Weapons, include, but are not limited to:

- Any weapon which, per applicable law, is legal or illegal to possess;
- Any firearm, loaded or unloaded, assembled or disassembled, including pellet, "BB", and stun guns;
- Brass knuckles, metal knuckles, and similar weapons
- Bows, cross-bows and arrows;
- Explosives and explosive devices, including fireworks, ammunition and/or incendiary devices;
- Throwing stars, nun chucks, clubs, saps, and any other item commonly used as, or primarily intended for use as a weapon;
- Any object that has been modified to serve as, or has been employed as, a dangerous weapon.

Domestic violence is defined as a pattern of coercive tactics carried out by an abuser against an intimate partner (the victim) with the goal of establishing and maintaining power and control over the victim. Where the abuser's tactics include any of the above-described conduct on Forsyth County Sheriff's Office or County Government premises, this policy applies. Where such tactics include any of the above-described behaviors off premises, this policy applies where the abuser is someone who is acting as an employee or representative of the Forsyth County Sheriff's Office at the time,

where the victim is an employee who is exposed to the conduct because of work for the Sheriff's Office, or where there is a reasonable basis for believing that violence may occur against the victim or others in the workplace. The term "intimate partner" includes people who are legally married to each other, people who were once married to each other, people who have had a child together, people who live together or who have lived together, and people who have or have had a dating or sexual relationship, including same sex couples.

C. REPORTING COMPLAINTS

If you are subjected to or threatened with firearms or other weapons by a co-worker or member of the public, or if you become aware of another individual who has been subjected to or threatened by violence, you should report this information immediately by calling 911 and notifying your supervisor in emergency situations. If you observe the possession of unauthorized non-Sheriff's Office issued or approved weapons on Forsyth County Sheriff's Office or County Government premises, you should notify your supervisor as soon as possible. Do not assume that any violation or threat is not serious. All complaints will be thoroughly investigated, and all complaints that are reported to management will be treated with as much confidentiality as possible. Employees who become angry, upset, or concerned with the actions of a co-worker, supervisor, or a member of the public or the Sheriff's Office in general, are encouraged to seek assistance from the Forsyth County Personnel Services Director.

A 911 call may be appropriate first, in the good judgment of the employees or supervisors involved. Under this policy, decisions may have to be made quickly to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. Nothing in this policy is intended to prevent quick action to stop or reduce the risk of harm to anyone, including requesting immediate assistance from law enforcement or emergency response resources.

Failure to report any threats or acts of violence in violation of this policy is itself a violation of this policy, and may subject any employees involved to discipline up to and including termination.

Retaliation against anyone for reporting an actual or suspected violation of this policy in good faith will not be tolerated and will subject the individual engaging in the retaliation to discipline up to and including termination. Any complaints about retaliation should be reported in the same manner as violations of this policy are to be reported.

D. WHAT TO EXPECT FROM THE SHERIFF'S OFFICE

All incidents of violence and threats of violence that are reported will be taken seriously and investigated. The investigation will be conducted at the direction of the Sheriff and may include the command staff, Internal Affairs and/or the appropriate chain of command. Any violations of this policy may result in discipline, up to and including termination.

E. EXPECTATIONS OF TARGETED EMPLOYEES

Stay Away Orders: The Forsyth County Sheriff's Office reserves the right to seek orders of protection (also known as restraining orders or stay away orders) against any person who violates the Workplace Violence Policy. Additionally, employees themselves may seek and obtain orders of protection against individuals outside of the workplace. Employees so protected are obligated to immediately notify the Forsyth County Sheriff's Office Internal Affairs Unit and their supervisor if (a) an order of protection extends to the workplace; or (b) they reasonably believe that their safety (or the safety of others) in the workplace is affected by the order of protection. Employees should provide written notification of:

- the existence of any such order and provide a copy of the order;
- any violations or attempted violations of the order;
- any changes to the order that affect the workplace; and
- the order being lifted, terminated or modified.

Employees who are subject to orders of protection requiring them to stay away from or refrain from contacting other individuals who are or may be in the workplace (including employees, customers, vendors and others) must immediately notify the Internal Affairs Unit and provide a copy of the order. Employees who hold law enforcement positions, including detention officer positions, and who are subject to orders of protection must immediately notify the Internal Affairs Unit and their supervisor and provide a copy of the order.

Upon being notified of an order of protection, the Internal Affairs Unit will contact the reporting party to gather information about the individual and assess the situation. The Sheriff's Office will make every effort to maintain confidentiality of such orders with the understanding that it will use the information as necessary to maintain safety in the workplace.

F. SEARCH POLICY

If the Forsyth County Sheriff's Office reasonably suspects that an employee either has or may have violated this policy, or that the employee possesses evidence that others pose a threat of workplace violence as defined by this policy, the Sheriff's Office may request the individual to submit to a search of his or her person, personal effects, vehicles, and locker. In addition, the Sheriff's Office may conduct searches of any Sheriff's Office or County Government property including, for instance, work stations and areas, including desks, locker, credenzas, file cabinets, computers and computer-stored information, voicemail, email, business records, Sheriff's Office or County Government vehicles and any other property or equipment owned by the Sheriff's Office or Forsyth County Government, at any time, without notice to or permission from affected employees, for purposes of enforcing the no

violence policy. If an individual is asked to submit to a search, and refuses, that individual will be considered insubordinate and will be subject to discipline up to and including termination.

Searches will be conducted by a supervisor with a second witness and may or may not be conducted in the presence of the person whose property is searched. Any weapons or evidence of violations of this policy will be confiscated, and may be turned over to law enforcement, as appropriate. Any illegal activity discovered during an inspection is subject to referral to the appropriate law enforcement authorities.

G. ASSISTANCE PROGRAMS/SERVICES

The Forsyth County Government provides to all employees of the Forsyth County Sheriff's Office and their family members a no cost Employee Assistance Program (EAP) that has professionals trained to handle domestic violence cases. These professionals provide counseling, support, and referrals. In addition, EAP is a resource for employees who want to learn more about domestic violence or find out how to help a friend, family or coworker.

Many community agencies provide free services for safety planning, counseling, support groups, shelter, and legal assistance. The following resources are available twenty-four (24) hours a day, seven (7) days a week:

- Partners Against Domestic Violence
- Domestic Violence Hotline
- Battered Women's Shelter

**GENERAL ORDER: 2-2 RECRUITMENT /
HIRING**

Rescinds/Amends:

Effective Date: February 6, 2023

Committee Review - Date: November 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. RECRUITMENT / HIRING

The purpose of this policy is to establish guidelines and procedures for selecting the most qualified applicants consistent with federal, state, local and Equal Employment Opportunity/ Recruitment Plan guidelines. Discrimination because of disability, race, creed, color, sex, sexual orientation, gender identity, transgender status, religion, age, national origin or any other category protected by law is prohibited. Minimum qualifications for entry-level sworn positions within the agency are established by the Sheriff.

II. EQUAL EMPLOYMENT OPPORTUNITY PLAN

The Forsyth County Sheriff's Office is an equal opportunity employer. It is the policy of the Forsyth County Sheriff's Office to provide equal employment opportunity to qualified persons without regard to race, color, religion, sex, national origin, age, disability, genetic information, uniformed service status, sexual orientation, gender identity, transgendered status or any other legally protected category. This policy relates to all phases of employment, including, but not limited to, recruitment, applicants, placement, promotion, transfer, layoff, return from layoff, training, education, compensation, and benefits.

In addition, the Forsyth County Sheriff's Office shall not discriminate against any qualified employee or applicant on the basis of a physical or mental disability. The Forsyth County Sheriff's Office shall strive to provide reasonable accommodations to assist disabled individuals to perform essential job functions, as long as the accommodation is effective, does not cause the Sheriff's Office undue hardship, and does not pose a direct threat.

A. Anti-Discrimination Policy

It is the policy of the Forsyth County Sheriff's Office not to discriminate against minorities, females or any other protected category with respect to recruitment, hiring, training, promotion, or other terms and conditions of employment, provided the individual is qualified to perform the work available.

Accordingly, all employment decisions shall be consistent with the law and the principles of equal employment opportunity (EEO). All promotion decisions shall be consistent with the principles of EEO, and only valid qualifications shall be required for promotions.

All other personnel actions or programs such as compensation, benefits, transfers, layoffs, recalls, training, and education shall be administered in a non-discriminatory manner.

B. Forsyth County Sheriff's Office Commitment

This policy includes, without limitations, the following commitments:

1. To provide equal employment opportunity to all qualified persons, and to recruit, hire, train, promote, and compensate persons in all jobs without regard to race, color, religion, sex, or national origin.
2. To identify and analyze all areas of the employment process to further the principles of equal employment opportunity. Employment decisions in all areas shall be made on the basis of furthering the objective of equal employment.

III. RECRUITMENT PERSONNEL TRAINING

Personnel assigned to the recruitment unit shall receive training in personnel matters, especially equal employment opportunity and key recruitment objectives.

The training topics may include but not be limited to:

- A. Entry-level requirements and eligibility criteria;
- B. Agency career opportunities, salary, benefits;
- C. Demographic data of Forsyth County Residence;
- D. Cultural awareness practices pertaining to ethnic groups and subcultures;
- E. Agency employee selection processes
- F. Grounds for disqualification.

IV. NEPOTISM

The Forsyth County Sheriff's Office has a legitimate interest in discouraging familial and other close personal relationships between Sheriff's Office employees and volunteers which can result in conflicts of interest, favoritism, perceptions of favoritism and other negative impacts on the professional operation, efficiency and/or morale of the agency.

Definitions:

- a) **Familial Relationship:** Immediate family members including spouse (including ex-spouse), children, stepchildren, parents, stepparents, grandparents, grandchildren, brothers, sisters, fathers-in-law, mothers-in-law, brother-in-law, sisters-in-law, sons-in-law, daughters-in law; aunts, uncles, nephews, nieces. These relationships include those arising as a result of adoption.
- b) **Close Personal Relationship -** A relationship that involves cohabitation, dating, or consensual sexual contact of any kind.
- c) **Dating Relationship:** an intimate relationship, primarily characterized by the expectation of romantic affection or sexual involvement. The term "dating relationship" does not include a causal relationship or ordinary association between persons in a business or social context or social involvement.

A. Nepotism Prohibited

No employee may be assigned to the same shift or unit assignment wherein a Familial or Close Personal relationship exists with any subordinate or superior employee in their chain of command.

B. Close Personal Relationship

Supervisors, Managers and Administrators shall not become involved in a Close Personal Relationship with subordinates in their chain of command. Training Instructors assigned to the Training Unit shall not become involved in a Close Personal Relationship with any personnel attending the North Georgia University Public Safety Academy at Forsyth County. All agency employees are strongly discouraged from close personal relationships (as defined above) with each other, irrespective of their current chain of command.

In the event that any two (2) employees, subsequent to their hiring, develop a dating relationship, both employees shall immediately inform their Division Commander in writing. The Division Commander, or designee, may choose to re-assign either employee as deemed appropriate.

Employees who may be promoted or placed in an Officer-in-charge position, must promptly reveal in writing to their Division Commander any relationships that would invoke the principles of this policy.

Employees of the agency shall not be involved in a close personal relationship (as defined above) with any agency volunteers

C. Change of Relationship Between Current Employees

If the familial or personal relationship of two current employees changes in a manner contradictory to any provision (s) of this policy, only one of the employees shall be permitted to maintain his/her current position with the Sheriff's Office.

Employees must notify their Division Commander in writing within thirty (30) calendar

days of a change in relationship status that creates a conflict with any provision of this policy.

The following options are available to effected employees:

1. The decision as to which employee shall remain in their current assignment with the Sheriff's Office must be made by the two employees within thirty (30) calendar days of the date of the change in relationship.
2. One employee may apply to transfer to another position within the Forsyth County Sheriff's Office which alleviates the conflict if such position is available at the time or one of the employees may transfer to another position within the Forsyth County Government (outside of the Sheriff's Office), if such position is available at the time. A transfer, if granted, should occur within thirty (30) calendar days of notifying the Division Commander of the change in relationship.

Employees who fail to provide appropriate notification of a change in familial or personal relationship status within thirty (30) calendar days of said change shall be subject to immediate termination.

D. Grandfather Clause

Any situations of a nature conflicting with this nepotism policy which are in existence on or before October 1, 2019 shall be disclosed to the employee's Division Commander no later than October 1, 2019. Employees affected by these situations may be permitted to continue in their current assignment, provided they are in compliance with all other agency policies and directives. The Division Commander, or designee, may choose to re-assign either employee as deemed appropriate.

E. Exigent Circumstances

The Sheriff or designee may assign personnel irrespective of the Nepotism Policy when deemed in the best interest of the agency.

V. RECRUITMENT

Whenever there is an actual or forecasted vacancy, a recruitment initiative to attract applicants may be implemented which shall include the following elements:

- 1) A job announcement providing a description of the duties, responsibilities, requisite skills needed, educational level required, and physical requirements for the position;
- 2) Advertisement of all entry-level job vacancies in the electronic, print and other mass media outlets;
- 3) Advertisement as an Equal Opportunity Employer included on all employment applications and recruitment advertisements;

- 4) Publication of job vacancies at least ten (10) working days prior to any official application filing deadline, with the official filing deadline indicated on all employment announcements and recruitment advertisements;
- 5) Posting of job announcements with community service organizations, and recruitment assistance referrals, and advise from community organizations and key leaders; and
- 6) Applications and position announcements sent to career counselors at the various local and regional law enforcement academies and the area colleges and universities.

A. General Recruitment Process

Upon request or notification by Sheriff or designee to the Recruitment and Background Unit, a draft bulletin shall be prepared for vacant positions or anticipated vacant positions to include:

1. The job title, assigned pay grade and other information to identify the position;
2. A detailed statement of responsibilities and duties of the position;
3. A statement of the knowledge, skills, and abilities required to perform the work at the entry level.

The Recruitment and Background Unit shall review the information to:

1. Ensure that information necessary for recruitment, selection, appointment, or promotion activities are provided; and
2. Ensure that suggested employment standards are consistent with Equal Employment Opportunity laws and regulations.

The announcement shall then be published and distributed within Forsyth County Sheriff's Office and Forsyth County departments and to such other addresses and advertising media as may be deemed appropriate to the circumstances. Insofar as practicable, preference in filling vacant positions shall be given to current Forsyth County Sheriff's Office employees over outside applicants when they receive substantially equal applicants from within the Sheriff's Office. Vacancies above the entry level of any occupational category shall normally be announced to employees via email for a period of one (1) week.

B. Application Process

1. Recruitment Information

Interested applicants may visit the Forsyth County Sheriff's Office web site (www.forsythsheriff.org) for information on existing vacancies.

2. Application Package

An official application filing deadline, if any, shall be indicated on the employment announcement. In some cases, recruitment shall be continuous and open with no deadlines for accepting applications.

An application may be completed electronically by interested individuals via the electronic platform being utilized by the sheriff's office.

3. Receiving Applications

The primary responsibility for receiving law enforcement applications shall rest with the Forsyth County Sheriff's Office Recruitment/Background Unit. All applications shall be submitted electronically through the electronic platform being utilized by the Sheriff's Office.

4. Status of Applicants

Once a candidate formally applies for a vacant position, it shall be the responsibility of the Sheriff's Office Recruitment/Background Unit to maintain contact with applicants from the time of initial application to final employment disposition.

5. Correcting Minor Defects or Deficiencies in the Application Process

Applicants under consideration are expected to complete all required forms and questionnaires in a timely manner. Information and documents should be submitted electronically through the platform being utilized by the Sheriff's Office.

Applications which possess omissions or deficiencies that can be corrected prior to the testing or interview process shall not be rejected solely for such omission or deficiency but shall be corrected and the candidate shall continue the process.

Applicants who are inactive in the selection process for Ten (10) days or more may be removed from consideration.

C. Implementation of Methods

In seeking to employ qualified ethnic minority members and females, the agency may conduct research, to develop and implement specialized minority and female recruitment methods. These methods may include, but not necessarily be limited to the following:

1. Application form and related pre-employment inquiry forms shall be in compliance with applicable federal, state, and local EEO laws.
2. Job descriptions shall be reviewed periodically to properly identify job related requirements.
3. Liaison with local minority community leaders to emphasize law enforcement sincerity and encourage referrals of minority applicants to the law enforcement agency.
4. Active cooperation with and utilization of all the media in minority recruiting efforts.
5. Regular personal contact with the minority or female applicant from initial application to final determination of employment.
6. Increase overall recruitment efforts with special attention to civic groups, community groups, ethnically diverse neighborhoods and college campuses.
7. Periodic review of the entire selection process to ensure it is non-discriminatory. No standards shall be used which have the effect of eliminating from consideration a significantly higher percentage of minorities or females than that of non-minorities or men.
8. The encouragement of minority and female employees to refer friends to the agency for potential employment.
9. Become involved with and provide notification to local minority organizations, female's organizations, community action groups, and community service programs, at the time of recruitment.
10. Encourage minority and female employees to participate in community programs.

VI. RECRUITMENT PLAN

A. Plan Development and Implementation

The Recruitment Unit Supervisor or designee shall develop a recruitment plan. The objective of this recruitment plan shall be the achievement of a work force which is representative of Forsyth County both by gender and race. A plan of action detailing methods anticipated to reach the objective shall be included.

The Recruitment Unit shall be responsible for the administration of the plan.

B. Plan Analysis

An annual analysis of the agency's recruitment plan shall be performed by the Recruitment Unit Supervisor or designee and shall include:

1. Progress toward the stated objectives;

2. Revisions to the plan, as needed; and
3. Demographic data of sworn personnel

The analysis shall be reviewed by the Sheriff.

VII. PLAN OF ACTION

The agency shall engage in positive efforts to recruit ethnic minority group members and females to achieve a ratio of minority group and female employees in approximate proportion to the make-up of the service area.

VIII. SELECTION PROCESS EVALUATION

The entire selection process shall be evaluated at least annually. Review of the most recent literature and case law on selection, equal employment opportunity, and a variety of selection issues is done on a continuing basis by the Forsyth County Employment Services Department.

IX. ELIGIBILITY VERIFICATION REQUIREMENTS

The Forsyth County Sheriff's Office is committed to full compliance with federal and state immigration laws and shall hire only individuals with the legal right to work in the United States.

Pursuant to Georgia Department of Labor Rules Chapter 300-10-1, all employees must complete Form I-9 and provide legal documentation of citizenship and/or work status as set forth on the form. Within 3 business days of hire, the Forsyth County Employment Services Department shall electronically verify accuracy of the employee's social security number and other documentation through the U.S. Department of Homeland Security verification system. In the event of tentative non-confirmation of an employee's social security number, the Employment Services Department shall follow the procedures designated under the E-Verify Program concerning employee notification, case referral to the Social Security Administration, continued employment during the confirmation process, monitoring of case status, and final confirmation after case resolution. This policy and its procedures are intended to comply with the Georgia Department of Labor Rules Chapter 300-10-1 and with O.C.G.A. 13-10-91. Should any portion of these laws be amended, modified, revised, or repealed, or if other or additional controlling federal or state immigration laws or regulations become adopted in the future, the processes and requirements set forth in such Act, laws, or regulations shall govern. Information about current procedures under the E-Verify Program can be found at www.uscis.gov/e-verify.

X. SELECTION PROCESS

The selection process is comprised of many elements. These may include written tests, background investigations, polygraph examinations, psychological assessments, physical examinations, and oral interviews. The selection process is reviewed periodically to improve on speed and thoroughness.

A. Scoring, Evaluating and Interpreting Test Results

All elements of the selection process shall be administered, scored, evaluated, and interpreted in a uniform manner. All time limits, oral instructions, practice problems, answer sheets and scoring formulas shall be contained in the testing manual and administered in the same manner to each applicant.

B. Job-Related and Nondiscriminatory Selection Process

The selection process by the agency shall use only those rating criteria or minimum qualifications which are job related and non-discriminatory. All evaluative aspects of the selection process shall be designed to measure only those behaviors, traits or characteristics that are a significant part of the job and relevant to the position being filled.

C. Elements of the selection process include the following:

1. Job-Task Analysis

A job-task analysis shall include the major behaviors (skills, knowledge and abilities) required to perform effectively at the entry-level position. On a periodic basis, Forsyth County Sheriff's Office employees shall be questioned upon the tasks which are essential to do their job.

2. Job Descriptions

Completion of comprehensive job descriptions which include the skills, knowledge and abilities identified by the aforementioned job-task analysis. These job descriptions shall also contain the basic minimum requirements for the entry-level position (physical, cognitive and background).

3. Minimum Qualifications

Applicants must be in compliance with the minimum qualifications listed in the job description of which they are applying.

4. Disqualifications for Employment

Elements of the selection process are designed to evaluate the integrity, ethical standards, honesty, prejudice, and past behavior of all applicants. Therefore, only

those persons whose conduct, and behavior exemplify expected moral, ethical and professional traits shall be considered.

The following circumstances shall automatically disqualify applicants from consideration for employment:

- a. Felony Conviction (to include First Offender Status);
- b. Purchase or use of Marijuana within the past two (2) years;
- c. Purchase or Use of illegal drugs such as methamphetamine, cocaine, ecstasy, etc., within the past five (5) years;
- d. Sale, distribution or manufacturing of any drug;
- e. Purchase or use of pharmaceutical drugs without a prescription from a licensed practicing physician within the past two (2) years (a onetime use, such as taking a relative's prescription, may be excluded);
- f. Any discharge from a branch of the United States Military which reveals the applicant to be non-suitable for employment.
- g. Knowingly associating with family, friends or others who purchase, sale and/or use illegal drugs or participate in criminal activities.
- h. Any outstanding criminal charges;
- i. Discovery of applicant's involvement in any crime of a serious/aggravated nature or past or present gang affiliation;
- j. Issues which would prevent the applicant from complying with agency Uniform/Dress and Personal Appearance policies;
- k. Any convictions under the Family Violence Act.
- l. Any conviction or plea of nolo contendere for a serious traffic offense including but not limited to:
 - 1) Fleeing or Attempting to Elude a Law Enforcement Officer,
 - 2) Vehicular Homicide, AND
 - 3) Failure to stop and render aid.
- m. Any applicant with a documented history of lack of candor, truthfulness, or dishonesty
- n. Any applicant who is on probation for any reason(s) or has a pending investigation with the Georgia Peace Officer Standard and Training (POST) Council or any other state certifying agency
- o. A conviction (including Nolo contendere plea) of DUI within the past:
 - 1) Three (3) years for Civilian or DS I position;
 - 2) Five (5) years for Sworn Peace Officer position.

Applicants with certain misdemeanor convictions not mentioned above may be considered if two (2) years have passed since their conviction. Each incident shall be evaluated on a case-by-case basis.

5. Expected Duration of the Selection Process

Applicants shall be informed in writing at the time of their formal application regarding the expected duration of the selection process.

6. Application, Testing and Evaluation

At the time of their formal application, applicants shall be informed, in writing, of all elements of the selection process; the expected duration of the selection process; and the agency's policy on reapplication.

7. Written Examination Process

The Written test include Math, Reading Comprehension, Spelling and Grammar, and responses to an incident report. This test is only given to those applicants that are applying for the entry level certified position.

The written examination portion of the hiring process for sworn positions may be waived if the applicant possesses one of the following criteria:

- a) Honorable discharge from the United States Military;
- b) Certification as a law enforcement officer;
- c) Certification as a jailer/corrections officer;
- d) Possession of an Associate degree or higher from an accredited college or university.
- e) College credits of 24 hours or greater.

If applicant fails to show up for the written test without any notification prior to the written test will be removed from the process.

If the applicant fails the written test two (2) times, the applicant will be removed from the process and will be eligible to re-apply within one (1) year of the date of the last written test.

8. Background Investigation Required

A background investigation of each applicant for employment shall be conducted by an employee trained in collecting required information prior to appointment to probationary status.

The background investigation is the most useful and relevant component of the selection process. Every background investigation shall be maintained on file in accordance with the Georgia Record Retention Schedules maintained by The Georgia Archives. The background investigation shall include the verification of the applicant's qualifying credentials, including:

- a) review of criminal record, if any;

- b) interviews with at least (3) three personal references;
 - c) educational achievement;
 - d) employment history;
 - e) minimum age required by law;
 - f) residence;
 - g) citizenship, after appointment;
 - h) driving record;
 - i) drug and / or alcohol use;
 - j) military history;
 - k) review of social media accounts; and
 - l) review of Peace Officers Standards and Training (POST) record
9. PAT (Physical Ability Test)
- The PAT test is a timed, job-related physical abilities test designed to simulate critical incidents often experienced by law enforcement personnel.
- An applicant who fails the physical abilities test may be permitted to retake the test as deemed appropriate by Forsyth County Sheriff's Office Training Unit personnel. An applicant who fails to successfully complete the PAT may reapply in one year.
- Applicants who fail to appear for the PAT test at a previously established date and time may be removed from the selection process.
10. Oral Interview
- Each applicant shall participate in an oral interview with questions based on the knowledge, skills and abilities of the position for which he/she has applied. The interview is usually conducted by a committee of sworn and/or non-sworn agency employees of various ranks and assignments. The committee members are encouraged to take notes on applicant responses to questions asked. After the applicant has left, the notes can be referred to for making an overall recommendation.
11. Conditional Offer
- An applicant may be offered conditional employment after the successful completion of the following phases of the selection process:
- a) Completed application;
 - b) Written test (if applicable);
 - c) Physical Ability Test (if applicable);
 - d) Background investigation;
 - e) Oral panel interview
- Upon accepting a conditional offer, an applicant must successfully complete the following to proceed in the process:
- a) Polygraph examination;

- b) Psychological assessment (if applicable);
- c) Physical Exam (if applicable)
- d) Drug Screen

Conditional employment shall be tentative until the applicant can successfully complete the remaining phases of the selection process.

12. Polygraph Examination

In completing the background investigation of applicants, a polygraph examination shall be administered. The applicant shall be advised that the following topic areas shall be addressed in the pre-test interview:

- a) Work history
- b) Drug use history
- c) Driving history
- d) Terminations/reprimands
- e) Issues from the background investigation

The acceptance or denial of employment shall in no way be based solely upon the results of a polygraph examination. The totality of the circumstances which include the background investigation, the polygraph interview and any post-test interviews, however, may be utilized in making and supporting the employment decisions.

13. Psychological Examinations

A psychological examination designed to assess the emotional stability and psychological fitness of each applicant for deputy sheriff shall be conducted prior to appointment to probationary status, using valid, useful and nondiscriminatory procedures. Psychological assessments are needed to eliminate applicants who may not be able to carry out their responsibilities or endure the stress of the working conditions. Each applicant's test is conducted and personally reviewed by a qualified professional, such as, a psychologist or psychiatrist to ensure proper interpretation and legal defense of the selection process.

Failure to successfully pass this psychological examination shall be grounds for rejection of the application. A copy of the applicant's evaluation shall be maintained in the Sheriff's Office Recruitment/Background Unit applicant file, as required by the State of Georgia Records Retention Schedule.

14. Firearms Proficiency

Applicants for Sworn positions, which require the ability to safely carry and if warranted discharge a firearm, shall demonstrate proficiency with an agency provided firearm. Proficiency testing shall be administered and scored as appropriate by the Training Unit Commander or designee.

15. Medical Examinations Required

A medical examination of each applicant for deputy sheriff shall be conducted prior to appointment to probationary status, using valid, useful and nondiscriminatory procedures. The purpose of the examination is to reveal any medical problems which may affect work performance or contribute to work related disabilities. Only licensed physicians shall be used to certify the general health of applicants. The comprehensive medical examination given to applicants recommended for hiring shall include a statement from the physician(s) interpreting the results. The following examinations should generally be performed for all sworn employees:

- a) medical history;
- b) general physical examination;
- c) resting blood pressure;
- d) complete blood count;
- e) flexibility evaluation;
- f) vision test;
- g) hearing test;
- h) EKG;
- i) urinalysis;
- j) lung function tests (if recommended by physician or personal physician);
- k) chest x-ray (if recommended by physician or personal physician);
- l) TB skin test (if recommended by physician or personal physician);
- m) tetanus booster (if recommended by physician or personal physician);

16. Drug Screen

All deputy sheriff applicants shall be tested according to a 9-PANEL drug screen. Specimens shall be obtained after proper consent / waiver forms are signed by the applicant. All procedures shall be administered under the supervision of qualified medical personnel. All applicants shall be given the opportunity to indicate any medications on the consent form. All consents, waivers and test results shall be placed in the background investigation folder of each applicant.

17. Final Interview

Each applicant must successfully complete an interview with the Sheriff or designee before being given a final offer of employment.

18. Medical and Psychological Records

A copy of all medical and psychological records received from the physician, psychologist or medical examiner shall be maintained on file in the Sheriff's Office Personnel Records Unit and shall be retained in accordance with Georgia's State Retention Schedule.

19. Informing Ineligible Applicants

Applicants not eligible for employment shall be informed in writing.

Reasons for ineligibility may include, but are not limited to the following:

- a) Deception in the application process;
- b) applicant is not acceptable in more than one area; or
- c) applicant is acceptable in all areas but is not the best applicant being considered.
- d) Drug use
- e) Failed Required Testing

20. Reapplication

Applicants deemed ineligible for employment shall be notified in writing that they may reapply in one year, provided they have corrected any known issues of which they were deemed ineligible.

21. Disposition of Records

All records of applicants not appointed to probationary status to include written and oral tests, background investigations, psychological and medical records, shall be maintained by the Sheriff's Office Recruitment/Background Unit in accordance with the Georgia Record Retention Schedules maintained by The Georgia Archives, provided no appeal of any kind is pending. It is helpful to preserve selection data to ensure continued research, independent evaluation and defense against lawsuits as the need arises. Forsyth County Sheriff's Office shall comply with all federal, state and local requirements for the privacy, security, access and retention to information of all applicant's records and data.

22. Storage, Maintenance and Security of Selection Materials

All completed answer sheets and scoring sheets shall be attached to each applicant's application and retained until disposed with their application according to the records retention schedule.

GENERAL ORDER: 2-3 COMPLAINTS OF MISCONDUCT

Rescinds/Amends:

Effective Date: October 11, 2022

Committee Review - Date: August 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I POLICY

It is the policy of the Forsyth County Sheriff's Office to investigate all complaints against the agency and its employees; including anonymous complaints. Allegations of misconduct may be investigated at the Division/Unit level, by Internal Affairs personnel or, when approved by the Chief Deputy or Sheriff, an outside agency. Anonymous complaints can be difficult to investigate; however, they should be carefully reviewed for validity before being disregarded for lack of a credibility.

II TYPES OF COMPLAINTS

Complaints shall be categorized as follows:

- a. SERVICE - a complaint alleging potentially minor misconduct that may result in minor policy violations
- b. ADMINISTRATIVE - a complaint alleging potentially serious misconduct that may result in major policy violations
- c. CRIMINAL - a complaint alleging any potentially illegal activity by an employee

III Procedures for Registering Complaints

A complaint may be lodged in person, by phone by mail or via the Sheriff's Office Web site portal. Procedures to register a complaint against the agency or its employees should be made available to the public via the Forsyth County Sheriff's Office Web Site, at Neighborhood Watch meetings and other community service presentations.

IV. INITIAL CONTACT RESPONSIBILITY

If available, a supervisor shall speak with the complainant and document their concerns on a Personnel Complaint Form. If the complainant wishes to remain anonymous, chooses not to speak with a supervisor or if a supervisor is not available, the employee receiving the complaint should gather all available information, complete a Personnel Complain Form and forward it to a supervisor.

The person receiving the complaint should assure the reporting party that the circumstances surrounding the allegation(s) will be thoroughly investigated and that the reporting party will be notified of the results of the investigation upon its completion. The notification requirement in this section does not apply to anonymous complaints.

Complainants should be advised that knowingly making false statements alleging misconduct by an employee may result in criminal prosecution or civil actions.

The Personnel Complaint Form and any supporting documents shall be emailed to the "SO Internal Affairs" email group for initial review to determine who will investigate the complaint.

If an allegation is extremely serious in nature (i.e. allegations of criminal misconduct or civil rights violations), the Sheriff or Chief Deputy shall be notified immediately or as soon as reasonably possible. Notification may be by the most appropriate means based on the circumstances. Such means may include but not be limited to written, electronic, voice, or in person notification

V. PERSONNEL COMPLAINT CLASSIFICATION

The Internal Affairs Unit shall assign a tracking number to each complaint received. The complaint will then be forwarded to the Chief Deputy for review and assignment.

The Chief Deputy shall review the complaint and classify it as:

- a) FORMAL; or
- b) INFORMAL.

The Chief Deputy shall determine whether the complaint will be investigated in a formal investigation, or an informal investigation.

A. Formal Investigation

A formal investigation is conducted on all serious allegations of misconduct, where an alleged breach of the law has occurred, or where possible civil litigation against either the employee and/or the Forsyth County Sheriff's Office is reasonably anticipated. Formal investigations are conducted by the Internal Affairs Unit.

B. Informal Investigation

An informal investigation is conducted on less serious allegations of misconduct where the investigation consists of obtaining memoranda from officers involved in the allegation and information from the complainant. Informal investigations shall be assigned to a supervisor by the respective Bureau Commander.

VI TYPE OF INVESTIGATION

Once a complaint has been received and classified, it shall be investigated as a(n):

A. Inquiry

An inquiry concerns a citizen contacting the agency with questions about a policy, procedure, or tactic used by the agency. OR

B. Complaint

A complaint concerns a citizen contacting the Forsyth County Sheriff's Office and accusing an employee of a minor policy infraction or accusation of rudeness, traffic complaints, appearance, discourteous behavior, discretionary decisions made, etc.

C. Allegations

An allegation concerns a citizen contacting the agency accusing an employee of misconduct such as stealing, harassment, abuse, etc.

VII. INVESTIGATION PROCEDURES

The supervisor assigned to investigate an alleged act of misconduct on the part of an agency employee shall:

- A. Contact the complainant to review the accusation and inform them their complaint is being investigated;
- B. Take statements from witnesses and complainants whenever possible;
- C. Request a written statement and / or record a statement from the accused employee;
- D. Require each employee participating in the investigation prepare and submit an individual written report of all facts of the incident(s) known to them;
- E. Make periodic contact (at least once every two weeks) with the complainant to advise the status of the investigation;
- F. Decide whether to require any employee or witness involved in an incident under investigation to submit to a polygraph examination.
- G. Complete a Complaint Investigation Form.
- H. Immediately contact the Bureau Commander via the chain of command if/when the investigation develops information that may lead to the filing of criminal charges. It shall be the responsibility of the Bureau Commander to review the information with the Chief Deputy to determine if the case should be forwarded to the Internal Affairs Unit or an outside agency for further investigation.

VIII. INVESTIGATIVE TESTS

An employee under investigation may be requested to submit to any of the following tests:

- A. Polygraph
- B. Intoximeter;
- C. urinalysis;
- D. blood test;
- E. chemical test;
- F. handwriting test;
- G. voice analysis; and/or
- H. any other scientific test

The purpose of such testing is to sustain the complaint or exonerate the employee. Refusal to submit to any tests shall be considered insubordination. Responsibility for the decision to request an employee to take a polygraph or scientific/chemical test rests with the supervisor conducting the investigation after the approval of the Bureau Commander or Chief Deputy. All testing administered under this section shall be coordinated through Internal Affairs personnel.

Employees may not refuse to take a polygraph examination as long as the scope of the investigation is administrative in nature. Once the investigation changes from administrative to criminal, the employee's Fifth Amendment Right attaches and the employee may refuse to take a polygraph without the possibility of any corrective action.

During any administrative / internal investigation, statements, test results, or any other type of evidence obtained may only be used in an administrative hearing and may not be used against the employee in a criminal hearing.

IX. INVESTIGATIVE FINDINGS

Internal investigations of Forsyth County Sheriff's Office employees accused of misconduct shall conclude with one of the following findings:

- A. UNFOUNDED: The investigation indicates that the **allegation(s) are not true** or did not involve Forsyth County Sheriff's Office employees
- B. EXONERATED: The events alleged in the complaint did occur, **however, appropriate law enforcement procedures and techniques were used by the employee**
- C. NOT SUSTAINED: The investigation discloses **insufficient evidence to clearly prove or disprove the allegations** made in the complaint
- D. SUSTAINED: The investigation discloses that the accused employee **has committed a substantial part of the alleged act(s) or misconduct**

- E. MISCONDUCT NOT BASED ON COMPLAINT: During the course of the investigation, other employee misconduct is sustained that was not alleged in the complaint
- F. POLICY FAILURE: Current policy or procedure does not properly address the allegation or procedure which led to the alleged conduct and the investigation reveals policy or procedural changes are recommended

XI DETERMINING CORRECTIVE ACTION

If an act of misconduct on the part of the employee is minor in nature and the employee's past record for misconduct is minimal or non-existent, the investigating supervisor may conclude that a positive form of corrective action is warranted. The supervisor may also consider past commendations and work performance when determining corrective action best suited to achieve positive results.

The following options of corrective action should be considered:

A. Counseling

Counseling may be Verbal or Written. Counseling is a means of notifying an employee that she/he has committed a minor rule violation or is not performing up to expectations. It is normally given when a supervisor first notices that an employee is having a problem of a minor nature. Counseling should be conducted privately in a manner designed to reinforce more appropriate duty performance. The employee should be provided information about particular agency policies, procedures, or established standards of acceptable work performance.

1. Verbal Counseling / Verbal Advisement

This method of corrective action shall be completed verbally with the employee involved and the investigating supervisor should document the counseling on the Disciplinary Action Form.

2. Written Counseling / Positive and Negative

This method of corrective action shall be completed on the Forsyth County Sheriff's Office Disciplinary Action Form for the documentation of the incident.

3. Training

This method of corrective action may be used as a means of improving an employee's knowledge, productivity, and effectiveness. Training may be utilized as corrective action when a supervisor has determined, through personal observation or during a complaint investigation, that an employee is deficient in the knowledge of a policy and/or practices. This method shall be coordinated through the Training Section.

B. Punitive

The following methods of corrective action are considered disciplinary in nature in may result in the loss of compensation or privileges.

1. Suspension without Pay

This method of corrective action results in the suspension of the employee from the agency for a specified amount of time without compensation. Suspension without pay may range from one hour up to 120 hours.

2. Demotion

This method of corrective action results in the involuntary demotion of an employee to a lower classification within the agency and may be administered along with suspension without pay.

3. Termination

This method of corrective action is the most severe form of action and results in the dismissal of the employee from employment with the agency. The Chief Deputy shall have the authority to terminate one's employment with the Forsyth County Sheriff's Office.

Suspension without pay, demotion and termination recommendations should be well documented and thoroughly investigated so that the recommending investigating commander/supervisor can be prepared to support their recommendation before any administrative judicial body.

XII ADJUDICATION OF PERSONNEL COMPLAINTS

Upon completion of an investigation of which disciplinary action is warranted, the supervisor shall complete a Disciplinary Action Recommendation (DAR) form; attach all supporting documentation and summarize his / her findings in an organized, understandable, definitive packet which shall be forwarded through the chain of command to the Bureau Commander.

Each supervisor in the chain of command shall note their approval or disapproval on the DAR.

The Bureau Commander shall forward the completed investigative report with recommendations to the Chief Deputy for final disposition of the case.

Final adjudication of all allegations of employee misconduct shall be made by the Chief Deputy or designee.

XIII CONCLUSION OF ADMINISTRATIVE DUTIES / GENERAL

At the conclusion of a Formal Investigation, the involved employee and the complainant shall be informed of the findings by the Office of Professional Standards via memorandum.

At the conclusion of an informal investigation, the involved employee and the complainant shall be informed of the findings by the division commander or designee.

XIV EMPLOYEE PERSONNEL FILES

The original Disciplinary Action Recommendation and all supporting documents shall be filed in the concerned employee's personnel file after requisite signatures are obtained.

XV COMPLAINT TRACKING

Citizen complaint data shall be securely stored on an approved computer network protected by username and password to prevent unauthorized access.

XVI ANNUAL REVIEW and STATISTICAL SUMMARY

The Internal Affairs Unit shall be responsible for compiling an annual review and statistical summary of all complaints received by the agency and all Internal Affairs Investigations. The statistical summary shall be made available to the public and agency employees.

GENERAL ORDER: 2-4 EVALUATION SYSTEM

Rescinds/Amends: GO 2-4

Effective Date: October 16, 2017

Committee Review - Date: March 2015

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I EVALUATION SYSTEM

The Performance Evaluation System of the Forsyth County Sheriff's Office provides information on how well individual employees are performing their jobs. Supervisors continually evaluate the way their subordinates are performing. The formalized evaluation system ensures that performance information is shared with managers, decision makers, and employees.

The performance evaluation instrument is based on behaviorally anchored rating scales. This ensures that the rating factors are job related and that the statements under each job factor are actual work behaviors that can be observed and measured by the supervisor.

II OBJECTIVES

Performance evaluations may be used for several purposes, however, no single evaluation instrument is appropriate for all classes of employees, nor are all purposes for evaluation appropriate to all classes of employees. The primary uses of performance evaluations by this agency are to:

- allow fair and impartial personnel decisions;
- maintain and improve employee performance;
- provide the basis for counseling;
- provide the basis for decisions concerning probationary employees;
- assure objectivity in measuring individual performance; and
- identify training needs.

III CERTIFICATION

To make the performance evaluation official and consistent with agency policy, certain signatures and actions are necessary. The rating supervisor, upon completion of the form, should sign with the appropriate title and date the form. If more than one supervisor contributed to the evaluation, each supervisor should sign and date it. The division/section commander, division director and Chief Deputy shall review and initial/sign the evaluation form and, by signing, signifies that the performance evaluation review has been completed according to established Sheriff's Office policies and procedures. Finally, the Forsyth County Personnel Services Unit should review the evaluation form and, by signing, authorizes the form to be included as part of the employee's personnel file.

The evaluation report must be discussed individually with the employee. This discussion shall include a review of the tasks of the position occupied, level of performance expected, evaluation rating criteria to ensure that the employee fully understands the agency's expectations of him / her during the upcoming rating period and career development relative to advancement, specialization, or training appropriate to the employee's position.

The employee shall sign and date the form. This signature does not necessarily mean that the employee agrees with the evaluation, only that it has been discussed with him/her. A copy of the completed evaluation will be provided to the employee. The employee may submit a written statement within five (5) days for any ratings or comments in which there were significant disagreements between the employee and rating supervisor.

IV RATER TRAINING

All rating supervisors shall be provided training for annual personnel evaluations.

V RATING

Supervisors will assign a rating for each category on the evaluation form. Examples are listed on the form to aid the supervisor in assigning the correct rating. All ratings shall be based on performance during the specified rating period.

VI ENDORSING

The endorser will receive a completed evaluation form from the rater and will review the scored items on the form to determine whether the rater was thorough, fair and objective. The endorser also uses this review as one element in evaluating the rater. When the endorser is in agreement with the evaluation, he / she will endorse the score.

VII CONTESTED EVALUATIONS

An employee who agrees or disagrees with an annual performance evaluation, either in its entirety or any portion, has the right to submit a written statement regarding contested areas. The written statement shall be made within five (5) days from the date of review. The employee's written statement is to be submitted directly to the rater with a copy forwarded to the Forsyth County Personnel Services Unit. The rater and superior officer(s) are responsible for the review of the statement, meeting with the employee to resolve the disagreement and providing a written resolution. Final resolution is to be signed by the rater, superior officer(s) and employee and forwarded to the Forsyth County Personnel Services Unit. The employee's comments shall become part of the completed evaluation document and shall be forwarded to the Forsyth County Sheriff's Office Employee Records Unit as part of the evaluation.

VIII ANNUAL INSPECTION OF EVALUATION SYSTEM

Each year the Forsyth County Personnel Services Unit will review the performance evaluation system and assess the validity of the rating forms used, including such items as:

- Number of extreme ratings;
- Number of contested ratings; and
- Compatibility of rated items with job descriptions.

GENERAL ORDER: 2-5 PROMOTIONS

Rescinds/Amends:

Effective Date: May 10, 2023

Committee Review - Date: February 2023

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I PURPOSE

The purpose of this directive is to establish policy and procedures for the promotion of full-time employees to the ranks of Deputy First Class, Master Deputy, Corporal, Sergeant, Lieutenant and Captain. The methods used to identify individuals for promotion shall be job related and nondiscriminatory in terms of race, color, gender, religious preference, national origin, age, or disability.

All promotion processes shall be administered by the Forsyth County Sheriff's Office.

II QUALIFICATIONS FOR PROMOTION

Employees applying for promotion shall meet all promotional eligibility requirements and possess required certifications, training and experience of the position sought as specified in the current job description.

III DISQUALIFICATION FROM PROMOTION APPLICATION AND/OR PROCESS

Applicants who have not positively satisfied all eligibility requirements are not eligible to participate in the current promotion testing process. An individual who is ineligible may re-apply to participate in the promotion process during the next announced testing period, provided they meet all eligibility requirements.

Employees are not eligible to apply for a non-competitive promotion or participate in the competitive promotion testing process if they have received a suspension or demotion for disciplinary reasons within the preceding twelve (12) months of the date that an application is submitted. A voluntary demotion should not exclude an employee from submitting either application. Exceptions may be granted if a suspension was due to the findings of the Accident Review Board.

An employee actively appealing a disciplinary suspension or demotion may be permitted to apply. If the disciplinary suspension or demotion is upheld as a result of the appeal, the employee shall be ineligible for non-competitive promotion and shall be removed from the promotion testing process or the subsequent eligible for promotion list. If the disciplinary suspension or demotion is overturned the candidate's eligibility for promotion shall be restored.

Any employee receiving a suspension or demotion for disciplinary reasons after being named on the eligible for promotion list shall be removed from the list. If the employee appeals the disciplinary suspension or demotion and the disciplinary action is reversed, the employee's name shall be restored.

IV NON-COMPETITIVE PROMOTION

Deputy First Class (Certified Jailer / Certified Peace Officer) and Master Deputy (Certified Peace Officer) promotions are non-competitive and continuously available. Qualified employees who desire to apply for either promotion shall complete an appropriate application form and submit it through the chain-of-command to the Sheriff for approval.

A. Deputy First Class (Georgia Certified Jailer)

This promotion is only available for personnel currently in the rank of Deputy Sheriff I (Georgia Certified Jailer) who have the qualifications listed below:

1. Shall have a minimum of two years current, continuous employment with the Forsyth County Sheriff's Office as a Deputy Sheriff I, Georgia Certified Jailer;
2. Shall have received a 3.0 or higher score on their last annual evaluation;
3. Shall maintain a 3.0 or higher score on each subsequent annual evaluation to retain the rank of DFC;
4. Shall possess all minimum qualifications as noted on the DFC (Certified Jailer) application form (as revised);

B. Deputy First Class (Georgia Certified Peace Officer)

Qualified applicants shall:

1. Have a minimum of two (2) years current, continuous employment with the Forsyth County Sheriff's Office as a Certified Peace Officer;
2. Have received a 3.0 or higher score on their last annual evaluation;
3. Maintain a 3.0 or higher score on each subsequent annual evaluation to retain the rank of DFC;
4. Possess all minimum qualifications as noted on the Deputy First Class (Certified Peace Officer) application form (as revised);

C. Master Deputy (Georgia Certified Peace Officer)

Qualified applicants shall:

1. Possess all qualifications as noted in the Job Description of Master Deputy Sheriff, Certified Peace Officer;
2. Possess all qualifications as noted on the Master Deputy (Certified Peace Officer) promotion application form (as revised).
3. Achieve a minimum score of 80% on a written Master Deputy Sheriff Exam.
 - a. A deputy who fails to achieve an 80% score may reapply to take the exam Thirty (30) days after the last attempt.

4. Have received a 3.5 or higher score on their last annual evaluation;
5. Maintain a minimum of 3.5 score on each subsequent annual evaluation to retain the rank of Master Deputy;

V THE PROMOTION PROCESS

A. Notification of Promotion Testing

Promotion testing for specified ranks may be offered annually and/or as ordered by the Sheriff.

At the beginning of each promotion testing process, the Sheriff's Services Bureau Commander, or designee, shall provide written notification to all agency employees of:

- 1) The ranks for which testing is being offered;
- 2) Eligibility and other requirements;
- 3) The deadline for submitting promotion testing applications;

B. APPLICATION

Promotion testing applications shall be completed in full by the applicant and submitted by the established deadline. All supporting documents shall accompany the application. A resume may also be included with the application.

C. Quality Point System (not required for Captain promotion process)

The candidate shall complete a "Quality Point System" form and submit it to their supervisor for evaluation. The content of the form shall be validated by the supervisor and/or commanding officer, signed and returned to the applicant. The signed Quality Point System form shall be submitted along with the promotion testing application.

D. APPLICATION REVIEW

The Sheriff's Services Bureau Commander, or designee, shall review applications for promotion testing to ensure all eligibility requirements are met.

Applicants who have positively satisfied all eligibility requirements shall be permitted to participate in the promotion testing process.

Applicants shall be notified in writing of their eligibility status.

E. Written Test(s)

1. Participants in the promotions testing process shall complete a written test for the rank of which application has been submitted and qualifications confirmed. The written test may include generalized questions regarding the overall operation of the Forsyth County Sheriff's Office, Sheriff's Office policy and procedures, applicable laws and other topics specific to the duties and responsibilities of the applicable rank.
2. Written tests may be administered for the following career paths:
 - a. Ranks within the Jail
 - b. Ranks in all other areas of the Sheriff's Office

Applicants shall achieve a minimum score of 80% or higher in order to participate in the next phase of the promotion process.

Applicants failing to achieve a score of eighty (80) percent or higher on a written test may be permitted to take the test during the next announced promotion process provided they satisfy all established eligibility criteria in place at that time of re-application.

The written test is not a requirement in the promotion process for Captain.

F. In-Basket Exercise (Lieutenant and Captain only)

Applicants shall complete an In-Basket exercise. Each in-basket may contain emails, telephone messages, documents, memos and other applicable items. A pre-established period of time shall be allotted for each applicant to review items in their in-basket, develop priorities and prepare for an oral explanation.

Each applicant shall be given a pre-established amount of time for an oral presentation explaining their response to the items in their in-basket.

G. Oral Interview Board

The Sheriff's Services Bureau Commander shall designate members for each oral interview board.

The Oral Interview Board shall:

1. Interview each applicant.
2. Complete a score sheet for each interview.

H. Assessment Centers

Assessment Centers are not utilized in the promotion process.

I. Promotion List

The Sheriff's Services Bureau Commander, or designee, shall consolidate each candidate's scores from each phase of the promotion process for the rank of Lieutenant and below. These scores shall be listed in descending order of total score. The Qualified for Promotion List shall be submitted to the Sheriff, who shall make promotional selections from among the five highest ranking candidates on the list.

An employee shall remain on the Qualified for Promotion List for a period of one (1) year from the date of qualification unless they are otherwise disqualified.

J. Declining a Promotion

Candidates who applied for promotion are permitted to decline a promotion offer due to extenuating circumstances and/or significant life events or changes, which would preclude an employee from accepting a promotion. A significant life event or change may be, but is not limited to, a death, divorce, relationship issues, marriage, care for family member, birth of a child, adoption, becoming a foster parent, spouse's loss of job or change in job status, personal illness or medical needs, or a change in residence.

A deputy who applied for a promotion, and subsequently declines an offer of promotion because of a significant life event or change, must decline the promotion in writing and submit notice to the Chief Deputy. The notice of declining a promotion (the "Notice") must include an explanation for the reason for declining the promotion. The explanation for declining promotion should not include detailed medical information or information concerning a disability. If the candidate is declining a promotion for personal health or disability related reasons, before submitting the Notice, the candidate should contact the HR department and inquire as to the possibility of a reasonable accommodation which may allow the employee to perform the job they are seeking to being promoted into. All such inquiries will be handled in confidence, and in accordance with the law.

Upon receipt of the Notice, the Sheriff or Chief Deputy will review the Notice and determine if the event in question qualifies as a significant life event or change. In some situations, the candidate may be asked to provide additional information to clarify the nature of the situation. If the Sheriff or Chief Deputy determines that the candidate has been subject to a significant life event or change, the candidate may, on a case-by-case basis, be authorized to remain at their current position on the promotion eligibility roster.

If, on the other hand, the Sheriff or Chief Deputy determines that the candidate has not been subject to a significant life event or change, then the candidate will be moved to the bottom of the promotion eligibility roster. The candidate will not, however, be removed from the list but will remain in the promotion eligibility roster at their new ranking.

VI REVIEW / APPEAL PROCESS

Employees shall be permitted to review each element of the promotion process by contacting the Sheriff's Services Bureau Commander, or designee. Employees may grieve any aspect of the promotion testing process in accordance with agency Grievances & Appeals policy.

VII RESPONSIBILITIES

The Sheriff's Services Bureau Commander, or designee, is responsible for overall administration of the promotion testing process. The commander or designee shall:

- A. Provide written notification to agency employees announcing the start of the promotion testing process. This notification shall identify all rank(s) included in the testing process, all minimum eligibility criteria and the deadline for accepting applications.
- B. Review all applications and confirm eligibility requirements.
- C. Provide written notification to each applicant who fails to satisfy all minimum eligibility requirements.
- D. Provide written notification to each eligible applicant of the time, date, and location of each phase of the promotional process.
- E. Administer the written promotion examination to all eligible applicants. (*If applicable to the advertised process*)
- F. Compile score for the Quality Point System form (*If applicable to the advertised process*)
- G. Administer the Oral Board Interview Process (*If applicable to the advertised process*)
- H. Record all test scores
- I. Compile a Qualified for Promotion list.
- J. Forward the Qualified for Promotion list to the Sheriff and/or Chief Deputy.
- K. Permit an applicant to review of each promotional element of their promotion testing process, if requested.
- L. Maintain security of all records, including score sheets, test answers, evaluator instructions, and other documentation related to the promotion process.

VIII WEIGHTS for EACH PHASE

The Sheriff's Services Bureau Commander or designee shall maintain a grading sheet to be used in calculating scores of each candidate as they progress through the promotion testing process. Candidates shall be informed of the weight factors given to each element of the promotion testing process prior to the written examination.

IX FINAL POLICYMAKING AUTHORITY

The Sheriff of Forsyth County is vested by the Constitution of the State of Georgia with final policymaking authority for all matters related to the operations of the Sheriff's Office. Therefore, the Sheriff may revise, repeal, interpret and/or administer agency policy at any time, verbally or in writing.

GENERAL ORDER: 2-6 COMMENDATIONS

Rescinds/Amends: GO 2-6

Effective Date: January 26, 2023

Committee Review - Date: Jan. 2023

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. COMMENDATIONS/AWARDS

The purpose of this policy is to establish and maintain a system for the recognition of individual acts of heroism, meritorious service, continued excellence in the performance of duty and Unit Accomplishments.

Any citizen or agency employee may initiate nominations for awards or commendations. Information shall be provided on the Forsyth County Sheriff's Office Web Site, at Neighborhood Watch meetings and other community service events regarding the procedures for submitting information commending the agency or its employees.

Nominations and letters of commendation shall be forwarded in writing through the chain of command, to the Sheriff. Eligible nominees for awards shall include any full time or part time employee of the Sheriff's office, including reserves.

II. AWARDS

Awards and Commendations may be presented to personnel and Units in the following categories:

- A. Sheriff's Citation
- B. Medal of Honor
- C. Medal of Valor
- D. Lifesaving
- E. Medal of Merit
- F. Purple Heart
- G. Sheriff's Unit Citation
- H. Commendation Bar
- I. Letter of Commendation/Recognition

III. REVIEW & RECOMMENDATION

A nomination for any of the above listed awards shall be reviewed by the employee's chain of command. Following this review, a recommendation by the Awards Committee shall be forwarded to the Sheriff or his designee.

IV. AWARDS COMMITTEE

The Awards Committee will consist of the following members:

- A. Captain (Chairperson)
- B. Enforcement Division (Sergeant or above)
- C. Sheriff's Services Division (Sergeant or above)
- D. Jail Division (Sergeant or above)
- E. Support Services Division (Sergeant or above)

The Chairperson of the Awards Committee will be appointed by the Sheriff or his designee.

V. AWARDS AND COMMENDATIONS DESCRIBED**A. Sheriff's Citation**

The Sheriff's Citation is awarded in memory of employees who die from injuries sustained in the line of duty. It is the highest citation issued by the Sheriff's Office. The award, consisting of a citation describing the conduct displayed by the employee along with the employee's badge, should be presented by the Sheriff to a member of the employee's family at an appropriate ceremony.

B. Medal of Honor

The Medal of Honor is the highest award presented to an individual employed by the agency. It is presented only in exceptional cases where an employee risks his/her life in the performance of duty.

1. The Medal of Honor will be awarded based on extraordinary actions that expose the employee to self-peril above and beyond the call of duty who, knowing the consequences of the act and disregarding his/her own safety, acted in the best interest of the community.
2. This award shall be issued in numerical sequence.
3. An award certificate will be presented with this medal.
4. A citation letter relating the circumstances leading to the award will be presented with the medal; a copy of which will be placed in the employee's personnel file.
5. The ribbon is decorated with equally sized bands of color in left to right order of white, blue, gold, blue, white with a gold medal suspended below with the seal of the State of Georgia 11/16" in the center and a gold panel above the seal with Medal of Honor in blue letters. The outside ring of the medal will have Forsyth County Sheriff Office.
6. The award bar is decorated with equally sized bands of color in left to right order of white, blue, gold, blue, white with letter H in yellow centered on gold center stripe.

7. The ribbon and medal should be presented in a walnut presentation box.

C. Medal of Valor

The Medal of Valor is the second highest award that can be presented to an individual by the agency.

1. The basis for the presentation of this award is service entailing exceptional courage or bravery while:
 - a. preventing a serious crime
 - b. apprehending a suspect who has committed a serious crime
2. An award certificate will be presented with this medal.
3. The ribbon is decorated with equally sized bands of color in left to right order with green, white, green with a gold medal suspended below with the seal of the State of Georgia 11/16" in the center and a gold panel above the seal with Medal of Valor in blue letters. The outside ring of the medal will have Forsyth County Sheriff Office in blue letters.
4. The award bar is decorated with bands of color in left to right order of green, white, green with Valor in black letters.
5. The ribbon and medal should be presented in a dark, blue velour case.

D. Medal of Merit

The Medal of Merit is the third highest award that can be presented to an employee by the agency.

1. The basis for the presentation of this medal shall be:
 - a. For displaying unusual thoroughness and initiative while carrying out his/her duties and responsibilities
 - b. For efforts or diligence beyond that normally required for the efficient accomplishment of the assignment
 - c. Retirement with 25 years of sworn service in the Forsyth County Sheriff's Office
 - d. Recipients of the Employee and Deputy of the Year Award shall be presented with the Medal of Merit.
 - e. Recipients of a Deputy of the Year Award from a local, state or federal agency or organization.
2. An award certificate will be presented with this medal.
3. This award shall be presented with a citation letter relating the circumstances leading to the award; a copy of which will be placed in the employee's personnel file.

4. The ribbon is decorated with equally sized bands of color in left to right order of blue, white, blue with a gold medal suspended below with the seal of the State of Georgia 11/16" in the center and a gold panel above the seal with Medal of Merit in blue letters. The outside ring of the medal will have Forsyth County Sheriff Office in blue letters.
5. The award bar is decorated with bands of color in left to right order of blue, white, blue with Merit in black letters.
6. The ribbon and medal should be presented in a dark, blue velour case.

E. Sheriff's Unit Citation

The Sheriff's Unit Citation is the highest award that can be bestowed upon a specific Unit within the Sheriff's Office which demonstrates exemplary duty in support of the agency's mission.

Criteria considered in awarding the Sheriff's Unit Citation may be but not limited to:

1. Performed duties in support of agency stated objectives;
2. Achieved exemplary results that significantly enhanced the agency's operational effectiveness and/or efficiency; and
3. Demonstrates such exemplary service over a period of at least 12 continuous months or demonstrated such exemplary service for the completion of a single noteworthy event or activity in a manner involving unusual creativity, coordination, planning and execution.

F. Purple Heart

This medal shall be awarded to those individuals who receive a duty related injury actually inflicted, or as a direct result of a suspect's offensive actions.

1. This medal will be issued to a member who receives serious injuries incurred during the course of criminal apprehension or lifesaving efforts. Serious injury is defined as that which results in great bodily harm, life threatening, or causes permanent disfigurement, or disability, including those which result in paralysis. Accidental injuries shall not be considered.
2. An award certificate will be presented with this medal.
3. This award shall be presented with a citation letter relating the circumstances leading to the award; a copy of which will be placed in the employee's personnel file.
4. The ribbon is purple in color with a gold medal suspended below with a heart 11/16" in the center and a gold panel above the seal with Purple Heart in blue letters. The outside ring of the medal will have Forsyth County Sheriff Office in blue letters.

5. The award bar is purple in color, with a heart in the center.
6. The ribbon and medal should be presented in a dark, blue velour case.

G. Lifesaving Medal

This medal is awarded to members for life saving actions.

1. The member's immediate action is directly responsible for sustaining or saving a human life or removing a person from immediate danger when such danger would have taken a human life. Merely calling for assistance is an essential function of a deputy's job and does not, by itself, qualify for this award.
2. Medical statements or statements from other law enforcement officers or witnesses should accompany nominations for the Lifesaving Medal outlining the actions clearly saved or prolonged the victim's life.
3. An award certificate will be presented with this medal.
4. The ribbon is red and white. The medal suspended below the ribbon will be a red cross.
5. The award bar is decorated with bands of color in left to right order in equal parts of red, white, red. There is a red cross in the center white area.
6. The medal and ribbon should be presented in a dark velour case.

H. Commendation Bar

The Commendation Bar is awarded by direct action of the Sheriff or upon the recommendation of the employee's chain of command.

1. The basis of presentation shall be for meritorious achievement in the performance of duty. Examples include, but are not limited to:
 - a. Singular acts relating to the preservation of public safety;
 - b. Exceptional achievement in administrative duties;
 - c. Acts leading to the arrest of subjects involved in complicated, serious or in progress crimes;
 - d. Any act or acts deserving special recognition.
2. This award shall be presented with a citation letter relating the circumstances leading to the award; a copy of which will be placed in the employee's personnel file.
3. An award certificate will be presented with this bar.
4. The bar is decorated with bands of color in left to right order of red, white, red, white and red, white, red. There is no medal accompanying this award.

I. Deputy / Investigator / Employee of the Quarter or Month

The Deputy, Investigator, and Employee of the Quarter or Month shall be selected for outstanding achievement over and above the normal call of duty during the quarter or month in the position assigned. This recommendation shall be submitted through the chain of command.

1. Nominations from each of these categories shall be presented each quarter/month as candidates for the quarterly awards.
2. Selected recipients of this award will receive a personal plaque. Their names and photographs will be placed in wall plaques that are displayed in the various offices throughout the agency.
3. A certificate will be presented with this award.
4. This award shall be presented with a citation letter relating the circumstances leading to the award; a copy of which will be placed in the employee's personnel file.

J. Deputy / Investigator / Employee of the Year

A Deputy, Investigator, and an Employee shall be selected by the Sheriff's Staff each year from among the recipients of the quarterly awards to be the Deputy, Investigator, and Employee of the Year. This recommendation shall be submitted through the chain of command.

1. Recipients of this award will receive a personal plaque.
2. A certificate will be presented with this award.
3. This award shall be presented with a citation letter relating the circumstances leading to the award; a copy of which will be placed in the employee's personnel file.

K. Letters of Commendation / Recognition

Employees who perform a single act of high regard or recognition which results in positive material results or exceptional service in a duty of critical importance to citizens and the Sheriff's Office shall justify awarding the Letter of Commendation/Recognition.

These recommendations shall be forwarded to the division director for approval.

L. Retirement Under Honorable Conditions

It will be the responsibility of the employee to submit a request through their Division Commander if interested in receiving retirement credentials. The Sheriff, at his discretion may issue to such employee his/her badge for commemorative plaque purposes, and their identification card which will carry the stamped word "RETIRED."

M. Service Awards

The agency shall present tenured employees with a service bar at the completion of five years of service. Bars will continue to be awarded at five-year intervals. Service bar will clearly indicate the number of years of service and the most recently issued pin shall be worn on the agency uniform. In cases of non-uniformed personnel, the bar may be worn on the employee's outer clothing in an appropriate manner. The bar is decorated with bands of color, from left to right gold, white, gold. The number of years of service will be black in color, centered in a yellow oval. There is no medal accompanying this award.

N. Multiple Awards

When presenting a duplicate award to any employee, the agency shall present employees with a certificate notating the additional award.

O. Awards to Other Individuals

The Sheriff may, at his discretion, present agency medals, awards, or citations to individuals who are not members of the Sheriff's Office. These individuals may be private citizens, employees of local government or members of area law enforcement agencies that the Sheriff desires to recognize for their contribution to public safety.

P. Award Upgrades

Current employees who have received awards prior to the implementation of this policy shall be upgraded to meet the current standards with an award consistent with this policy. This upgrade would apply to such items as the medal and accompanying uniform ribbons.

Q. Displaying Awards on Uniform

Agency Honor/Valor/Commendation Ribbons shall be worn above the right pocket, centered over the name plate and aligned directly above the top row of stitching at the top of the pocket. Employees shall wear no more than six (6) ribbons. Ribbons shall be worn no more than three (3) wide.

When displaying multiple awards, the order of precedence for display of the awards will be the lowest award at the bottom right end and go toward the heart or center of chest. If the employee/deputy has more than three awards, the second row of awards will be aligned with the bottom row and the lowest award will be at the right side.

GENERAL ORDER: 2-7 RULES & REGULATIONS

Rescinds/Amends:

Effective Date: October 11, 2022

Committee Review - Date: April 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



Purpose

The Sheriff must rely upon competent and qualified employees and staff to perform the official duties of his/her office. The General Duties and Responsibilities of the Sheriff's Office as defined in the Official Code of Georgia and the Constitution of the State of Georgia include:

- a. Responsibility for all law enforcement of the entire county including but not limited to:
 - the preservation of the public peace
 - the protection of life and property
 - the prevention, detection, and investigation of criminal activity
 - the apprehension and confinement of offenders
 - the recovery of property
 - the control of crowds at public events
 - the control of vehicular traffic
 - the investigation of traffic accidents
 - the protection of property and assistance during civil emergencies or natural disasters
- b. Responsibility for Court related duties including but not limited to:
 - maintaining the safety and security of the courts
 - the serving of subpoenas, summonses, warrants, or writs; or enforcement of money decrees such as those relating to child support payments, garnishment of wages or sale of property; and enforcement of the collection of taxes.
 - Preservation order at public polling places.
 - Publishing announcements regarding sale of foreclosed property.
 - Responsibility for conducting public auctions of foreclosed property.
 - Serving eviction notices
 - Maintaining the safety and security of the county jail
 - Transporting prisoners to and from court.
 - responsibly transporting county prisoners to state prison
 - Responsibility for transporting mentally ill persons to facilities for treatment

Rules and regulations contained in this policy set forth professional and ethical guidelines of conduct expected of each employee of the Sheriff's Office. Disciplinary guidelines are designed to facilitate correction of deficient behaviors which impede efficient performance of duty. The guidelines set forth herein are discretionary and shall not limit the Sheriff from administering adverse disciplinary action up to and including termination of employment when he or she deems appropriate.

I RULES & REGULATIONS / SCHEDULE OF PENALTIES

Employees of the Sheriff's Office are governed by their employment with the Forsyth County Sheriff's Office. Employees may be disciplined for violations of agency rules and regulations and policies. All employees of the Forsyth County Sheriff's Office are also covered by, and subject to, the Forsyth County Ethics Ordinance. The Ethics Ordinance is incorporated into this Manual as if fully set forth herein with certain exceptions.

This policy manual applies to employees of the Forsyth County Sheriff's Office while on-duty, working law enforcement related part-time jobs and working special assignments. Off-duty conduct is also covered by rules. These rules apply to Reserve Deputies and Agency Volunteers appointed by the Sheriff or his/her designee for policy and procedure purposes but not for hire and fire as they serve at will and may be terminated for any reason or no reason at all.

Except for voluntary demotions or demotions resulting from reduction in force for other than disciplinary reasons, employees with regular status in the Civil Service are governed by rules and regulations contained in the Civil Service Manual.

Although it is the agency's resolve to administer progressive discipline, such resolve does not preclude the imposition of harsher penalties, including action of termination of employment, regardless of an employee's previous record when the misconduct is of a nature, which in the discretion of the sheriff warrants more severe discipline.

Disciplinary action should normally be administered on a progressive basis in the following order: Verbal Reprimand/Counseling, Written Reprimand, Suspension with or Without Pay, Reduction in Compensation, Demotion and Dismissal. The seriousness of the infraction may warrant harsher discipline up to and including immediate termination of employment regardless of the employee's previous record.

A. SUSPENSION OF EMPLOYEES

Agency employees who are suspended from duty for any reason will be required to turn in their badge, gun and identification and keyless entry card, if applicable, immediately upon receiving notification of their suspension. Said property shall be turned in to the employee's respective division director or designee.

Any supervisor may relieve from duty an employee under that supervisor's control for a period of (1) one work day if that employee is in the judgment of the supervisor, "unfit" due to physical, mental, or other reasons to adequately perform his / her duties, or might otherwise embarrass, or discredit the agency. Such suspension will be with pay pending a review of the facts by the proper authority.

Immediate justification in writing is required of the initiating supervisor to the employee's division commander indicating the nature of the infraction and any recommended action. During their suspensions, employees are divested of all legal authority to act as law enforcement deputies or agents in any capacity for this agency. This includes any off-duty employment. Misdemeanor or felony convictions may result in termination or disciplinary action at the discretion of the Sheriff.

B. SCHEDULE OF PENALTIES

The following rules and regulations shall apply to all agency employees. Each will be followed by a recommended Schedule of Penalties.

II NEGLECT OF DUTY

Neglect of duty is the failure to faithfully perform a duty. It is best described as a failure on the part of a sworn deputy or civilian employee to do and perform a duty or duties placed on them by virtue of their position/office. It is not material whether the neglect is willful, through malice, ignorance or oversight, when such neglect may cause harm or may endanger/threaten the public.

Examples include but are not limited to failure to give suitable attention to the performance of duty; failure to take appropriate action at a crime scene, disorder, fire or other place which warrants police action; treating people with bias or prejudice, including biased-based profiling and disparate enforcement of the laws; unnecessary absence from one's assignment during a tour of duty; and in the case of a superior/supervisor, the failure to properly supervise.

- 1st offense 8 Hours
- 2nd offense 24 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

III PHYSICAL/MENTAL CONDITION

A deputy shall be of good physical/mental/emotional condition. No deputy shall have a physical/mental/emotional condition which interferes with the proper handling of agency business or demonstrates unfitness to perform job duties.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

IV PROMPT PERFORMANCE OF DUTY

Failure to promptly perform as directed all lawful duties required by the Sheriff's Office is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

V PERSONAL APPEARANCE

Deputies are expected to have a proper appearance. To that end the wearing of an improper uniform, failure to carry all necessary equipment or failure to maintain one's uniform and/or equipment in good order is prohibited.

The failure to have a neat, and clean personal appearance reflects upon the individual's competency, efficiency and professionalism. As a member of the agency it is the responsibility of each member of the Sheriff's Office to foster and enhance a professional, efficient, effective image.

- 1st offense Verbal Counseling
- 2nd offense Written Counseling
- 3rd offense 8 Hours
- 4th offense 40 Hours

VI TRUTHFULNESS / COOPERATION

No agency employee shall knowingly give any false or misleading information concerning their duties, responsibilities or actions. It is the responsibility of each employee not to withhold, falsify or alter any information that is their duty to report and/or investigate. No employee shall interfere with an investigation by withholding or giving any false or misleading information.

- 1st offense Termination

VII FIGHTING / QUARRELLING

Physically fighting or verbally quarrelling with another member of the agency is prohibited.

- 1st offense 8 Hours
- 2nd offense 40 Hours
- 3rd offense 80 Hours
- 4th offense Demotion to Dismissal

VIII VEXATIONS / FABRICATED COMPLAINTS

Making a malicious, vexatious or fabricated complaint against a fellow member of the agency is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours

IX REPORTS

All reports shall be turned in at the employee's end of the duty day, unless specifically authorized not to do so by a supervisor.

1st offense	Written Counseling
2nd offense	8 Hours
3rd offense	40 Hours
4th offense	80 Hours

X INSUBORDINATION

Insubordination is defined as a willful or intentional failure to obey a lawful request of a supervisor. It may also be an action which constitutes lack of respect or harassment directed toward a supervisor.

The elements of insubordination generally are:

1. A direct order was issued to an employee.
2. The employee received and understood the order.
3. The employee refused to obey the order through an explicit statement of refusal or through nonperformance.

1st offense	8 Hours
2nd offense	40 Hours
3rd offense	80 Hours
4th offense	Demotion to Dismissal

XI TERMINATION OF DUTY / ASSIGNMENT

Termination of duty/assignment is prohibited unless properly relieved or dismissed by constituted authority.

1st offense	8 Hours
2nd offense	40 Hours
3rd offense	80 Hours
4th offense	Demotion to Dismissal

XII FURNISHING IDENTIFICATION

Failure to furnish identification is prohibited. An agency member/employee shall show their issued photo ID card when it is requested and is tactically safe to do so. When in contact by telephone, an agency member/employee shall furnish one's name and assignment in a respectful manner when so requested.

1st offense	Written Counseling
2nd offense	8 Hours
3rd offense	24 Hours
4th offense	40 Hours

XIII TARDY

An employee is tardy when they report for work after the scheduled reporting time. Employees are under the obligation to notify their supervisor at least 30 minutes prior to the reporting time if they are to report in late.

If an employee does call in at least 30 minutes prior to the designated reporting time, corrective action will not be taken if the supervisor excuses them. However, supervisors will document all late for duty incidents, even when excused, for the purpose of determining future corrective action when reporting late for duty becomes excessive. Supervisors must examine the totality of the circumstances before determining whether the tardy should be excused.

- 1st offense Verbal Counseling
- 2nd offense Written Counseling
- 3rd offense 8 Hours
- 4th offense 16 Hours
- 5th offense 40 Hours
- 6th offense Demotion to Dismissal

XIV ABSENCE WITHOUT LEAVE (A.W.O.L.)

An employee is AWOL when they fail to report for work or fail to attend approved training. An employee must notify their supervisor 30 minutes prior to scheduled reporting time if they are going to be late. An employee is also AWOL when they report for work after the scheduled reporting time and has failed to notify their supervisor 30 minutes prior to their scheduled reporting time. If the employee's immediate supervisor is not available, a prior watch supervisor is to be notified. Notification shall be made by personally speaking with the employee's immediate supervisor or a prior watch supervisor. Supervisors must examine each case separately and examine the totality of the circumstances prior to determining whether that employee is AWOL.

Once an employee does make contact with their supervisor, it will be the supervisor's discretion if the employee will report to work the time remaining on the watch. Supervisors should do all that is possible to utilize that employee; however, if that employee would not report to work by a time that would be beneficial, the employee shall be advised not to report.

- 1st offense Written counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours
- 5th offense Demotion to Dismissal

XV EXCESSIVE ABSENTEEISM

The habitual or patterned use of sick leave, or leave without pay, not supported by competent medical evidence or other proof of necessity is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense Demotion to Dismissal

XVI ILLNESS / CONDITION (PHYSICAL/MENTAL) SICK LEAVE

Each person shall notify a superior deputy/supervisor when they become ill or injured and cannot report for work, or if there is any change in their physical or mental health that could disqualify them from being employed by the agency or impair their abilities to carry out their job.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XVII PROHIBITED ASSOCIATION / FREQUENTING

Frequenting or associating with person(s), organizations, or places with a known criminal background, unless necessary for agency business, where such associating or frequenting would be detrimental to the image of the agency or the county is prohibited. To this end, personal association with persons who have been convicted of a felony within the last five years or who are under criminal investigation or indictment, or who have an open and notorious reputation in the community for felonious activity is prohibited. Examples may include but not be limited to visiting the home of, taking a trip with, cosponsoring a party or social event with, or forming a business relationship with a person who the officer knows to be convicted of a felony, or with a person the officer knows to be engaged in or plans to commit criminal activity. In the event that an employee is related to a person with a known criminal history, such association shall be reported to his or her immediate supervisor for the purposes under this section.

- 1st offense 8 Hours
- 2nd offense 40 Hours
- 3rd offense 80 Hours
- 4th offense Demotion to Dismissal

XVIII SUBVERSIVE ORGANIZATIONS

No employee shall knowingly be a member of, become a member of, or be connected/affiliated with any organization that advocates the overthrow, disruption, or interferes with the lawful function of any federal, state, county or municipal government. This also applies to any group, organization or function whose beliefs and practices advocate interference with job duties and responsibilities of an employee. Exceptions may be made when necessary in the performance of duty and only with the express permission of the Sheriff or designee.

- 1st offense 40 Hours
- 2nd offense 80 Hours
- 3rd offense Demotion to Dismissal

XIX DIVULGING CONFIDENTIAL INFORMATION

Discussion of the operations and official business of the agency, division, unit or assignment, which is of a confidential nature with anyone outside or inside the agency without the permission of a superior or supervisor, is prohibited. Also, all employees are prohibited from passing to unauthorized persons' criminal history information, driver's history information, E-911 reports, or any other document that is considered confidential. (For purposes of this section, all agency documents and orders are to be considered confidential unless identified as otherwise by a superior/supervisor. This section does not apply to orders that are of such nature that they must be communicated to others.)

- 1st offense 8 Hours
- 2nd offense 40 Hours
- 3rd offense 80 Hours
- 4th offense Demotion to Dismissal

XX GIFTS – SOLICITATION / ACCEPTANCE

Soliciting or accepting any gift/gratuity from a host or donor if the employee knows or has reason to believe that the host or donor is seeking to influence the member/employee's performance or non-performance of an official duty, or has an interest which may be substantially affected by the performance of an official duty such as where that individual has an enterprise which is licensed or regulated by the County or the agency, has a substantial interest in an enterprise which is licensed or regulated by the County or has a pending matter before the County or the judiciary is prohibited. Under no circumstances may any employee accept any gift over \$75 dollars without reporting it to their immediate supervisor.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XXI SOLICITATION OF FAVORABLE ACTS

Soliciting anyone to intercede with the Sheriff, any County commissioner, legislative body, Civil Service System, or any elected/appointed official in relation to promotions, agency assignment, or disposition of pending charges or findings in a disciplinary proceeding is prohibited. Nothing in this Section shall be construed to be applicable to licensed attorneys-at-law of the state, when representing that employee/member of the agency.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XXII COURT APPEARANCE

Any member of this agency who is subpoenaed or in any manner ordered to appear before any judicial body will honor said appearance after timely notifying their immediate supervisor of said request.

- 1st offense 8 Hours
- 2nd offense 24 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XXIII SERVING AS A CHARACTER WITNESS

Giving testimony as a character witness in any trial without the knowledge of the Sheriff or designee is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense Demotion to Dismissal

XXIV PRIVATE BENEFIT FROM AGENCY ASSOCIATION

Use of prestige or influence of one's official position for private gain or advantage to oneself or another is prohibited. The use of the time, facilities, equipment or supplies of the agency for the private gain or advantage to oneself or another are prohibited unless approved by the Sheriff or designee.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XXV WITHHOLDING INFORMATION ON CRIMINAL ACTIVITY

Failing to report or withholding information on criminal activity is prohibited.

- 1st offense 40 Hours
- 2nd offense 80 Hours
- 3rd offense Demotion to Dismissal
- 4th offense Dismissal

XXVI AGENCY CORRESPONDENCE

Entering into any computer without permission is prohibited. Providing any official agency correspondence (outside the scope of job requirements) to anyone outside the Sheriff's Office is also prohibited. All official agency communications, by telephone or otherwise, to those outside of the Forsyth County area must be approved by a superior/supervisor before communications can occur.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours

XXVII NOTICES – POSTING / CIRCULATION / DESTRUCTION / DEFACING

Destroying or defacing any official written notice relating to agency business is prohibited. The posting or circulation of any notices of a non-official derogatory character relating to any person, group or agency activity is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XXVIII AGENCY RECORDS / REPORTS / CITATIONS

Stealing, altering, forging or tampering with any kind of agency record, report or citation is prohibited. To this end, the removal of any record, card, report, letter, document, or other official file from the agency except by process of law or as directed by the Sheriff or a superior/supervisor is prohibited. Additionally, the obtaining/duplicating or attempted obtaining/duplication of any information from agency files, sources or reports other than that to which one is properly entitled to in accordance with one's duties/assignments is prohibited.

- 1st offense 40 Hours
- 2nd offense 80 Hours
- 3rd offense Demotion to Dismissal

XXIX DUTY TO READ/UNDERSTAND / COMPLY WITH ORDERS

Every employee must read, understand, comply with and maintain a working knowledge of all laws, rules, regulations, general orders, special orders, policies and procedures of the agency. Employees shall also understand and comply with written or verbal orders of a superior/supervisor. To this end, failure to inquire of a superior or supervisor regarding any question or concern as to the meaning or application of any law, rule, regulation, general order, special order, policy, procedure, written order or verbal order is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XXX RECEIPT OF MAIL / CALLS / VISITORS

Consistently receiving personal cell phone calls, mail or visitors while on duty, as well as utilization of agency telecommunications equipment for non-duty related purposes without authorization is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours

XXXI RESIDENCE – TELEPHONE / ADDRESS

All employees shall maintain and provide a telephone number at which they can be contacted any time and shall notify the Sheriff's Office, in writing within seven (7) days, of any change of address or telephone number.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours

XXXII RECOVERED PROPERTY/EVIDENTIARY MATERIAL

Failure to turn over to the designated agent of the agency or properly handle all lost, stolen, recovered, abandoned or evidentiary property and other material which comes into the possession of an agency member as a result of the performance of agency duties is prohibited. To this end, all such material shall be turned over prior to the completion of the tour of duty unless otherwise instructed by competent authority.

- 1st offense 8 Hours
- 2nd offense 40 Hours
- 3rd offense Demotion to Dismissal

XXXIII PICKET LINES

Entry into any buildings, structures, or premises in uniform where persons have been placed to indicate a labor dispute in progress, except when necessary in the performance of and while on duty is prohibited. To this end, strict impartiality shall be followed and gratuities, food and/or drink shall not be accepted from a party participating in the dispute.

- 1st offense Written Counseling
- 2nd offense 40 Hours
- 3rd offense 80 Hours
- 4th offense Demotion to Dismissal

XXXIV FEES / REWARDS

Acceptance or receipt of any fee or reward from any source for any services rendered in the line of duty without the knowledge and written consent of the Sheriff or designee is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours

XXXV SETTLEMENT OF DUTY INCURRED EXPENSES / DAMAGES

Acceptance from any person of money or other compensation for property damages sustained or expenses incurred in the line of duty without first notifying the Sheriff or designee is prohibited.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XXXVI USE OF PRIVATE EQUIPMENT

Use of private equipment for official purposes or while on duty unless directed/authorized to do so by the Sheriff or designee is prohibited. All cell phone numbers of phones carried by any employee while on duty must be provided to the Sheriff or his designee.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours

XXXVII VIOLATION OF OATH OF OFFICE

No deputy sheriff shall willfully and intentionally violate the terms of his/her oath of office.

1st offense Termination

XXXVIII MORAL CONDUCT

Employees will maintain a level of moral conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Employees will not participate in any incident involving moral turpitude, which impairs their ability to perform as law enforcement officers or causes the Sheriff's Office to be brought into disrepute.

1st offense 8 Hours
2nd offense 40 Hours
3rd offense Demotion to Dismissal

XXXIX PARTICIPATION IN CIVIL MATTERS

Giving a deposition, affidavit or appearing as a witness in a civil matter stemming from one's official duties as an agency member without the knowledge of the Sheriff or designee is prohibited.

1st offense Written Counseling
2nd offense 8 Hours
3rd offense 40 Hours
4th offense Demotion to Dismissal

XL POSSESSION OF KEYS AND CODES

No employee shall utilize agency keys or access codes of another employee or obtain agency keys or access codes, without the approval of the Sheriff or his designee.

1st offense Written Counseling
2nd offense 8 Hours
3rd offense 40 Hours
4th offense Demotion to Dismissal

XLI LEAVING COUNTY LIMITS

Going beyond the County limits while on duty unless in the performance of actual duty, or upon the direct order of a superior or supervisor, is prohibited.

1st offense Written Counseling
2nd offense 8 Hours
3rd offense 40 Hours
4th offense Demotion to Dismissal

XLII VALUABLE ITEMS – BUYING / RECEIVING / SELLING

Buying, receiving, or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case to which the employee has knowledge is prohibited without the consent of the Sheriff or the Agency designee.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XLIII UNAUTHORIZED PERSONS IN VEHICLES

Allowing unauthorized persons to ride in agency vehicles is prohibited. Only the Sheriff or designee may grant such authorization.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XLIV AGENCY PROPERTY - REPORTING DAMAGE OR LOSS / RETURN

Failure to immediately report in writing all damage or loss to vehicles, property and equipment or to file a report which contains all known facts surrounding the cause and nature of the damage or loss is prohibited. In the event that county vehicles, equipment or property are found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the property or vehicle was responsible. Additionally, members shall return all equipment owned by the agency when they retire, resign, or otherwise leave the agency, and they shall return any equipment when ordered to do so because of suspension or other absence from work.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XLV PAYMENTS OF DEBTS / LEGAL LIABILITIES

Deputies are expected to pay just debts and liabilities. Willful failure to pay all just debts and legal liabilities is prohibited. Any employee who has filed for bankruptcy must notify the Chief Deputy or his designee.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 24 Hours
- 4th offense 40 Hours

XLVI VIOLATION OF LAW

Violation or attempted violation of any criminal statute, Federal, State, or County Law is prohibited (whether criminal proceedings are instituted or not).

- 1st offense 40 Hours
- 2nd offense 80 Hours
- 3rd offense Demotion to Dismissal

XLVII POSSESSION / USE OF ALCOHOL

Possession and/or use of alcohol or alcoholic beverages on duty other than in an authorized duty capacity are prohibited.

- 1st offense 40 Hours
- 2nd offense Dismissal

XLVIII POSSESSION / USE OF CONTROLLED SUBSTANCES

Possession or use on-duty of controlled substances (as defined in O.C.G.A. 16-13-21), except with the approval and guidance of a licensed physician and with the knowledge of a superior deputy or supervisor, is prohibited. At no time may an employee of the agency use or be under the influence of a controlled substance where such use or influence impairs or compromises the efficiency and integrity of the agency or county. (To determine one's fitness for duty, all evidence and circumstances up to and including the results of a urinalysis and/or blood test may be considered).

- 1st offense 80 Hours
- 2nd offense Dismissal

XLIX POLITICAL UTILIZATION OF OFFICIAL POSITION

Utilization of one's official position with the agency for political purposes is prohibited. To this end, the use of one's official position for a non-duty related involvement in an election is prohibited. Nothing in this section should be construed to prohibit a member of the agency from, as a private citizen: (a) exercising the right of suffrage, (b) casting a vote or expressing one's opinions privately, (c) being delegates to or members of a political caucus, or (d) taking part in political canvass.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense 80 Hours

L EXTRA-DUTY / OFF-DUTY EMPLOYMENT

Extra-duty or Off-duty employment without the knowledge and approval of the Sheriff or designee is prohibited.

1st offense	Written Counseling
2nd offense	8 Hours
3rd offense	40 Hours
4th offense	80 Hours

LI PUBLIC CRITICISM OF THE AGENCY

Employees will not publicly criticize or ridicule the Sheriff's Office, its policies or other employees by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Sheriff's Office, threatens the harmonious working relationships between employees, interferes with the maintenance of discipline or is made with reckless disregard for truth.

1st offense	8 Hours
2nd offense	40 Hours
3rd offense	80 Hours
4th offense	Demotion to Dismissal

LII ISSUANCE OF ORDERS

Orders from superiors/supervisors to subordinates shall be in a professional, clear, understandable language, civil in tone and manner and issued in pursuit of agency business.

1st offense	Written Counseling
2nd offense	8 Hours
3rd offense	40 Hours
4th offense	80 Hours

LIII UNLAWFUL ORDERS

No superior/supervisor shall knowingly issue any order, which is in violation of the Sheriff's Office General Orders. Obedience to an unlawful order is never a defense for an unlawful action. Employees are encouraged to utilize the chain of command when faced with an order they believe to be unlawful.

1st offense	Written Counseling
2nd offense	8 Hours
3rd offense	40 Hours
4th offense	Demotion to Dismissal

LIV UNJUST OR IMPROPER ORDERS

Employees who are given orders which they feel to be unjust or contrary to rules or regulations may first question the order in a professional and respectful manner with the issuing authority. If the order is lawful and stands as issued, the employee is expected to obey the order to the best of their ability and then may proceed with any remedy provided.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LV CONFLICTING ORDERS

Upon receipt of an order conflicting with any previous order or instruction, the member affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order to have the original order rescinded. In no event, shall a subordinate deputy/supervisor countermand a superior deputy's/supervisor's order unless immediate danger to lives or property exists.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LVI USE OF FORCE

Use of force that is excessive to accomplish one's lawful purpose is prohibited.

- 1st offense 8 Hours
- 2nd offense 40 Hours
- 3rd offense Demotion to Dismissal

LVII COOPERATION WITHIN THE AGENCY

Cooperation between the divisions, units and ranks within the agency is essential. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation within the agency.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LVIII CONDUCT TOWARD FELLOW EMPLOYEES

All employees shall treat their superiors/supervisors, subordinates, peers and associates with respect. They shall be courteous and civil at all times in their relationships with one another. Any acts of counseling, disciplining, complaining or criticizing must be done positively and constructively in an appropriate setting. When on duty and especially in the presence of other employees or the public, superior deputies shall be referred to by rank.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LIX HARASSMENT

See the Workplace Harassment Policy, SOP 2-1.200.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LX MISCONDUCT KNOWN TO AGENCY PERSONNEL

Failure to report a fellow agency member or employee's violation of criminal conduct, agency policy or procedure, general or special order is prohibited. To this end, all such violations shall be reported in writing to a superior/supervisor in the agency.

- 1st offense 8 Hours
- 2nd offense 40 Hours
- 3rd offense Termination

LXI CONDUCT UNBECOMING – ON / OFF DUTY CONDUCT

Public faith, trust and respect for the Sheriff's Office and its employees are essential if we are to be successful in providing the very best of public service. In placing their faith and trust in the Sheriff's Office, the public expects the highest character, ability, strength and honesty of every member of the agency. In order to maintain the public's high level of faith, trust and respect, employees are expected to maintain the highest standards of professional and personal conduct, both on and off duty. Routine contact with members of the public, other public safety professionals, public officials, agency members and others shall be polite and respectful and shall be carried out in a calm and polite nature with a measured approach to each situation.

The professional image of the Sheriff's Office is reflected by each employee's personal appearance, reputation, trustworthiness and the way each employee interacts with the public, both on and off duty. Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the agency. Conduct unbecoming shall include conduct which is currently known to the public or which if discovered in the

future, could tend to discredit or cause the public to lose faith, trust and respect for the agency; which is prejudicial to good order; OR that otherwise tends to negatively reflect upon the professional image of the Sheriff's Office and/or impair the operation, efficiency, and/or morale of the agency.

Examples of unbecoming conduct are, but are not limited to, the following:

- A. Participating in vice activities;
- B. Engaging in off-duty employment for persons engaged in unlawful activities, who provide adult entertainment such as "strip-clubs" or topless bars, who allow gambling unless otherwise authorized by State law, or who otherwise engage in conduct that may involve a conflict of interest with the agency;
- C. Participating in enterprises or activities designed to manufacture pornographic or obscene material or literature;
- D. Drunk and/or disorderly behavior in public;
- E. Fighting or threatening violence in the workplace;
- F. Possession of dangerous or unauthorized materials, such as explosives or firearms (other than authorized and approved duty weapon), in the workplace;
- G. Unauthorized disclosure of confidential information;
- H. Extra marital affairs with another agency employee or an affair with a non-agency affiliated individual that causes an adverse reaction within the agency or tends to cause loss of public faith, trust and respect for the Sheriff's Office and its employees;
- I. Superior to subordinate interaction wherein requests are made for sexual favors, dating, inappropriate touching, sexual advances or superior to subordinate engaging in verbal or physical conduct of a sexual nature.
- J. Starting, repeating or otherwise spreading, in an unofficial manner, any idle, unsupported or unverified information or allegations (rumor or gossip) related to any matter that affects the Sheriff's Office or its employees.

1st offense	Written Counseling
2nd offense	8 Hours
3rd offense	40 Hours
4th offense	Demotion to Dismissal

LXII COOPERATION WITH ADMINISTRATIVE/INTERNAL AFFAIRS INVESTIGATIONS

Failure to fully cooperate with administrative investigation is prohibited. (Nothing in this Section shall be in violation of one's Federal or State constitutional rights.) Use of any form of physical abuse of the public, supervisors or other employees or making threats to the public, supervisors or other employees is prohibited.

1st offense	Termination
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LXIII USE OF BLOGS*, WEB POSTINGS, CHAT ROOMS, ETC.

As an employee of the Sheriff's Office, the use and application of good judgment, decency and common sense is expected both on and off duty. This expectation also applies while engaged in various computer activities both on and off duty. Participation in World Wide Web/ internet services such as Web postings, blogs, chat rooms, dating services, etc., should be carefully considered for proper personal conduct. Employees are not to use, or cause/authorize to be used any photographs of agency uniforms, vehicles or other agency property which is representative of the Forsyth County Sheriff's Office without prior approval from the employee's division director.

*Blog - A blog (short for web-log) is a personal online journal that is frequently updated and intended for general public consumption. Blogs are defined by their format: a series of entries posted to a single page in reverse-chronological order. Blogs generally represent the personality of the author or reflect the purpose of the Website that hosts the blog. Topics sometimes include brief philosophical musings, commentary on Internet and other social issues, and links to other sites the author favors, especially those that support a point being made on a post.

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LXIV TAMPERING WITH COUNTY EQUIPMENT

No employee shall tamper with or cause/allow to have tampered with any county equipment without authorization of the Sheriff or appropriate designee as defined by policy or directive. This includes, but not limited to, adding/removing/moving emergency equipment in county-owned vehicles, moving transmitting/receiving devices in order to prevent equipment from working as designed or intentionally causing such equipment to be put in a condition where the device is unable to transmit or receive as designed, removing or moving of installed equipment outside of agency approved specifications, removing or moving recording devices as to prevent proper surveillance/recording, or any other tampering that is not in compliance with agency approved specifications. This policy shall not apply to agency or county approved maintenance, repair, or approved testing of equipment.

- 1st offense 8 Hours
- 2nd offense 24 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LXV EMERGENCY VEHICLE OPERATION

Operation of an emergency vehicle in violation of established policy is prohibited.

- 1st offense Written counseling and 30-day loss of take home vehicle
- 2nd offense 8-hour suspension and 90-day loss of take home vehicle
- 3rd offense 40-hour suspension and 12-month loss of take home vehicle
- 4th offense Dismissal

Violation of this policy by a Deputy Sheriff which results in an accident involving serious injury or death to another party for which the Deputy is found at fault, may be cause for immediate termination.

LXVI UNAUTHORIZED RECORDING OF AGENCY PERSONNEL

No employee shall record or transmit the sound, voice, video or any combination thereof of any member of the Sheriff's Office through the use of any electronic device or system without authorization. The recording of radio traffic at the Forsyth County Communication Center is authorized. The recording of interviews by persons conducting an official investigation, as well as any other recording by the members of the staff of the Office of Professional Standards is also authorized. No other recording (sound, voice or video) of members of the Sheriff's Office shall be authorized unless all parties involved have given their permission, and/or authorization has been granted by the Sheriff or designee.

- 1st offense 8 Hours
- 2nd offense 24 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

LXVII USE OF AGENCY ADDRESS

The Sheriff's Office address (s) shall only be used for official agency business (i.e. business cards, accident reports, incident reports, official agency communications, etc.). Employees are prohibited from using the agency address (s) for personal matters (i.e. home address, social media communications, etc.).

- 1st offense Written Counseling
- 2nd offense 8 Hours
- 3rd offense 40 Hours
- 4th offense Demotion to Dismissal

XVIII Duty to Intervene

It is the duty of every employee, regardless of rank and/or assignment, to stop or make every possible attempt to stop another employee from inappropriately applying force or from using objectively unreasonable force. Every employee has the responsibility to report an incident where an employee of the Forsyth County Sheriff's Office or a member of another agency is suspected of inappropriately using force or continuing to use force beyond what was objectively reasonable to accomplish the task at hand.

1st offense	40	Hours
2nd offense	80	Hours
3rd offense	Termination	

LXIX PROFESSIONAL IMAGE

Employees shall conduct themselves in a manner consistent with the image of a professional law enforcement employee when interacting with members of the public and other agency members. Employees shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion.

Conduct or actions inconsistent with the professional image of a law enforcement employee include but are not limited to:

- A. Use of tobacco, smoke-less tobacco or vaping products/devices while in uniform and in plain view of the public;
- B. Boisterous or disruptive activity in the workplace such as unnecessary shouting or using obscene language or inappropriate comments;
- C. Lack of courtesy to an individual, either on the phone or in person;
- D. Gambling, except when off-duty and at licensed premises such as the Georgia Lottery or lawful bingo;
- E. Violation of established standards of conduct concerning Social Networking / Personal Websites;
- F. Conducting personal business while on duty; (momentary personal issues such as paying a bill, stopping at a bank or dry cleaners, etc. are acceptable while on duty);
- G. Practical jokes which bring discredit to the agency or other employees.

1st offense	Verbal Warning
2nd offense	Written Counseling
3rd offense	8 Hours

LXX SCHEDULE OF PENALTIES

The Schedule of Penalties in each of the above listed violations are established to assist the investigating deputy/supervisor in determining what form of corrective action to use and in the case of suspension without pay, the number of hours to be suspended. This is only a guideline in determining the corrective action to be taken. Policy may exist that could possibly warrant a less severe or more severe type of corrective action to occur. Existing policy takes precedent in determining the corrective action to be used. Policies governing other forms of conduct may also impact the disciplinary actions taken by the Agency.

In the event the employee is charged with more than one violation resulting from the same act or conduct, the investigating deputy/supervisor may consider each violation separately in arriving at the final recommendation for the corrective action to be taken. The investigating deputy/supervisor may also consider any previous misconduct incidents in determining the corrective action to be taken. If previous misconduct incidents are used, the investigating deputy/supervisor shall document these previous acts as to the rule/regulation violated, dates occurred, and corrective action taken. The investigating deputy/supervisor may only consider previous incidents that occurred within the last five years from the date of the current incident.

In accordance with the progressive discipline process, the investigating deputy/supervisor may consider any mitigating circumstances that may warrant a more severe or less severe corrective action. The following mitigating factors are examples of circumstances which may be considered:

1. The seriousness of the offense;
2. The employee's attitude about the incident;
3. The employee's past record;
4. The employee's knowledge of agency rules of conduct and/or expectations of duty performance;
5. Severity of the incident pertaining to damage or injury
6. Any past verbal or written warnings given to the employee;
7. The employee's rank;
8. The length of employment and training;
9. Past agency practices concerning similar situations;
10. Whether the action may constitute unequal treatment;
11. Any aggravating factors; and/or
12. Other mitigating circumstances related to the matter at hand.

The Schedule of Penalties will also have the penalty for each offense under each rule and regulation.

Suspension without pay will be administered in hours. Employees may not be suspended without pay for more than one hundred twenty (120) hours. At the expiration of one hundred twenty hours (120), the employee will either be terminated or directed to return to work.

GENERAL ORDER: 2-8 UNIFORM/DRESS & PERSONAL APPEARANCE

Rescinds/Amends:

Effective Date: May 3, 2023

Committee Review - Date: April 2023

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I UNIFORM/DRESS & PERSONAL APPEARANCE

The manner of dress and grooming of agency employees is an outward reflection of their personal pride, morale and self-respect. The professionalism of a law enforcement agency is often judged by the appearance of its personnel. Accordingly, personnel should always strive to present the highest possible standard of appearance.

Supervisors shall be required to conduct a daily line inspection of their personnel to ensure that the appearance of all subordinate personnel reflects favorably upon the agency.

II UNIFORM REGULATIONS

Employees shall wear the complete regulation uniform as authorized for their current duty assignment, and wear or carry such special uniform items or equipment as may be required. The Sheriff's Office official uniform, or any portion, may not be worn with civilian apparel except as noted in this policy.

Agency uniforms and duty belt accessories shall be clean and neatly pressed. All uniform brass and other items of metal shall be shined and free of corrosion, tarnish, or cleaning residue. Weapons and handcuffs shall be clean and in good working order at all times. Approved shoes or boots shall be in good repair, free of dirt and polished, including the visible portion of the sole.

All members and personnel of this agency shall wear the regulation uniform or insignia of their respective rank or grade, badges, decorations, or ribbons as prescribed herein. All clothing issued by this agency remains the property of Forsyth County and must be returned upon termination of employment with the agency unless exempted by the Sheriff or Chief Deputy.

Agency Uniforms shall not be worn outside of regularly scheduled work hours except while traveling to or from work, to or from any function requiring the wearing of a uniform while on county business, while working an approved off-duty job, or when approved by the Sheriff or Chief Deputy.

III. CIVILIAN DRESS STANDARDS:

Civilian employees, deputies appearing in court (out of uniform) and deputies on limited or light duty (i.e., workman's comp, injuries, pregnancy), shall wear proper professional attire unless otherwise authorized by their division commander for a specific purpose.

1. **MALE EMPLOYEES** shall wear professional attire such as a shirt and long pants normally accepted as proper by the professional community. Professional attire shall be clean and neatly pressed.
 - a. Prohibited clothing items shall include sweatpants or jogging pants, shorts, t-shirts, tank-tops, cropped tops (above the waist), sweatshirts, shirts or tops that contain obscene or inappropriate printed material. Excessively tight fitting clothing shall not be worn. While blue jeans are normally prohibited, supervisors may approve them for daily wear based on the employee's current work environment.
 - b. Footwear must be conservative and appropriate for a business setting. Shoes shall be flat with the heel not to exceed one inch in height and shall have a closed toe. No extreme colors or designs are permitted. Shoes shall be clean, well maintained and shined as appropriate. Flip flops, clogs, and shoes with excessive decorative attachments are prohibited. Athletic shoes may be authorized by supervisors due to the employee's work environment.
 - c. Socks shall be plain or neutral in color. Patterned dress socks maybe allowed if they are approved by the Division Commander.

2. **FEMALE EMPLOYEES** shall wear professional attire such as a shirt or blouse, dress, skirt, pants or slacks normally accepted as proper by the professional community. The hem of dresses or skirts shall not be more than three (3) inches above the knee. Clothing shall not be excessively tight fitting. Professional attire shall be clean and neatly pressed.
 - a. Prohibited clothing items shall include: sweatpants or jogging pants, leggings, spandex pants, stretch pants or tight stirrup pants, shorts, cut-offs, or camisoles, cropped tops (above the waist), miniskirts, low cut (front or back) dresses or tops, strapless dresses or blouses, halter tops, shirts or tops that contain obscene or inappropriate printed material. Excessively tight fitting clothing shall not be worn. While Blue Jeans are normally prohibited, supervisors may approve them based on the employee's current work environment.
 - b. Footwear must be conservative and appropriate for a business setting. Shoes shall be flat or medium height heel and must blend with the overall image of proper professional attire. No extreme colors or designs are permitted. Shoes shall be clean, well maintained and shined as appropriate. Flip flops, clogs, and shoes with excessive decorative attachments are prohibited. Athletic shoes may be authorized by supervisors due to the employee's work environment.

When footwear of an open-toe design exposes portions of the foot, the following guidelines shall apply:

1. Care shall be taken to ensure that all visible portions of the foot are neat, clean and appropriately groomed, including toenails. Toenails must be properly trimmed and have a neat appearance. Toenail polish, if worn, shall be conservative in color, well maintained, and shall blend with the overall professional attire. Extreme colors, designs, jewelry, or chipped or overly worn polish are not acceptable.
2. "High heels" and shoes on raised platforms shall not create a safety hazard.

3. EXCEPTIONS

Supervisors may approve attire best suited for temporary duties based on the anticipated environmental conditions.

4. CASUAL DAY:

On Fridays, with supervisor approval, civilian employees working in administrative positions may wear casual attire which presents a clean, neat and professional image for the employee and the agency. Flip flops, clogs, excessively tight fitting attire, clothing which contains obscene or inappropriate printed material, extreme colors/designs and excessive decorative attachments are prohibited on casual day.

IV UNIFORMS TO BE PROVIDED AND WORN

A. UNIFORM SHIRT

The uniform shirt shall present a fitted appearance when worn. Items carried in the uniform shirt pockets shall not cause the pockets to bulge. Buttons, concealed snaps or velcro on pocket flaps shall be kept fastened.

T-shirt/undershirt garments worn under the uniform shirt must be black in color. White V-neck t-shirts may be worn only if it is not visible from outside the uniform shirt. A black t-shirt or a mock turtle-neck shirt may be worn under the long-sleeve uniform shirt in lieu of a tie. Only approved mock turtle-neck shirts are approved.

All items listed below are to be worn on the uniform shirt, unless otherwise specified. Items to be worn on the uniform shirt shall be as follows:

1. Badge - shall be worn in the slot provided on the wearer's left chest.
2. Name Plate - shall be worn on the wearer's right side pocket flap, centered above the pocket button and aligned with the top row of stitching at the top of the pocket.

3. Collar Insignia - shall be worn on both left and right collars. The insignia shall be aligned approximately $\frac{3}{4}$ of an inch horizontally below and parallel with the top edge of the collar.
 - a. Deputy First Class (DFC) shall wear gold DFC rank on each collar
 - b. 1st Lieutenants and Lieutenants shall wear gold lieutenant rank on each collar.
 - c. Captains shall wear gold captain rank on each collar.
 - d. Majors shall wear major (gold oak leaf) rank on each collar.
 - e. The Chief Deputy shall wear colonel rank (gold eagle or star) on each collar.
 - f. The Sheriff shall wear gold star rank or the word SHERIFF on each collar.
4. Agency Honor/Valor/Commendation Ribbons - may be worn above the right pocket, centered over the name plate and aligned directly above the top row of stitching at the top of the pocket. Employees shall wear no more than six (6) such ribbons. The maximum width of each row of ribbons shall be three ribbons wide.
5. Whistle - may be carried in the right pocket with the chain affixed under the button on the right shoulder. The chain enters the right pocket at the outside flap of the pocket.
6. Unit Pin - Any special pins may be worn, centered over the Honor/Valor/Commendation Ribbons, above the right pocket, in a manner specified by and authorized by the Sheriff or Chief Deputy. Employees shall wear no more than one such pin.
7. Corporal Chevrons - shall be worn by corporals. Chevrons shall be two cloth chevrons, gold in color, with a black border. Chevrons shall be worn approximately $\frac{1}{4}$ inch under each shoulder patch.
8. Sergeant Chevrons - shall be worn by sergeants. Chevrons shall be three cloth chevrons, gold in color, with a black border. Chevrons shall be worn approximately $\frac{1}{4}$ inch under each shoulder patch.

B. TROUSERS

Uniform trousers shall present a fitted appearance. The trousers shall be of sufficient length to reach the top of the heel of the shoe in the rear. A variation of $\frac{1}{4}$ inch above or below the top of the heel is acceptable. When the legs of the trousers have been hemmed, they shall be $\frac{7}{8}$ inch shorter in the front than in the back in order to present a slight "break" at the lower front above the shoe top. Trousers shall be finished with a hem and shall be neatly pressed with a crease pressed vertically down the front and rear of each leg. Tapering or "pegging" pant legs on any Forsyth County Sheriff's Office uniform trouser is strictly prohibited.

Motorcycle trousers worn by members of the Traffic Enforcement Unit shall be snug fitting with the pant legs tapered to fit inside the motorcycle boots.

C. UNIFORM HAT

Uniform hats are issued to all personnel. Authorized headgear shall be worn as required in this manual and shall consist of the following:

1. Dress Hat - All deputies shall be issued a black straw Campaign hat with gold braid. The hat shall display a small hat badge of similar shape and design as the breast badge.

The uniform hat shall fit snugly and comfortably around the largest part of the head. The hat shall be worn squarely on the head, tilted slightly forward when viewed from the side.

The wearing of the agency issued hat shall be for decorum purposes and to readily identify the deputy to the public. The wearing of the hat oftentimes presents an authoritative image to the public. The wearing of the hat shall be optional when making casual contact with the public. Examples of circumstances where the hat should be worn include:

- a. making routine contacts such as taking accident and incident reports;
- b. most traffic stops where the deputy has reason to believe that the violator has only committed a minor traffic offense and does not expect to encounter resistance from the violator;
- c. working traffic details or directing traffic, in addition to the wearing of the reflective vest; and
- d. when dressed in the CLASS "A" UNIFORM while attending funerals and public functions.

Examples of circumstances where the hat should not be worn would include:

- a. performing building and other searches for suspects;
 - b. answering domestic violence, public disturbance, or crimes in progress calls;
 - c. performing felony or high risk traffic stops, or pursuing a fleeing suspect;
 - d. eating in restaurants, working in agency offices, or when walking to or from such areas that casual public contact is not likely to be encountered; and
 - e. at times when the personal safety of a person is immediately at stake and by taking the time to retrieve and don the hat places the person's safety in jeopardy, or if the urgency of the situation requires the deputy to immediately exit the vehicle and begin lifesaving or first aid treatment.
2. Helmet – Black, gold and white helmets are authorized headgear for Traffic Unit personnel only.
 3. Cold Weather Hat – When cold winter weather conditions prevail, a cold weather hat may be worn in lieu of the Dress Hat. The cold weather hat must be black in color and may have black fur flaps that cover the wearer's ears. A black toboggan/watch cap is also approved as a winter hat. The letters "FCSO", gold in color, are the only approved lettering or insignia for the winter hat.

D. UNIFORM JACKETS AND APPROVED OUTERWEAR

The uniform jacket issued by the agency shall be worn as needed. Cloth chevrons, if applicable, shall be stitched on the shoulders of the jackets, similar to the uniform shirts. A cloth patch badge shall be stitched on the left breast. Deputy First Class, Lieutenants and above shall have a gold in-color metal rank insignia or insignia patch stitched on the epaulets of the jacket.

The deputy may wear agency approved and authorized black leather jackets with agency patches attached to the shoulders. A cloth patch badge or metal badge shall be attached to the left breast. Any rank insignia shall be brass and shall be attached to the epaulets of the jacket. Leather jackets are not furnished and must be purchased by the employee.

Black leather motorcycle jackets shall be issued to those members of the Traffic Unit that operate Forsyth County Sheriff's Office or Forsyth County-owned motorcycles.

Rain suits worn by deputies shall be the standard issue jacket and / or pants, or only those authorized by the Sheriff or Chief Deputy.

E. TIES

Ties shall be black "clip on" style of conventional shape and length. An approved Tie, mock-turtle neck shirt or black t-shirt shall be worn with the Class A long sleeve shirt.

F. FOOTWEAR

Footwear for sworn personnel shall be plain toe, black, polishable, military style for men and women. The shoes shall be low quarter-type military style shoes with laces. Shoes shall be worn with black socks. If white socks are required for medical reasons, they shall be worn under the black socks.

Motorcycle boots shall be issued to members of the Traffic Unit who operate motorcycles. Boots shall be plain toe, black, over the calf riding style boots with lace stitching at the break of the ankle and on the top outside of the boot. Motorcycle boots may be worn at any time and shall be worn at all times when operating a county-owned motorcycle.

Gore-Tex boots may be worn by members of specialized units. Boots shall be worn at all times with the Class "C" uniform and may be worn with the Class "B" uniform at the deputy's discretion.

Deputies may wear other agency-approved boots or low quarter polishable military dress style shoes with laces. Such boots or shoes shall be approved by the Division Commander and furnished at the expense of the deputy.

All shoes or boots shall be kept polished. Supervisors shall make a daily inspection of their deputies to ensure that the footwear regulations are being complied with. Unless issued as a result of a deputy's assignment, the deputy shall purchase footwear.

G. WINDBREAKER / RAID JACKETS

Windbreakers / raid jackets may be worn by agency personnel who wear civilian clothing in order to identify themselves as law enforcement personnel. The jacket shall be black in color, shall have a breast badge silk-screened or a patch on the wearer's left side, and the word "SHERIFF" on the back of the jacket.

H. BATTLE DRESS UTILITY (BDU's)

BDU's may be issued to members of the agency's SWAT Unit for training use and when deployed as a unit. Such uniforms shall be green or camouflage in color and shall carry the agency subdued patch on each shoulder, the breast badge patch over the left breast, and the deputy's name stitched over the right side pocket. All rank insignia shall be worn on the collars and shall be black in-color. Any unit pins shall also be black in color and shall be worn directly over the deputy's name. A matching military style cap may also be worn with any rank insignia also in black attached to the cap.

I. GLOVES

White gloves shall be worn only at the direction of the Sheriff or Chief Deputy. Black gloves may be worn during inclement weather and must be of such design that shall not hinder the use of the agency handgun while wearing the glove.

J. UNIFORM EQUIPMENT

An agency issued duty belt or tactical vest shall be worn when a deputy is in uniform and in public view.

A Deputy is not prohibited from removing the duty belt and accessories while in areas of an agency building which are not in view of the public (i.e., squad rooms, break rooms, offices, etc.) so long as this does not hinder their ability to respond to calls and effectively perform assigned duties. Additionally, all weapons shall be stored in a manner that makes them inaccessible to inmates or other non-police personnel.

Unless shown as optional, the following items shall be worn on the duty belt or tactical vest:

- 1) Agency issued or approved holster and firearm;
- 2) ASP Baton; (less lethal option)
- 3) Oleoresin Capsicum Spray (O/C); (less lethal option)

- 4) Conducted Electrical Weapon (CEW); (less lethal option)
- 5) Knife Case / medical glove pouch; (optional)
- 6) Flashlight and holder;
- 7) Handcuff Case; (a double handcuff case is optional)
- 8) Portable radio;
- 9) Magazine case and magazines (worn horizontal or vertical); and

10) Belt keepers (optional).

It shall be mandatory for all properly trained deputies, while in uniform and engaged in field activities both on duty and during extra duty employment, to carry a least one less lethal option on their duty belt or tactical vest consisting of either a Conducted Electrical Weapon (CEW), ASP Baton or Oleoresin Capsicum Spray (O/C).

All deputies working in plain clothes assignments, with the exception of taskforce members and/or deputies working in an undercover operation, shall retain their agency issued less lethal weapons to be readily available while on duty.

K. STANDARD CLASS "A" UNIFORM

The Class "A" uniform shall consist of the following items:

- 1) Long sleeve uniform shirt with tie, mock-turtle neck or black t-shirt;
- 2) Uniform dress trousers;
- 3) Uniform dress hat;
- 4) Gun belt with full equipment;
- 5) Approved footwear;
- 6) Jacket, if appropriate for weather; and
- 7) White gloves (if directed).

L. STANDARD CLASS "B" UNIFORM

The Class "B" uniform shall consist of the following items:

- 1) Short sleeve uniform shirt;
- 2) Uniform trousers, or dress trousers for court and administrative personnel;
- 3) Uniform dress hat;
- 4) Approved footwear; and
- 5) Gun belt with full equipment.

M. STANDARD CLASS "C" UNIFORM

Certain members of the agency may be issued different variations of the uniform in order to work technical duties. This variation shall be considered the Class "C" uniform and shall only be worn as authorized by the Sheriff or Chief Deputy. The Class "C" uniform shall consist of the following:

- 1) Uniform short sleeve shirt (cloth optional);
- 2) Forest green trousers or Class "B" trousers (cloth optional);
- 3) Gun belt with full accessories; and
- 4) BDU's.

Jumpsuits and BDU's may be used by specialized units such as SWAT and Traffic Unit personnel. Certain administrative personnel may also be authorized to wear the Class "C" uniform.

V SPECIALIZED ASSIGNMENTS

Certain specialized assignment units shall be authorized to wear a uniform consistent with the duties of the particular assignment. Such uniforms shall be issued through the agency. Specialized assignment uniforms shall follow the same guidelines regarding pressing and care under this chapter.

A. MARINE PATROL UNIFORM

The Marine Patrol uniform shall consist of the following items:

- 1) Polo style shirt that may include a cloth badge patch or embroidered badge with a "SHERIFF" patch on the shirt back in an approved color;
- 2) Olive Green short pants;
- 3) Baseball style cap;
- 4) Black athletic style (tennis) shoes and plain black athletic socks; and
- 5) Duty gun belt with all accessories.

B. DETENTION OFFICER UNIFORMS

1. The Detention Officer uniform shall include:
 - a. Black polo style shirt;
 - b. Green BDU-type uniform pants;
 - c. Cloth breast badge or embroidered badge;
 - d. Black belt; and
 - e. Approved footwear.
2. The Detention Center Special Operations Response Team (SORT) uniform shall include:
 - a. Black BDU-type uniform shirt with shoulder patches;
 - b. Black BDU-type uniform pants;
 - c. Black belt;
 - d. Stab vest; and
 - e. Approved footwear

VI HANDCUFFS

Handcuffs shall be approved/issued by the agency. Agency personnel are permitted to carry extra sets of handcuffs as long as they meet the following criteria:

- 1) All models shall be in compliance with National Institute of Justice Standard 0307.1 (or any newer subsequent standard);
- 2) Approved manufacturers: Safariland, Hiatt-Thompson, ASP, Peerless, or Smith & Wesson;
- 3) Must be of chain or hinge style;
- 4) Must utilize a standard handcuff key;
- 5) Must be maintained in a closed top case for uniformed officers;
- 6) May be black, blue, silver (anodized, stainless or nickel) in color. Bright or high fluorescent colors such as green, yellow, pink, or red are prohibited;
- 7) By approval of the division commanders, detention, transport and court services personnel may use specialized restraint devices outside of this policy for special security needs.

VII CERTAIN JEWELRY PROHIBITED WHILE IN UNIFORM

Members are prohibited from wearing items on the uniform or person, except those specifically authorized by this section.

A. RINGS

Rings shall be limited to one ring on each hand (a wedding set shall be considered as one ring). The ring shall not be of excessive size or inappropriate design and shall only be designed to fit one finger.

B. EARRINGS

- (1) Female employees in uniform are permitted to wear one earring in each earlobe. Earrings are prohibited in any other part of the ear. The earring must be of the stud type (pierced or clip on) and cannot dangle below the earlobe. It must be conservative and professional in nature and not constitute a potential safety hazard. Metal or plastic earrings may only be gold, silver, clear, or skin colored. Jeweled earrings may only be colorless or pale in color; no brightly colored jewels (i.e. rubies, emeralds, pink ice) shall be permitted. No earring may exceed 3mm in diameter.
- (2) Civilian Female employees in civilian attire are permitted more latitude in wearing of earrings; however, they are limited to two (2) piercing or clips per earlobe. Earrings are prohibited in any other part of the ear. The earring must be of the stud type (pierced or clip on) which does not dangle below the earlobe. It must be conservative and professional in nature and not constitute a potential safety hazard. Metal or plastic earrings may only be gold, silver, clear, or skin colored. Jeweled earrings may only be colorless or pale in color; no brightly colored jewels (i.e. rubies, emeralds, pink ice) shall be permitted. No earring may exceed 6mm in diameter.

- (3) Male employees are not permitted to wear earrings of any type while in uniform or while on duty unless authorized by their division commander and only while performing undercover activities.

C. WATCH

Members of this agency may wear a wristwatch when in uniform. Watches shall be appropriate to the uniform and not distract from a neat conservative appearance. (i.e., no brightly colored or odd shaped designs).

D. NECKLACE

Employees in uniform are permitted to wear only one necklace which shall be inside the shirt and not outwardly visible. Medical alert bracelets or bracelets worn for medical reasons are permitted.

Employees in civilian attire, may wear one exposed necklace and/or bracelet. The necklace must be conservative and professional in nature and not constitute a potential safety hazard. Medical alert bracelets or bracelets worn for medical reasons are permitted.

VIII GLASSES AND SUNGLASSES

Glasses and sunglasses shall be of conservative design and have clear, green, gray or yellow lenses. Sunglasses shall have silver, gold, black or dark colored rims and frames only. Brightly colored rimmed and framed sunglasses shall not be permitted to be worn while in uniform.

IX COSMETICS

If worn, facial cosmetics are to be subdued and worn with discretion and in good taste to present an overall conservative appearance. Bright colors in facial and eye makeup is prohibited. False eyelashes are prohibited. Lipstick, if worn, shall be of a subdued color. Fingernail polish, if worn, shall be conservative in color, well maintained, and shall blend with the overall professional attire. Extreme colors, designs, chipped or overly worn polish are not acceptable. Any deviation of the above shall be made by the Sheriff or Chief Deputy only as may be required by job assignment.

X HAIR REGULATIONS

Hairstyle of all agency personnel, both male and female, shall be of a conservative nature. Hair shall be of a natural color (i.e., blond, black, brown, red, white or grey) thus portraying a professional appearance. Fluorescent or similar dyed hair colors are prohibited. No fad hairstyles (i.e., ducktails, cornrows, spikes, teasing, or half-shaved styles etc.) are permitted. Hair must not contain an excessive amount of grooming aids.

A. MEN'S HAIR

Male employees, while in uniform, shall keep their hair neat, clean and cut to present a well-groomed appearance. Hair on the back of the head may have a "block" cut but shall present a tapered appearance and shall not touch the collar. Hair on the sides may be left full but, while in uniform, shall be combed in such a manner that the hair does not cover any part of the ear. Hair in front shall be groomed so that it does not fall below the sweatband of a properly worn hat. The bulk or length of the hair shall not interfere with the proper wearing of the uniform hat.

Men's sideburns shall be neatly trimmed and not extend below the midpoint of the ear. Sideburns shall be of even width (not flared) and end with a clean- horizontal line.

Sworn male employees shall maintain a clean-shaven face with the option of wearing a small, neatly trimmed mustache. The mustache must be trimmed off the top of the upper lip. The mustache shall be of moderate thickness and shall not extend downward from the sides of the mouth further than the end of the top lip.

1. Facial Hair Medical Waiver

Beards may be permitted with a documented medical waiver from a licensed healthcare provider for those sworn employees with a medical condition that prohibits shaving. Beards permitted under this waiver must be neatly trimmed and shall not exceed one- quarter inch in length. Medical waivers require routine reauthorization at least once every six (6) months and examination by a healthcare provider designated by the County may be required to confirm the diagnosis.

Civilian male employees may have a neat, clean and well-maintained beard and/or mustache which presents a professional appearance. The mustache must be trimmed off the top of the upper lip. The mustache shall be of moderate thickness and shall not extend downward from the sides of the mouth further than the end of the top lip. The beard shall not exceed one half inch (1/2") in length and must be contiguous with no ornamentation or designs shaved into it. Facial hair coloring must look natural and compliment the individual. Faddish and outrageous multicolored facial hair is prohibited. No " alternative" styles will be allowed. Some examples of "alternative" styles are Mutton Chops, Soul Patch, Van Dyke, Chin Strap, Fu Man Chu, ZZ Top, French Horn, and Devil Tips.

Any deviations to the above regulations shall be made by the Sheriff or Chief Deputy only.

B. WOMEN'S HAIR

Female employees, while in uniform, shall keep their hair neat, clean and worn off the face to permit an unobstructed field of vision and to present a well-groomed appearance. Hair shall not fall below the top of the uniform shirt collar and shall not

interfere with the proper wearing of the uniform hat. Hair in front shall not fall below the sweatband of the properly worn hat.

Ponytails, pigtails, or other eccentricities of hairstyles are prohibited. Hair restraint devices shall be subdued and unobtrusive. Long hair may be restrained and kept up to present a neat and uniform appearance.

XI TATTOOS AND BODY PIERCINGS

A. Tattoos

1. The display of any unprofessional, offensive or derogatory tattoo or brand is prohibited. The following list, while not all inclusive, describes the types of tattoos or branding which are prohibited:
 - a. Depictions of nudity or violence;
 - b. Sexually explicit or vulgar art, words, phrases or profane language;
 - c. Symbols likely to incite a strong negative reaction in any group (i.e. swastikas, pentagrams, etc.);
 - d. Initials or acronyms that represent criminal or historically oppressive organizations (i.e. KKK, SS, street gang names, numbers, and/or symbols).
2. Employees are prohibited from exposing any tattoos, intentional scarring, branding or mutilation on the ears, head, hands, face or neck while in uniform with the exception of the following:
 - a. Wedding Ring Tattoo Permitted

A tattoo that resembles a wedding ring band is permitted on the traditional finger a wedding ring is worn if otherwise in compliance with all other aspects of this policy.
 - b. Permanent Make-up Permitted

Cosmetic tattoos or tattoos producing designs that resemble or that provide the appearance of makeup, such as eyeliner, eyebrow darkening, and other permanent coloration of the skin of the face, lips, and eyelids, are permitted on the face if otherwise in compliance with all other aspects of this policy and provided they would not constitute a violation of any other Sheriff's Office policy if they had been applied using a temporary technique such as conventional makeup.
3. Each employee is responsible for obtaining written approval of their Division Commander or equivalent for the display of any existing or planned tattoo which does not violate this policy and may be visible to the public. Employees must describe in detail any planned tattoo which would be visible in the employees work attire.
4. The Chief Deputy shall have final interpretive or approval authority in all matters related to this policy.

5. The tattoo policy will be reviewed in twelve (12) months. The Sheriff may revise or modify or revoke this policy at any time.

B. Piercings

No visible piercings are permitted while sworn personnel are on duty, except as outlined in section **VII (B,3)** of this policy (for earrings). The visibility standard also applies to piercings within the mouth since they shall be visible when the employee speaks.

C. Gauging

Employees are further prohibited from stretching or "gauging" their earlobes or any other visible body part. Visible is defined as any exposed body part that is not covered by an agency approved uniform, including short sleeve shirt.

Undercover personnel shall comply with standards approved by the employee's Bureau Commander.

XII BODY ARMOR

Soft body armor can offer substantial protection of vital areas of the human body from assaults by firearms. The Sheriff's Office shall issue each soft body armor to each P.O.S.T. Certified Peace Officer of the agency. Personnel shall only wear agency issued body armor.

Employees are required to care and maintain their soft body armor as recommended by the manufacturer. Soft body armor shall be subject to line and equipment inspections by supervisors. Each set of soft body armor shall be replaced as soon after its expiration date as possible.

All P.O.S.T. Certified Peace Officers of the agency wearing an agency uniform (Class A, B, etc.) shall be required to wear their issued body armor at all times unless exempted. Sworn personnel who are exempted due to their current assignment should retain their body armor in the trunk of their agency vehicle for immediate availability.

The wearing of body armor is mandatory for all deputy sheriff personnel involved in the following situations:

- a. Serving a felony or violent misdemeanor arrest warrant;
- b. Personnel involved in the pre-planned execution of high-risk tactical duties (A more comprehensive listing of high-risk tactical situations may be found in SWAT notification procedures in SOP 1-6.200.)
- c. Executing a search warrant;

- d. Making a forced entry into a building;
- e. Hostage or barricaded suspect incident;
- f. Robbery or hold-up alarm in progress call;
- g. Service of Protective Orders (TPO's) involving child custody or the removal of one party from a residence;
- h. Searching for an escaped prisoner;
- i. Domestic dispute involving violence;
- j. Bomb threat;
- k. Riot/civil disorder; OR
- l. Whenever performing patrol or routine law enforcement activities while in uniform.

EXCEPTIONS:

A deputy sheriff may be exempt from wearing body armor as follows:

- a. When an agency-approved physician determines that an officer has a medical condition that would preclude use of body armor;
- b. When a deputy is involved in undercover or plainclothes work that his/her supervisor determines would be compromised by use of body armor;
- c. When a deputy is assigned to perform an administrative function;
- d. When assigned to the jail and wearing a detention officer's uniform; OR
- e. When the Sheriff or Chief Deputy determines an exemption is appropriate.

GENERAL ORDER: 2-9 INSPECTIONS

Rescinds/Amends:

Effective Date: July 9, 2019

Committee Review - Date: April 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I INSPECTIONS

This policy establishes and defines guidelines to be followed in conducting inspections of agency personnel, equipment and all organizational components within the Forsyth County Sheriff's Office.

A. LINE INSPECTIONS

Line inspections are conducted to ensure that personnel are acting in concert with agency requirements. These inspection procedures may be conducted in a formal military manner, or informally, at the discretion of the supervisor or watch commander. The supervisor will be responsible for corrective action and follow-up procedures when deficiency conditions exist.

1. Personal Appearance

The inspection of personal appearance is the duty of all supervisors, made on a daily basis to ensure proper appearance of assigned personnel. If substandard appearance is observed, the supervisor will take whatever corrective action is necessary.

Inspection of patrol personnel will be conducted daily at roll call by the watch commander or a shift supervisor. Inspection of investigative personnel will be conducted by the Criminal Investigations Division supervisors.

Supervisors conducting line inspections will inspect personnel for:

- a. General appearance;
- b. Neatness;
- c. Compliance with uniform / dress codes;
- d. Readiness for duty; and
- e. Condition and placement of issued equipment

2. Vehicle Inspections

The inspection of vehicles is the duty of patrol deputies and first-line supervisors, made on a daily basis to ensure proper care of Sheriff's Office vehicles. Any defects

or changes found in the operating condition of vehicles should be documented in the Fleet Module of the agency Records Management System, RMS. Additionally, at least monthly during the personal appearance inspection, supervisors will formally inspect patrol vehicles for:

- a. Cleanliness;
- b. Required equipment;
- c. Required paperwork;
- d. Dangerous or unnecessary items in vehicle;
- e. Properly equipped first aid kit;
- f. Condition and operation of emergency equipment, radio and Mobile Data Terminal; and
- g. Condition and operation of camera and / or Lo-Jack (if equipped).

B. DUTIES OF DETENTION DEPUTIES / SUPERVISORS

All detention deputies are responsible for the ongoing inspection of the general condition, sanitation, cleanliness and security of any area where prisoners are processed / housed, and for reporting any problems to the Detention Center supervisor. That supervisor will determine if the Detention Center Commander or the Division Commander should be notified immediately if they are not working. Once a week, the Detention Center supervisor will make a formal inspection of the Detention Center for general conditions, sanitation, cleanliness, security, adequacy of supplies and equipment, completeness and accuracy of prisoner records and condition of booking equipment. The Detention Center commander or supervisor will write up an interoffice memorandum to the Jail Bureau Commander noting all problems identified and corrective action taken.

C. SPECIAL PURPOSE LINE INSPECTION

The Sheriff, Chief Deputy or designee may direct special purpose line inspections on an as-needed basis. Examples of special purpose inspections include employee policy and procedure manuals, controlled substance evidence, uniforms and equipment, assigned lockers on loan for deputy's use, training manuals and property / evidence room audits.

D. WEAPONS INSPECTIONS

Supervisors shall conduct periodic firearms/weapons inspections to verify deputies' firearms/weapons are clean and maintained in good working order. Supervisors shall verify that deputies are carrying agency approved ammunition. Any firearm/weapon found to be substandard or unsafe shall be removed from service until it can be inspected and repaired by a qualified agency approved weapons instructor/armorer. In cases involving a firearm, the supervisor removing the weapon from service shall ensure the deputy receives a temporary replacement from the Training Unit.

E. WRITTEN REPORT REQUIRED

A written report will be prepared and forwarded through the chain of command to the Division Commander when:

- (1) Equipment or agency property are discovered missing or damaged;
- (2) An employee repeatedly fails to comply with agency uniform, civilian attire, and/or appearance requirements.
- (3) A condition is noted that may constitute a hazard or jeopardize the safety and general welfare of other employees, members of the general public, or the inmate population.

**GENERAL ORDER: GO 2-10 PERSONNEL
EARLY INTERVENTION
SYSTEM**

Rescinds/Amends:

Effective Date: August 9, 2022

Committee Review - Date: January 2020

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I PERSONNEL EARLY INTERVENTION SYSTEM

A. PURPOSE

The Sheriff's Office is deeply concerned for the health, and wellbeing of its employees. Therefore, every effort should be made to identify employees, sworn or civilian, who exhibit actions or behavior that may be indicative of underlying problems and assist them by providing available resources.

The Personnel Early Intervention System is a supervisory tool and not a disciplinary process. The early identification and resolution of employees exhibiting indications of stress or other behavior, personal or job related, that could pose a liability to the community, the Sheriff's Office, or the employee should be accomplished as soon as possible.

B. CONFIDENTIALITY

Any time an employee is identified by the agency's Personnel Early Intervention System, that employee's name shall be held in the strictest confidence. Any unauthorized disclosure of an individual's identity and/or the circumstances surrounding an employee's involvement in the early intervention system shall be considered a violation of the agency's code of conduct.

C. CRITERIA FOR EARLY INTERVENTION SYSTEM REVIEW

Criteria which indicate that early intervention may be warranted are those actions or behaviors that have the potential to produce negative outcomes, arouse community attention, result in injury or death, or generate potential liability.

The Early Intervention System process shall be initiated when:

1. Circumstances indicate an employee is experiencing difficulties which tend to seriously affect job performance and/or safety;
2. An employee commits repeated policy violations (three (3) or more within a twelve (12) month period regardless of disciplinary action). These violations could be minor in nature. Singular events which may include more than one policy violation shall be counted as one violation;

3. An employee receives three (3) or more Complaints of misconduct within a twelve (12) month period.
4. An employee is involved in Three (3) or more Use of Force incidents within a twelve (12) month period. Use of Force incidents involving **only** the display of a firearm or a Conducted Energy Weapon (Taser) shall not be counted as an early intervention trigger.

D. REVIEW PROCESS

In cases where the early indication system identifies a possible at-risk employee, the following review process shall be followed:

1. The Bureau Commander shall be notified of the circumstances surrounding the actions and/or behaviors of the employee who has been identified.
2. The Bureau Commander shall conduct a review of the identified circumstances and decide if immediate intervention is warranted.
3. If no action is warranted, the Bureau Commander shall provide documentation of the initial review, including his/her findings, to the Chief Deputy's Office for final review. Once reviewed, the report shall be filed in the Internal Affairs Unit.
4. Should intervention be warranted, the Bureau Commander shall discuss the employee's negative actions or behavior which have been identified with all supervisors in the employee's chain of command.
5. The Bureau Commander shall delegate one of the employee's supervisors to meet with the employee to discuss the apparent need for intervention.
6. The supervisor shall develop a written plan to assist the employee in overcoming the issues causing negative actions or behavior and discuss its content with the employee.

The written plan may include but is not limited to the following recommendations or requirements:

- a. Employee Assistance Program (EAP)
- b. Peer Counseling
- c. Fitness for Duty Evaluation
- d. Supervisor Counseling
- e. Loss of privileges (take home car, off-duty employment, etc.)
- f. Remedial Training (i.e., Verbal Judo, Conflict Resolution, Interpersonal Relations, Anger Management, etc.)

E. Documentation of Identified Employees

The Bureau Commander shall be updated periodically on the progress of the early intervention process. At the conclusion of the process, the supervisor shall submit to their respective Bureau Commander, through the chain of command, a written report indicating the identified behaviors and actions and the success or failure of the intervention efforts.

The Bureau Commander shall review and approve the report or return it for further action.

Once approved by the Bureau Commander, the report shall be forwarded to the Chief Deputy's Office for final review.

The final report shall be filed in the Internal Affairs Unit once the review process has concluded.

F. SUPERVISORY RESPONSIBILITY

Any supervisor who becomes aware of a problem with an employee that warrants immediate attention should not wait for the employee to be identified by the early intervention system before taking action to rectify the situation. Supervisors shall notify the appropriate Bureau Commander via the chain of command in cases that warrant review for immediate intervention.

G. Annual Evaluation of System

The Internal Affairs Unit shall conduct an annual evaluation of the effectiveness of the Personnel Early Intervention System and recommend revisions as warranted.

GENERAL ORDER: 2-11 Peer Support Team Assistance Program

Rescinds/Amends:

Effective Date: November 13, 2017

Committee Review - Date: September 2017

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I PEER SUPPORT TEAM ASSISTANCE PROGRAM

A. PURPOSE

The purpose of this policy is to establish an in-house Peer Support Team Assistance Program to provide peer support for employees and their families.

The Forsyth County Sheriff's Office recognizes the value of providing an "in-house" resource for employees and their family members to support them in managing both professional and personal crisis.

The Peer Support Team Assistance Program is a program that offers assistance and appropriate support resources to employees when personal or professional problems negatively affect their work performance, family unit or self. Communications between the support team and employees will be confidential, providing it does not violate any law or department regulation.

The Peer Support Team may be utilized to support other employees within the county. The team will work in cooperation with peer support teams of other agencies and/or departments in multi-agency and/or multi-department incidents.

The Peer Support Team may also be utilized to support the community in situations of critical incidents, such as school shootings, natural disasters, etc.

B. SCOPE

The Peer Support Team Assistance Program is established to:

1. Provide emotional support during and after times of personal or professional crisis to other employees who need assistance;
2. Promote trust, allow anonymity, and preserve confidentiality for persons using peer support within the guidelines of the program;
3. Develop members who can identify personal conflicts and provide guidance or referral to professional/alternate resources as required;
4. Maintain an effective peer support training and response program;

5. Check on the wellbeing of employees out with illnesses / IOD's and provide support where desired and needed.

C. Mission Statement

The Forsyth County Sheriff's Office Peer Support Team is available to listen, support, refer, and assist employees and family members during professional or personal, stressful, or difficult periods in their lives.

D. PEER SUPPORT TEAM AVAILABILITY

The Peer Support Team is available 24 hours a day, 7 days a week to all employees. The Team is also intended to be a resource available to the Sheriff's Office in the event of critical incident or crisis situation.

Team personnel are available for support and assistance on any other incident at the discretion of the Sheriff, Chief Deputy or Commanders. In addition, the Team may be utilized to support the community in critical incident situations. Examples would be school shootings, natural disasters, etc.

E. PEER SUPPORT TEAM DUTIES

Peer Support Team personnel will be available to:

1. Listen to another employee after a critical incident or crisis situation;
2. Facilitate or assist supervisors in diffusing critical incidents;
3. Respond to an employee's request for peer support or assistance;
4. Conduct Critical Incident Stress Management (CISM) debriefings;
5. Provide information on other resources available (Employee Assistance Program, Alcoholics Anonymous, financial support, etc.)
6. Provide Peer Support orientation to new employees (FTO program)

F. CRITICAL INCIDENTS

A "Critical Incident" is any event that causes an unusually intense stress reaction. The distress people experience after a critical incident limits their ability to cope, impairs their ability to adjust, and negatively impacts the work environment. Critical Incidents that may require a Peer Support Team response may include, but are not limited to:

1. Officer involved shootings;
2. Where an employee witnesses another employee's death or serious injury;
3. Where an employee is taken hostage;
4. Where an employee is a witness to a suicide;
5. Where an employee is a witness to a violent death or serious injury;
6. Infant/child death;
7. Any incident that is likely to affect the employee's ability to interact with the public and carry out their job functions;
8. Any other incident deemed appropriate by any employee and approved by a supervisor.

G. DEBRIEFING/DIFUSING

Debriefings and defusing will be conducted by Peer Support Team personnel as soon as practical after a critical incident. Debriefings should occur within 24-72 hours after the critical incident and will be conducted by qualified personnel. Attendance at debriefings is highly recommended for all employees involved in the critical incident.

A defusing immediately follows the critical event and generally lasts no longer than one hour. It gives all parties involved with an incident the "big picture" of what occurred. It offers involved personnel a reminder about exercise, what foods to eat, to drink plenty of water and to know their thoughts are normal. Peer Support Team members may be present to give assistance and support.

A defusing may eliminate the need for a formal debriefing or it may enhance the formal debriefing process. The Peer Support Team Coordinator and Program Advisor will decide on the need for a formal debriefing. One Chaplain and two to three Peer Support Team members are required to conduct a debriefing. A certified mental health professional is optional but is highly recommended.

H. CONFIDENTIALITY

The acceptance and success of the Forsyth county Sheriff's Office Peer Support Team Assistance Program will be determined in part by the observance of confidentiality. It is imperative each Peer Support Team Member maintain strict confidentiality of all information learned about an individual within the guidelines of this program. All conversations between Peer Support Team personnel and employees are not privileged communications under the Evidence Code. The Office of the Sheriff will respect the confidentiality of conversations between Peer Support Team personnel and employees, with the following exceptions:

1. Information concerning the commission of a crime;
2. Information indicates an employee or a third party is a danger to themselves or to others.

Disclosures under this exception will be made directly to the Chief Deputy, Sheriff or their designee.

I. Structure

The Law Enforcement Division Commander, or his/her designee, will administer the Peer Support Team Assistance Program. The Team will consist of the following members:

1. Program Coordinators:

The Program Coordinator(s) should be the rank of Sergeant or higher. The Program Coordinators are responsible for the day to day operations of the Team. They will ensure all team members are properly trained and have the necessary equipment/supplies to perform their duties.

2. Program Advisor:

The Program Advisor will be a licensed Forensics Psychologist with exceptional experience dealing with police and/or first responder issues. His/her duties shall consist of:

- A. Assist in training and selection of Peer Support Team Members; Peer Support and Assistance Program;
- B. Provide continued training in the techniques of Peer counseling;
- C. Provide guidance at debriefings.

3. Peer Support Team Members

Peer Support Team Members shall be selected from Sheriff's Office personnel at large.

4. RESPONSIBILITIES OF PEER SUPPORT TEAM MEMBERS

The responsibilities of a Peer Support Team Member are as follows:

- A. Convey trust and anonymity and assure confidentiality within the policy to employees who seek assistance from the Peer Support Program;
- B. Attend assigned Peer Support training seminars;
- C. Provide assistance and support;
- D. Assist the employee by referring them to the appropriate outside resource when necessary;
- E. Be available to employees for additional follow-up support;
- F. Maintain contact with the Program Coordinators regarding program activities;
- G. Attend quarterly meetings;
- H. Maintain a log of hours and sessions provided;
- I. Agree to be contacted and if necessary, respond at any hour to assist an employee in need.

J. TRAINING

Peer Support Team Members should receive training in the following areas:

- 1. Effective listening;
- 2. Critical incident stress;
- 3. Debriefing and defusing techniques;
- 4. Post-traumatic stress;
- 5. Problem-solving skills;
- 6. Relationship termination;
- 7. General assessment skills;
- 8. Referral follow-up;
- 9. Other training as specified during quarterly meetings.

It is highly recommended that all team members receive group and individual Critical Incident Stress Management (CISM) training approved by International Critical Incident Stress Foundation (ICISF).

CHAPTER THREE

FUNCTIONS

GENERAL ORDER: 3-1 OFFICE OF THE SHERIFF

Rescinds/Amends: GO 3-1

Effective Date: May 14, 2018

Committee Review - Date: March 2018

Related Procedure(s): SOP 3-1.100

Authorized by: Sheriff Ron H. Freeman



I OFFICE OF THE SHERIFF

The Forsyth County Sheriff's Office shall be responsible for law enforcement services in all unincorporated areas of the county.

The Forsyth County Sheriff's Office is comprised of the following operational components:

1. Law Enforcement Bureau
2. Sheriff's Services Bureau
3. Jail Bureau

A. CHAIN-OF-COMMAND

The chain-of-command shall be respected in all matters when practical. Information and communications shall move up and down the chain-of-command through channels. There is no need for the flow of information to stop simply because the next link in the chain-of-command is unavailable. When the next supervisor in line cannot be contacted in important situations or in emergencies, then an attempt should be made to contact the next superior in line, and so on, up to the Sheriff. During times when the Office of the Sheriff is closed, an attempt will be made to page or call him at home when necessary.

B. POLICIES AND PROCEDURES

All memorandums pertaining to a new policy or procedure will be approved by the Office of the Sheriff and distributed via PowerDMS. Any recommendations for a new policy or procedure shall be forwarded through the chain-of-command in writing to the Office of the Sheriff for review. No memorandum pertaining to policy or procedure will be sent from one division to another without the express authority of the Sheriff or designee.

C. CORRESPONDENCE AND COMPLAINTS

All complaints will be prepared in writing and forwarded through the chain-of-command to the Office of the Sheriff.

D. RESEARCH AND PLANNING

Overall planning responsibility for the agency, including budgeting and multi-year planning shall be the duty of the Sheriff.

Members of the agency involved in any planning function shall have direct access to the Sheriff, as well as feedback from the Sheriff on their recommendations. All agency files will be available for review and analysis (with the exception of individual personnel and internal investigative files). Planning will generally be done in conjunction with the budget preparation process.

GENERAL ORDER: 3-1.1 OFFICE OF THE CHIEF DEPUTY

Rescinds/Amends:

Effective Date: August 11, 2021

Committee Review - Date: August 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I OFFICE OF THE CHIEF DEPUTY

The Office of the Chief Deputy includes the following operational components:

- A. Internal Affairs Unit (Internal Investigations Direct Report)
- B. Communications Unit

The Chief Deputy is responsible for handling the day-to-day operations of the agency, supervising the Bureau Commanders and Unit Supervisors who report to the Office, and other administrative duties as directed by the Sheriff.

A. INTERNAL AFFAIRS UNIT

The Internal Affairs Unit is responsible for the identification, investigation and correction of conduct that does not comply with existing standards. Personnel of the Internal Affairs (IA) Unit have direct access to the Chief Deputy and the Sheriff. IA investigators will report directly to the Sheriff or Chief Deputy on all assigned cases.

The Internal Affairs Unit within the Office of Professional Standards is staffed by investigators that have the following full-time responsibilities:

1. Internal affairs investigations;
2. Complaint routing and investigations;
3. Internal audits; and
4. Other duties as assigned by the Sheriff/Chief Deputy

B. COMMUNICATIONS UNIT

The Communications Unit is responsible for internal and external communications of the Forsyth County Sheriff's Office. These responsibilities include but are not limited to:

1. Liaison between the news media and the Sheriff's Office;
2. Developing video productions, photography and written documents which promote the respect, trust, loyalty and approachability with the citizens of Forsyth County;
3. Collaboration with other divisions within the agency and county partners to develop and grow the community outreach of the agency;
4. Manage and utilize Social Media to build relationships and develop trust within the community;
5. Interaction with citizens of Forsyth County through programs and activities developed and administered by the Community Relations Unit.

GENERAL ORDER: 3-1.2 FINANCE/BUDGET

Rescinds/Amends:

Effective Date: November 29, 2022

Committee Review - Date: February 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I FINANCE & BUDGET

A. STAFF PARTICIPATION

Annually, the Office of the Sheriff shall request the heads of the major organizational components and units to participate in the preparation of the agency's budget. Guidelines established by the Forsyth County Finance Department will be followed unless directed otherwise by the Sheriff. These guidelines inform the component and unit commanders of the essential tasks and procedures relating to the budget preparation process.

Further, these guidelines include instructions for preparing budget request documents and provide for adequate justification for major continuing expenditures, or changes in continuing expenditures. In addition, division commanders prepare written recommendations based on operational and activity analyses, for use in the development of the budget. This assessment shall consider both future operating needs, capital purchase needs and personnel needs along with current staffing levels to ensure that positions allocated to agency functions are appropriate.

B. BUDGET MANAGEMENT

Each year, the Forsyth County Board of Commissioner's Finance Department records the authorized budget for each department and office. The Forsyth County Sheriff's Office Finance Unit has access to the financial software for inquiry and report requests. The annual budget is recorded in a line item budget format. The Forsyth County Sheriff's Office Finance Unit is responsible for assisting departments within the agency with financial transactions and budget monitoring. This includes, but is not limited to:

- Initial appropriation for each account or program;
- Balances at the commencement of the monthly period;
- Expenditures and encumbrances made during the period; and
- Unencumbered balance.

C. POSITION CONTROL

The Forsyth County Personnel Services Director maintains a current listing of vacancies within each bureau/division/section/unit, by total authorized employees, total current employees and by positions and job classification. These totals are continually updated to ensure that personnel on the payroll are legally employed and that position totals are in accordance with the approved budget.

D. CASH MANAGEMENT

Authorized agency personnel are permitted to receive, maintain or disburse cash from the following cash funds or accounts:

- PEPI (Purchase Evidence / Purchase Information Funds)
- Records Unit
- Civil Unit
- Jail Bonds
- Jail Property
- Ordinance Unit
- Finance Unit Petty Cash
- Sheriff State Seizure
- Property Holding
- Sheriff's Account
- COPS

1. CASH FUND MAINTENANCE PROCEDURES:

Accounting for all agency cash funds will be maintained by the Forsyth County Sheriff's Office Finance Unit fund custodian in accordance with the following procedures:

- a. A ledger will be used, with separated dated entries, to identify the initial fund balance, cash received, cash disbursed, and the current balance on hand;
- b. All cash received will be supported by proper documentation or receipts to reflect the source of the monies;
- c. Cash disbursements shall be based upon the authorization of the Sheriff, or his designee, for any amount in excess of \$2,300.00;
- d. Each authorized cash disbursement, receipt and deposit shall be supported by an invoice and/or receipt along with proper documentation for accounting purposes;
- e. The fund custodian will initiate fund transactions (revenues, receipts and expenditures) as authorized to do so by the appropriate Bureau Commander, Division Commander, Senior Commander, Chief Deputy or Sheriff. In the fund custodian's

absence, his/her Division Commander will authorize someone to make disbursements.

f. The designated fund custodian shall perform a reconciliation of the fund at least quarterly. Any discrepancies noted will be immediately reported to the custodian's immediate supervisor. A copy of the quarterly report will be provided to the fund custodian's supervisor and the accreditation manager. This accounting will:

- (1) Identify the previous end-of-month fund balance;
- (2) Identify all income received and cash disbursements;
- (3) Ensure that appropriate documentation is available to support each fund transaction (receipts and disbursements); and
- (4) Show the balance on-hand.

2. COLLECTIONS

The Forsyth County Sheriff's Office is authorized to manage both agency funds and special revenue funds. Various Sheriffs' Office staff plays a custodial role in collecting and safeguarding cash. The Detention Center, Records and Ordinance/Permits Units are identified collection points within the agency. Funds received for services are documented in a receipt log with a copy provided to the person/organization initiating the transaction. On a weekly basis, collected funds are forwarded to the Finance Unit for processing. The Sheriff's Office Finance Unit verifies that the weekly submittal of funds reconciles with the controlled receipt log.

Monthly, funds collected for services are forwarded to Forsyth County Board of Commissioner's Finance Department for revenue recognition.

1. Funds received as Property Holding are verified and receipted. These funds are deposited into a separate bank account and not co-mingled with other funds.
2. Funds received for bonds are deposited into a separate bank account and disbursed as court ordered.
3. Funds received as confiscated assets are deposited into a separate bank account and not co-mingled with other funds.

E. AUDITS

The agency may at any time, audit, or cause to be audited, the agency and all components and units within. The Finance Unit will be responsible for coordinating, cooperating and assisting in these audits.

Annually, an independent certified accounting firm performs annual audit of the county. The scope of the normal audit includes a review of all fund accounts and cash handling procedures.

F. AGENCY EXPENDITURES

Annually, the Forsyth County Sheriff's Office receives budgeted funds allocated from the Forsyth County Board of Commissioners. Use of budgeted funds should be transacted using the requisition process for agency supplies, equipment and services. Requisitions for single purchases and services of \$2,300.00 or more must have approval of the Sheriff or Chief Deputy. Requisitions for single purchases and services less than \$2,300.00 may be transacted by employees with an approved Procurement Card in compliance with Forsyth County Procurement Card policies.

Procurement transactions are generally processed in partnership with Forsyth County Procurement Department leveraging their professional skill set with state procurement laws providing safeguards for the maintenance of quality, integrity and equity in the purchase of property using public funds.

Forsyth County Sheriff's Office purchasing shall strive to be consistent with the applicable guidelines or policies from the Forsyth County Board of Commissioners (BOC) unless otherwise directed by the Sheriff. These procedures include, but are not limited to, the following:

- ▶ Specifications for items requiring standardized purchases;
- ▶ Bidding procedures; and
- ▶ Criteria for the selection of vendors and bidders.

G. EMERGENCY REQUESTS

In the event of an emergency requiring immediate purchase and when the expenditure sought is for supplies, materials, or equipment which will cost less than one hundred thousand dollars (\$100,000) the facts substantiating the emergency shall be stated in the requisition, and a request be made for immediate purchase. In the event the Sheriff determines that any requisition for supplies, materials, or equipment does in fact involve an expenditure less than \$100,000, and does in fact present an emergency requiring immediate purchase, the Sheriff may in writing authorize the immediate purchase of the same by the county purchasing agent or an employee designated by the Sheriff, without receiving written bids.

If the emergency requires an expenditure exceeding \$100,000, the Board of Commissioners or the Forsyth County Sheriff's Office, as applicable, may award contracts and make purchases for the Sheriff's Office for the purpose of meeting the emergency; but shall file promptly with the council a certificate showing the emergency and the necessity for such action, together with an itemized account of all expenditures. Prior to the purchase the Sheriff's Attorney shall be consulted if possible.

In an emergency situation, if specialized equipment is needed and is not available, it may be rented without going through the formal purchasing process. Equipment rental must be authorized by the Sheriff, Chief Deputy or designee.

Examples of an emergency would include a natural or man-made disaster, civil disorder, or an emergency tactical situation requiring equipment not owned by the Forsyth County Sheriff's Office or Forsyth County that needs to be rented.

H. EMERGENCY APPROPRIATIONS / FUND TRANSFERS

In the event of additional funds being needed by the agency, the Finance Unit will submit a request to the Finance Department on behalf of the Sheriff. Requests for additional or emergency appropriations will include the reason for the request and the amount requested.

A transfer of funds from one departmental account to another may be made whenever such action is necessary to preclude a deficit in any one account. Only after it has been determined that no funds are available in any other account shall an increase be requested from the Forsyth County Finance Department.

I. INVENTORY CONTROL

The Finance Unit of the Sheriff's Office is responsible for the management and internal control of agency assets including inventory, controlled assets and capital assets. Supply Unit personnel shall ensure all assets distributed to Sheriff's Office personnel are properly authorized and documented.

J. PURCHASE REQUISITION FORMS

Requests for expenditures may be processed as an electronic requisition in the Forsyth County Board of Commissioners financial software or processed utilizing Forsyth County Board of Commissioners issued purchasing card.

GENERAL ORDER: 3-1.3 INTERNAL AFFAIRS UNIT

Rescinds/Amends:

Effective Date: April 25, 2023

Committee Review - Date: August 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. INTERNAL AFFAIRS UNIT

The purpose of this policy is to establish guidelines for investigating alleged or suspected personnel misconduct and complaints against the Forsyth County Sheriff's Office and/or its employees. To ensure the integrity and reputation of the agency, all alleged or suspected personnel misconduct will be thoroughly investigated.

II. INCIDENTS REQUIRING INTERNAL AFFAIRS INVESTIGATIONS

An Internal Affairs Investigation may be initiated by the Internal Affairs Unit upon approval of the Sheriff or the Chief Deputy. The following list of incidents are automatically assigned to the Internal Affairs Unit for investigation:

- A. Death, hospitalization, or serious medical treatment of either a deputy or a subject that occurs as a result of any action of an employee
- B. Discharge of any firearm, on or off duty, for the purposes of self-defense or defense of others
- C. Accidental firearms discharges (not to include those that occur during firearms training on a range that result in no property damage or injury)
- D. Excessive or unreasonable force allegations
- E. Allegations of criminal law violations by employees
- F. Allegations of civil rights violations under 42 USC 1983, 42 USC 1985, 18 USC 242, USC 241, (including false arrest and excessive force)
- G. Allegations of unwanted conduct such as biased based profiling, workplace or sexual harassment
- H. Complaints involving allegations of abusive conduct by a supervisor towards a subordinate.
- I. Complaints involving allegations of tampering with evidence and/or recovered property

- J. Complaints of employee behavior that would expose the agency to potential civil liability risks
- K. Complaints of employee misconduct that involve confidential or sensitive information
- L. Employee misconduct as directed by the Sheriff or Chief Deputy

III. INVESTIGATION CLASSIFICATIONS

Investigations assigned to the Internal Affairs Unit shall be classified as a(n):

- A. Inquiry – an initial gathering of information to determine if a full internal investigation is warranted
- B. Complaint Investigation – an internal investigation based on an allegation of minor misconduct (i.e., Duty to Understand/Follow Orders, Professional Image, etc.)
- C. Internal Affairs Investigation – an internal investigation based on an allegation of serious misconduct (i.e., Conduct Unbecoming, Neglect of Duty, Violation of Law, etc.) or an incident involving the use of deadly force by an employee
- D. Use of Force Review – an internal investigation into an allegation of excessive or unreasonable force

IV. DUAL INVESTIGATIONS

Cases assigned to the Internal Affairs Unit shall be investigated solely by Internal Affairs investigators unless additional assistance is requested by the Internal Affairs Unit supervisor and/or approved/ordered by the Chief Deputy or Sheriff. Two exceptions to this are:

- A. In instances where allegations of criminal misconduct are involved, the Chief Deputy or Sheriff may request that two independent investigations be conducted;
 - 1) An administrative investigation by Internal Affairs to determine if violations of policy have occurred, AND;
 - 2) A criminal investigation to determine whether criminal prosecution is appropriate.

When a dual investigation is ordered, compelled statements made by the accused employee to the Internal Affairs Unit during an administrative investigation shall not be used as evidence in any criminal proceedings, nor shall any other information obtained from those statements be provided to the investigator conducting the criminal investigation. This does not preclude a criminal investigation being initiated before an administrative investigation.

- B. Incidents occurring within Forsyth County involving the actions of an agency employee that result in serious injury or death and incidents in which a deputy discharges a firearm toward another person regardless of injury or death shall be investigated by the Internal Affairs Unit and the Georgia Bureau of Investigation (GBI). Vehicle accidents involving an agency employee which result in serious injury or death shall be dually investigated by the Internal Affairs Unit and the Georgia State Patrol. Incidents of this nature occurring outside of Forsyth County shall be jointly investigated by the agency having jurisdiction and the Forsyth County Sheriff's Office Internal Affairs Unit.

V. INTERNAL INVESTIGATIONS PROCEDURES

Upon being assigned to conduct an investigation, the Internal Affairs investigator shall:

- A. Contact the complainant within five (5) working days. If the complainant by their actions refuses to cooperate with the investigation and no independent investigation may be conducted without cooperation from the complainant, the investigation will be closed with the finding of "UNFOUNDED". The investigator will document that the complainant failed to cooperate and therefore no investigation could be conducted.
- B. Gather all pertinent facts of the allegation by researching records, gathering physical evidence and conducting interviews with relevant parties. Interviews may be conducted via phone or in person. A written statement may be used instead of an interview for witnesses.
- C. Determine if the allegation of misconduct is supported by a preponderance of the evidence or if another finding is appropriate.

VI. INTERNAL AFFAIRS UNIT AUTHORITY

While the employee is under administrative investigation the Internal Affairs Unit supervisor or designee shall have the authority to:

- A. Place an employee on modified assignment
- B. Place an employee on administrative leave with pay
- C. Require an employee to take a polygraph or Layered Voice Analysis (LVA) exam
- D. Require an employee to take a breath test, urinalysis, blood, or other scientific or chemical test
- E. Require an employee to be photographed or participate in a line-up for identification purposes
- F. Require an employee to provide audio and video recordings
- G. Require an employee to submit financial disclosure statement(s)

All requirements shall be narrowly and specifically related and needed for a complete and thorough Internal Affairs investigation

Employees may not refuse to cooperate in any of the requirements listed above during an administrative internal investigation. Any compelled statements, test results, or any other type of evidence obtained during an administrative internal investigation may only be used against an employee in an administrative hearing and shall not be used against the accused employee in any criminal proceeding. However, any information obtained by a detective during a criminal investigation of an employee can and should be released to the Internal Affairs Unit.

VII. EMPLOYEE NOTICE OF INTERNAL AFFAIRS INVESTIGATION

Employees shall be notified by an Internal Affairs investigator that they are the subject of an Internal Affairs investigation (not including an Inquiry). The employee shall receive a Notice of Investigation form which informs them of the following:

- a. The nature of the investigation; and
- b. The source of the complaint (citizen, coworker, supervisor, etc.)

If an employee is questioned by the Internal Affairs Unit, the employee will receive an Internal Affairs Advisement (Garrity v. New Jersey) which informs them of the following:

- 1. They are entitled to all rights and privileges guaranteed by state law, the Georgia Constitution and the United States Constitution
- 2. No statements made during questioning may be used against them in a criminal proceeding
- 3. They are required to answer questions fully and truthfully or be subject to disciplinary action
- 4. Refusal to answer all questions or cooperate with the investigation will result in disciplinary action up to and including termination

VIII. INVESTIGATION TIME LIMIT

Internal Affairs investigations shall be completed in 60 calendar days unless extended by the Internal Affairs supervisor due to circumstances which may include, but are not limited to:

- a. Critical witnesses are unavailable or have not been located;
- b. Reports from the Crime Laboratory are outstanding;
- c. Medical reports/evaluations are outstanding.

IX. INVESTIGATIVE FINDINGS

At the conclusion of the internal investigation, one of the following findings will be determined:

- A. UNFOUNDED: The investigation indicates that the **allegation(s) are not true** or did not involve Forsyth County Sheriff's Office employees.
- B. EXONERATED: The events alleged in the complaint did occur, **however, appropriate law enforcement procedures and techniques were used by the employee.**
- C. NOT SUSTAINED: The investigation discloses **insufficient evidence to clearly prove or disprove the allegations** made in the complaint.
- D. SUSTAINED: The investigation discloses that the accused employee **has committed a substantial part of the alleged act(s) or misconduct.**
- E. MISCONDUCT NOT BASED ON COMPLAINT: During the course of the investigation, other employee misconduct is sustained that was not alleged in the complaint.
- F. POLICY FAILURE: Current policy or procedure does not properly address the allegation or procedure which led to the alleged conduct and the investigation reveals policy or procedural changes are recommended

X. INVESTIGATION REVIEW

The Internal Affairs supervisor shall forward completed case files to the Chief Deputy for review, approval and assignment to a respective Bureau Commander for disciplinary action, if warranted. If no further action is warranted, the affected employees shall be notified of the investigation findings.

Internal Affairs investigators do not recommend discipline for employees. Any discipline based on an internal investigation will be recommended by the employee's chain of command after the findings of the investigation are reviewed.

XI. DISCIPLINARY REVIEW AND RECOMMENDATION

The Bureau Commander or designee shall review the investigative case file and recommend remedial and/or disciplinary action in accordance with existing policy which includes notifying the affected employees of the investigative findings and remedial/disciplinary action(s) taken.

XII. INTERNAL AFFAIRS RECORDS SECURITY

All Internal Affairs Unit investigative case files shall be kept secured in a locked area. Access and keys to the locked area will be limited to the following individuals only:

- A. Internal Affairs Unit investigators and staff;
- B. The Sheriff, Chief Deputy or designee

Confidentiality and security of all records shall be maintained. Records of all complaints filed against the agency or employees shall be maintained digitally on a secured network accessible by user name and password with proper permissions.

XIII. STATISTICAL REPORTS

The Internal Affairs Unit shall conduct a documented annual administrative review of agency practices; to include citizen concerns and any corrective measures taken related to allegations of bias-based profiling.

GENERAL ORDER: 3-1.4 RECORDS UNIT

Rescinds/Amends:

Effective Date: September 21, 2021

Committee Review - Date: August 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I RECORDS

The Records Unit is responsible for the record functions that are basic to meeting the management, information, and operational needs of the agency. Forsyth County Sheriff's Office Incident and Accident Reports, Traffic Citations and Traffic Warnings, and Inmate Booking Records are the responsibility of the Records Unit.

II Records Unit

This directive establishes procedures for the review, recording, maintenance, control and retrieval of records, which are the responsibility of the Forsyth County Sheriff's Office.

A. SPECIFIC INFORMATION FOR DOCUMENTING LAW ENFORCEMENT ACTION

All reports and records maintained to document law enforcement activity should contain at a minimum, the following information:

1. Date and time of the initial report;
2. Name, if available, of the citizen requesting the service, or victim/complainant's name;
3. Nature of the incident; and
4. Date, time and type of action taken, if any, by law enforcement personnel.

B. CASE NUMBERING SYSTEM

A single numbering series is employed for all incidents in which a report is filed. The case number is assigned by the Records Management System (RMS) and is the starting point in the database for all reports generated by the agency.

Each case number is computer assigned in sequential numerical order and has ten (10) digits in the following format:

First four (4) digits are always the four digits of the year: "2017"

Second two (2) digits are the month of the year: "01"

The remaining four (4) digits are assigned in sequential or consecutive number.

Example: The first case number during 2017 starting at 12:01 AM on January 1, 2017 would be: 2017010001, the second case number would be: 2017010002, etc.

Deputies who draw a case number in error shall complete a CAD note documenting that the case number was drawn in error.

C. FIELD REPORTING SYSTEM

1. Report Forms

Forsyth County Sheriff's Office personnel shall use the appropriate report format as indicated by the nature of the incident being reported. Reporting formats generally used in field reporting include:

- a. Incident reports;
- b. Accident reports;
- c. Supplemental reports;
- d. Georgia Uniform Traffic Citations.

2. Incident Reports

Incident reports shall be completed under the following circumstances:

- a. Criminal acts, as described in the UCR Code, which are brought to the attention of a deputy and occur within the county, even if the complainant does not wish to file charges or have a report made;
- b. Traffic Accidents involving a fatality shall be recorded in an incident report;
- c. Incident reports shall also be completed to record certain specified types of information of a non-criminal nature;
- d. Non-criminal incidents that require an incident report are: suicides, attempted suicides, deaths that are non-vehicular related and missing adults and juveniles.

3. Accident Reports

A Georgia Uniform Motor Vehicle Accident Report shall be completed by a deputy for accidents involving any of the following:

- a. Death or injury;
- b. Property damage over \$500
- c. Hit and run
- d. Impairment due to alcohol or drugs
- e. Hazardous materials; and
- f. Damage to public vehicles or property.

NOTE: All of the above cases occurring on public streets or highways shall require an accident report as required in OCGA 40-6-273. Accident reports shall be made on private property in cases of hit and run, impairment due to alcohol or drugs, and if a violation of applicable Georgia traffic law occurs. Example: DUI, hit and run, reckless driving and vehicular homicide apply on private property.

4. Supplemental Reports

a. Incident Supplemental Report

An incident supplemental report shall be submitted by the investigating deputy when it is necessary to explain, expand, or continue with information from the incident report, or to record important investigative information not contained in the incident report.

b. Accident Corrected Report

A Georgia Uniform Motor Vehicle Accident Corrected Report shall be submitted by the investigating deputy to amend an originally filed report with further information (i.e. follow-up information from a hit and run accident, chemical test results, etc.)

5. Supervisory Report Review

Report review is delegated to, and the responsibility of, the immediate supervisor of the reporting deputy. This review is made to insure completeness and accuracy of all reports submitted, and that all required reports are completed according to the guidelines of the field reporting system. The supervisor shall also check the report for legibility, completeness and accuracy, and shall return unsatisfactory reports to the writer for necessary corrections. When any supervisory deputy approves a report, it shall be assumed the supervisor is in concurrence with the contents of the report unless notes are made to the contrary. Records Unit staff shall conduct a secondary review of reports to insure any attachments to the reports are attached in RMS.

6. Revision/Deletion of RMS Records

Agency employees who have a legitimate necessity to revise a record or delete a duplicate record in the Records Management System (RMS) shall submit a written request to their supervisor with detailed justification. The supervisor shall review the request and forward it along with their authorization for the action requested to the Records Unit Supervisor and the Sheriff's Office Information Technology Director by emailing it to SORecords@forsythco.com and/or SOIT@forsythco.com.

D. GEORGIA UNIFORM TRAFFIC CITATIONS

A Georgia Uniform Traffic Citation shall be completed on all traffic law violations resulting in a traffic citation issued as a summons to appear in court, or a traffic warning.

1. It is the responsibility of the Forsyth County Sheriff's Office to ensure that all citations are properly completed and delivered to the Forsyth County Clerk of Court, Juvenile Court, Magistrate Court, Solicitors Office and District Attorney's Office in a timely manner. This policy is intended to set forth procedures to accomplish this responsibility.
2. Deputies are responsible for accurately completing all citations issued. The deputy should review each citation prior to serving it. The court copy of the citations shall be turned into the deputy's assigned Section/Unit Citation Collection Box by the end of their tour of duty.

3. Citations shall be separated in the following manner by assigned personnel for each Section/Unit:
 - a. Assigned personnel shall separate citations into three categories as needed, that being adult Uniform Traffic Citations, Juvenile Citations and Magistrate Court Citations.
 - b. They shall list all other citations on the approved "Citation List" form designating the specific Court or Clerk's office they are to be directed to. The citations and the completed citation list form shall be placed in an envelope labeled "Forsyth County Clerk of Court", "Juvenile Court" or "Magistrate Court" as appropriate. The citations shall be kept in a secure location in each Section/Unit until delivered.
 - c. Voided citations, approved by a Supervisor, shall be sent to the Records Unit.
4. The citation list form signed by the Clerk of Court, Juvenile and/or Magistrate employee shall be retained in each section or division.
5. All voided citations, warning citations and agency copies of citations shall be maintained and destroyed in accordance with the state retention schedule.

E. DISTRIBUTION OF INCIDENT / ACCIDENT / SUPPLEMENTAL REPORTS

All original copies of statement forms, consent to search forms, Miranda waivers shall be forwarded to and stored in the Records Unit.

F. PRIVACY AND SECURITY OF RECORDS

1. Record Dissemination

Reports in the Records Unit shall be retrieved and disseminated only by Records Unit employees or employees assigned to the Open Records Unit.

2. Criminal Histories

Dissemination of all criminal history information shall be handled by a GCIC certified employee. Disseminated information shall be logged with the date, purpose of the inquiry, name of person and agency requesting the information, the name and/or case number and other identifying data on the individual about whom the inquiry is made, and the initials of the GCIC certified employee fulfilling the request. The name of the person and agency receiving the information, the date, the description of the information received and the initials of the employee furnishing the information shall be noted on the criminal history record on log sheet. This information shall also be noted on the face of any record copies disseminated.

Criminal history records shall not be disseminated to private persons, public and private employers, public agencies, or political subdivisions, including state and federal licensing and regulatory agencies except as noted below.

Requests for records for non-criminal justice purposes require a signed consent form from the person being investigated.

First offender sentences which have been discharged without adjudication of guilt shall be disseminated:

- a. to prosecutors and probation officers at state and federal levels upon certification that pending criminal charges against the individuals have been filed in a court of competent jurisdiction; and
- b. to law enforcement agencies only upon certification by the Chief Executive Officer of the requesting agencies that such information is needed in active criminal investigations.

First offender sentences which have been discharged without court adjudication of guilt for violations of the Georgia Controlled Substances Act shall be disseminated to public officials authorized by specific law to receive and use such records.

First Offender sentences which have been discharged without court adjudication of guilt shall not be used for employment or licensing purposes.

G. RECORDS RETENTION SCHEDULE

Records retention schedules shall conform with State guidelines as set by the Georgia Archives University System of Georgia except for Employee Personnel Files which shall be kept for a minimum of Ten (10) years.

H. ACCESSIBILITY OF RECORDS

1. Times of Operation

The Records Unit shall normally operate 8:30 AM to 5:00 PM, daily, excluding weekends and County recognized holidays. Beyond normal working hours, reports may be obtained via the agency's computerized records management system. If immediate access to reports stored in the Records Unit file room is required, the Records Section supervisor or designee shall be contacted to respond and open the file room.

2. Records Section Physical Security

Unauthorized personnel shall not be allowed access to the Records Unit file room and/or files. This room and its files are controlled by electronic security access and lock and key. Computerized printout copies of case files are accessible by agency personnel through the records management system. Authorized personnel shall be limited to:

- a. Sheriff;
- b. Chief Deputy;
- c. Command Staff;
- d. Records Unit Supervisor;
- e. Records Unit personnel; and
- f. Agency personnel escorted or authorized by any of the above personnel.

I. INDEX FILES

The Records Section shall maintain the reports on computer database. All records entered into the computer database are tied into a master file name index which shall provide rapid retrieval by name of person (arrested, complainant, victim etc.), incident location, or incident type.

1. Master Name

All reports shall use names as a common source of report retrieval. Once a name inquiry is entered into the computer, the system shall retrieve and display every case number, date and incident type associated with that name.

2. Report File

The offense reports shall be indexed in a computerized data file by victim's name, complainant's name and incident type. The arrest report shall be indexed in this file by the arrestee's name. The traffic accident report shall be indexed by the driver's name. All victims, arrestees and drivers listed on the reports received shall be included in this file.

3. Stolen, Found, Recovered and Evidentiary Property Index

The Property/Evidence Unit maintains an index of all stolen, found, recovered and evidential property, property retained for safekeeping, and property stored until it can be destroyed. All reported stolen property that lists the serial number, or any other distinctive identifying number shall be entered into the National Crime Information Center (NCIC) stolen property file. Weapon and vehicle entries shall be audited periodically by the GCIC Unit to verify their status. All property received by the Property/Evidence Unit is recorded by date in a log maintained in the property room. The attached property receipt with the types of property marked is then filed in the designated storage bin. Any property that bears a serial number is checked for stolen by the property custodian before it is released.

J. WARRANT AND WANTED PERSONS FILE

The Warrant Unit maintains a warrant and wanted persons' file. The warrant clerk enters wanted persons into an in-house computer system. All GCIC warrant entries shall be made by the GCIC Unit. Warrant entries shall be made in accordance with the following established guidelines:

1. Information may be received from other jurisdictions addressing warrants and wanted persons over the telephone or through the GCIC terminal by teletype. As a general policy telephone communication shall be followed up by confirming information over the GCIC terminal prior to any arrest attempt being made;
2. When a request for verification of an arrest warrant is made by a law enforcement officer, CJIS staff shall first physically locate the arrest warrant and verify that the warrant on the GCIC / NCIC database is valid. Once the warrant has been located the

CJIS operator shall make a check/inquiry of the Forsyth County Interact Records Management System to ascertain whether an arrest has already been executed on the individual listed on that warrant before confirming that the warrant is valid.

3. The Warrant shall maintain an active warrant file. All warrants shall be stored and maintained in the Warrant Unit file room. Access to the file room is strictly controlled. Warrant files shall be periodically examined for accuracy by the warrant clerk and all outdated or canceled warrants shall be purged;
4. Civil arrest orders and probation/parole violation warrant brought to the Forsyth County Detention Center shall only be accepted by warrant unit or CJIS personnel and are not to be accepted by any other employee of the Forsyth County Sheriff's Office.
5. Information about the warrant shall be verified by the warrant clerk or other warrant unit personnel in the clerk's absence before entering the warrant into the Forsyth County Records Management System or the GCIC/NCIC computerized database. Information received from other jurisdictions shall be verified by CJIS staff via the GCIC/NCIC computerized database terminal before an arrest is made of a suspect when the computer indicates an outstanding warrant from another jurisdiction;
6. Only original validated and posted warrants or other arrest orders shall be executed. Jail personnel shall not accept copies of executed warrants, as they will receive via email a copy of the executed warrant for transfer to the JMS record. The deputy executing the warrant or arrest order whether he/she is the arresting, transporting or other certified deputy shall retrieve the original warrant from CJIS staff and take the original executed warrant to Detention Center personnel. It is the responsibility of the deputy executing the warrant or arrest order to complete a GCIC warrant clearance form and take the form to CJIS personnel before leaving the Detention Center.
7. Prior to the release of an individual from custody who was arrested with a warrant or other order to incarcerate, Detention Center personnel shall run the individual on GCIC to determine if the person being released is wanted. If they find a warrant originating from our jurisdiction exists, they shall check the information on GCIC to see if it matches the current charges that individual is in custody for. When it is determined that GCIC clearance form has not been completed for an arrest, the Detention Center watch commander shall complete a clearance form and notify the watch commander of the officer that executed the warrant the Detention Section commander.
8. Access to warrants is available 24 hours a day, seven days per week;
9. All warrants issued shall be entered into the GCIC and NCIC system within twelve hours from issuance. This shall include the verification of civil arrest orders and probation/parole warrants; and
10. After a warrant is served, the deputy that executes the warrant; whether that is the actual arresting deputy, the transporting deputy, or another deputy; shall have the wanted entry removed from the GCIC and NCIC system and have it removed from the warrant file.

K. RECORDS MAINTAINED OUTSIDE OF THE RECORDS Unit

Most reports generated by agency personnel are maintained in the Records Unit. Some records, usually of either a confidential nature or containing such information which renders them more appropriately stored in a specific unit or section, are maintained outside of the Records Unit. Other reports and records, both official and unofficial, which are maintained by the various components within the agency include, but are not limited to the following:

1. Major Crimes Unit; Property/Financial Crimes Unit

Active and inactive case files and statistics, special investigation files, confidential informant files;

2. Uniform Patrol Districts

3. Public Information Officer

Select copies of incident reports that may contain information of interest to the local media;

4. Internal Affairs Unit

Select copies of incident reports; Internal Affairs reports, Use of Force Reports, Pursuit Reports, Personnel Complaint Reports, Off-Duty Job Requests.

5. Background/Recruitment Unit

Applications for employment

6. Training Unit

Training records and reports.

L. SEPARATION OF JUVENILE AND ADULT RECORDS

Juvenile and adult records shall be stored separately and never commingled. All juvenile hard copy records shall be secured in a locked file cabinet.

All Juvenile records maintained in the agency approved electronic records management system shall be labeled as "Confidential" thus distinguishing them as a Juvenile record.

The Records Unit shall not maintain criminal history records on persons under the age of 17. These records may be maintained in the detective's case file, if applicable or destroyed.

Copies of these reports shall be furnished in accordance with:

1. Georgia's Open Records Act;
2. Current Standing Order from Juvenile Court; and
3. Any other applicable federal/state laws.

Other persons making inquiries about or requesting copies of these reports shall be referred to the Bell-Forsyth Juvenile Court.

Juvenile records shall be maintained in accordance with the Georgia Records Retention Guidelines. When a juvenile becomes an adult, their juvenile records shall continue to be maintained in the juvenile files with the same level of security/privacy as all other juvenile records. Any expungements of juvenile records shall be as the result of a court order.

M. UNIFORM CRIME REPORTING (UCR) PROCEDURES / NIBRS PROCEDURES

The Records Unit is responsible for compilation of the agency UCR/NIBRS reports. These reports shall be submitted to the Georgia Crime Information Center (GCIC).

N. RECORDING THE DISPOSITION OF CASES

Mishandled or dismissed cases shall be reviewed by the appropriate division commander when the agency is notified by the State Solicitor or District Attorney of cases they refused to prosecute or dismissed because of agency mishandling.

O. TRAFFIC CITATION ACCOUNTABILITY

1. Electronic Citations

- A. Electronic Citation Forms and Numbers are produced by the software application currently in use by the agency.
- B. Deputies shall utilize a Mobile Data Terminal (MCT) to prepare and print a citation.
- C. Modifying Electronic Citations

- 1) When a deputy, of any rank, desires to modify (void, reduce, edit, etc.) a citation, they shall notify their supervisor via email and explain the reason for the modification.
- 2) The supervisor shall approve or deny the request to modify the citation. If the request is approved, the supervisor shall forward the request to the Records Unit.
- 3) Upon receiving an approval email from a Supervisor, the Records Unit shall modify the citation accordingly in the Records Management System (RMS). The email shall be scanned into RMS and linked to the citation.
- 4) The Records Unit shall provide to the Command Staff, or other authorized personnel, as directed, reports regarding modified citations.
- 5) Completed citations are stored in the secured RMS.

P. Traffic Records

The Forsyth County Sheriff's Office traffic records are generally maintained by the Records Unit.

1. The traffic records system contains the following records or data:

- a. Traffic accident data (accident investigation reports, locations) filed in the Records Unit;
- b. Traffic enforcement data (citations, arrest reports, dispositions and locations) filed in the Records Unit;

- c. Roadway hazard memos shall be sent to the agency responsible for correction. If the hazard was created because of an accident, a copy of the memo shall be filed with the accident report;
- d. Traffic volume data is compiled by the Forsyth County Traffic Engineering Department and shall be shared with the agency on an as-needed basis
- e. Traffic volume and distribution reports are generated by the Forsyth County Traffic Engineering Department and are provided to the Traffic Unit on an as-needed basis
- f. Traffic enforcement activity reports are generated each month by the Uniform Patrol Districts and distributed in the Enforcement Division's monthly, semi-annual, and annual reports

2. Processing, Maintenance and Distribution of Records

Georgia Department of Transportation (DOT) has access to the accident information through the Georgia Electronic Accident Reporting System (GEARS).

3. Release of Records

Accident reports shall be released to the public in accordance with current Georgia Open Records and other applicable laws.

4. Computerized System

The Forsyth County Sheriff's Office uses a computerized system (RMS) for recording limited accident information and enforcement data. This data is readily available to all agency personnel and shall be issued in the reports mentioned above.

5. Traffic Report Review Process

All accident reports, etc. shall be submitted for supervisory review before the investigating deputy goes off duty. A supervisor shall review the reports to ensure that they contain complete and accurate information. If additional follow-up investigation is required for hit and run accidents, the original report shall be forwarded to the Traffic Unit for further investigation.

6. Accident Data Summaries

Enforcement and accident data summaries shall be utilized to support patrol operations, development and planning of countermeasures, and evaluations of program effectiveness.

- a. The data to be summarized shall include the number of auto accidents, accidents with injuries, accidents with fatalities, the number of citations issued for DUI, hazardous, and non-hazardous violations. The report shall compare data on a year-to-date basis with the year-to-date data for the previous year;
- b. The Law Enforcement Division Commander or designee shall review the types, locations, times, and causative factors of auto accident reports completed and the types, locations, and times of citations issued for hazardous moving violations. A quarterly summary report shall be compiled from this data and shall be included in the semi-annual and annual report to the Chief Deputy. The report

shall include both a statistical and a narrative section noting any increased enforcement, accident, and injury-accident information; and selective enforcement activities.

Q. HANDLING OF FUNDS BY RECORDS PERSONNEL

Funds are received by Records personnel for the sale of law enforcement incident and accident reports. A computer-generated receipt shall be prepared for all funds received by the Records Unit. At the end of each business week, the Records Unit supervisor or his designee shall audit all money on-hand against the computer printout to ensure an accurate report is generated weekly and forwarded to the Finance Unit.

R. Record Restrictions

Upon receiving written authorization from the District Attorney, Solicitor, Juvenile Court or the Georgia Crime Information Center (GCIC) the Records Unit shall restrict access to the records designated in the order when a restriction order is received:

S. Arrest Records

An arrest record is made of all persons physically arrested when booked into the Detention Section. The arrest / booking report record, and digitally computerized booking photographs are maintained on the agency's mainframe computer system. The arrest / booking fingerprint cards, criminal history printout and report copies are maintained in an arrest / booking folder stored in the Inmate Records Unit of the Records Section file room. The physical folder is maintained alphabetically.

Fingerprints and digitally computerized photographs will be taken on all persons booked into the Detention Section.

Sheriff's Office (SO) number or booking number is assigned to each person physically arrested and booked into the Detention Section. Numbers are assigned through the in-house computer system.

**GENERAL ORDER: 3-1.5 Accreditation
Certification Unit**

Rescinds/Amends: GO 1-12

Effective Date: January 11, 2018

Committee Review - Date: December 2017

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I ACCREDITATION/CERTIFICATION

The accreditation/certification manager shall be responsible for the maintenance of all files that document compliance with accreditation and certification standards. Numerous standards require time sensitive documentation to maintain compliance under each program. An automated program is used to track proofs of compliance to ensure that these time sensitive standards are met.

A. ORGANIZATION

The accreditation/certification manager shall maintain a rapport with all members of the agency so as to ensure the timely collection of documentation that proves compliance with all applicable professional standards.

B. ON-SITE INSPECTIONS

1. CALEA requires an on-site assessment every four year.
 - a. Prior to a CALEA on-site, the accreditation manager should arrange for a “mock” on-site as part of the preparation process.
 - b. In order to provide enough time to remedy any faults discovered during the mock, it should be scheduled to occur at least three months prior to the on-site assessment.
 - c. Assessors for the mock on-site should be recruited from neighboring accredited agencies based upon the individual’s knowledge and experience.
2. Prior to the actual CALEA on-site assessment, the accreditation manager will establish a liaison with the CALEA team leader to ensure that all necessary arrangements are completed prior to the team’s arrival. This should typically include;
 - Public announcements via the media
 - Public hearing site reservation
 - Arrangements for transportation
 - Agency tour plans
 - Any scheduling activities
 - Other assessor-related requirements

3. The Georgia State Certification Program requires an on-site assessment every three years. As long as the agency maintains its CALEA accredited status, the state certification program allows for an abbreviated version of an on-site inspection to verify compliance with its standards. A mock assessment should be scheduled three to four months before a pending on-site.

C. CONFERENCES/TRAINING

1. The Accreditation / Certification Manager shall receive specialized accreditation manager training within one year of being appointed and shall be responsible for arranging appropriate training for other agency personnel assigned to the accreditation process.
2. CALEA holds conferences at various locations every year. Pending any budget constraints, at least two conferences are normally attended by agency members each year. In addition to the accreditation manager, command level personnel should be considered for attendance so as to receive training which would broaden their understanding of the accreditation process.
3. The Georgia Police Accreditation Coalition (GPAC) holds meetings six times per year. These sessions are designed to create a networking apparatus for those involved in the accreditation /certification process and offer relevant training. These meetings should be attended by the certification manager whenever possible.

D. REQUIRED REPORTS, ACTIVITIES

1. Reports and Activities

The Accreditation/Certification Manager has overall responsibility to ensure that all accreditation/certification reports and activities are performed as required and that appropriate documentation is maintained in the agency's accreditation files to demonstrate proof of compliance.

- a. The manager will use the PowerDMS database to ensure periodic reports, reviews and other activities are accomplished. This database will be used to record the date the activity was last performed and triggers a notice when a report or other activity is due and/or overdue.
- b. At the discretion of the Sheriff, the manager may be appointed a field contact for collecting certain documentation and assisting the manager in ensuring required reports and activities are completed on time.
- c. Periodically, the manager will update the staff during regularly scheduled staff meetings on the status of accreditation/certification activities.

2. ASSIGNMENT OF STANDARDS:

- a. Assignments will be made by the manager, in consultation with the command staff, to individuals throughout the agency based on assignment and/or responsibility.

- b. Assignments should be completed by or prior to established deadlines. The documents and/or information provided will be utilized as proof of compliance in the accreditation and/or certification files.

3. DOCUMENTATION:

- A. All documents will be added to each accreditation/certification file as appropriate to demonstrate that the agency is doing what policy prescribes. Documentation may come from a variety of sources. However, most documentation will include standard agency forms, memos, and/or reports. The manager will notify the appropriate employee when additional documentation is needed for a standard he/she is assigned.

All documentation will:

- a. Contain the date the report or form was completed;
- b. Be a photocopy and not an original document;
- c. Be identified with an attached note as to which standard and/or bullet it applies to;
- d. Be clean and not have any highlighting or unnecessary writing.

GENERAL ORDER: 3-1.6 TRAINING UNIT

Rescinds/Amends:

Effective Date: May 3, 2023

Committee Review - Date: June 2020

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. TRAINING UNIT

A. Records

The Training Unit shall initiate and maintain centralized records of all training completed by agency personnel, to include in-service training, remedial training and training received from the POST approved outside courses.

The Training Unit shall maintain records of each training class conducted by the Training Unit, to include the following:

1. Course content (lesson plans);
2. Names of agency attendees; and
3. Performance of individual attendees as measured by tests, if administered;

The Training Unit shall update personnel training records in a timely manner, following an employee's satisfactory completion of a training program. The Training Unit shall also maintain a copy of all training certificates for all training courses completed by an employee.

The employee shall notify the Training Unit of all outside entity training course completion and shall provide the Training Unit with a copy of the appropriate certificate or other proof of satisfactory completion of training within five (5) working days after course completion. Failure to do so may result in future training requests being denied.

B. P.O.S.T. Training Records for Sworn Personnel

When applicable, the Training Unit shall make timely notification to the Georgia POST council of all training completed that is eligible for credit under the mandatory retraining program.

1. P.O.S.T. Training Records

The Training Unit shall maintain completed training program records on each in-service training program conducted exclusively by the Training Unit or its designees. These records shall include at the minimum:

- a. Completed roster of those employees who were registered, attended and successfully completed each course;
- b. Complete grade summary of final grades and evaluations for each course;
- c. Blank written tests or other evaluation tool(s) that were actually used in each course;
- d. Completed written tests or other evaluation tool(s) that were actually completed by the students in each course;
- e. Instructor notes on the course, documenting any unusual occurrences during each course;
- f. Registration forms or signed waivers or other documents prepared by the students for each course;
- g. Copy of the course syllabus and outline for the actual course conducted or lesson plan; and,
- h. Completed student evaluation forms for each course completed by agency personnel.

C. Training Instructors

The Training Unit shall maintain a pool of qualified instructors. When necessary and appropriate, POST certified instructors who are not employed by the agency may be utilized by the agency. The Training Unit shall coordinate agency training with the Georgia Public Safety Training Center (GPSTC).

D. Training Evaluation

The Training Unit shall be responsible for evaluating and updating the agency's comprehensive training program. The evaluation and updating process shall include:

1. Annual review and updating of all Training Unit lesson plans;
2. A review of new laws, court decisions, and agency written directives;
3. An evaluation of all agency training programs;
4. The identification of problems associated with Training Unit facilities, materials, equipment, or scheduling conflicts;
5. Consultation with division directors, division/unit commanders, Georgia POST Council certified training academy directors, the Chief Deputy and the Sheriff, and
6. A review of the number of persons trained and the extent of the training provided.

E. Training Committee

The Training Committee shall assist in the evaluation and development of the agency's training needs. Members of the Training Committee consist of the Training Unit Commander, who shall serve as the committee chairperson, and each Bureau Commander. The Training Unit Commander and Bureau Commanders may also appoint personnel to serve on the committee. The committee shall serve in an advisory capacity for training related matters such as but not limited to:

1. Planning and developing training programs;
2. Implementing new training programs; and
3. Evaluation and revision of existing training programs

The Training Unit shall be responsible for the implementation and management of the above activities as developed under the advisement of the Training Committee.

The Training Committee shall report to the Sheriff's Services Bureau Commander.

Whenever an agency member has a suggestion for improving or supplementing the training program with internal or external course materials and/or instructors, that suggestion shall be submitted to the respective Bureau Commander via the chain of command. The Bureau Commander shall then submit the suggestion to the Training Committee for review.

F. Training Attendance

Agency personnel shall attend all scheduled mandatory-training sessions. Personnel may be excused from scheduled mandatory training for court appearances, depositions, recognized emergencies and illnesses upon prior notification to the Training Unit by the employee's Watch Commander. The Watch Commander excusing the employee shall ensure that timely notification along with circumstances involved in the excused absence is made in writing to the Training Unit.

It shall be the responsibility of each employee missing a session of mandatory training to contact the Training Unit to make up the training. Based on the topic/subject of the training, the Training Coordinator shall determine what form of training would be most appropriate to ensure that the employee completes the training.

G. Physical Fitness Training / Weather Conditions

The Training Unit Commander, in consultation with the Fitness and Wellness Coordinator, shall establish health and safety guidelines for conducting physical fitness training in various type of weather conditions; taking into consideration heat, humidity, rain/snow, wind, high/low temperatures and other severe weather events. These safety guidelines should be provided to instructors to aid them in determining if conditions are safe for conducting physical fitness training.

Instructors shall be responsible for monitoring severe weather conditions before and during physical fitness training.

H. Physical Exertion Required

Law enforcement training often requires extreme physical exertion equivalent to conditions experienced in the daily performance of law enforcement duties. Individuals participating in training activities should be aware of their physical and mental capabilities through self-assessment and by seeking medical advice from their personal physician(s).

The Fitness and Wellness Coordinator should provide Instructors with information regarding signs and symptoms of heat exhaustion, physical exertion fatigue and other health related issues which may arise as a result of extreme and/or prolonged physical activities by individuals of varying health statuses.

I. Reimbursement of Training Expenses

The cost of meals, vehicles (fuel or mileage) and lodging shall be compensable for employees traveling more than sixty (60) miles from 202 Veterans Memorial Boulevard Cumming Georgia. Said compensation shall be for one trip to the training venue for the first day and one trip from the venue for the last day of training.

1. Meals

Compensation for meals shall be provided, as appropriate, to the employee at the per diem rate listed on the U.S. General Services Administration (GSA) website. For certain training conducted at the Georgia Public Safety Training Center in Forsyth, GA (based upon GPSTC eligibility requirements for meals) or at POST Mandate Training for Peace Officer or Jailer, meals shall be paid to the employee at the standardized rate set by the training center that is attended.

2. Vehicles

Carpooling is required as expenses for one Sheriff's Office vehicle, county vehicle or personal vehicle shall be compensable for each training event.

Employees are encouraged to use Forsyth County Sheriff's Office or Forsyth County-owned vehicles for job-related travel. If the employee is unable to obtain a Sheriff's Office vehicle or county vehicle and a carpool with another employee is unavailable, he/she shall be required to furnish their own transportation. Mileage reimbursement for use of a personal vehicle shall be determined by calculating the distance from 202 Veterans Memorial Boulevard Cumming.

3. Lodging

Lodging shall be provided, as appropriate, for employees attending approved training.

For training conducted at the Georgia Public Safety Training Center in Forsyth, lodging shall be provided by the Training Center for the duration of the course of instruction.

J. Employee Travel Time Compensation

Travel time to approved training conducted within sixty (60) miles of 202 Veterans Memorial Boulevard Cumming Georgia shall be considered as normal commute time to a regularly scheduled worksite and is not compensable.

Travel time to approved training conducted more than sixty (60) miles from 202 Veterans Memorial Boulevard Cumming Georgia shall be compensable. Said compensation shall be limited to one trip to the training venue for the first day and one trip from the venue for the last day of training.

K. Course Curriculum, Lesson Plans and Instructor Certification

1. The Training Unit shall establish performance objectives for all training programs for the purpose of informing all training participants with the required information, requisite skills that must be demonstrated, and the circumstances under which the skills will be used. The performance objectives should:
 - a. Focus on the elements of the job task analysis for which formal training is needed;
 - b. Provide a clear statement of what is to be learned;
 - c. Provide the method for evaluating the participants; and
 - d. Provide a method for evaluating the effectiveness of the training program.
2. Lesson plans utilized during training shall be approved by the Training Unit to ensure that the subject matter to be covered in training is addressed completely and accurately and is properly sequenced with other training materials. The lesson plans shall establish the purpose of the instruction, set forth the performance objectives, relate the training to critical job tasks, and identify the subject material.

All lesson plans shall follow guidelines set forth by the Georgia Peace Officers Standards and Training Council. Instructors for all recruit, advanced, in-service and

specialized training programs shall be required to complete an approved lesson plan, which shall include at a minimum:

- a. Guidelines and format for lesson plan development;
 - b. A statement of student performance objectives;
 - c. The content of the training and specification of the appropriate instructional techniques;
 - d. Processes for approval of lesson plans; and
 - e. Identification of any tests used in the training process.
3. Agency personnel shall be selected as instructors based on the desire to instruct, subject matter knowledge, academic credentials, experience and instructional ability. With the exception enumerated in this policy directive, all agency instructors shall be required to complete Georgia's Peace Officer Standards and Training Council certified instructor course. The course shall consist of training in:

- a. Lesson plan development;
- b. Performance objective development;
- c. Instructional techniques;
- d. Testing/evaluation techniques; and
- e. Resource availability and use.

The Training Unit shall provide instruction on agency resources and their use. Agency instructors shall complete periodic retraining and re-certification to meet any specific instructional requirements of the agency and the POST council. Agency instructors shall be evaluated in writing by the students and Training Coordinator. Agency instructors shall complete a POST certified general instructor course prior to conducting mandatory in-service training as outlined in Section O of this policy directive.

Agency instructors who teach high-liability topics, as designated by POST, shall complete the instructor technique course and all re-certification courses, if any associated with that topic prior to conducting training.

When appropriate, outside instructors who are not employed by the agency may be utilized. Outside instructors shall meet all requirements established for agency instructors. Outside instructors shall be required to provide lesson plans and copies of all instructional and student handout material. Outside instructors shall be required to provide a list of anticipated expenses of the program.

The training program, lesson plans and all material shall be submitted and evaluated by the Training Unit for approval. Outside instructors shall be evaluated in writing by students and by the Training Coordinator. Outside instructors shall be selected based upon a review of their subject matter, knowledge, academic credentials, experience and instructional ability.

L. Testing

The agency shall only administer competency-based tests that utilize performance objectives and measure participant knowledge of and ability to successfully demonstrate job-related skills. All tests utilized shall be reviewed and approved by the Training Unit.

M. Remedial Training

Remedial training shall be dictated by the failure to successfully complete a required component of a particular training program or at the discretion of an employee's supervisor. Supervisors shall ensure that the required remedial training be initiated and completed by the involved employee as soon as practicable. Failure to participate in remedial training shall be dealt with in the same manner as failure to successfully meet any other required standard of job performance.

N. Minimum Annual Training Requirements Per O.C.G.A. 35-8-21

1. P.O.S.T. Certified Jailer

Each P.O.S.T Certified Jailer shall complete a minimum of twenty (20) hours annual in-service training.

P.O.S.T. Certified Jailers who fail to maintain the minimum annual training requirements shall be removed from jail duties until all requirements for in-service training have been met.

2. P.O.S.T. Certified Peace Officer

Each P.O.S.T. Certified Peace Officer shall complete a minimum of twenty (20) hours annual training as required in O.C.G.A. 35-8-21.

Deputies who fail to maintain the minimum annual training requirements under law shall be removed from enforcement duties until all P.O.S.T. requirements have been met and arrest powers have been restored.

The Training Unit Commander shall make written notification to deputies who have failed to complete the required annual training, notifying them that they are removed from all law enforcement duties until their training deficiency has been rectified. Further, the Training Unit Commander shall retrieve all weapons issued to the deputy until all training requirements for said weapons have been satisfied and arrest powers have been restored. The Deputy's Division Commander shall place the deputy on modified assignment, administrative leave or the deputy may be reclassified into another position or dismissed.

O. Training Recognition

Personnel shall be recognized for the successful completion of a particular training program. This shall be accomplished by a certificate of completion issued by the training authority.

The Training Unit shall submit the names of those employees graduating from advanced/specialized leadership training programs to the Public Information Officer for dissemination to the media when deemed appropriate.

P. Training Request Submission

All requests to attend career development courses, mandatory retraining courses, seminars, and all other training programs shall be submitted to the Training Unit on a Training Request Form. Training requests shall be submitted a minimum of 30 days prior to start date to allow sufficient time for processing by the Training Unit.

The Training Request Form shall be completed as prescribed. All relevant data concerning the training course shall be attached to the completed request form. The submitting employee's respective supervisory chain of command shall review and

approve each request as prescribed with regard to agency needs, justification, and employee's qualification(s) for the requested training course/program.

Training requests for courses which do not require approval of funds may be approved by the employee's Division Commander and forwarded to the Training Unit. Courses which require approval of funds must be forwarded via chain of command to the Chief Deputy.

All disapproved training requests shall be forwarded via chain of command to the employee's Division Commander, with a written explanation for the denial. A copy of the disapproved training request shall be returned to the employee by the Division Commander and the original shall be forwarded to the Training Unit to be placed in the employee's training file.

The Training Unit shall make all arrangements for attendance to an approved training course/program, to include registration and lodging. Notification shall be distributed to the employee via a Training Confirmation Notification form. The Training Unit shall also make notification to the Finance Unit for funds.

If necessary, the employee shall complete and submit an Employee Reimbursement form approved by their supervisor, with all required documentation (receipts, etc.) to the Finance Unit upon completion of the course/program.

Employees shall attend all approved and scheduled agency training courses/ programs. Failure to attend an approved training program without prior approval, and authorization and justification may result in the employee being responsible to reimburse the agency for any expenditure of agency funds incurred. The Training Unit shall notify the employee's division director or designee when violations occur.

Q. Firearms Proficiency

All sworn personnel are required to qualify on firearms training courses with all assigned/ approved weapons. This certification may include training regarding the legal, moral, and ethical aspects of firearms use and safety in handling firearms.

All sworn personnel must receive a passing score on firearms training courses to maintain certification. Failure to achieve a passing score shall result in remedial training.

R. In-Service, Roll-Call, Advanced and Specialized Training

It is the responsibility of the Training Unit to ensure that agency personnel receive up-to-date information on new laws, changes in current laws, technological improvements and revisions made that effect the operation of the agency. This training responsibility also includes supervisory, management and specialized training.

Annual in-service training shall be provided to all Sheriff's Office personnel as described below:

1. Information for all newly employed personnel

All newly employed personnel shall receive the following information:

- a. The agency's role, purpose, goals, policies and procedures;
- b. Working conditions and regulations;
- c. Responsibilities and rights of employees; AND
- d. Initial Training in Biased-based profiling and legal aspects (P.O.S.T. Certified Jailer and Peace Officer Only)

2. In-Service: All Personnel

All agency personnel shall complete annual training in the following areas:

- a. Ethics
- b. Domestic Violence
- c. Off-duty Conduct
- d. Sexual Harassment
- e. Citizen Complaints/Internal Affairs
- f. Dealing with the mentally ill or persons of diminished capacity
- g. Agency policy on domestic violence incidents involving employees of the agency
- h. Biased-based profiling and legal aspects (P.O.S.T. Certified Jailer and Peace Officer Only)

3. In-Service: P.O.S.T. Certified Jailers

P.O.S.T. Certified Jailers shall complete annual in-service training in the following:

- a. Use of Force; (including constitutional and legal limitations)
- b. Defensive Tactics;
- c. Civil Liability;
- d. Search and Seizure; and
- e. CPR

4. In-Service: P.O.S.T. Certified Peace Officers

All P.O.S.T. Certified Peace Officers shall complete annual in-service training in the following:

- a. Firearms qualifications;
- b. Use of Force; (including constitutional and legal limitations)
- c. Defensive Tactics;
- d. Legal Updates;
- e. Motor Vehicle Pursuit;
- f. Search and Seizure;
- g. Civil Liability; and,
- h. Vehicle pull-overs;
- i. Biased-based profiling and legal aspects

5. Other In-Service Training

Affected personnel shall complete annual training (may be accomplished in roll call training) in the following critical tasks:

- a. Transportation of Prisoners
- b. Property/Evidence
- c. Specialized Operations/SWAT, etc.
- d. Agency Selection/Hiring Policies
- e. Jail Critical Response Unit (CRU)
- f. Field Training Officer (FTO)

6. Roll-Call Training

Roll-call training provides an effective means of updating skills, knowledge and abilities between formal training sessions. Roll-call training should take into consideration the special needs of employees. Employees shall complete roll-call training in the following areas as needed:

- a. Agency policies, procedures, rules and regulations;
- b. Statutory or case law affecting law enforcement operations;
- c. The functions of agencies in the Forsyth County judicial system;
- d. The exercise of discretion;
- e. New or innovative investigative or technological techniques or methods;
- f. Evidence collection and preservation; and
- g. Report writing and records system procedures and requirements.

Roll-call training shall be developed and implemented by all supervisors under the auspices of the Training Unit. Each division commander shall coordinate and monitor all roll-call training activities within their division. Whenever possible, roll-call training shall be planned, coordinated and scheduled by supervisors. The Training Unit may provide lesson plans and materials for roll-call training programs. Each employee assigned roll-call instruction responsibilities shall ensure that material is presented in a manner that is conducive to learning and is properly taught. This may be accomplished by the use of handout material, multi-media techniques and lectures. The Training Unit shall make this material and techniques available.

Each division commander shall ensure that roll-call training programs are scheduled and completed on a regular basis. The scheduling shall be structured to allow adequate time parameters for the completion without interfering with the operational readiness of the agency. Each division commander shall ensure that roll-call training programs are properly administered, documented and maintained by supervisory personnel.

Each supervisor and employee is responsible for ensuring that the courses meet the needs of the agency. Each supervisor and member shall actively participate and endeavor to cultivate an efficient and effective roll-call training program.

Upon completion of roll-call training, employees may evaluate the training through written or oral testing or by direct observation by the employee's supervisor. Remedial training should be scheduled whenever an employee fails to demonstrate competency in a particular topical area of instruction.

7. Advanced/Leadership Training

Continuous training throughout a deputy's career is considered vital for their professional individual growth and for the agency. In order to increase the competence of employees who have demonstrated management and leadership capabilities, the agency provides the opportunity, and encourages participation in training programs of an advanced level.

a. Leadership training for personnel may include, but is not limited to:

- a. Supervision Level 1, 2, 3
- b. Management Level 1, 2, 3
- c. FBI National Academy
- d. Southern Police Institute

b. Advanced training for personnel may include, but is not limited to:

- a. Officer Survival;
- b. Advanced Firearms;
- c. Radar;
- d. Criminal Investigations; and
- e. First Responder

Requests to attend a particular leadership training program shall be submitted via the chain of command to the division director or Chief Deputy for approval. Selection for attendance to a leadership training course or program shall be determined by considering the employee's career advancement goals, leadership skills and abilities consistent with the agency's needs.

8. Specialized Training

The objectives of specialized training are to train and qualify selected personnel in specialized areas of law enforcement service, acquaint deputies with new techniques in specialized areas and enhance operations by providing expertise in specialized law enforcement skills.

Specialized training shall be provided for those positions, which require training beyond basic law enforcement. These positions require training prior to performing the specialized duties. The amount of training shall depend on the particular function. The individual responsible for the specialized component shall brief newly appointed members concerning the management, supervision personnel policies and support services of that particular function. Functions that require specialized training include:

- a. SWAT
- b. Traffic Unit
- c. Crime Scene Unit
- d. Canine Team
- e. Crisis/Hostage Negotiations Team
- f. Narcotics Unit
- g. Criminal Investigations Section
- h. School Resource Unit
- i. Boat Patrol
- j. Warrant Unit
- k. Special Victims Unit
- l. Internal Affairs Unit
- m. Training Unit

Specialized training for personnel includes the following:

- a. Development and/or enhancement of the skills, knowledge and abilities particular to the specialization;
- b. Management, administration, supervision, personnel policies and support services of that component or function; and
- c. Supervised on-the-job training.

Division, section and/or unit commanders shall ensure that all assigned personnel satisfactorily complete specialized training requisites for the employee's particular assignment or position. The documentation for completion of training shall be submitted to the Training Unit in the prescribed manner.

9. P.O.S.T Basic Jail Officer Course (BJOC)

Each newly hired Deputy I assigned to the jail shall complete the Eighty (80) hour P.O.S.T. Basic Jail Officer Course within the first six (6) months of employment as required by O.C.G.A. 35-8-24 unless exempted therein.

10. P.O.S.T. Certified Peace Officer Academy Training Program

The Basic Law Enforcement Training Program curriculum of the [State of Georgia Peace Officer Standards and Training Council \(POST\)](#) shall serve as the foundation for the development of the agency's recruit training program/academy. (CALEA 33.4.2a 6th ed.)

All evaluation techniques used during recruit training shall be designed to measure competency in the skills, knowledge, and abilities required for successful completion of recruit training and law enforcement work. (CALEA 33.4.2 b 6th ed.)

All recruit personnel should receive an orientation handbook/letter at the time the academy begins. (CALEA 33.4.2 c 6th ed.)

11. Civilian Personnel Training

The Training Unit provides information on training classes for agency civilian personnel. These training classes are designed to update skills and to increase knowledge for new job responsibilities. Civilian personnel may receive training in the legal, safety and coordinative responsibilities of the assignments, including dealing with the public. The agency shall provide annual retraining for all civilian personnel. This training should be designed to update skills and to increase knowledge for new job responsibilities. The Training Unit shall determine the appropriate format for this training and shall maintain documentation of the sessions.

12. Accreditation Process Training

It is important that all agency personnel be familiar with the accreditation process. All newly hired personnel should be provided with a historical perspective and realize the importance of the accreditation process to the agency. Accreditation familiarization shall include the history and background of accreditation and the agency's involvement;

- a. The accreditation process;
- b. The goals and objectives of accreditation; and
- c. The advantages of accreditation and its impact on the agency.

Familiarization with the accreditation process shall be provided to agency personnel as follows:

- a. Newly hired personnel shall within thirty (30) days after their employment receive instruction on the accreditation process.
- b. All personnel shall receive information regarding the accreditation process during the self-assessment phase associated with achieving initial accreditation and each re-accreditation thereafter;
- c. All personnel shall receive information on the accreditation process just prior to an on-site assessment associated with the agency's reaccreditation. During the on-site assessment, personnel shall receive roll call training, memoranda and updates accordingly.

S. Post Certified Peace Officer Career Development Program

In an effort to encourage professional development, advanced education and improved law enforcement services, P.O.S.T. offers a series of certifications beyond that of basic level. The certifications are based on time in service, higher education and a training requirement consisting of both core and elective programs.

The certifications available are listed from the most basic to the advanced. They include:

- a. Basic Law Enforcement Certification
- b. Intermediate Certification
- c. Advanced Certification
- d. Senior Deputy Certification
- e. Supervisory Certification

- f. Management Certification
 - g. Executive Certification
 - h. Undergraduate College Tuition Reimbursement
 - i. Advanced Command and Executive Leadership Training
1. Basic Certification

Upon graduation from the Basic Law Enforcement Training Course and meeting applicable Georgia Peace Officer Standards and Training (P.O.S.T.) Council standards, the entry level peace officer is granted the Basic Peace Officer Certification. All applicable standards and rules can be found in the Georgia Peace Officers Standards and Training Council (P.O.S.T.) rules at <http://www.gapost.org/rules.html>

In accordance with OCGA 35-8-22, if an employee is hired by another agency within 15 months after completing mandated or formalized training requirements, then the total expense of the training, including salary paid during training, shall be reimbursed by the hiring agency to the Forsyth County Sheriff's Office. If said deputy is hired by another agency during a period of 15 to 24 months after mandated or formalized training requirements are completed, then one-half of the total expense of training, including salary paid during training, shall be reimbursed by the hiring agency to the Forsyth County Sheriff's Office.

2. Intermediate Certification

The requirements of P.O.S.T. state that to qualify for the intermediate certificate each applicant must:

- a. Be a certified, registered or exempt peace officer currently employed by a Georgia law enforcement agency certified by P.O.S.T.;
- b. Have at least two (2) years experience as a full-time, paid peace officer;
- c. Have a minimum of ten (10) quarter hours or six (6) semester hours from an accredited college or university, as defined in P.O.S.T. Rule 464-2(t); and
- d. Have successfully completed the following five (5) required core courses at a P.O.S.T. recognized training facility:
 - 1. Criminal Procedures (40 hrs.)
 - 2. Health and Awareness (22 hrs.) **or** Public Safety Fitness Specialist (60)
 - 3. Interpersonal Relations (8 hrs) **or** Verbal Judo (minimum of 16 hrs)
 - 4. First Responder (40 hrs) **or** EMT training **or** Paramedic Training
 - 5. Officer Survival (40 hrs)

3. Advanced Certification

The requirements of P.O.S.T. state that to qualify for the advanced certificate, each applicant must:

- a. Possess, or be able to possess the Intermediate Certificate;
- b. Be a certified, registered or exempt peace officer currently employed by a Georgia law enforcement agency certified by P.O.S.T.;
- c. Have a minimum of twenty (20) quarter hours or 12 semester hours from an accredited college or university as defined in P.O.S.T. Rule 464-2(t); and
- d. Have successfully completed the following seven (7) required core courses at a P.O.S.T. recognized training facility.
 1. Advanced Firearms (32 hrs.) or Semi-Auto Pistol 2 (32 hrs)
 2. Advanced Report Writing (16 hrs.)
 3. Advanced Traffic Law (24 hrs.)
 4. Crime Scene Processing (24 hrs.) or Crime Scene Technician (40 hrs)
 5. Interviews and Interrogations (24 hrs.)
 6. Search Warrants and Affidavits (16 hrs) or Search Warrants & Affidavits in Drug Cases (40 hrs)
 7. Specialized Patrol Techniques (14 hrs) or Advanced Patrol Techniques (24 hrs)

4. Senior Deputy Certification

The Senior Deputy Certification is awarded through the Georgia Sheriff's Association. The Program is a valuable training course for deputy sheriffs seeking to enhance their knowledge of the duties and responsibilities related to the Office of Sheriff. Certification requires 324 hours of specialized training divided into three modules.

- a. Module 1 (82 hours): Sheriff's Office Duties
- b. Module 2 (42 hours): Expanded Functions
- c. Module 3 (200 hours): Specialized / Advanced Electives

5. Supervisory Certificate

The requirements of P.O.S.T. state that to qualify for the Supervisory Certificate, each applicant must:

- a. Currently hold a supervisory position and have done so for at least one year prior to certification. A supervisory position is defined as those who are responsible for the direct supervision of personnel occupying basic operational line positions in patrol, investigations, or support. The position title may be sergeant, corporal, or officer-in-charge. A person in this position commonly performs both the direct supervision of personnel and actual law enforcement duties. Also included would be coordination of supervised

personnel, evaluation, and record keeping. Determination shall be based on job function and not position title, and the attestation of the Sheriff.

- c. Possess forty-five (45) college quarter hours or 30 semester hours from an accredited college or university, as defined in POST rule 464-2(t).
- d. Complete the 120-hour P.O.S.T. Supervisory Development Course.

6. Management Certification

The requirements of P.O.S.T. state that to qualify for the Management Certificate, each applicant must:

- a. Currently hold a management position and have done so for at least one (1) year prior to certification. A management position is defined as "those who occupy the management position in a law enforcement agency which fall between the supervisor and the executive. This position typically involves planning, organizing, public relations, discipline and general administrative work." Determination shall be based on job function and not position title, and attestation of the Sheriff.
- b. Possess or be able to possess the P.O.S.T. Advanced Certificate. (Persons who were employed in management positions prior to July 1, 1986 are exempt from this requirement.)
- c. Possess ninety (90) college quarter hours or 60 semester hours from an accredited college or university, as defined in P.O.S.T. Rule 464-2(t).
- d. Complete the 120-hour P.O.S.T. approved Management Development Course.

7. Executive Certificate

The requirements of P.O.S.T. state that to qualify for the Executive Certificate, each applicant must:

- a. Currently hold an executive position and have done so for at least one (1) year prior to certification. An executive position is defined as "the highest-level official with direct operational responsibility for a law enforcement agency." Duty positions may be identified by the title of Sheriff, superintendent, warden, colonel, director, or commissioner. As general manager of a law enforcement agency, the executive has the administrative responsibility for the policies and performance of the agency. Determination shall be based on job function and not position title.
- b. Possess ninety (90) college quarter hours or 60 semester hours from an accredited college or university, as defined in P.O.S.T. Rule 464-2(t).
- c. Complete the 120 hours P.O.S.T. approved Executive Development Course or the Law Enforcement Command College (440 hours).

All sworn personnel are encouraged to strive to obtain intermediate and advanced certification. Supervisors and managers are encouraged to strive to obtain the supervisory and management certificates. Employees meeting the requirements for one of these certifications may obtain the appropriate application from the Training Unit.

8. UNDERGRADUATE COLLEGE TUITION REIMBURSEMENT

The Forsyth County Sheriff strongly encourages all employees to pursue post-secondary education. The Sheriff may offer undergraduate college tuition reimbursement benefits, when funds are available, for full-time agency employees pursuing job-related degrees. The total reimbursement each employee may receive per year for expenses paid from personal funds is \$1000.00.

Employees who desire to apply for tuition reimbursement must have completed their initial probation period of one year and receive a grade of C or better from a regional accredited college/university.

To request tuition reimbursement, a "request for tuition reimbursement" form should be completed and submitted thru the employee's chain of command to the respective Bureau Commander for consideration. All approved requests should be forwarded to the Sheriff's Services Bureau Commander for processing.

9. Advanced Command and Executive Leadership Training

In furtherance of the Forsyth County Sheriff's goal to develop Advanced Command and Executive Leadership within the agency, funding for graduate college and advanced training (i.e., FBINA, Command College, etc.) may be available for selected agency employee's, dependent upon the availability of budgetary funds. The Sheriff, or designee, shall select the institution attended and course of study.

Funding shall be restricted to required program cost such as but not limited to tuition, textbooks, class related materials, fees, travel time (in accordance with existing travel time policy) and regular compensation for class time. Funding shall not include compensation for time outside of class such as home study, writing papers, etc. unless prior approval is granted. All expenses shall be approved in advance by the Sheriff, or designee.

With prior approval from the employee's immediate supervisor, employees may be allowed to make adjustments to their work schedule to accommodate attending class. Supervisors should consider agency need, shift coverage, and employee position when approving adjustments.

II. EDUCATIONAL EXPENSES REIMBURSEMENT AGREEMENT:

A. Advanced Command and Executive Leadership Training

Employees desiring to receive agency funding for Advanced Command and Executive Leadership Training shall be required to sign an educational expenses repayment agreement which at a minimum requires Employees leaving the agency prior to completing the required employment period to reimburse the agency for said educational expenses. Funds up to the total reimbursement amount owed may be withheld from an employee's final paycheck, to include withdrawal from any payment for accrued vacation hours the employee may be entitled to.

B. P.O.S.T. Mandate Academy

The Forsyth County Sheriff's Office may agree to advance tuition, educational expenses and stipend for an employee to attend the University of North Georgia Public Safety Academy Forsyth or a regional P.O.S.T. Academy. Each employee approved to attend the Academy shall be required to sign an educational expenses repayment agreement.

Employees who voluntarily terminate employment with the Forsyth County Sheriff's Office within a two-year period from completion of the academy, and then go to work for another law enforcement agency during that two-year period shall be responsible for repaying some or all of the Total Expense Amount as provided in the agreement.

III. Georgia Public Safety Training Academy Role and Relationship

The Training Director shall be responsible for establishing and maintaining a cooperative relationship with the University of North Georgia-Forsyth Public Safety Academy, the Georgia Public Safety Training Center and the regional law enforcement academy.

The Sheriff may offer input to the academy program by contacting one of the members of University of North Georgia-Forsyth Public Safety Academy or the Georgia Peace Officer Standards Training Council in accordance with the rules published by the Council.

The Sheriff's Office may provide instructor support and/or training resources to any GA POST sanctioned academy depending upon the reasonable availability of qualified personnel, the operational needs of the agency at the time of the request, and the degree to which the requester can provide reimbursement should financial assistance be required.

The Sheriff's Office shall satisfy its financial obligations to the academy in accordance with mutually agreed upon procedures.

Legal liability associated with training received at an academy shall be determined based upon an evaluation of the facts and circumstances of each given situation.

GENERAL ORDER: 3-1.7 FIELD TRAINING PROGRAM

Rescinds/Amends: GO 3-1.6

Effective Date: August 28, 2018

Committee Review - Date: August 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I FIELD TRAINING PROGRAM (FTP)

The purpose of this section is to establish the guidelines for a Field Training Program and to ensure that deputies are properly trained in a structured training program prior to performing the duties of a deputy sheriff.

Providing sworn deputies with practical training or road experiences in addition to the basic police academy classroom instruction is a relevant component of a deputy's overall training experience. In order to achieve this, the agency requires a deputy to successfully complete a training program that entails academy instruction in conjunction with the agency's Field Training Program.

It shall be the policy of the Sheriff's Office to require newly sworn deputies to complete academy instruction in accordance with O.C.G.A. 35-8-9 and to enhance the basic law enforcement knowledge and skills of newly sworn deputies through the establishment of a Field Training Program. Deputies shall not be allowed to assume full-time law enforcement duties, carry a firearm on-duty or make an arrest prior to completing the basic academy instruction. At a minimum, all newly sworn deputies shall complete a field training program of at least six (6) weeks for deputies with previous law enforcement experience and twelve (12) weeks for deputies without previous law enforcement experience. All original FTO training records shall be forwarded to the Training Section.

Deputies who return to the Uniform Patrol Section after being assigned to another division/section for more than two years shall complete the six (6) week UPS Field Training Program before being released for solo assignment in a Uniform Patrol Precinct. Deputies who are unable to complete the six (6) week Uniform Patrol Field Training Program successfully, may be extended up to twelve (12) weeks or reassigned to another bureau, division or section.

A. DEFINITIONS

1. Field Training Program Manual - A comprehensive outline of the recruit training program which shall be utilized by the FTOs in the recruit training process. The manual is prepared, reviewed and updated by the FTO coordinators and the Training Unit. The manual establishes procedures for recruit training and evaluation for each section or unit which requires a Field Training Program.

2. Recruit Deputy Sheriff (newly sworn) - A deputy trainee who has only completed the POST requirements to become a certified peace officer.
3. Recruit Deputy Sheriff (previous experience) - A deputy trainee who has completed the POST requirements to become a certified peace officer and who has more than one (1) year experience working patrol duties.

B. PROGRAM PROCEDURE

The agency requires all deputies to complete a Field Training Program in addition to completing a training program in accordance with Georgia's Peace Officer and Standard's Training Council (O.C.G.A. 35-8-9) requirements for certified officers.

1. FIELD TRAINING PROGRAM (FTP) ADMINISTRATION

All Field Training Programs (FTPs) shall be under the administrative control of the Training Unit. Individual agency division commanders or designees may coordinate training and maintenance of the program within their respective sections through the Field Training Program Coordinator.

2. FTO COORDINATOR RESPONSIBILITY

The FTO coordinator shall ensure that all deputies follow the Field Training Program rotation schedule in order for the deputy to experience a variety of law enforcement duties. Upon assignment or reassignment to any agency division, the deputy must successfully complete the FTP in accordance with the Field Training Program rotation schedule or he/she shall be subject to demotion or dismissal.

Training shall be organized, equitably evaluated and closely supervised. Newly sworn deputies shall be trained in agency policies, procedures, rules and regulations.

3. MINIMUM FIELD TRAINING OFFICER (FTO) REQUIREMENTS

Deputies who wish to apply for FTO certification with the agency should meet the following qualifications:

a. Jail Training Officers (DSI's)

1. Possess a P.O.S.T. FTO certification and have been employed with the agency for a minimum period of ninety (90) days; or,
2. Possess P.O.S.T. Jailor Certification
3. Have a minimum of 4 months' detention center experience in the Forsyth County Detention Center (excluding their initial Field Training Program).

b. Field Training Officers (DSII's)

1. Possess a P.O.S.T. FTO certification and have been employed with the agency for a minimum period of one (1) year; or,

2. Have a minimum of two years certified law enforcement experience as a Deputy Sheriff II with the Forsyth County Sheriff's Office;
3. Have a total of three years of certified experience as a sworn law enforcement officer with powers of arrest (this may include any Georgia P.O.S.T. recognized law enforcement agency in the State of Georgia, other states or with the federal government).

4. FTO SELECTION

The selection process for FTOs shall include the following:

- a. Deputies interested in becoming a Field Training Officer must submit a letter to their supervisor explaining why they want to be an FTO. A letter of recommendation from their immediate supervisor must be attached and forwarded to the to the Field Training Program Coordinator in the Training Unit for approval or disapproval.

Once selected as an FTO, deputies who have not completed the P.O.S.T. FTO Certification training, shall submit a training request through proper channels.

- B. The FTO applicant may be contacted by the FTO Coordinator in order to more thoroughly examine the applicant's education, law enforcement and professional background, and to evaluate the applicant's interpersonal skills.
- d. Upon approval or disapproval by the FTO Coordinator, the applicant will be notified. Those notified of approval should complete a School Request Form to attend the P.O.S.T. Certified program and forward it through established channels.

5. FTO ASSIGNMENT

Line supervisors may recommend assignment of FTOs to appropriate watches/shifts as needed.

a. FTO RESPONSIBILITIES

FTOs shall provide on-going instruction throughout the field training process. Because of this responsibility to teach, the FTO shall continually evaluate his/her approach and tailor instructional techniques to accommodate the deputy that the FTO is currently training.

The FTO shall identify any academic or technical skill deficiency in the deputy and provide proper instruction to correct those deficient areas. The FTO shall be responsible for observing and evaluating the deputy on a daily basis.

- c. The FTO shall:
 - 1. Document the deputy's performance;
 - 2. Discuss the written evaluation with the deputy; and,
 - 3. Keep the deputy informed of his/her performance and progress. FTOs shall complete a Daily Observation Report in the Records Management System FTO Module in accordance with the Field Training Program Manual on all trainees before the end of their shift.

Whenever a deputy is transferred to a new FTO, the new FTO shall review the Progress Report in the FTO Module to be made aware of any areas needing special attention. The new FTO shall review all previous evaluations prior to receiving a deputy. FTOs shall be supervised by their respective watch/shift commander. FTOs shall be required to attend law enforcement courses and/or in-service training to maintain their qualifications as FTOs.

6. DEPUTY RESPONSIBILITIES

The deputy, who is POST certified officer under O.C.G.A. 35-8-9, shall enter into the Field Training Program prior to permanent assignment in Uniform Patrol. During the Field Training Program, the deputy shall be involved in a student/teacher relationship with the FTO. Each deputy shall spend the entire time in the training program demonstrating proficiency in various aspects of law enforcement.

The Field Training Program is designed to give the deputy instruction, direction, supervision, guidance and experience in order to become a proficient deputy.

The deputy may be assigned to different FTOs during the Field Training Program. The deputy may be assigned to work the final portion of the program on the shift he or she will be assigned.

All deputies have the ultimate responsibility for their own performance and improvement. The FTO and the agency shall make every attempt to comprehensively guide and instruct, but the acceptance and demonstration of the subject matter falls directly upon the deputy. Failure to complete any Field Training Program shall subject the deputy to demotion or dismissal.

7. Field Training Officer Incentive Pay

All Uniform Patrol and Jail FTO's will receive (1) one-hour additional pay during each day they actively supervise a recruit assigned to them for training.

GENERAL ORDER: 3-1.8 Open Records

Rescinds/Amends:

Effective Date: January 24, 2023

Committee Review - Date: December 2020

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. PURPOSE**

Under the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq, all records created or received in the performance of a public duty or paid for by public funds are deemed to be public property and constitute a record of public acts. As a public office, the Forsyth County Sheriff is subject to the Open Records Act. The Forsyth County Sheriff's Office is committed to conducting its business in a manner that complies with all legal requirements, fosters citizen confidence in the Sheriff's Office, and promotes efficient and effective law enforcement operations. The Sheriff recognizes the importance of communicating information to citizens and other interested parties and will cooperate in supplying requested information that is considered a matter of public record. In Georgia, there is a strong presumption that public records should be made available for public inspection.

The law requires that the Sheriff make available for public inspection public documents. All documents or other records (including video, audio, or electronic records) prepared or maintained by the Sheriff's Office, its contractors, as well as documents prepared or maintained by its employees as part of their job responsibilities, are subject to the Open Records Act. The purpose of this policy and its procedures is to ensure compliance with the law and to provide staff guidance on responding to Open Records Act requests.

II. POLICY STATEMENT

The Sheriff's Office must respond to Open Records Act requests as required by the Open Records Act (the "ORA"). With limited exceptions, such as obtaining an extension from the requester, the Sheriff's Office must respond to such requests within three (3) business days. In response to an Open Records Act request, the Sheriff's Office will allow the requester to view public documents and, for a fee, make copies of the requested records. In providing records in response to an Open Records Act request, all applicable exemptions shall be observed and any exempted records or information shall be withheld from production. While it is the policy of the Sheriff's Office to provide requested and available documents within three (3) business days of a request, it may be impossible due to volume and other factors. Explanation of any delays in providing responsive records will be provided in writing in accordance with the Open Records Act.

III. SCOPE

This Policy applies to all officers, employees, or consultants of the Forsyth County Sheriff's Office with regard to all records, both physical and electronic, generated in the course of the Forsyth County Sheriff's Office's operation. For purposes of this policy, "record" means all documents, papers, letters, maps, books (except books in formally organized libraries), microfilm, magnetic tape, audio or video recordings (including, but not limited to, dash cam videos, recordings from body cams/body-worn devices, recordings from security cameras within law enforcement facilities, and any other recordings made or maintained in furtherance of law enforcement activity), or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in performance of functions by the Forsyth County Sheriff's Office.

IV. ADMINISTRATION

The Open Records Custodian shall serve as the Records Officer as contemplated in O.C.G.A. § 50-18-71(b)(1)(B). The Records Officer is responsible for responding to Open Records Act requests and must work to ensure compliance with the Open Records Act. The Records Officer is responsible for the administration of this Policy and the implementation of processes and procedures to ensure that Open Records Act requests are responded to properly. However, it shall be the responsibility of every officer, employee, and contractor of the Sheriff's Office to ensure compliance with the Open Records Act.

V. PROCEDURE

Open Records Act requests are not deemed received until delivered to the Records Officer, and the three-day response period does not begin to run until the request has been received by the Records Officer. Any officer or employee receiving a request for records held under his/her individual or divisional responsibility should immediately notify the Records Officer. A request may be verbal—it is not necessary that a request be in writing—although any requestor may submit a written request under the law if they so desire.

Upon the Records Officer's receipt of a request for public records, the request shall be date-stamped or otherwise documented to indicate the date and time of receipt.

Upon receiving an Open Records Act request, the Records Officer shall, as soon as practicable, contact the Division responsible for the requested records to determine whether they exist, how voluminous they might be, and how much time might be required to search for, assemble, and redact responsive records. When the Records Officer requests records from any officer or employee pursuant to a pending Open Records Act request, such requested records or a pre-retrieval estimate shall be provided to the Records Officer as soon as practicable to ensure the Records Officer has adequate time to review prior to providing a response to the requester. The Records Officer shall coordinate with the responsible Division to ensure the Records

Officer has all information necessary for providing a response to the Open Records Act request.

Within three business days of the Records Officer's receipt of the request, the Records Officer, or any other employee responsible for responding to the request, shall:

- a. Provide the requested records to the requester; OR
- b. Provide a pre-retrieval estimate to the requester if the costs to produce the requested records will exceed \$25.00 or another pre-approved amount; OR
- c. Provide a pre-retrieval estimate to the requester seeking prepayment if the costs to produce the requested records will exceed \$500.00; OR
- d. Notify the requester that while the requested records may exist, they are not currently available for production, and provide the requester a timetable for production of the requested records; OR
- e. Notify the requester that the requested records are not subject to disclosure; OR
- f. Notify the requester that the requested records do not exist.

All responses to Open Records Act requests shall be in writing. Further, any communications with a person making a request, including extensions or clarifications, shall be memorialized in writing.

With respect to all records produced pursuant to the Open Records Act, the Records Officer shall maintain a copy of such records sufficient to clearly show what records were produced in response to the request. In addition, the Records Officer shall maintain the original request, and all correspondence between the Sheriff's Office and the requester.

VI. COSTS

Unless the Sheriff approves the waiver of costs, all costs authorized by law shall be charged for responding to an Open Records Act request.

Pursuant to the Open Records Act, the Sheriff's Office is authorized to charge for the search, retrieval, redaction, and production or copying costs involved in responding to Open Records Act requests, after the first 15 minutes of employee time expended, at the hourly rate of the lowest paid, full-time employee who possesses the necessary skill to so respond. To ensure consistency, any employee who retrieves records responsive to an Open Records Act request shall, in every case, inform the Records Officer, or other employee responsible for providing a response, of the time spent (or in the case of a pre-retrieval estimate, the time estimated to be spent) responding to the request (including time spent redacting records), as well as the applicable hourly rate.

The Sheriff's Office may also charge ten cents (\$0.10) for each letter or legal-sized page copied and an additional fee for certified copies or other copies for which a fee is specifically authorized or otherwise provided for by law, including, but not limited to, \$10.00 for the copying of video recordings from law enforcement body-worn devices or

devices located on or inside of a law enforcement vehicle. When the documents requested are de minimis, 20 pages or less, the charge for the copying of the records may be waived.

If the cost of responding to an Open Records Act request will exceed \$25.00, the Sheriff's Office shall defer search and retrieval of the records until the requestor agrees to pay the estimated costs. In such cases, employees should provide an estimate to the Records Officer of the time expected to be spent responding to the request and the costs of the materials requested. Once the requestor provides notice of their approval of the costs of the estimate (or provides prepayment for requests exceeding \$500.00), the Sheriff's Office shall begin compiling responsive records, and shall provide responsive records or a future production date to the requester within three business days. Because the Sheriff's Office reserves the right to adjust upward or downward depending upon the number of copies and the amount of time it takes to respond, upon providing the Records Officer with documents responsive to an Open Records Act request, employees should inform the Records Officer of the actual time expended and costs of materials provided, even if the cost is in excess of the estimate previously provided.

VII. EXEMPTIONS

Under the Open Records Act, all public records are available for inspection and copying unless they are specifically exempted from disclosure under law. It is the policy of the Sheriff's Office that all applicable exemptions shall be observed in responding to an Open Records Act request and any exempted records or information shall be withheld from production, including, but not limited to, the following:

1. Except as otherwise provided by law, records compiled for law enforcement or prosecution purposes to the extent that production of such records is reasonably likely to disclose the identity of a confidential source, disclose confidential investigative or prosecution material which would endanger the life or physical safety of any person or persons, or disclose the existence of a confidential surveillance or investigation (O.C.G.A. § 50-18-72(a)(3));
2. Records in any pending investigation or prosecution of criminal or unlawful activity, other than initial police arrest reports and initial incident reports; provided, however, that an investigation or prosecution shall no longer be deemed to be pending when all direct litigation involving such investigation and prosecution has become final or otherwise terminated (O.C.G.A. § 50-18-72(a)(4));
3. Individual Georgia Uniform Motor Vehicle Accident Reports, except as authorized by O.C.G.A. § 50-18-72(a)(5);
4. Personal information as outlined in O.C.G.A. § 50-18-72(a)(20)(A);
5. Personal information concerning public employees as outlined in O.C.G.A. § 50-18-72(a)(21);
6. Records, the disclosure of which would compromise security against sabotage or criminal or terrorist acts as provided by O.C.G.A. § 50-18-72(a)(25);

7. Audio and video recordings from devices used by officers in a place where there is a reasonable expectation of privacy when there is no pending investigation, except as provided by O.C.G.A. § 50-18-72(a)(26.2);
8. Records concerning reports of child abuse as provided in O.C.G.A. § 49-5-40;
9. Records and files concerning a child as provided in O.C.G.A. § 15-11-708(b).

It shall be the duty of the Records Officer to determine whether and to what extent any exemptions apply to a requested record. The ultimate authority of whether to release a record or information contained in a record lies with the Sheriff, or in the Sheriff's absence, the Chief Deputy. In any case, if a record or portion of a record is withheld from production, the response to the requester shall include a citation to the provision of Georgia Law that exempts the record or portion of the record from being produced.

VIII. VIOLATION OF THIS POLICY AND THE Open Records Act

As provided by O.C.G.A. § 50-18-74, any person who knowingly and willingly fails or refuses to provide access to records not subject to exemption may be found guilty of a misdemeanor and fined up to \$1,000.00 for the first violation. Additional civil and criminal penalties may also be imposed. Failure to abide by this Policy or the Open Records Act may result in appropriate disciplinary action, as approved by the Chief Deputy or Sheriff.

GENERAL ORDER: 3-1.9 Brazilian Jiu Jitsu Training

Rescinds/Amends:

Effective Date: May 3, 2023

Committee Review - Date: October 2021

Related Procedure(s): GO 3-1.6

Authorized by: Sheriff Ron H. Freeman



I. PURPOSE

Brazilian Jiu Jitsu teaches methods to control a suspect and restrain them in various positions which reduces the risk of injury to the suspect as well as to the deputy. This training also addresses the physical fitness of deputies. The purpose of this policy is to mandate Brazilian Jiu Jitsu training for all new deputies and encourage additional training for individual deputies.

II. POLICY

It is the policy of the Forsyth County Sheriff's Office to provide deputies with additional Brazilian Jiu Jitsu (hereinafter referred to as BJJ) training to accommodate the ever-increasing demands of the law enforcement profession. This policy shall apply to all sworn certified peace officers and sworn certified jailers.

III. PROCEDURES

- A. The Forsyth County Sheriff's Office may provide all sworn personnel, as defined above, with Brazilian Jiu Jitsu (BJJ) training at a facility approved and designated by the Sheriff, Chief Deputy or designee.
- B. Deputies assigned to the Uniform Patrol FTO (Field Training Officer) program or the Jail JTO (Jail Training Officer) program shall be required to attend a BJJ Training session a minimum of once per week while assigned to each respective field training program. Any missed mandatory training must be approved by the Training Unit. The Training Unit Commander, Uniform Patrol Division Commander and/or the Assistant Jail Commander may exempt personal from attending BJJ as warranted. Deputies shall receive P.O.S.T. credit for attendance.
- C. Deputies who have completed FTO and JTO training may voluntarily attend BJJ training on or off duty for P.O.S.T. credit.

- D. Deputies shall sign in when attending training at the approved BJJ facility. The Training Unit shall maintain training logs and enter the training hours for P.O.S.T. credit.
- E. Participation in BJJ training on duty requires the approval of supervision which may be influenced by factors including, but not limited to, manpower and call volume.
- F. Deputies must wear the facility's approved apparel during a training session.
- G. Any injuries sustained during BJJ training, whether on or off duty, shall be covered by Forsyth County Worker's Compensation. Any injuries during BJJ training must immediately be reported to supervision.
- H. BJJ training is a supplement to annually required Defensive Tactics training and is not considered to be a substitution.

GENERAL ORDER: 3-2 SHERIFF'S SERVICES BUREAU

Rescinds/Amends:

Effective Date: August 11, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I SHERIFF'S SERVICES BUREAU

A. ORGANIZATION

The Sheriff's Services Bureau is a major component of the agency. The Sheriff's Services Bureau Commander shall answer directly to the Chief Deputy and shall hold the rank of Major.

This policy establishes the organization, objectives and defines the functions for the operation of the bureau. The bureau shall include division, sections, units, and/or teams of personnel to carry out the delegated functions.

The bureau has three (3) divisions:

1. Headquarters Division
2. Training Division
3. Judicial Operations Division

Each division is responsible for the following units:

1. Headquarters Division

A. Business Services Section

- 1) S.O.I.T. Unit
- 2) Finance Unit
 - Budget Analyst
 - General Accounting
 - Jail Accounting
 - Procurement
 - Payroll
 - UCR / Crime Stats

- Policy Accreditation/Certification

3) Grant Coordinator

B. Support Services Section

1) Evidence / Property Unit

2) GCIC / Records Unit

- GCIC
- Records
- Switchboard

3) Logistics Unit

- Supply Unit
- Fleet Management

4) Crime / Intel Analyst Unit

C. Background Investigation and Recruitment Unit

2. Training Division

3. Judicial Operations Division

1) Judicial Security Section

- Main Courthouse
- Magistrate Courthouse
- Juvenile Courthouse
- Tax Commissioner
- Accountability Court
- Administration Building

2) Judicial Enforcement Section

- Civil Unit
- Ordinance / Permits Unit

GENERAL ORDER: 3-2.1 JAIL BUREAU

Rescinds/Amends:

Effective Date: October 11, 2022

Committee Review - Date: October 2020

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. JAIL BUREAU

The guidelines herein shall govern the operation and maintenance of the Forsyth County Jail and are applicable to all personnel.

II. PURPOSE

The purpose of this General Order (GO) is to prescribe policy for the handling of persons in custody. The provisions of this GO apply to all Forsyth County Sheriff's Office personnel who take persons into custody, with or without an arrest warrant.

Members of the Forsyth County Sheriff's Office initiate a "special relationship" with an individual who is deprived of his/her liberty and taken into custody. As a result, DEPUTIES HAVE A DUTY TO TAKE ALL REASONABLE MEASURES TO ENSURE THE SAFETY AND PROTECTION OF THEMSELVES, THE PUBLIC, AND OF PERSONS IN CUSTODY.

III. ORGANIZATION

A. Jail Administrator

The Jail Administrator is responsible for the overall operation of the Bureau and shall have authority, subject to the authority of the Sheriff, in matters of operation, policy and discipline and shall exercise such lawful directives as are necessary to assure the effective performance of the Jail Bureau. The Jail Administrator, or designee, has the authority to assign or transfer personnel as they deem necessary and beneficial to the Bureau.

B. Watch Commanders

The Jail Security Division is divided into four watches; each be managed by a watch commander. Watch commanders may transfer personnel, both supervisory and non-supervisory, from any assignment to another within their respective watch. Watch commanders are responsible for assuring that adequate supervision and uniform personnel are on duty at all times during their respective watches.

C. Supervisor

Each watch is assigned a supervisor(s) who is responsible for supervision and guidance of assigned personnel. During the absence of the watch commander, a supervisor shall serve as commander of the Watch.

D. Deputies

The Jail Bureau is staffed by deputies, who are responsible for the safety, security and administrative functions related to the intake, booking, detention and bonding of arrested adults.

IV. DEFINITIONS

- A. Arrest: depriving a person of his/her liberty (OCGA 17-4-1), with or without a warrant, for the purpose of bringing the individual before a judicial officer (OCGA 17-4-21), based upon probable cause that the individual has committed an unlawful act.
- B. Body cavity search: an internal physical examination of body cavities, to include in some cases, organs such as the stomach cavity, in order to obtain evidence such as bodily fluids or ingested items.
- C. Custody: The immediate charge and control (as over a ward or a suspect) of a person, exercised by someone of authority
- D. Probable cause: Objective facts and circumstances of which a reasonable and prudent person would believe that a crime has been, or is being, committed.
- E. Reasonable suspicion: facts or circumstances of which the deputy knows, or should know, which would cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

V. FISCAL MANAGEMENT

The fiscal management of receipts, cash, personal items and disbursements shall comply with existing rules and regulations. This section shall comply with all Federal, State and Local Laws and Ordinances under whose jurisdiction the item or items may come.

VI. Inmate Property

It is the responsibility of Jail Personnel to assure that all inmate property is logged properly, marked or tagged, recorded and secured in the Property / Storage Room of the Jail.

VII. PHYSICAL PLANT

A. Inspections:

The following physical inspections are conducted:

1. Alarms: Smoke and heat detectors shall be checked for function and reliability (tested yearly by outside contractor in accordance with state mandates).
2. Lighting: Shall be maintained and burned out or broken bulbs shall be replaced immediately.
3. Toilets/Basins: Shall be checked for cleanliness and proper operation.
4. Locks: Deputies shall report any issues noted with locks to a supervisor immediately.
5. Fire Extinguishers: Maintained and posted at specific locations (tested by outside contractor in accordance with state mandates)
6. Sanitation, Cleanliness, Vermin and Pest Control: Inspections shall be performed by deputies as a routine part of duties. Any deficiencies found should be reported immediately to the watch commander for correction. Any incidents, which threaten the facility or persons therein, shall be fully documented and immediately brought to the attention of the Jail Administrator via chain of command.
7. Forsyth County currently contracts with a pest control company to treat the Jail for vermin and pest control.
8. The automatic fire detection devices and alarm system shall receive annual documented inspections testing by a certified provider. The annual testing should ensure fire equipment is operational and functional as designed.

B. Minimum Conditions

The Jail provides the following minimum conditions for the inmates:

1. Lighting (consistent with federal guidelines);
2. Circulation of fresh or purified air in accordance with local public health standards;
3. Access to toilets, wash basins, showers and fresh drinking water;
4. A bed and bedding for each inmate housed;
5. Food and Medical/Dental Care; AND
6. Access to communication with Attorneys and outside contacts.

VIII. SAFETY

Emergency evacuation routes are prominently posted in the facility indicating two separate means of emergency exits. Deputies should be familiar with the jail layout and designated emergency exits.

Fire alarms and bomb threats should be treated as though an actual emergency exists. The primary objective is the safety of all staff and inmates confined in the Jail.

The Jail Administrator or designee shall coordinate inmate evacuation(s) to a safer facility when extreme emergency situations deem the current Jail unsafe for inmate housing.

IX. SECURITY AND CONTROL

Jail Bureau Personnel should conduct random and scheduled inspections of their respective areas of responsibility for the detection of contraband. This inspection shall also aid in daily upkeep of the facility and ensure that maintenance and sanitation procedures are being followed. Locks should be checked to ensure they are functioning properly. Electrical locking devices should be checked to ensure proper operation and the manual locks (key locks) should be checked to make sure the secondary access is working in case of an emergency. All doors should remain locked and should be tested for vulnerability. Passageways should be inspected to ensure they are free of foreign objects and debris. Lighting for detention facility, passageways, reception areas, office area and perimeter should be inspected on a daily basis.

Defective equipment should be repaired or replaced immediately or referred to the appropriate authority for repair.

Members of the public shall not be allowed into secure areas unless screened, approved and escorted.

No one shall enter any restricted areas of the jail while carrying any weapon to include firearms, ammunition, knives or baton. A Hook Rescue Knife designed to cut rope, bed sheets or other items is permissible. Exceptions to this procedure may be authorized for life threatening situations which require immediate action.

X. KEY CONTROL

The Jail is secured by electronic locks controlled by Master Control or Housing Unit Tablets.

Hard keys are maintained in Master Control. These keys are assigned as needed by Master Control personnel and are accounted for daily. An emergency set of keys is maintained by the Jail Administrator and shall be accessible to detention staff as well as to tactical personnel in the event of a tactical emergency.

Accessory Keys (keys to storage closets, deputy restrooms in the housing units, etc.) shall be exchanged at shift change with the oncoming Jail Deputy. These keys DO NOT control any doors which would permit inmates to move from one area to another. Jail Deputies shall never permit inmates to possess keys.

Lost or stolen keys shall be reported to a supervisor or watch commander immediately. In the event the key was lost inside the facility, inmates shall be locked in their cells and a search of the facility shall be conducted.

XI. ESCAPES

The procedures to be followed if an escape occurs outlined in SOP 3-2.201.

XII. Inmate Property Management

A written, itemized inventory shall be made of all property taken from an inmate. Any property taken from inmates shall be securely stored until the person is released.

XIII. Medical Clearance

Persons suspected of being under the influence of drugs or alcohol to the extent that they are immobile, incoherent, or a possible health risk, shall not be admitted into the jail until they have been transported, by the arresting officer, to a proper facility equipped to provide proper treatment and close supervision (usually hospital E/R).

XIV. Violent or Self-Destructive Inmates

Inmates who are violent or suspected of being self-destructive shall be placed in a designated section of the facility and closely monitored. As soon as possible, the inmate shall be transported to the proper treatment facility. The following information regarding the apparent physical condition of the inmate should be determined by the supervisor including but not limited to:

- a. current health status
- b. medication(s) currently being taken
- c. behavior
- d. state of consciousness and mental status
- e. body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.

XV. Juveniles

Notwithstanding an order from Juvenile or Superior Court, due to federal guidelines, detained juveniles are not allowed in, or around, the jail; nor are they allowed to have any contact whatsoever with adult inmates.

XVI. Gender Separation

Male inmates shall be placed in holding cells and/or housing units separate from female inmates.

XVII. Mass Arrests

In the event of a group arrest, situations such as personnel, facilities, booking and detention procedures are detailed in SOP 1-6.101.

Overflow inmates may be housed in other jails as designated by the Jail Administrator or higher. When temporary facilities are used, they should be used for inmates held for less serious charges.

XVIII. SUPERVISION OF INMATES

The inability on the part of deputies to remain in a fixed area with a joint sound and sight monitoring system necessitates that the individual housing areas be checked at least every hour during "lights on" and every thirty (30) minutes during "lights out".

All inmates should be searched and the destination cell inspected for weapons and contraband before being placed in a housing unit or cell and upon being removed from the housing unit.

XIX. SUPERVISION OF INMATES OF THE OPPOSITE SEX

To avoid violation of the inmate's privacy, supervision of inmates should be conducted by officers of the same sex, as staffing permits.

XX. FIRST APPEARANCE HEARING

Inmates who have been arrested without a warrant shall be brought before a court of proper jurisdiction authorized to examine, commit and/or assign bail within 48 hours.

Inmates who have been arrested under a warrant shall be brought before a court of proper jurisdiction authorized to examine, commit and/or assign bail within 72 hours after arrest.

First Appearance Hearings are held in the Jail Court room each day Monday thru Saturday. Inmate Specialist Staff shall compile a list of current inmates awaiting a First Appearance Hearing. The list shall be forwarded to Jail Security Division Supervisor(s) who shall arrange for each inmate on the list to be transported to the Jail Court Room (or other court as assigned by the presiding judge) for their hearing.

XXI. MEDICAL AND HEALTH CARE SERVICES

In the event of a medical emergency the contracted medical provider shall be contacted along with the 911 Communications Center if Emergency Medical Services are warranted. The Jail Administrator shall also be notified. First Aid Kits are available and are subjected to a documented weekly inspection and replenished, as necessary.

Arrestees who are injured or ill shall be checked by Fire Department and/or EMS personnel before they are transported to the Jail. Arrestee arriving at the Jail who appear injured, ill, impaired or otherwise unhealthy shall not be accepted. If deemed unfit for acceptance into the Jail, the arresting deputy/officer shall retain custody of the arrestee and transport them to a medical facility for medical clearance. The medical clearance documents shall be presented along with the arrestee before the Jail may take custody of the individual.

Jail Personnel shall not be responsible for the custody and control of arrestees at a medical treatment facility until the arrestee has been booked into the center.

XXII. Acceptance of Arrestee into the Custody of the Jail

The transporting Officer/Deputy must provide the intake Deputy with proper legal documentation to confine an arrestee. Completion of the arrest module in RMS (Records Management System) may suffice as proper documentation. Arrestees shall only be accepted into the custody of the Jail from persons who are certified peace Officers/Deputies having authority to arrest and detain individuals or from persons with proper documentation having legal authority to transport an arrestee to the Jail.

In cases of warrantless arrest, the arresting Officer/Deputy shall be responsible for providing proper arrest documents (i.e. Warrant, Order of the Court, etc.) within forty-eight (48) hours.

The arresting Officer/Deputy must remain at the Jail until all required paperwork/information is received and approved. The arrestee may be accepted into the custody of the Jail when the authorized intake Deputy reviews and approves all documentation and the condition of the arrestee. Once approved, the Intake Deputy shall give verbal acceptance to the transporting Deputy.

XXIII. GOOD TIME CREDIT

The Sheriff, at his discretion, has the authority to allow good time credit ("2 for 1") for inmates serving a misdemeanor sentence or for inmates confined as county inmates for probation violations of felony offenses. Good time credit is not automatic and no inmate has a right to earn good time credit. Any inmate for whom the Sheriff may allow good time credit must request a good time credit review after sentencing.

During a good-time credit review, the institutional behavior of the inmate may be considered in light of the appropriate correctional goals. Good time credit may be revoked during the inmate disciplinary hearing process after a review of the written hearing summary by the Sheriff, or his designee (typically, the Jail Administrator).

XXIV. TRAINING OF PERSONNEL

Training shall be administered through in-service training classes approved by the Peace Officers Standards and Training (P.O.S.T.) Council along with other training topics as deemed appropriate by the Jail Administrator. All Jail Deputies are required to attend orientation training and shall complete the (80) eighty-hour P.O.S.T. Basic Jail Deputy Certification Course within six (6) months of hiring.

In-Service training for the Jail Deputies shall include but not be limited to:

- a. Security Procedures
- b. Supervision of Inmates
- c. Familiarization with Reports and Logs
- d. Emergency Procedures
- e. proper use, operation, inspection and management of the Jail.

GENERAL ORDER: 3-2.2 INMATE TRANSPORT

Rescinds/Amends:

Effective Date: September 21, 2022

Committee Review - Date: May 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I TRANSPORT PREPARATIONS

A. Transport Vehicle Search/Inspection

Vehicles utilized to transport any persons shall be inspected for equipment and safety deficiencies and thoroughly searched for contraband prior to and after each transport.

B. Transport Factors

When transporting persons in custody, deputies should consider many factors including but not limited to:

1. The physical condition of the person.
2. The seriousness of the offense for which the person charged.
3. The age and sex of the person.
4. The disposition toward violence displayed by the person.
5. The urgency of the situation or the presence of a crowd.
6. The number of persons being transported.

II TRANSPORT PROCEDURES

The following procedures shall be followed when taking an inmate into custody:

A. Identification of Person to be Transported

Appropriate measures shall be taken to accurately verify identification of individuals prior to being taken into custody pursuant to an arrest warrant, transport order, court order or any other lawful order. Identification verification measures shall include but not be limited to confirming the identity of the individual named in the order by self-acknowledgment; verification of date of birth, social security number, scars, tattoos and other proof of identity available; comparing actual physical characteristics with

those provided in the order; and verification by photo identification, if obtainable.

Inmates being held at other agencies pursuant to a hold placed by the Forsyth County Sheriff's Office shall not be taken into the custody of a Forsyth County Deputy Sheriff until proper identification, including a photo identification, is verified. In situations where a photograph is not available, a supervisor must be consulted and shall make the final determination regarding taking custody of the inmate for transport.

B. Weapons Security

Prior to entering a weapons restricted area, the transporting deputy shall secure their weapon(s) in a provided locker or in a secure compartment of their vehicle.

C. Physical Custody of Inmate

1. Condition of inmate

The physical condition of the inmate shall be evaluated and appropriate medical attention provided prior to accepting custody of the inmate.

2. Inmate Restraints

All inmates shall be secured with approved restraints. Deputies shall not utilize any unauthorized restraining devices, regardless of the physical or mental condition of the inmate, unless exigent circumstances exist.

3. Search of Inmate

All inmates shall be restrained and thoroughly searched by the transporting deputy before being placed in the transport vehicle. Weapons or tools that could be used by an inmate to assault the deputy shall be secured in the trunk of the transport vehicle and/or in an area not accessible by the inmate.

4. Transport Vehicle

When walking an inmate from one location to another, the deputy shall walk behind the inmate with the non-weapon side towards the inmate. The deputy shall be close enough to the inmate to maintain control and prevent attack or escape.

All inmates shall be transported in a vehicle equipped with a security screen or other barrier designed to separate the deputy(s) from the persons being transported unless exigent circumstances exist. Child

door locks and window locks shall be activated. If the security barrier has a sliding window it shall be closed and locked.

Normally, a maximum of two (2) nonviolent inmates should be transported at any time in a patrol vehicle. Larger numbers of inmates may be transported in transport vans according to the number of seatbelts available.

The transport deputy is responsible for ensuring all passengers are secured in vehicle safety restraints (seatbelts).

The inmate shall be placed behind the security barrier so that the inmate's actions may be observed by the deputy(s).

The interior of the transport vehicle shall be lighted to facilitate viewing of the inmate unless safety concerns dictate otherwise.

An adult and a juvenile shall not normally be transported in the same vehicle. An adult who is an immediate relative and is non-threatening to the juvenile may be transported in the same vehicle. If circumstances dictate the transportation of a juvenile with an adult, the transport shall be approved by a supervisor.

Female and male inmates should be transported separately. If circumstances dictate the transportation of a male and female inmate together, such transport shall be for immediate relatives or those who are co-conspirators in the same incident and non-combative.

5. Conducting the transport

The transporting deputy shall notify the 911 Communications Center at the beginning of the transport as to the number and sex of the inmate(s) and destination. When transporting inmates of the opposite sex, deputies shall advise the 911 Communications Center of the transporting vehicle's beginning mileage.

Deputies shall take the safest, most direct route to the destination.

Deputies shall be watchful of the inmate at all times during the transport especially at stops, including traffic signals or traffic congestion.

No side trips or unauthorized stops shall be permitted.

If any non-inmate individuals are authorized to ride in the transport vehicle, all baggage, purses, and packages shall be removed from that individual. If that individual creates an emotional or violent environment in the vehicle, that individual shall not be transported. The individual shall be searched before entering the vehicle.

6. Emergency Situations During Transport

Should an emergency arise in the path of the transport, the deputy shall notify their supervisor of the situation. Life threatening emergencies shall take priority over routine transportation.

7. Inmate Communications During Transport

Prisoners should not be permitted to communicate with non-law enforcement or non-medical personnel while being transported.

If in the discretion of the transporting deputy it becomes necessary for the inmate to communicate with someone other than law enforcement or medical personnel, the following guidelines should be used:

- a. The inmate must be non-violent.
- b. Communications should be limited to urgent matters which cannot be delayed until the inmate is delivered to a jail, prison or other detention facility.
- c. Communications shall be halted immediately if the inmate becomes violent, over-emotional, injures themselves, or attempts to escape.

8. Inmates Transported to An Agency Outside of Forsyth County

If an inmate is transported from the Forsyth County Jail and turned over to an agency outside Forsyth County's jurisdiction, the transport deputy shall submit a completed Transfer of Custody form. The form shall be placed in the inmate's file prior to the end of the deputy's tour of duty.

III RESTRAINT DEVICES

The purpose of restraint devices is to reduce the chance of attack by an inmate and to reduce the opportunities for escape. Restraint devices shall be applied using approved methods and procedures. Deputies shall utilize only those restraint devices that are approved by the agency.

Restraint devices approved for use by deputies are handcuffs, leg shackles, inmate restraint belts, Flex-cuffs, Wrap System, and Medical Restraints.

Devices such as rope, cord, plastic tubing and other items not normally issued for use as approved restraints shall not be carried or used for inmate restraint purposes. Inmates shall not be restrained to any object (such as an automobile) or in such a manner or condition that the inmate's safety is placed at unnecessary risk. No inmate shall be restrained in such a manner as to restrict breathing or cause choking.

Normally, restraining devices have the capability of being double locked. This feature prevents the restraint device from "cinching" or becoming tighter on the

inmate. To prevent unnecessary injury to inmates, restraint devices so equipped shall be double locked.

IV INMATE SEARCH

When any inmate comes into the custody of a deputy, that person shall be searched, as thoroughly as conditions permit, for any contraband or weapons.

A. Search Factors to Consider

Certain factors concerning the extent to which a search shall be conducted must be considered by deputies when taking a person into custody. These factors include but are not limited to:

1. The sex and age of the person in custody.
2. The sex of the deputy conducting the search.
3. The crime with which the person in custody is charged.
4. The disposition toward violence displayed by the person in custody.
5. The urgency of the situation or the presence of a crowd.
6. The conditions present in the area in which the person is being taken into custody.
7. The physical condition of the person in custody.

Factors that shall not be considered are as follows:

1. The statement of another deputy that the person in custody has already been searched.
2. The fact that the person in custody has been in the custody of another law enforcement deputy or has been incarcerated in a holding facility.
3. The fact that the deputy taking the person into custody has watched that person being searched by another.

B. Strip Searches

1. Adult Strip Searches

Strip searches for adult inmates shall only be conducted in strict compliance with current Jail Policy.

2. Juvenile Strip Searches

Juveniles shall not be subjected to a strip search without a valid court order.

C. Body Cavity Searches

1. Adult Body Cavity Searches

Body cavity searches for adult inmates shall only be conducted in strict compliance with current Jail Policy.

2. Juvenile Body Cavity Searches

Juveniles shall not be subjected to a body cavity search without a valid court order.

D. Guidelines for Inmate Searches

The purpose of an inmate search is to locate weapons, contraband or any items which might be used as a weapon or to aid in an escape. Each deputy that takes custody of an inmate is required to complete an inmate search which is as thorough as circumstances permit. All items in the possession of an inmate must be thoroughly examined. Any item determined to be contraband or which can be used as a weapon shall be removed from the inmate and disposition of the property shall be made in accordance with applicable policy. Any handbag, luggage, pack, duffle bag or other container in the possession of an inmate shall be removed, thoroughly searched and secured by the deputy during inmate transportation. All inmate searches and inmate restraining shall be accomplished as humanely as possible in consideration of the safety of the inmate, the public and the deputy. Any use of force beyond the minimum required in searching and restraining of inmates is strictly prohibited.

1. General Inmate Search Procedure

Once the type of search has been determined, deputies should adhere to the following general guidelines for conducting a search:

- a. The inmate should normally turn his back to the deputy.
- b. The deputy should remain a safe distance from the inmate while the inmate assumes the proper position.
- c. The deputy should always remember to be in a position to prevent escape.
- d. The deputy should closely observe the suspect before approaching to see that the suspect's hands are open and clear and to look for any unusual bulges in the suspect's clothing that might be a weapon or contraband.

- e. If the suspect is holding anything, the suspect should be instructed to place or drop the item while facing away from the deputy and to step back from the item.
- f. After the suspect has assumed the proper position, the deputy should approach cautiously from the rear if possible.
- g. No suspect shall be approached until the deputy who conducts the search has holstered their firearm.
- h. The deputy should place appropriate restraint devices on the inmate before the search commences to ensure the safety of the inmate, the deputy and the public.
- i. While searching the suspect, the deputy should maintain their balance to control the inmate's movements and to react to any sudden movements by the suspect.
- j. The deputy should always attempt to keep their head and body behind the body of the suspect to lessen the chance of attack.

V TRANSPORT SPECIAL CONDITIONS

A. Inmate Transportation in Non-Screened Vehicles

Normally, only investigators may transport persons in vehicles that are not equipped with protective barriers. In these situations, the following procedures shall be followed:

1. Transport should be justified by investigative need; otherwise, a patrol car equipped with a screen will be summoned.
2. There shall be at least two (2) investigators in the vehicle during such transport.
3. The inmate will be restrained either by handcuffs with their hands behind their back or using an approved inmate restraint belt with wrist restraints.
4. If the inmate is an escape risk, they should be additionally restrained with leg shackles.
5. No more than one inmate will be transported in a non-screened vehicle at any time except for juvenile inmates who have been charged with non-violent crimes. In such juvenile inmate transports, the juveniles will be restrained in the prescribed manner.

6. All doors of the transport vehicle shall be locked when the vehicle is in transit.
7. The inmate shall be seated in the rear seat of the vehicle on the passenger side.
8. The second transporting deputy shall be seated either behind the driver (1 inmate) or in the passenger side front seat (2 juvenile inmates) able to turn and face the inmate as circumstances demand.
9. The second transporting deputy (the non-driver) shall closely observe the inmate(s).

B. Inmates of the Opposite Sex

The following procedures shall be followed when a Deputy must transport an inmate of the opposite sex:

1. Inmates should be searched by a deputy of the same sex if circumstances permit.
2. If a deputy of the same sex as the inmate is not available, the transporting deputy shall search the outer garments of the inmate. The deputy shall check any items in the inmate's pockets and shall remove any items carried by the inmate such as a bag or purse. These items shall be searched and secured in an area of the vehicle not accessible by the inmate.
3. Inmates charged with a violent crime, behaving violently, or who are believed to be armed may require a more thorough search in compliance with policy. The search shall be conducted with a witness unless there are extenuating circumstances.

C. Juvenile Inmates

Juvenile inmates shall be transported in the same manner as adult inmates with the following exceptions:

1. Handcuffing a juvenile inmate shall be the option of the transporting deputy if the juvenile is charged with a non-violent crime and is under the age of sixteen (16).
2. Searches of juvenile inmates should be made in the presence of a witness if circumstances permit and by deputies of the same sex as the inmate.
3. Searches of juvenile inmates should be as limited as possible, but sufficient to locate and remove any weapons or contraband.

4. When searching, restraining or escorting a juvenile inmate, deputies should, if possible, have a witness present.

D. Handicapped and Physically Impaired Inmates

1. Extra care must be exercised by the transporting deputy when managing handicapped or physically impaired individuals who are in custody. Justified exceptions to standard transport policy may be necessary.
2. Physically impaired inmates are those inmates that have an obvious physical disability or impairment. Transporting deputies shall treat these individuals with appropriate restraint of action while providing for secure and safe transport.
3. Transporting deputies shall determine if a physically impaired inmate has a violent disposition before they allow the inmates to use supporting devices (crutches, canes, walkers). The non-violent physically impaired inmate shall not be restrained and shall be allowed to use supporting devices to move to and from the transporting vehicle. During transport, supporting devices shall normally be removed from the inmate and placed in a secure area of the vehicle.
4. If a physically impaired inmate is violent, supporting devices shall be removed from that individual. If the inmate is not ambulatory without the devices, that individual shall be assisted to and from the transport vehicle by the transporting deputy. It may become necessary to restrain a violent, non-ambulatory inmate and transport that individual in an ambulance to a holding facility. The deputy shall follow the policy for ambulance transports of mentally impaired inmates listed below.

E. Mentally Impaired Individuals

Prior to taking custody of a mentally impaired individual, the transporting deputy should be informed of the following:

1. The type of mental disorder and exact type of abnormal behavior displayed by the individual.
2. Words, statements or actions that might trigger any abnormal behavior.
3. Disposition toward violence that may suddenly be displayed toward the deputy or toward the individual.
4. The name, relationship, location, and perceived threat of any person to the inmate.
5. The type and location of any medications (take the prescription bottle if available) and last time the persons is known to have taken them.

6. Ability of the individual to communicate coherently and follow instructions.
7. Any real or imagined physical injuries.
8. The circumstances which caused the individual to be placed into custody.
9. Anything that might have soothed the individual in the past.
10. Any previous encounters with other law enforcement.

Proper documentation must be present and examined in detail for compliance with existing law prior to any transport.

F. Restraining Mentally Impaired Individuals

The transporting deputy must take care to apply appropriate restraints to minimize the chance for injury to the individual, agency employees and the public. Many forms of mental impairment can cause behavior that varies widely and instantaneously. The transporting Deputy should be aware that abnormal behavior may be violent, produce loss of muscle control, cause a desire for the individual to injure himself or cause convulsive behavior.

When deciding what type of restraint is appropriate, the deputy should consider what type of transport vehicle would be most appropriate. In most cases, the transport vehicle shall be a marked patrol car, an inmate transport van, or an ambulance.

1. Marked Patrol Cars

If a marked patrol car is the vehicle of choice, the person in custody should be restrained, if necessary, with handcuffs behind the back in such a manner that the individual is able to sit up in the rear of the car. If the transporting deputy is uncertain about the need to use handcuffs in a particular case, a supervisor shall be consulted.

Should leg restraints be required, only leg shackles, "Flex cuff" or other approved restraints may be used.

No individual shall be restrained in such a manner which may choke or restrict breathing at any time.

Except in exigent circumstances, no individual shall be restrained in such a manner so that their legs and hands shall be pulled up behind their back or in such a manner that it shall be necessary for the individual to be transported in the prone position. Supervisory approval shall be necessary before such a restraint can be applied due to exigence circumstances.

2. Inmate Transport Vans

When transporting a mentally impaired individual in a van, the individual shall normally be restrained in the same manner as in a patrol car.

Should it become necessary to transport an individual in a prone position, that individual should be placed in a comfortable position on the floor of the inmate holding area with an attendant to prevent injury.

No deputy shall ride in the rear of an inmate transport van with a loaded weapon.

3. Transports in Ambulances

If a mentally impaired individual requires medical attention, is catatonic or needs to be totally immobilized for any reason, the individual should be restrained to a stretcher and transported in an ambulance. This shall include those who are restrained in a straitjacket.

The individual should be restrained in such a manner that breathing is not impaired and only to the minimum extent that shall prevent the danger of injury to himself or others.

When a mentally impaired individual is transported in this manner, a deputy should ride in the ambulance with the individual and a deputy should follow the ambulance in a police vehicle.

All transportation of mentally impaired individuals shall be made in compliance with the communication notification rules for the transport inmates of the opposite sex.

Upon arrival at a mental health facility, the transporting deputy shall not enter any secured area in possession of a firearm and should use standard procedures for delivering an inmate to a holding facility.

VI LONG DISTANCE TRANSPORTS

A. Long Distance Transports

Long distance transports are generally conducted by the Transport Unit. These transports include but are not limited to transportation of inmates:

1. From Georgia State Prisons to Forsyth County for court hearings.
2. From Forsyth County to Georgia State Prisons.
3. From the Jail to various inmate programs.
4. Back to the Jail after completion of various inmate programs.

5. From other agencies awaiting extradition to Forsyth County.
6. Inmates to, and from other agencies.

The Transportation Coordinator is responsible for the logistics of 'out-of-county' transportation. Logistics include, but are not limited to:

1. Assignment of personnel
2. Routing
3. Scheduling
4. Inspection of necessary paperwork prior to departure and after return to the Forsyth County Sheriff's Office Jail.

If the travel distance is more than 100 miles, two (2) deputies should conduct the transport. All reasonable efforts should be made to keep deputies on-the-road for periods less than eight (8) hours.

B. Dispatch Communications

When performing long distance transports outside the reception range of vehicle radios, Deputies shall utilize provided cell phones to keep in contact with the Forsyth County 911 Communications Center. At a minimum the following calls shall be made.

1. Initial call by radio that the unit is departing the Jail to "Destination".
2. Second call, when arrival at destination.
3. Third call, when departing destination.
4. Fourth call by radio, when arriving at the Jail.

C. Long Distance Transport Procedures

In the event it becomes necessary for deputies of the agency to transport inmates over long distances, standard transportation procedures shall be followed with the following exceptions and additions:

1. At a minimum, the inmate shall be restrained using an inmate restraint belt with wrist restraints and leg shackles.
2. If meals and rest stops are to be permitted, these stops shall be of minimum duration and at irregular intervals.
3. During any stops, the inmate shall always be accompanied by at least one (1) deputy.
4. If the inmate is must use the restroom during any stop, a deputy shall examine the facility for security and potential escape routes prior to entry of the inmate. If necessary, one hand shall be released from the restraint while the other hand remains restrained. The leg shackles shall also remain in place. At least one deputy of the same sex as the inmate shall

- always remain with the inmate and keep the inmate in view. The second deputy shall provide security against escape from a location which shall be determined by the conditions.
5. If meals are required, precautions like those described for restroom stops shall be followed. It is recommended that, if practical, the inmate be fed in the vehicle while the vehicle is stopped.
 6. If aircraft transportation becomes necessary, federal regulations shall be followed. In addition, the inmate shall be further restrained by being handcuffed to one of the transporting deputies (especially when moving in a crowded areas). The inmate shall be seated away from the aisle. The inmate shall not be seated next to any emergency exit of the aircraft.
 7. If using any public carrier, the inmate and deputies should be seated as early as possible and before other passengers. The transporting deputies should select a location as remote as possible from other passengers.

D. Documentation

The following documents may be required and should be made available to transporting deputies when transporting inmates to or receiving inmates from other agencies or institutions:

1. Transportation or Production Orders

For an inmate to be acquired from another agency, the transporting deputy may be required to provide a Transportation Order. The Transportation Order is commonly required when picking up Inmates being held at other facilities, jails or prisons who have scheduled court hearings.

The Transportation Order is provided by the Court Clerk. It is signed by a judge and gives the name of the inmate who is to be picked up; the case number assigned to the case; the date and time of the scheduled hearing; the date the judge signed the order and the DOB, race and sex of the inmate. The agency where the inmate is being held shall receive a 'COPY' of the order.

2. Arrest Warrants

An arrest warrant is an order that serves as authorization to arrest an identified person. The Transportation Deputy shall be able to provide warrants on individuals who have been lawfully arrested and are awaiting transport to the Forsyth County Jail.

3. Trip Log

The trip log shall be utilized whenever a Transportation Deputy departs the Jail to travel to any location outside the limits of Forsyth County for the purpose of taking or receiving inmates to or from other agencies. The log is utilized to justify the following:

- a. Directions, contacts and phone numbers to the agencies (traveling to).
- b. Names of the inmate(s) being transported.
- c. Reimbursement for money spent by the Transportation Deputy(s).
- d. Start and stop times during the 'run'.

XII TRANSPORT OF INMATES TO MEDICAL FACILITIES

Inmates being transported to medical facilities shall be transported in compliance with procedures that are applicable to the inmate's physical injury, illness, mental or physical impairment as described in this section. The inmate shall always be appropriately restrained and in view of the transporting deputy.

If an inmate is admitted to a healthcare facility, the transporting deputy's supervisor shall be notified. In the case of a misdemeanor, the supervisor may consider the following actions dependent on the seriousness of the situation in which the inmate was involved, the availability of manpower, the situation surrounding the injuries to the inmate, the seriousness of the injuries and the anticipated length of stay in the facility.

1. The inmate may be released at the scene on a notice to appear in court.
2. The deputy may be advised to wait for further information (the length of the wait not to exceed sufficient time for the deputy to return to their workplace and be relieved before the end of the shift.)
3. The deputy may be advised to remain with the inmate if the need is great. This shall not be normal procedure if the crime charged to the inmate is minor. It shall be the responsibility of the supervisor to allow for relief of the transporting deputy before the end of the shift, to notify the supervisor on the following shift of the situation and to notify their superior of the situation.

If an inmate is transported from the Forsyth County Jail to a hospital or other medical facility, a Deputy certified by POST as a "peace officer" shall accompany and secure the inmate.

Security and supervision of persons who have been arrested but have not been processed into the Forsyth County Sheriff's Office Jail shall remain with the division, section, or unit that arrested the individual.

VIII Funeral Transports

Inmates in the custody and supervision of the Forsyth County Sheriff's Office Jail may be transported, if feasible, to attend special functions such as funerals or urgent hospital visitations for immediate family members. These types of requests must be approved by the Sheriff or designee.

A. Transports may be provided for these inmates, subject to the following conditions:

1. Inmate(s) must be in the custody and control of the Forsyth County Jail. Individuals who are in the custody, care, or control of the Georgia Department of Corrections are not Forsyth County Sheriff's Office inmates. Any arrangement for transport of these inmates is the sole responsibility of the Georgia Department of Corrections.
2. Funeral or emergency visitation request must be scheduled to take place in Forsyth County.
3. Adequate advance notice of the request is to be given to the Transport Unit Supervisor. Advance notice shall, at a minimum be not less than 48 hours.
4. Transports of this nature should be accomplished by off-duty personnel. Once the request is received, it shall be forwarded to the Transport Unit Supervisor, who shall verify location, time, date, family relation, and any other pertinent details regarding the transport. The Transport Supervisor shall seek approval up the chain of command.
5. These transports shall require two deputies. Payment to these deputies is to be paid by person requesting the special transport, or the inmate themselves, at a rate set forth in agency policy.
6. If the inmate, or family agrees to these terms, the Transport Unit Supervisor or Off-Duty Job Coordinator should attempt to locate two off-duty deputies to handle the transport detail. The deputies hired shall be given the transport and contact information. The deputies accepting the extra job shall coordinate with the family of the inmate and facilitate the transport.
7. Deputies shall forward up, through their chain-of-command, an extra job request form as per Forsyth County Sheriff's Office policy.

B. Inmate Dress and Security

Inmate(s) shall wear the standard jail inmate jumpsuit. Any exceptions must be approved by the Sheriff or their designee. If an exception is made, any clothing approved shall be provided by the family of the inmate. Clothing shall then be thoroughly inspected by Jail personnel prior to allowing the inmate to dress.

No inmate transported to any function shall be allowed to have physical contact with any other person. If this rule is violated, the accompanying deputies shall terminate the transport and immediately return the inmate to the Jail.

Any inmate transported to a funeral may attend the funeral or memorial service. They shall not be transported to, nor allowed to attend, any additional graveside service (unless the memorial service itself is held at graveside).

IX END of TRANSPORT PROCEDURES

Upon arrival at the destination, the transporting deputy shall:

- A. Notify the 911 Communications Center and advise the vehicle's ending mileage, if applicable.
- B. Transfer custody of the inmate to the receiving officials. Restraints should be removed when the detainee is released to the custody of law enforcement or jail/corrections personnel unless an emergency, an urgent medical situation or exigent circumstances require removal earlier during the transport.
- C. The transporting deputy shall deliver the necessary documents to intake personnel. The deputy shall wait for acknowledgment and signature from intake personnel of acceptance for holding or processing of the inmate.
- D. Necessary information regarding the inmate, including identifying scars, marks, tattoos, identification numbers, violence, suicidal, or escape potential shall be entered on the documentation that accompanies the inmate
- E. The transport vehicle shall be searched before going back into service.

**GENERAL ORDER: 3-2.3 WARRANTS /
WARRANT UNIT**

Rescinds/Amends:

Effective Date: July 17, 2020

Committee Review - Date: July 2020

Authorized by: Sheriff Ron H. Freeman



I ARRESTS

Within the context of this procedure, the following definitions are crucial:

ARREST - The restraint of the liberty of a person to come or go as he pleases, no matter how slight. An individual has been arrested when he is not free to go, regardless of whether formal words of arrest are used. A stop and frisk is not an arrest. (See O.C.G.A. § 17-4-1)

PROBABLE CAUSE - Those facts and circumstances within a deputy's knowledge which would lead a reasonable and prudent person to believe that a crime has been committed, or that the suspected person has committed an offense.

WITHIN THE OFFICER'S IMMEDIATE KNOWLEDGE - When, by seeing, hearing, or using any of the other senses, the officer has personal knowledge of the commission of a crime. This is equivalent to "in the officer's presence." This excludes reporting of a crime by any third party other than another law enforcement officer who has direct knowledge of O.C.G.A. § 17-4-20.

A. LEGAL CATEGORIES OF ARREST

When a deputy is presented with certain facts or a situation that calls for legal action to be taken, the deputy must determine if any laws or ordinances have been violated and if so, what action to take. The following legal categories of offenses will help to clarify the appropriate action to be taken:

1. **FELONY**: A felony is a violation of state law that is criminal in nature with the minimum punishment being one-year imprisonment. Felony arrests may be made with a warrant, or in cases without a warrant, when the offense occurs within the deputy's presence or immediate knowledge, or the deputy has probable cause to believe that a felony has occurred. Once a felony arrest has been made, the deputy must take the arrested person before a Magistrate as outlined in this procedure.
2. **MISDEMEANOR**: A misdemeanor is a violation of state law that is criminal in nature with the maximum punishment being up to one-year imprisonment. Misdemeanor arrests may be made with a warrant, or in cases without a warrant, when the offense

occurred in the presence or the immediate knowledge of the deputy. Misdemeanor offenses as described in the "Family Violence Act" and those relating to the investigation of traffic accidents may result in warrantless arrests when probable cause has been established.

After a warrantless misdemeanor arrest has been made, the deputy must take the arrested person before a Magistrate as outlined in this section. Bonds for misdemeanor charges have been predetermined and are available at the Detention Center.

In misdemeanor cases where the deputy feels that an arrest should be made and the offense did not occur in his presence or within his immediate knowledge, the deputy should:

- a. locate the victim of the offense;
- b. receive an affirmative acknowledgment from that individual with regards to desiring prosecution;
- c. confirm the victim's willingness to sign a warrant.
- d. refer the victim to the Magistrate Court to apply for a warrant.

B. ARREST AFFIDAVITS

An affidavit made or an arrest warrant issued must contain the following information:

The authority under which the warrant is issued and warrant number;

1. Identification of the person who is to execute the warrant, generally addressed: "To any sheriff, deputy sheriff, coroner, constable, marshal, or police officer";
2. Identification of the person to be arrested. If a name is not known, a full, detailed description shall be included. As much information as possible should be included;
3. The name of the offense committed and O.C.G.A. section number;
4. The date and place of occurrence of the offense, including the county in which it was committed;
5. Identification of the victim; and
6. A description of the offense, including all of the elements of the offense. In addition, when the offense charged is a theft, the warrant must contain:
 - a) A description of the property alleged to have been stolen;
 - b) Identification of the owner of the stolen property;
 - c) The value of the stolen property; and
 - d) The person from whose possession it was taken.

NOTE: Without strict compliance with the above, the warrant may not be valid.

In cases where the victim is a business or something other than an individual, an agent for that entity should express the same desire to prosecute. In cases of shoplifting, to protect the deputy from false arrest charges and liability, the deputy should have the agent for the entity complete:

1. a voluntary statement form;
2. an Incident Report form; and
3. a retail theft affidavit form.

In the event that a deputy places an individual into lawful custody where a victim or agent is to obtain a warrant and the victim or agent declines prosecution prior to obtaining a warrant, the deputy should immediately release the individual. As long as the deputy acted in good faith, he will be relieved of any liability.

C. ARREST WARRANT

An arrest warrant is a written judicial command to arrest a particular individual and to bring the arrestee promptly before the magistrate issuing the warrant or other appropriate judicial officer. Oral or telephone warrants do not exist.

1. An arrest with a warrant is made when a criminal arrest warrant has been issued by an appropriate judicial officer of the court and the deputy fulfills his responsibility by arresting the individual named in the warrant.
2. An arrest warrant consists of both an affidavit and a warrant. The affidavit must be presented to the judicial officer before a valid warrant may be issued. The deputy shall swear or affirm under oath that probable cause exists to arrest the individual
3. An affidavit made or an arrest warrant issued must contain the following information:
 - a. The authority under which the warrant is issued and warrant number;
 - b. Identification of the person who is to execute the warrant, generally addressed: "To any sheriff, deputy sheriff, coroner, constable, marshal, or police officer";
 - c. Identification of the person to be arrested. If a name is not known, a full, detailed description shall be included. As much information as possible should be included;
 - d. The name of the offense committed and O.C.G.A. section number;
 - e. The date and place of occurrence of the offense, including the county in which it was committed;
 - f. Identification of the victim; and
 - g. A description of the offense, including all of the elements of the offense. In addition, when the offense charged is a theft, the warrant must contain:
 - (1) A description of the property alleged to have been stolen;
 - (2) Identification of the owner of the stolen property;
 - (3) The value of the stolen property; and
 - (4) The person from whose possession it was taken.

NOTE: Without strict compliance with the above, the warrant may not be valid.

4. Criminal arrest warrants secured through the Forsyth County Magistrate Court may be obtained by law enforcement deputies through the Electronic Warrant System. O.C.G.A. § 17-4-47.
5. If the arrest is made with a warrant, the person must be brought before a judicial officer also within a reasonable time and no later than 48 hours. A reasonable time would include as soon as possible. (O.C.G.A. § 17-4-62.)
6. Under normal circumstances, the Magistrate Judge holds probable cause hearings at the Detention Center within every 72 hours. Therefore, a deputy would not normally have to seek a judicial officer.
7. No deputy will arrest any person under color of a warrant unless he reasonably believes a valid warrant exists and that the person described in the warrant is before him.

D. WARRANT PROCEDURES

1. According to O.C.G.A. § 17-5-27, a deputy has a right under a lawful search warrant to use all necessary and reasonable force to get into any building, dwelling or other area described in a search warrant if, after verbal notice or an attempt in good faith to give verbal notice:
 - a. The deputy is refused admittance;
 - b. The person/persons within the building refuse to acknowledge or answer; or
 - c. The building subject to the search warrant is unoccupied.
2. Any action taken by the deputy shall be documented as to each action taken prior to making a forced entry, such as: "... knocked on door, identified myself by position and advised I have a search warrant for the premises and no one responded to my call and so entrance was gained." The purpose of the record is that the deputy will have to testify in court concerning the reason for his actions. (Jackson v. State, 129 Ga. App. 901 (1973)).
3. Whenever force is used in order to gain entry into a premise or place, and any amount of damage occurs, the superior deputy in charge of the search shall ensure that all damage is documented and photographs taken if necessary.
4. Operational raids will be conducted in conjunction with other operational divisions of the Forsyth County Sheriff's Office under the approval of the Sheriff's Services Division commander or his supervisor designee.

E. ARREST WITHOUT A WARRANT PROCEDURES

1. Per O.C.G.A. § 17-4-20, a deputy may arrest an individual without a warrant in the following circumstances:
 - a. When an offense is committed in the deputy's presence or within his immediate knowledge;

- b. When an offender is endeavoring to escape;
- c. If the deputy has probable cause to believe that an act of family violence has occurred as specified under O.C.G.A. § 19-13-1 or that a misdemeanor offense related to a traffic accident has occurred; or
- d. If the deputy has probable cause to believe an act of physical abuse has occurred against a vulnerable adult 18 year or older who cannot protect themselves from mental or physical abuse because of a physical or mental impairment, or
- e. For other cause, there is likely to be a failure of justice for want of a judicial officer to issue a warrant. In determining whether or not a failure of justice may occur, the deputy should consider how the case would normally proceed. In many misdemeanor cases, when the victim is referred to the Magistrate Court, they do not follow through on their complaint. In other cases, their contact with the Court results in the scheduling of a hearing before the Court. In these types of situations, the resulting action taken by the judicial authority reflects the fact that there are no exigent circumstances present. Whenever a deputy is unable to document the exigent circumstances that existed at the scene that would justify a warrantless arrest, no arrest shall be made.
- f. Although not listed among the statutory exceptions, a deputy may arrest an individual to prevent the commission of a felony (when the act constituting the felony is imminent).

NOTE: With the exceptions listed above, in every other instance involving a misdemeanor offense not committed in the presence of a deputy, an arrest warrant must be obtained before an arrest can be made.

- 2. In accordance with O.C.G.A. 17-13-34, a person may be arrested without a warrant, upon reasonable information that the accused stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year.
- 3. In accordance with O.C.G.A. 17-4-25, a deputy may execute in-county arrest warrants received anywhere within the boundaries of the state.
- 4. Whenever an individual is arrested by a deputy, O.C.G.A. § 17-4-62 requires that if the arrest is made without a warrant as defined, the deputy shall bring the arrested person before a judicial officer within a reasonable time, but under no circumstances, later than 48 hours.
- 5. It is necessary to obtain an arrest warrant on a warrantless arrest after the person is arrested accept in the following instance (s):
 - a. Warrantless custodial arrests for certain misdemeanors (i.e. DUI, Public Drunk, shoplifting etc.,) must accompany a Uniform Traffic Citation (UTC) along with a warrantless arrest affidavit, as prescribed the Forsyth County Magistrate Judge. The offender must be brought before a judicial officer within forty-eight (48) hours of the arrest or be released from custody.
- 6. No deputy will arrest any person without a warrant when he knows that he is without probable cause to arrest such person.

F. ENTRY OF RESIDENCE OR STRUCTURE

Deputies may make entry into structures, and vehicles including watercraft to locate an individual(s) with an outstanding valid felony or misdemeanor warrant, arrest order, or other judicial order for arrest. The circumstances allowing entry into such places will be as follows.

1. The address of the structure or vehicle i.e. boat and slip number at a marina is on the warrant.
2. If the address of the person is not on the warrant there must be extenuating circumstances that would lead the deputy on scene to reasonably believe that the wanted individual is in the structure and this structure is the wanted person's primary residence.
3. During hot pursuit. "Hot pursuit" is not limited to vehicle chases. This term also applies to a person walking into a structure or refusing to stop at the lawful command of a law enforcement officer.
4. The wanted person or persons was seen or heard in a third party residence but refuses to answer the door. Absent exigent circumstances, deputies shall obtain valid consent or obtain a search warrant prior to entering the residence.

In the event an individual refuse to come out of the structure or vehicle they are in, the following methods will be used to have the person or persons surrender out peacefully. Knocking at the residence doors and calling out to the person or persons, have the 911 Communications Center call the residence and request that the subject surrender if the call is answered, use the public-address system of the vehicle to call out to the person or persons and all occupants inside the residence to inform them of the purpose and authority of the deputies on scene and advise of the occupants that forced entry will be made if no answer acknowledgement is made by the occupants. In the event forced entry is made a marked uniform vehicle will be present displaying all visual emergency equipment prior to entry being made.

G. INITIAL CONTACT WITH AN INDIVIDUAL TO BE ARRESTED

1. A person about to be arrested has the right to know that he is being taken into custody by a deputy with lawful authority. Therefore, the deputy should notify the person of his authority and the offense to which he is being charged. The suspect may already have notice of these facts if he:
 - a. Actually, knows the person making an arrest is a deputy;
 - b. Sees the deputy's uniform or badge;
 - c. Is apprehended while committing a crime; or
 - d. Is pursued from the scene of a crime;
2. If a deputy, who is not known to a suspect, fails to identify himself or to make his purpose known, the suspect has the right to resist what appears to be an unjustified

assault. However, once identified as a deputy, the assumption that the arrest is unlawful is made at the peril of the person who resists.

3. If a person knows or believes the arrest is lawful, it is his duty to submit quietly to custody. A deputy making a lawful arrest has the right to use whatever force is reasonably necessary to accomplish the arrest, but not anymore. See SOP 3-10.100 regarding Use of Force.

NOTE: If the arrest is illegal and proceeds so far as to constitute an assault, a person has the right to resist the arrest with as much force necessary to prevent the arrest. All arrests made by deputies of the Forsyth County Sheriff's Offices shall be lawful arrests.

H. MILITARY PERSONNEL ABSENT WITHOUT LEAVE ARRESTS (A.W.O.L.)

Deputies have the authority to apprehend military personnel although it is not an offense under either State law or local ordinance. It is a violation of the Uniform Code of Military Justice. As such, this violation cannot be tried in State or local courts.

Whenever it is requested by local military officials to assist in the apprehension of a person reported to be A.W.O.L., such assistance will be provided so long as military personnel are present to take the person into custody and under military control.

1. Deputies will arrest military personnel who are A.W.O.L. when:
 - a. A computer or wanted check indicates that the person is wanted (NCIC or USADIP) or the person volunteers the information.
 - b. When a person is arrested for offenses other than A.W.O.L. and the computer shows subject is A.W.O.L., then it is the responsibility of the arresting deputy to verify the status.
 - c. All arrests for A.W.O.L. will be approved by the supervisor prior to the person(s) being booked. All arrests will be accompanied by a General Citation and will read: A.W.O.L. (HOLD / MILITARY BRANCH)
 - d. Whenever a deputy is requested by any person other than military officials to apprehend a person for A.W.O.L. from the military forces, the deputy will conduct a computer check and notify the proper military authority.
 - e. Any rewards for capture that are offered to, or made available to the deputy under federal law will be forwarded to the Sheriff's Office for deposit into the Forsyth County Sheriff's Office Emergency Fund. The proper filing procedure for the reward will be performed by the deputy's immediate supervisor.

I. USE OF REPORTS IN LIEU OF PRELIMINARY HEARING ATTENDANCE

The Magistrate Court has authorized the use of a deputy's written incident / arrest report, in lieu of his appearance at certain preliminary or bond hearings.

The report must contain all of the circumstances surrounding the arrest, and a copy must be turned in to the on-duty detention deputy prior to the deputy's end of tour of duty for inclusion into the prisoner's booking file. Failure to complete a report and leaving it with the detention deputy may result in corrective action taken against the deputy.

It is important to note that the judge may also require a personal appearance by the deputy, instead of the report.

II WARRANT UNIT

The Warrant Unit is responsible for investigating and apprehending individuals with active warrants.

The Warrant Unit maintains a warrant and wanted persons' file and enters wanted persons into the in-house computer systems. The unit investigates, locates and arrests wanted persons for offenses and charges stemming from this and other law enforcement and other judicial agencies in this and other states.

The Warrant Unit supervisor is responsible for the daily activities and general management of the unit and the direction and control of personnel under their command. The supervisor coordinates the training of personnel assigned to the unit, assists in the development of procedures and policies and participates and supervises activities conducted by the unit personnel as much as possible.

The Warrant Unit supervisor will coordinate day to day operation, undercover and tactical activities with the Patrol Division supervisor or SWAT commander when additional back-up or surveillance personnel needs are anticipated.

A. WARRANT CASE MANAGEMENT

All warrants and other judicial orders for arrest processed by the agency will be updated in the RMS warrant tracking module anytime an attempt at service is made or important information that is relevant to the capture of a fugitive is discovered.

B. TRAINING

During an officer's initial assignment to the Warrant Unit, he/she shall be assigned to a certified Field Training Officer (FTO) for field training. This training will last as long as the FTO and the warrant supervisor feels is necessary to ensure officer safety standards and knowledge of constitutional issues are met. The training will cover all aspects of the duties and legal issues encountered in this specialized unit. All field training shall be documented by the FTO.

Deputies assigned to the Warrant Unit are required to attend a twenty-four (24) hour high risk warrant course following their assignment to the unit. Each deputy will also attend other tactical courses as directed/approved by the unit supervisor/ commander.

C. DAILY UNIFORMS AND PLAIN CLOTHES OPERATION

The daily uniform will be the department approved class "A" or "B" uniform as directed by order from the Sheriff, Chief Deputy, or the Sheriff's Services Division Commander.

The Sheriff's Office Warrant Unit, when necessary, may operate in an undercover capacity. When operating undercover, deputies will wear civilian (plain) clothes. This may include dress pants, button down or polo shirt and optional jacket, or jeans tee shirt and loose fitting button down cover shirt to conceal weapons, restraints and other items that would identify the deputy as a law enforcement officer. When appropriate, the proper identification will be displayed to identify the person's official position.

When on duty, the warrant deputy will have at his/her disposal a class "A" or "B" uniform in the event they are needed to assist in the performance of a high visibility official duty. Each officer will have available one class "A" long or "B" short sleeve uniform for court and duties other than serving warrants where this uniform will be more appropriate.

The following is a list of mandatory items that will be carried or worn by a warrant officer during his/her normal tour of duty.

1. Identification

- a. Badge: the badge may be worn on the belt or on a lanyard around the neck. In either case the badge can be concealed until it becomes necessary for the deputies to identify themselves by displaying it in a conspicuous manner.
- b. Forsyth County Sheriff's Office identification: the employee's Sheriff's Office identification card will be kept on their person in the event it is necessary to display or present the ID card if requested.

2. Firearm

Standard issued handgun will be worn at all times in one of three types of holsters. Every officer will be required to qualify using the type(s) of holster they wish to use.

- a. High ride belt holster with a separate magazine holster to be worn on the off-hand side. (Sheriff's Office issued)
- b. Small of the back belt holster with a separate magazine holster to be worn on the off-hand side.

3. Restraints

At least one pair of standard double locking approved handcuffs will be kept on the deputy's person.

4. Radio

The issued radio will be worn at all times during service of warrants and will be turned to volume that will allow the deputy to hear broadcasts by other deputies or dispatch. If available, the deputy will wear an earpiece with a lapel type microphone to isolate the transmission and reception of communications over the mobile radio.

5. Flashlight

An agency approved flashlight will be carried at all times.

6. Body armor

Sheriff's Office issued body armor will be worn at all times. The body armor will be either:

- a. worn under the primary shirt at all times; or
- b. a Sheriff's Office issued tactical vest that will be put on prior to the service of a warrant.

In the event of a high risk arrest warrant service or assisting in a search warrant, the deputy will wear either the standard issue body armor or clearly marked tactical vest. The tactical vest will be marked with SHERIFF on the back, badge patch on the left breast and SHERIFF on the right breast.

7. Footwear

Appropriate footwear will be worn with dress pants. Boots or footwear that provides appropriate ankle support will be worn with all other clothing. Low ride or ¾ tennis shoes are **not authorized.**

8. Other approved duty equipment includes but is not limited to the following:

- a. 12-gauge shotgun with agency issued tactical 00 buckshot
- b. 12-gauge shotgun with orange furniture and agency issued less lethal rounds
- c. Agency issued or approved rifle in 5.56 mm
- d. Door rams and other mechanical breaching tools
- e. Ballistic Shield
- f. Flex cuffs
- g. Binoculars

Note: Each deputy must meet and maintain required qualification and proficiency standards for each weapon and device carried.

D. SURVEILLANCE / TACTICAL EQUIPMENT

The Forsyth County Sheriff's Office has access to many pieces of equipment to ensure the safety of its law enforcement personnel. Some of these include but are not limited to:

1. the ballistic shield
2. hand held breaching tool
3. night vision scope
4. shotgun less lethal
5. reverse peepholes
6. lock picking devices

These tools are designed to allow Warrant Unit deputies a safer means of observing, listening and in some cases entering and clearing buildings. These are to be used at the discretion of the Warrant Unit deputies with proper prior approval of the Warrant/Fugitive Unit supervisor.

E. USE OF SHERIFF'S OFFICE AND COUNTY VEHICLES / UNDERCOVER VEHICLES

Unmarked units will not become involved in any pursuit *unless* it involves a serious felony and the unmarked unit is the initiating unit. Any unmarked unit without both blue lights and siren will not become involved in pursuits.

1. When a vehicle driven by a known or suspected felon is located, the deputy will notify the 911 Communications Center immediately. The deputy will inform the Communications Center of the location, a thorough description of the vehicle and a description of the occupants.
2. The deputy will keep the suspect vehicle in view and request sufficient assistance in making the stop. The deputy will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment.
3. The suspect vehicle will not be stopped unless absolutely necessary until adequate support is available and in position.

NOTE: All felony traffic stops will be performed according to the training received in *addition* to these guidelines.

The Warrant Unit will have access and use of an undercover vehicle to aid in surveillance and information gathering. The following steps will be followed in the issuance and use of that vehicle.

1. The warrant deputy will submit a verbal request to the Warrant Unit supervisor to request the use of an undercover vehicle.
2. The Warrant Unit supervisor will make a determination as to the legitimacy and necessity of the request.
3. Once approved, the vehicle will be checked out from the Warrant Unit supervisor.
4. At the conclusion of his / her undercover capacity, the vehicle is to be returned and delivered to the Warrant Unit supervisor.
5. Under no circumstances is the undercover vehicle to be used in any form of a chase or pursuit.

F. INFORMANT MANAGEMENT

Procedures for the use of informants are set forth in approved agency policy.

G. LIAISON WITH OTHER AGENCIES

The Forsyth County Sheriff's Office shall maintain cooperative working relationships with other public safety agencies, local governmental agencies and other agencies within the criminal justice system. Full cooperation is expected by all members of this agency. The Sheriff's Office shares responsibility with these agencies to work toward common goals and objectives; investigation, arrest, prosecution and conviction of offenders; confiscation of illicit narcotics / drugs; and the sharing, when possible, of assets forfeited as a result of investigations properly managed and executed.

GENERAL ORDER: 3-2.4 GCIC UNIT

Rescinds/Amends:

Effective Date: August 9, 2022

Committee Review - Date: July 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. GCIC UNIT

Georgia Law 1973, P. 1314, as amended, provides specific criminal penalties for unlawfully accessing or disseminating Criminal Justice Information (defined in GCIC Council Rule 140-1-.02). Access to Criminal Justice Information, as defined in GCIC Council Rule 140-1-1.02 (amended), and dissemination of such information is governed by State and Federal Laws and by GCIC Council Rules. Criminal Justice Information cannot be accessed or disseminated by any employee except as directed by superiors or as authorized by approved standardized operating procedures, which are based on controlling State and Federal Laws, relevant federal regulations, and the rules of the GCIC Council.

The Computerized Criminal History User Interface (CCH UI) provides access to Georgia criminal history record information. This information is maintained by GCIC and is accessible via a secure HTTPS Internet connection. The User Interface provides a graphical means to view, enter and maintain criminal history information as well as a means to perform general system maintenance. Access to the User Interface requires the establishment of a user account that is set up through GCIC. This system utilizes the current industry standard security technology for establishing an encrypted link between a web server and a browser.

All Forsyth County Sheriff's Offices employees, non-paid employees and vendor/contractors with access (including physical and remote access) to GCIC materials, records and information are responsible for adherence to requirements of this policy as applicable.

II. POLICY APPLICABILITY

This policy applies to all Forsyth County Sheriff's Office employees, volunteers, non-paid employees, and vendors/contractors with access, to include physical and logical access, to G.C.I.C. materials, records, and information. This policy establishes guidelines for securing G.C.I.C. materials, records, and information obtained thereof in the event of a man-made or natural disaster.

All employees, volunteers, non-paid employees, and vendors/contractors are required to follow the policies, rules and procedures set forth by G.C.I.C., G.C.I.C. Council Rules, C.J.I.S. Security Policy, and the laws of the State of Georgia.

III. PURPOSE

To establish guidelines for ensuring the security, privacy, accuracy, completeness and dissemination of adult and juvenile record information; proper entry, maintenance and removal of all wanted/missing person and property records maintained by the Forsyth County Sheriff's Office.

Rules and procedures governing the operation of the agency's GCIC and NCIC information systems are prescribed in State law (OCGA 35-3-30 to 35-3-40), the Rules of the Georgia Crime Information Center Council, GCIC Operations Bulletins, and the Policies of the National Crime Information Center Advisory Board. Criminal Justice Information cannot be accessed by any employee except as authorized by controlling State and Federal Laws, relevant federal regulations, and the rules of the GCIC Council. Only authorized GCIC Terminal Operators may have access to the agency's terminals.

IV. DEFINITIONS

O.C.G.A. – The Official Code of Georgia Annotated

G.C.I.C. – Georgia Crime Information Center (O.C.G.A. 35.3.31)

C.J.I.S. – Criminal Justice Information Services

T.A.C. – Terminal Agency Coordinator

N.C.I.C. – National Crime Information Center

L.A.S.O. – Local Agency Security Officer

I.S.O. – Information Security Officer

F.B.I. – Federal Bureau of Investigations

N.L.E.T.S. – National Law Enforcement Telecommunications System

T.A.C. – Terminal Agency Coordinator

C.J.I.S.– Criminal Justice Information System

V. TERMINAL AGENCY COORDINATOR (TAC)

The Terminal Agency Coordinator shall:

- A. Administer the GCIC Terminal Operator Training Program within the agency and provide appropriate GCIC/NCIC related training for all other agency employees; Maintain documentation verifying all CJIS related training for the agency.
- B. Assist the Sheriff or designee in developing policies and procedures for all CJIS network operations.
- C. Ensure those terminal operators responsible for HIT confirmations have immediate access to documentation supporting the agency's active hot-file records.
- D. Notify the GCIC Assistant Deputy Director for Security Operations when a new Sheriff is appointed or elected and arrange for the signing of new Agreements.
- E. Serve as the point of contact for validations and all other GCIC/NCIC network related matters.
- F. Maintain access to CJIS network related documents such as:
 - 1. GCIC Council Rules, GCIC CJIS Security Policy, GCIC Policy Manual, GCIC Operating Manual, NCIC Operating Manual, NCIC Code Manual, Operations Bulletins, updates and revisions, and broadcast messages related to the operation of the CJIS network.
 - 2. Copies of current agreements (as required). Refer to Chapter 3. GCIC Policy Manual Rev. 2011
- G. Maintain the User ID and passwords for agency personnel who access the CJIS network
- H. And other responsibilities as designated by the GCIC Council Rules and GCIC CJIS Security Policy.

VI. LOCAL AGENCY SECURITY OFFICER (LASO)

The LASO actively represents the agency in all matters pertaining to Information Security. The LASO disseminates Information Security alerts and other material to agency personnel, maintains Information Security documentation, assists with Information Security audits of hardware and procedures and keeps GCIC informed as to any Information Security needs and problems.

A. The LASO shall:

1. Identify who is using GCIC approved hardware, software and firmware and ensure no unauthorized individuals or processes have access to the same.
2. Identify and document how the equipment is connected to the GCIC CJIS network.
3. Ensure that personnel security screening procedures are being followed as stated in the FBI CJIS Security Policy.
4. Ensure the approved and appropriate security measures are in place and working as expected.
5. Support policy compliance and ensure GBI's Information Security Officer is promptly informed of security incidents.

VII. GCIC/NCIC HIT CONFIRMATION

The purpose of this policy is to establish guidelines for receiving and responding to all hit confirmations incoming and outgoing during and after business hours to ensure GCIC/NCIC compliance.

1. The GCIC Unit shall receive all hit confirmations twenty-four hours a day. A GCIC operator shall confirm the validity of the entry and respond within the (10) minute or the (1) hour requirement. If additional time is needed, a request for more time shall be sent. Once the locate is received communications shall complete the detainer process.
2. When a GCIC operator determines that a person or item is wanted, missing or stolen, a hit confirmation shall be sent immediately. Upon receipt of the response, if valid, a locate shall be sent marking extradition as detained to the entering agency and await final detainer.
3. Hard copies of documents are required for confirmation of GCIC/NCIC entries and shall be maintained in a secure location. The GCIC Unit shall have access

to original documentation in order to confirm all inquiries. Under no circumstances shall authorization be given to the requesting agency to make an arrest on a Forsyth County Sheriff's Office entry until the validity of the entry is confirmed.

4. The Terminal Agency Coordinator (TAC) or their designee shall have the responsibility for retrieving all documents related to GCIC submissions and other printouts. The TAC, or designee, shall also have the responsibility for appropriate dissemination and filing of the records.

VIII. CRIMINAL HISTORY AND DRIVER HISTORY INFORMATION

Criminal History Record Information (CHRI) consists of an individual's identifiable description, arrests, detentions, indictments or other formal criminal charges, and dispositions of those charges. This information has been collected by criminal justice agencies and may be obtained from Georgia, other states, and federal agencies.

All requests for printed criminal and driver histories and requests for GCIC / NCIC computer entries and removals shall go through the Lead Tac. Such information shall be released only to law enforcement personnel. Known law enforcement persons requesting criminal history information are to contact the GCIC Unit.

The computerized criminal history files for the State of Georgia are maintained by the Georgia Crime Information Center (GCIC).

It is a violation of NCIC policy and the GCIC Council Rules to use NCIC (III) criminal history record information for licensing or non-criminal justice employee checks. NCIC information may only be used for criminal investigations and criminal justice employment.

All CHRI documents, when not in use, shall be securely stored.

When a criminal history inquiry for criminal investigation or criminal justice employment is performed, Georgia records and then NCIC records should be checked to determine if the person has a criminal record in another state.

Driver's histories shall only be released for law enforcement purposes. Driver's histories shall normally not be released to anyone other than Forsyth County law enforcement personnel. This does not prohibit the release to other criminal justice agencies for official use.

IX. SECURITY INCIDENT REPORTING/HANDLING

Criminal Justice Information (CJI)/Criminal History Record Information (CHRI) shall be protected against unauthorized dissemination and/or theft. The following operational incident handling guidelines include adequate preparation, detection, analysis, and containment, recovery, and user response activities; as well as tracking, documenting, and appropriate incident reporting. All agency employees, volunteers, non-paid employees and vendors/contractors with access, to include physical and logical access, to GCIC/NCIC materials, records and information are required to ensure proper preparation, detection, analysis, containment, recovery, user response, tracking, documenting, handling and incident reporting procedures are followed for all security incidents.

Agency employees, volunteers, non-paid employees, and vendors/contractors with access, to include physical and logical access, to GCIC materials, records, and information are required to follow the policies, rules and procedures set forth by GCIC, NCIC, FBI CJIS Security Policy, and the laws of the State of Georgia. Authorized personnel of the agency shall protect and control electronic and physical CJI/CHRI while at rest and in transit. Appropriate safeguards shall be maintained for protecting CJI/CHRI to limit potential mishandling or loss while being stored, accessed, or transported. Any inadvertent or inappropriate disclosure shall be reported to the Sheriff, LASO, and GCIC.

Personally, owned information systems shall not be authorized to access, process, and store or transmit criminal justice information. All devices with access to CJI shall be authorized and shall meet the requirements set forth by the CJIS Security Policy.

X. MEDIA STORAGE ACCESS:

To protect C.J.I./C.H.R.I., personnel shall:

- a. Securely store C.J.I./C.H.R.I. information within a physically secure location or controlled area.
- b. Restrict access to authorized individuals.
- c. Restrict the pickup, receipt, transfer, and delivery to authorized individuals.
- d. Ensure that only authorized users remove printed form or digital media from the C.J.I. and/or C.H.R.I.
- e. Physically protect all C.J.I./C.H.R.I. until media end of life.

- f. Not use personally owned information system to access, process, store or transmit C.J.I and/or C.H.R.I.
- g. Not utilize publicly accessible computers to access, process, store, or transmit C.J.I. and/or C.H.R.I. Publicly accessible computers include, but are not limited to, hotel business center computers, convention center computers, public library computers, public kiosk computers, etc.
- h. Store all hard copy printouts maintained in a secure area accessible to only personnel whose job function require them to handle such documents.
- i. Safeguard C.J.I./C.H.R.I. against possible misuse.
- j. Take appropriate action when in possession of C.J.I./C.H.R.I. while not in a secure area.
- k. C.J.I./C.H.R.I. shall not leave the employee's immediate control. C.J.I. printouts cannot be left unsupervised while physical controls are not in place.
- l. Precautions shall be taken to obscure C.J.I. from public view, such as by means of an opaque file folder or envelope for hard copy printouts. For electronic devices like laptops, use session lock use and/or privacy screens. C.J.I. shall not be left in plain public view. When C.J.I. is electronically transmitted outside the boundary of the physically secure location, the data shall be immediately protected using encryption.
- m. When C.J.I. is at rest (i.e., stored electronically) outside the boundary of the physically secure location, the data shall be protected using encryption. Storage devices include external hard drives from computers, printers, and copiers that are used for C.J.I. In addition, storage devices include thumb drives, flash drives, back-up tapes, mobile devices, laptops, etc.
- n. When encryption is employed, the cryptographic module used shall be certified to meet FIPS 140-2 standards. The Forsyth County email server is not certified to this level, therefore email dissemination of C.J.I. is strictly prohibited. Email dissemination of C.J.I. shall be subject to disciplinary procedures as outlined in *Disciplinary and Personnel Sanctions Policy*.
- o. Lock or log off computer when not in immediate vicinity of work area.
- p. Establish appropriate administrative, technical, and physical safeguards to ensure the security and confidentiality of C.J.I.

XI. Security Incident Preparation, Prevention and Handling:

A. The Sheriff or designee shall:

1. Ensure the perimeter of all physically secure locations are prominently posted and separated from nonsecure locations by physical controls.

B. The agency's Terminal Agency Coordinator (TAC) shall:

1. Ensure general incident response roles and responsibilities are included as part of required security awareness training.
2. Maintain personnel listings with authorized access to the physically secure location.
3. Control physical access to information system devices that display CJI and shall position information system devices in such a way as to prevent unauthorized individuals from accessing and viewing CJI.

C. The agency's LASO shall:

1. Maintain automated mechanisms to assist in the reporting of security incidents.
2. Ensure proper tracking and documentation of information system security incidents on an ongoing basis.
3. Identify who is using approved hardware, software, and firmware and ensure no unauthorized individuals or processes have access to the same. Identify and document how the equipment is connected to the state system.
4. Ensure that personnel security screening procedures are being followed as stated in this Policy.
5. Ensure the approved and appropriate security measures are in place and working as expected.
6. Ensure advanced authentication, encryption, security-related updates, official use guidance, data at rest encryption, and prevention of data compromise is utilized for all departmental approved mobile devices with access to CJI.
7. Be able to easily identify connected users and devices of all departmentally approved devices with access to CJI.
8. Track, log and manage every personally used device allowed to connect to agency technology resources for secure CJI access.
9. Identify individuals who are responsible for reporting incidents within their area of responsibility.
10. Collect incident information from those individuals for coordination and sharing among other organizations that may or may not be affected by the incident.

11. Develop, implement, and maintain internal incident response procedures and coordinate those procedures with other organizations that may or may not be affected.
12. Collect and disseminate all incident-related information received from the Department of Justice (DOJ), FBI CJIS Division, and other entities to the appropriate local law enforcement point of contacts within their area.
13. Act as a single point of contact for their jurisdictional area for requesting incident response assistance.
14. Track and document information system security incidents on an ongoing basis.
15. Maintain completed security incident reporting forms until the subsequent GCIC triennial audit or until legal action (if warranted) is complete; whichever time-frame is greater.

D. All authorized personnel of the agency shall:

16. Monitor physical access to the information system to detect and respond to physical security incidents.
17. Control physical access by authenticating visitors before authorizing escorted access to the physically secure location.
18. Ensure all visitors to the physically secure location are escorted by authorized personnel and monitored at all times.
19. Authorize and control information system-related items entering and exiting the physically secure location.
20. Securely store electronic and physical media within physically secure locations or controlled areas. The agency shall restrict access to electronic and physical media to authorized individuals. If physical and personnel restrictions are not feasible then the data shall be encrypted.
21. Protect and control electronic and physical media during transport outside of controlled areas and restrict the activities associated with transport of such media to authorized personnel.
22. Utilize local device authentication to unlock mobile devices authorized by the agency for use in accessing.
23. Use caution when downloading internet content or clicking on web-based pop-ups/windows, unknown emails, embedded objects and email attachments or utilizing removable devices such as flash drives, CDs, etc.
24. Be familiar with the agency's disciplinary policy.

XII. Security Incident Reporting:

All security incidents that arise shall be reported immediately to the agency's LASO. Information security events and weaknesses associated with information systems shall be communicated in a manner allowing timely corrective action to be taken.

All employees, contractors and third-party users shall be made aware of the procedures for reporting the different types of events and weakness that might have an impact on the security of agency assets and are required to report any information security events and weaknesses as quickly as possible to the LASO.

Once notified the agency's LASO shall notify the Sheriff and GCIC.

If deemed necessary, the agency's LASO shall:

- a. Notify GCIC to relay the preliminary details of the incident.
- b. Investigate the reported incident and submit an incident response form to GCIC once all the information has been gathered.
- c. Where a follow-up action against a person or agency after an information security incident involves legal action (either civil or criminal), evidence shall be collected, retained, and presented to conform to the rules for evidence in accordance with agency's standard operating procedure regarding evidence procedures.

XIII. Security Incident Reporting for Mobile Devices:

Rapid response to mobile device related incidents can significantly mitigate the risks associated with illicit data access either on the device itself or within online data resources associated with the device through an application or specialized interface.

All employees of the agency with approved mobile device access to CJI shall be made aware of the procedures for reporting the different types of events and weakness that might have an impact on the security of agency assets and are required to report any information security events and weaknesses. Once notified the LASO shall notify the Sheriff and GCIC.

If deemed necessary the LASO shall:

- a. Notify GCIC to relay the preliminary details of the incident.
- b. Investigate the reported incident and submit an incident response form to GCIC once all the information has been gathered.
- c. Where a follow-up action against a person or agency after an information security incident involves legal action (either civil or criminal), evidence shall be collected, retained, and presented to conform to the rules for evidence in accordance with agency's standard operating procedures regarding evidence procedures.

Special reporting procedures for mobile devices shall apply in any of the following situations:

- a. Loss of device control - The device is in the physical control of a non-CJIS authorized individual or the device is left unattended in an unsecure location (e.g., counter of the coffee shop). Even if the device is recovered quickly there is significant risk that either the device settings could be tampered with or data on the device could be illicitly accessed.
- b. Total loss of device - The physical location of the device is unknown, the device has been accidentally destroyed beyond the means of information retrieval (i.e., incinerated, shredded), or the device has been dropped in an area that prevents retrieval.
- c. Device compromise – This includes rooting, jail breaking or malicious application installation on the device during a loss of device control scenario or inappropriate user action in the installation of applications to the device (compromise can occur from either intentional threat agent actions or accidental user actions).

In the event of a total loss of device, loss of control, or device compromise, the LASO shall:

- a. Notify GCIC to relay the preliminary details of the incident.
- b. Enable mobile device locating features if the security of the device has not been compromised. (i.e., the device has been misplaced within the department or another secure location)
- c. Contact the mobile device carrier and request assistance with device tracking.
- d. If tracking for the mobile device is unsuccessful the agency LASO shall:
 - i. Secure, control, or remotely erase all data on any department issued mobile device with CJI access as deemed necessary.
 - ii. Utilize remote features to “lock/kill” all device hardware.
 - iii. Once the “lock/kill” feature has been activated, the LASO shall contact the device carrier to ensure the mobile device has been successfully “locked/killed”.
 - iv. If remote “lock/kill” feature is unavailable, a request to disable the mobile device via the network shall be made to the device carrier.
 - v. Notify GCIC of loss and request assigned ORI to be deactivated.
 - vi. Complete the reported incident investigation and submit an incident response form to GCIC once all the information has been gathered.

Where a follow-up action against a person or agency after an information security incident involves legal action (either civil or criminal), evidence shall be collected, retained, and presented to conform to the rules for evidence in accordance with agency's standard operating procedure regarding evidence procedures.

All security incidents and/or GCIC violations shall be reported in writing to the GCIC Deputy Director by the Sheriff, in accordance with GCIC policies and procedures.

XIV. PHYSICAL AND ELECTRONIC MEDIA PROTECTION

Transporting C.J.I. outside the Forsyth County Sheriff's Office assigned physically secure area shall be monitored and controlled.

Authorized personnel shall protect and control electronic and physical C.J.I. and/or C.H.R.I., while at rest and in transit. The Forsyth County Sheriff's Office shall take appropriate safeguards for protecting C.J.I./C.H.R.I. to limit potential mishandling or loss while being stored, accessed, or transported. Any inadvertent or inappropriate disclosure shall be reported to the Sheriff and/or designee and T.A.C and/or designee.

Controls shall be in place to protect electronic and physical media containing C.J.I. and/or C.H.R.I. while at rest, stored, or actively being accessed. "Electronic media" includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. "Physical media" includes printed documents and imagery that contain C.J.I. and/or C.H.R.I. In addition, personnel are permitted to query vehicle registration and driver's license from their mobile data terminals (MDT's) however those same controls listed above shall be in place to protect information obtained. Personnel are prohibited from running criminal history record information (C.H.R.I) from their mobile data terminals (MDT's) or desktops. Any misuse of MDT's shall result in access being revoked.

XV. DISPOSAL OF MEDIA

When a computer used to access GCIC/NCIC information is taken out of service, the hard drive shall be removed and destroyed. Documentation of hard drive destruction shall be retained per the Georgia Archives, University Systems of Georgia.

All requests and responses for Criminal History Record Information (CHRI), which are no longer needed, SHALL be destroyed by means such as shredding or burning. It is the responsibility of the employee in possession of the CHRI to destroy the document when it is no longer needed.

XVI. DISPOSAL OF MEDIA POLICY AND PROCEDURES

When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store and/or transmit FBI CJI and classified and sensitive data shall be properly disposed of in accordance with measures established by The Forsyth County Sheriff's Office.

Physical and electronic media shall be disposed of by one of the following methods:

- a. Shredding - paper products shall be placed in locked shredding bins for Document Destruction, which is a vetted company with GCIC, to pick up and destroy.
- b. Overwriting (at least 3 times) - an effective method of clearing data from magnetic media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located.
- c. Degaussing - a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Note that common magnets (e.g., those used to hang a picture on a wall) are fairly weak and cannot effectively degauss magnetic media.
- d. Destruction – a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

IT systems that have been used to process, store, or transmit FBI CJI and/or sensitive and classified information shall not be released from Forsyth County Sheriff's Office's control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

XVII. PHYSICAL AND ELECTRONIC MEDIA SANITATION AND DISPOSAL

The agency shall sanitize/overwrite at least three times or degauss electronic media prior to disposal or release for reuse by unauthorized individuals. Inoperable electronic media shall be destroyed (cut up, shredded, etc.).

- A. The Forsyth County Sheriff's Office shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel. Physical media shall be securely disposed of when no longer required, using formal procedures.
- B. Written documentation of the steps taken to sanitize or destroy electronic media shall be maintained.
- C. INCIDENT RESPONSE: Personnel with access to C.J.I. and/or C.H.R.I. are required to be familiar with Forsyth County Sheriff's Office policy concerning GCIC/NCIC information, rules and/or regulations.

D. The Forsyth County Sheriff's Office shall report all G.C.I.C. violations in writing to the G.C.I.C. Deputy Director.

XVIII. GIC/NCIC TERMINALS

GCIC / NCIC terminals shall be used by properly trained certified terminal operators in compliance with GCIC policies and procedures. Non-24-hour terminals shall be logged out and shut down when not monitored by GCIC certified employee(s). All terminals not monitored 24 hours a day, shall be routed and forwarded to another monitored 24-hour terminal.

GCIC certified personnel shall enter all items into the system within twelve hours of the agency receiving notification. Missing person information shall be entered into the system immediately.

XIX. GCIC AWARENESS STATEMENT

All personnel (including volunteers, maintenance, cleaning personnel and contracted personnel) shall sign a GCIC Awareness Statement and successfully complete the Security Awareness Training, unless escorted by agency personnel. This statement ensures that all employees are aware of GCIC rules and regulations governing privacy and security.

XX. GCIC TRAINING/CERTIFICATION

All personnel who access GCIC/CJIS terminals or MDTs shall complete the state mandated level of training in relation to their level of access. This training shall be conducted by the GCIC Unit training TAC(s). The GCIC Unit shall be notified in writing or electronically by the employee's supervisor advising agency intent to allow the employee access to GCIC data.

All certified operators are required to maintain their GCIC training certification as long as they are assigned to a position authorizing them access to GCIC terminals or MDT's. GCIC certification expires after two years from the date of their final exam. All operators are required to complete and pass a re-certification exam before their certification expires.

XXI. REMOVAL OF CJI ACCESS PROCEDURES

The Forsyth County Sheriff's Office shall manage information system accounts, including establishing, activating, modifying, reviewing, disabling, and removing accounts. The Forsyth County Sheriff's Office shall validate system accounts at least annually and shall document the validation process.

- A. All accounts shall be reviewed at least annually by the Terminal Agency Coordinator (T.A.C.) or designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain Criminal Justice Information. The T.A.C. shall also conduct periodic reviews.
- B. All guest accounts for those who are not official employees of the criminal justice agency with access to the criminal justice network shall contain an expiration date of one year or the work completion date, whichever occurs first. All guest accounts (for private contractor personnel) shall be sponsored by the appropriate authorized member of the administrative entity managing the resource.
- C. The T.A.C. or designee shall disable all new accounts that have not been accessed within 30 days of creation. Accounts of individuals on extended leave (more than 30 days) should be disabled. (Note: Exceptions can be made in cases where uninterrupted access to IT resources is required. In those instances, the individual going on extended leave shall have a manager-approved request from the designated account administrator or assistant.)
- D. The T.A.C. or designee shall be notified if a user's information system usage or need-to-know changes (i.e., the employee is newly employed, terminated, transferred, etc.). The T.A.C. or designee shall remove or disable all access accounts for separated or terminated employees immediately following separation from the Forsyth County Sheriff's Office.
- E. The T.A.C. or designee shall review Criminal Justice Information access authorizations when personnel are reassigned or transferred to other positions within the agency and initiate appropriate actions such as closing and establishing accounts and changing system access authorizations.

XXII. GCIC USER AGREEMENT

The Forsyth County Sheriff shall sign a User Agreement with GCIC. The agreement states the duties and responsibilities of criminal justice agencies and GCIC concerning use of the CJIS network, training, and compliance with state and federal laws and rules.

XXIII. MONTHLY VALIDATION OF RECORDS

This agency is responsible for the validity, completeness, and accuracy of all GCIC / NCIC record entries. The original monthly validation packet received from GCIC shall be maintained by the GCIC Unit.

XXIV. GCIC/NCIC VALIDATION PROCEDURES

All law enforcement and criminal justice agencies with persons and/or stolen property record entries in GCIC/NCIC computerized files are required to participate in the record validation program established and administered by GCIC and NCIC (GCIC Council Rule 140-2-.14). Validation obliges the originating agency identifier (ORI) to confirm the record is complete, accurate, and still outstanding or active.

Agencies of record shall review validation listings by:

- a. Comparing each record to supporting documentation such as the original arrest warrant (has it been served) and the court of jurisdiction; criminal case file (is information accurate, complete and valid); protection order; missing person's report, including available criminal history records; documented extradition limit changes, if any, from the District Attorney; wanted person's record;
- b. Checking with issuing authorities or prosecutors to determine if warrants remain valid or cases shall be prosecuted;
- c. Determining from owners of stolen serial-numbered property if recovery has been made or ownership has changed;
- d. Verifying those missing persons have not returned; and,
- e. Contacting the Clerk of Superior Court to ensure Protection Orders are valid. In the event the ORI is unsuccessful in its attempts to contact the victim, complainant, etc., the entering authority shall make a determination based on the best information and knowledge available whether or not to retain the original entry in the file.

XXV. WARRANTS and EXTRADITION

Warrants shall be secured in the Warrant Unit. Warrants shall be maintained by the warrant clerk.

Extradition limitations are determined by the Sheriff of Forsyth County, the Forsyth County District Attorney or the Forsyth County Solicitor General. As a general rule all warrants shall be listed as Georgia Statewide Pickup Only unless otherwise approved by appropriate authority.

Warrants approved for extradition by the Forsyth County Sheriff, the Forsyth County District Attorney's Office or the Forsyth County Solicitor General shall be listed as full extradition.

XXVI. SANCTIONS FOR VIOLATIONS

All personnel with access to Criminal Justice Information (C.J.I.) or any system with stored G.C.I.C. and/or N.C.I.C. Criminal Justice Information have a duty to protect the system and related systems from physical and environmental damage and are responsible for correct use, operation, care, and maintenance of the information. All technology equipment: computers, laptops, software, copiers, printers, terminals, mobile devices, live scan devices, operating systems, etc., used to process, store, and/or transmit Criminal Justice Information is a privilege. To maintain the integrity and security of the systems and data, this computer use privilege requires adherence to all relevant federal, state, and local laws, regulations and contractual obligations. All existing laws and regulations and policies apply, including not only those laws and regulations that are specific to computers and networks, but also those that may apply to personal conduct.

Misuse of computing, networking, or information resources may result in temporary or permanent restriction of computing privileges up to employment termination. In some misuse situations, account privileges shall be suspended to prevent ongoing misuse while under investigation. Additionally, misuse can be prosecuted under applicable statutes. All files are subject for search. Where follow-up actions against a person or agency after an information security incident involves legal action (either civil or criminal), the evidence shall be collected, retained, and presented to conform to the rules for evidence laid down in the relevant jurisdiction(s). Complaints alleging misuse computing, networking or information resources shall be directed to the TAC or designee and then forwarded to the appropriate supervisor for disciplinary action.

All personnel are required to follow the policies, rules and procedures set forth by the Forsyth County Sheriff's Office, the Georgia Crime Information Center, the National Crime Information Center, the Federal Bureau of Investigation C.J.I.S. Security Policy, and the laws of the State of Georgia.

All personnel are required to ensure initial CJIS and S&A certification is completed within 30 days of employment and all re-certification is to be completed every two years thereafter.

Sanctions may be imposed for violations of the Georgia Crime Information Center (G.C.I.C.) Criminal Justice Information System (C.J.I.S.) Network and/or National Crime Information Center (N.C.I.C.) rules and regulations and agency policy.

The severity of the violation shall be evaluated and determined on a case-by-case basis.

A. Recommended Disciplinary Actions include:

- a. An inadvertent violation may be resolved by implementing and documenting remedial training for the effected personnel.
- b. Violation(s) related to a disregard of known safeguards, policy or direction may result in a Written Counseling, depending on the severity of the violation.
- c. Subsequent violations may result in suspension or termination of employment.
- d. The severity of any violation may justify immediate termination of employment and possible criminal prosecution.

XXVII. COMMERCIAL DISSEMINATION

The commercial dissemination of G.C.I.C. and/or N.C.I.C. non-restricted files, formally known as hot files, is strictly prohibited. Examples of non-restricted files include, but are not limited to, individuals listed on the terrorist watch list, lost property, missing persons, protection orders, stolen property, wanted persons, etc.

XXVIII. CATASTROPHIC DISASTER / MAN-MADE OR NATURAL DISASTER PLAN

In the event of a man made or natural disaster which renders the current GCIC offices uninhabitable, the Lead TAC shall be notified immediately. The Lead Tac shall be responsible for ensuring that GCIC personnel are moved to a safe, secure location and that GCIC materials and records are protected.

If necessary, preparations shall be made to relocate GCIC personnel, equipment and records to the Sheriff's Office Headquarters Building, Forsyth County Emergency Operations Center (EOC) or another location where proper security measures can be quickly established and normal operations maintained. Access to the temporary offices and records storage area shall be restricted to personnel who are at a minimum current with Security and Awareness Training and signed an GCIC Awareness Statement.

The Forsyth County Sheriff's Office Information Technology Unit (SOIT) shall establish operable GCIC terminals at the new temporary offices. The SOIT Unit shall ensure all connectivity to the offices uninhabitable by the event are taken off-line to prevent unauthorized access.

Note: Nothing in this policy shall require the relocation of any and all affected records when the risk to human life is imminent or the Fire Department and/or Disaster Relief

personnel have deemed access to the building containing the affected records, to be unsafe. If such a determination is made, deputies shall secure the perimeter of the location and restrict access to necessary emergency and agency personnel.

XXIX. APPLICANT PRIVACY RIGHTS NOTIFICATION POLICY

Applicant Notification Policy for Information derived from the Georgia Crime Information Center (GCIC) Criminal Justice Information System (CJIS) network.

A. Applicant Notification:

The Forsyth County Sheriff's Office conducts or requests fingerprint-based background checks for criminal justice or governmental non-criminal justice employment through GCIC. Prior to fingerprinting, applicants shall complete an application and receive a copy of the Applicant Privacy Rights and the Privacy Act Statement at the time of fingerprinting.

Once the applicant has read the Applicant Privacy Rights and the Privacy Act Statement, the applicant shall sign the Applicant Privacy Rights Notification Signature form stating the notification was received. The agency shall maintain the signed document according to approved records retention policy.

B. Record Challenge/Correction:

If an applicant chooses to challenge the accuracy of the criminal history record or needs to correct or update a record, they shall be given 30 days to do so.

The applicant should be notified that the procedures for challenging an FBI record are set forth in 28 CFR 16.30 through 16.34 and the procedures for challenging a Georgia record can be found on the GBI website.

The applicant shall not be given a copy of the fingerprint-based criminal history record.

The agency is not authorized to release the name-based criminal history record.

C. Appeal Process:

1. The applicant is provided an opportunity to appeal an adverse decision based on the criminal history record information provided from the fingerprint-based background check. The procedures for the appeal process are as follows:

- a. Applicant may find information regarding how to obtain a copy of their Georgia criminal history record at the GBI website: <https://gbi.georgia.gov/services/obtaining-criminal-history-record-information-frequently-asked-questions>.

- b. Applicant may find information regarding how to obtain a copy of their FBI criminal history record at the FBI website: <https://www.edo.cjis.gov>
- c. If the disputed arrest occurred in the State of Georgia, the applicant may send their challenge directly to the GCIC. Contact information for the GCIC can be found at <https://gbi.georgia.gov/services/obtaining-criminal-history-record-information-frequently-asked-questions>
- d. Alternatively, the applicant may send their challenge directly to the FBI by submitting a request via <https://www.edo.cjis.gov>.

The applicant does have the right to expect that officials receiving the results of the criminal history record check shall use it only for the authorized purposes and shall not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

**GENERAL ORDER: 3-3.5 CRIMINAL
INVESTIGATION DIVISION**

Rescinds/Amends: GO 3-7

Effective Date: October 17, 2018

Committee Review - Date: November 2017

Related Procedure(s): SOP 3-3.500

Authorized by: Sheriff Ron H. Freeman



I CRIMINAL INVESTIGATION DIVISION

The purpose of the Criminal Investigation Division (CID) will be to thoroughly and professionally investigate all criminal activity, identifying and apprehending offenders, recovering property, gathering, documenting, and evaluating facts regarding criminal activity, and assisting in the prosecution of those charged with criminal offenses.

The division commander is responsible for the overall operations of the Criminal Investigation Division and will have the authority, subject to the authority of the Sheriff, in matters of operation, policy and discipline and will exercise such lawful directives as are necessary to assure the effective performance of the section. The commander will have the authority to assign or transfer divisional personnel as he deems necessary and beneficial to the division.

The commander assumes primary responsibility for the following:

1. Investigation and enforcement of violations of criminal statutes
2. Developing section goals which facilitate the achievement of agency goals
3. Development and implementation of general and special law enforcement programs within the Division
4. Development, preparation and execution of the section budget, including the management of confidential funds
5. Ensuring that division personnel comply with established policies, procedures and rules of the agency
6. Reporting monthly to the bureau commander on the activities of the division, to include the type and number of arrests, seizures, major case status and fiscal accounting of section funds

Unit supervisors are responsible for individual assignments, direction and control of personnel under their command to insure the proper performance of duties and the adherence to established rule, regulations, policies, and procedures. Unit supervisors will be responsible for

case assignments to investigative personnel; for the direct supervision over case investigations and communication between the various investigative units.

II FUNCTION

The reduction of crime through law enforcement action depends in a large part on the success of the criminal investigation process, which should identify and cause the arrest and conviction of the perpetrator of crimes and recover stolen property.

The victim(s) or complainant(s) will be contacted as soon as possible by the investigator to whom the case is assigned. Also, a second contact will be made before an investigation is moved to inactive status. The contact may be made in writing, in person or by telephone and the contact will be recorded in the investigative summary.

A. TRAINING

As soon as possible following assignment to the Criminal Investigation Division, personnel will attend the Georgia P.O.S.T. eighty (80) hour course on criminal investigations.

B. WEAPONS

Investigators will be required to carry their issued firearm and handcuffs whenever on-duty unless prior supervisor approval is given. Investigators will also carry their issued portable radios when away from the office or vehicle unless the nature of the investigation requires it not be carried and it is approved by a supervisor.

C. CELL PHONES

While on-duty or on-call, investigators are required to carry their assigned cell phones at all times and will respond accordingly.

GENERAL ORDER: 3-2.6 CIVIL UNIT

Rescinds/Amends: GO 3-9

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s): 3-5.100

Authorized by: Sheriff Ron H. Freeman



I CIVIL PROCESS UNIT

Civil Process shall be served by the Sheriff or his deputy of the county where the civil action is brought or where the defendant is found or a court appointed Special Agent to Serve Process as outlined in 5-1.2(C). (O.C.G.A. § 9-11-4(c)). The execution of orders for civil arrest or writs requiring the seizure of real or personal property will be performed by sworn and Georgia POST-certified deputy sheriffs. Service must be made by deputies who are disinterested parties in the suit and must be made in writing to the defendant. Verbal service is not allowed. Service of civil process shall be made as prescribed by the appropriate Georgia statute. In any situation where the requirements or procedures for service are not prescribed by law, or in situations where the legal provisions are not clear, or when problems in service arise, the issuing court shall be contacted in order to prescribe the method of service.

When specified in the civil process, deputies or court appointed Special Agents to Serve Process shall make proof of service within the time during which the person served must respond to the process by completing the affidavit or certificate (O.C.G.A. § 9-11-4(h)).

The service of civil process shall be the primary responsibility of agency personnel assigned to the Civil Process Unit. All process shall be served in compliance with current state law.

The Civil Process Unit will be supervised by a sergeant who shall answer directly to the Court Section commander. The unit supervisor shall ensure that all personnel assigned to the unit are properly trained and current in their knowledge of service of legal process.

**GENERAL ORDER: 3-2.7 CITIZENS HELPING
IN POLICING**

Rescinds/Amends:

Effective Date: August 28, 2018

Committee Review - Date: August 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I MISSION STATEMENT

The mission of the Forsyth County Sheriff's Office Citizens Helping In Policing Unit (hereinafter referred to as CHIP) is to improve the quality of life for Forsyth County residents and visitors by providing a visible presence and by observing/reporting suspicious activities. This mission is accomplished through a collaborative partnership with the residents of Forsyth County and the Forsyth County Sheriff's Office.

A. DEFINITIONS:

CHIP – Citizens Helping In Policing

CHIP Team Leader - CHIP Member appointed by the CHIP Coordinator to oversee of a group of CHIP members

CHIP Coordinator - Sworn Sheriff's Office employee tasked with supervision of the CHIP Unit

Radio –Forsyth County Communications Center

B. MEMBER CODE OF CONDUCT

The Forsyth County Sheriff's Office requires all CHIP members to subscribe to its ethical code of conduct, mission statement, values and guiding principles set forth in GO 2-1 Office of the Sheriff. Members shall act in a reasonable, considerate and professional manner toward fellow members, agency personnel and the public at all times.

C. CHAIN OF COMMAND

It is very important to maintain chain of command in all matters and operations. The Sheriff is the final authority on all matters regarding operational policy, procedure and members.

A Forsyth County Sheriff's Office CHIP Coordinator will manage the program and act as a liaison between CHIP, agency personnel and the Sheriff.

D. PERSONNEL / CONDUCT

CHIP members shall maintain a professional image at all times. Good common sense and sound judgment are paramount. Physical confrontation must be avoided unless in the defense of self or others. Remember, our goal is to observe and report.

E. LIMITS OF AUTHORITY

An appropriate identification card will be issued to each CHIP member. The card shall not be displayed for unofficial purposes. Members are not to hold themselves out as law enforcement officials. They are not sworn deputies and do not possess the powers of arrest.

F. CONDITIONS OF SERVICE

Members are not employees of Forsyth County or the Forsyth County Sheriff's Office and possess no employment rights.

G. WEAPONS

NO WEAPONS ARE AUTHORIZED for use by any member of the program while on duty.

No member, while performing any duty as a CHIP member, shall carry or display a firearm or firearm holster that may cause a citizen to assume or conclude that the member may be armed. Any member of the program that is found in possession of a weapon (as defined in O.C.G.A 16-11) while in uniform or on patrol will be terminated from the program. (Note: This does not preclude a member from possessing a legal pocket knife while on duty.)

H. DRUGS / ALCOHOL

CHIP members are prohibited from consuming or being under the influence of any alcoholic beverage while duty or in uniform. Prescribed medications that cause drowsiness or in any way hamper the member's safe performance of duty will not be used while in a duty status.

I. CONFIDENTIALITY

Members shall not use or divulge any information or records derived from any law enforcement source without prior approval from the Forsyth County Sheriff's Office. All members shall maintain a current GCIC Awareness Training status.

J. PUBLIC RELATIONS

Members must maintain proper relations with the public while performing their duties. All inquiries from the press should be referred to the Forsyth County Sheriff's Office Public Information Officer (PIO), a deputy or a supervisor at the scene of an incident.

K. REPORT of ARREST

Any member who is arrested for any crime shall submit ALL information regarding the details of the incident in writing to the CHIP Coordinator within 24 hours.

L. DAMAGE to PROPERTY

All damage to or loss of property shall be reported to the CHIP Coordinator or Team Leader prior to the end of the CHIP members shift.

In the event that county vehicles, equipment or property are found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the property or vehicle was responsible. Additionally, members shall return all equipment owned by the agency when they resign, or otherwise leave the agency, and shall return any equipment when ordered to do so because of suspension or other absence from work.

M. Responsibilities

Individual member responsibilities include, but are not limited to, the following:

1. Proper execution of all assigned duties.
2. Professional community relations and self-discipline.
3. Adherence to rules, regulations, and policies of the agency;
4. Reporting through the chain of command any development that may affect the agency and its operations or the general public.
5. Proper care, control, and use of any departmental resources, equipment, materials or supplies.
6. Proper use of the radio and radio procedures

N. QUALIFICATIONS

Each applicant for the CHIP Unit must possess the following credentials:

1. Be a United States citizen or legal resident;
2. Maintain a valid Georgia driver's license;
3. Satisfactory completion of the FCSO CERT and/or CLEA classes;
4. No excessive traffic citations in the last three years; AND
5. Be 21 years of age and live or work in Forsyth County

Applicants who submit the proper credentials listed above must then:

1. Submit to a background check, including fingerprint submission;
2. Submit to a Driver's History Report every two years;
3. Successfully complete an interview with selected members of CHIP;
4. Successfully complete the CHIP Training;
5. Be able to physically perform the assigned tasks without endangering others;
6. Complete an average of at least 10 hours of service time each month or 120 hours per year; AND
7. Meet other requirements at the discretion of the Sheriff's Office Command Staff.

O. ORDERS / LAWFULNESS / INSUBORDINATION

An order is an instruction, written or verbal, issued by a sworn deputy, CHIP team leader or Command Staff member. All members of the program shall obey lawful orders promptly and willingly.

The failure, or a deliberate refusal, of any member to obey an order shall be deemed insubordinate. If a member is given an order which they deem unethical, they will bring this immediately to the attention of the CHIP Coordinator.

All members of the program shall refrain from public criticism or comment about the agency or orders they have received.

P. DISCIPLINARY PROCEDURES & SEPERATION FROM SERVICE

The Forsyth County Sheriff's Office has developed this manual to outline the program operations as well as the expectations of its members. These expectations are reasonable and explained to each member.

Member shall read and understand all General Orders, Standard Operating Procedures, rules and regulations of the agency.

Members of the program may be disciplined ranging from verbal counseling through dismissal for violation(s) of a policy, procedure or rule.

Members of the program serve at the pleasure of the Sheriff. Members can be dismissed with or without cause. Should a member resign or be dropped from the program, he/she will return all issued property within ten days.

Q. LEAVE OF ABSENCE / REINSTATEMENT

Any member of the program may request a leave of absence from the program provided they are in good standing at the time of the request. The request should be made to the CHIP

Coordinator. Upon being granted a leave of absence, all identification and access cards shall be returned to the CHIP Coordinator.

Upon reinstatement, the CHIP member must be able to demonstrate the ability to perform all tasks required by the position.

R. TRAINING / SELECTION

The Forsyth County Sheriff's Office will provide training and guidance for CHIPS members. The training will include an overview of Forsyth County Sheriff's Office policy, procedures and the goals of the program. Update or refresher training will be provided periodically.

New members will receive the following training:

1. A minimum thirty (30) hour classroom training program.
2. A minimum of three (3) ride-a-longs with a CHIP Training Mentor or approved member(s).
3. A successful evaluation by the Forsyth County Sheriff's Office CHIP Coordinator or designee.

II DUTIES OF CHIP MEMBERS

A. PATROL DUTIES:

1. While on duty or representing the program, members will be properly attired.
2. Members are not to engage in activities while on duty that exceed their authority.
3. Members are to obey all laws.
4. Members will be in possession of a valid Georgia Driver's License.
5. While on patrol, members will keep the dispatcher apprised of any suspicious circumstances or unusual circumstances and their location.
6. CHIP members are not authorized to transport citizens unless approved by a watch commander. The CHIP member will notify dispatch to have a deputy respond to the location for the transport. If the situation dictates immediate transportation for safety reasons, the CHIP member may transport the citizen to the closest safe location. Prior to transport, the CHIP member will advise dispatch of the number of persons being transported, adult or child, genders, destination, and current vehicle mileage. Upon reaching the destination, the CHIP member will advise dispatch of their arrival and the ending vehicle mileage.
7. Two (2) CHIP members must be in patrol vehicles when on duty. One member patrols, while rare, may be approved by the CHIP Coordinator or Team Leader for special details or assignments.
8. Members must be familiar with CHIP program policies and procedures.
9. Members conducting patrol shall accurately maintain a patrol log. (Daily Activity Report)

B. VEHICLES OPERATIONS

1. Safety belts will be worn at all times while the vehicle is in motion.
2. Patrol vehicles will be locked at all times when not in use.
3. Patrol vehicles shall not be operated off paved roadways unless for special assignment or function.
4. All rules of the road will be adhered to at all times. At no time will a member commit an intentional traffic infraction in an effort to observe or report any criminal offense.
5. Patrol vehicles will not be used for any purpose other than normally assigned duties such as patrol, unless the CHIP Coordinator grants permission for a different use.
6. No statements relating to an accident shall be made in the presence of persons involved in the accident, witnesses, the news media, or other citizens. The information should be given to the on scene supervisor and/or traffic officer investigating the accident.
7. Members will not operate the overhead light bar of the patrol unit as an "emergency warning device" while responding to or from a call or traffic collision scene. All members acknowledge that the yellow lights do not require any vehicle to yield the right of way to the patrol unit. The light bar will only be activated while the patrol unit is stationary or needed to provide safety (or during business checks through parking lots) and only when a caution warning is necessary for public safety pertaining to patrol. Good sound judgment must always be used.

C. DOCUMENTS DEFINED

All documents are deemed to be official records and are the sole property of the Forsyth County Sheriff's Office. Documents are defined as any form, report, memo, citation or computer files, whether they are completed or not. A document does not have to be on official letterhead or carry an official title to be an official record.

D. UNIFORM / DRESS & PERSONAL APPEARANCE

Members who are on Patrol must wear the designated uniform - no exceptions. All members are responsible for the proper care and maintenance of uniform and assigned equipment. Uniforms shall remain clean, pressed and provide a professional appearance.

The manner of dress and grooming of CHIP members is an outward reflection of their personal pride, morale values and self-respect. Accordingly, CHIP members should always strive to present the highest possible standard of appearance.

It is the responsibility of all Team Leaders to insure through personal observation and daily inspections that Chip members comply with all policies and the appearance of all members reflects favorably upon the agency.

E. IDENTIFICATION

Identification cards are the sole property of the Forsyth County Sheriff's Office and shall be returned to the CHIP Coordinator upon his request, leave of absence, or upon the resignation or dismissal of the member from the program. CHIP members shall possess a valid identification card when on duty. Members shall provide identification when requested by a citizen.

Members shall not identify themselves as deputies or employees of Forsyth County Sheriff's Office. Misuse of any agency equipment, materials or logos in a manner that may imply law enforcement officer status will result in termination from the program.

F. TIME ACCOUNTING

CHIP Members are responsible to enter their times of service and patrol reports on a timely basis.

G. RIDE-A-LONG PROGRAM

Chip members in good standing may ride along with a deputy. Members must complete and submit the required waiver to the CHIP Coordinator. Members shall be dressed appropriately in a CHIP uniform during the ride-a-long.

H. CITIZEN COMPLAINTS

Any person may file a complaint. Citizens filing a complaint may remain anonymous. A member who receives a complaint from the public shall advise the CHIP Coordinator of the complaint and the details surrounding the complaint.

I. PUBLIC PRESENTATIONS

The CHIP Coordinator may authorize CHIP members to make public presentations or give interviews when the presentation is regarding the scope or aspects of the member program or when addressing specific operations of the program. Members making public appearances shall refrain from releasing information, reports, photographs or other material regarding operation of the agency or program, which is not public information.

A CHIP member shall not attend meetings officially representing the program without first securing permission from the CHIP Coordinator a command staff member or the Sheriff.

A public appearance should be made in the Citizen Helping in Policing uniform unless otherwise directed or approved. Some situation may dictate the public appearance be made in professional business attire. The discretion of type of attire shall be based on the type of presentation, audience and the reason for the appearance.

J. MEETINGS

The CHIP Coordinator or his designee shall preside over all CHIP meetings and be responsible for the administration of all business.

GENERAL ORDER: 3-3 LAW ENFORCEMENT BUREAU

Rescinds/Amends:

Effective Date: August 3, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I LAW ENFORCEMENT BUREAU

The Law Enforcement Bureau is a major component of the agency. The Law Enforcement Bureau Commander shall answer directly to the Chief Deputy and shall hold the rank of major.

This policy establishes the organization, objectives and defines the functions for the operation of the division. The Sheriff's Office shall not use any type of biased-based profiling in traffic enforcement, field contacts, asset seizure or other law enforcement activities.

The Law Enforcement Bureau is comprised of the following divisions:

1. Uniform Patrol Division
2. Special Enforcement Division
3. Criminal Investigations Division

The divisions shall include sections, units, and teams of personnel to carry out the following functions:

1. Uniform Patrol Division
 - a. North Precinct
 - A Watch
 - B Watch
 - C Watch
 - D Watch
 - b. South Precinct
 - A Watch
 - B Watch

- C Watch
- D Watch

- c. Crime Reduction Unit
- d. K-9 Unit
- e. S.W.A.T & C.N.T. Teams
- f. Peer Support Team

- 2. Special Enforcement Division
 - a. Motorcycle Unit
 - b. Incident Response Team
 - c. School Resource Unit
 - d. Traffic Unit
 - e. Traffic Specialist Unit
 - f. Explorers Unit
 - g. C.E.R.T. Team
 - h. Seasonal Patrol Units
 - i. Reserve Unit

- 3. Criminal Investigations
 - a. Property Crimes Unit
 - Financial Crimes
 - Crime Scene
 - Criminal Intelligence

 - b. Major Crimes Unit
 - Victim Advocates
 - Computer Forensic Lab
 - Sex Offender Unit
 - Internet Crimes Against Children

 - c. Narcotics Unit
 - Warrant Unit

GENERAL ORDER: 3-3.1 Uniform Patrol Division

Rescinds/Amends:

Effective Date: November 28, 2022

Committee Review - Date: January 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. UNIFORM PATROL DIVISION

The main function of the Uniform Patrol Division is to provide law enforcement services and other related duties.

The Uniform Patrol Division commander is responsible for the overall operation of the division and shall have authority, subject to the authority of the Sheriff, in matters of operation, policy and discipline and will exercise such lawful directives as are necessary to assure the effective performance of the section. The commander has the authority to assign or transfer division personnel as he deems necessary and beneficial to the division.

The Uniform Patrol Division consists of multiple precincts. Each precinct shall be staffed with deputies assigned to four shifts providing law enforcement services twenty-four (24) hour a day. Each shift will be commanded by a watch commander holding the rank of lieutenant. Watch commanders may transfer personnel, both supervisory and non-supervisory, from one zone, sector or territory to another within their respective watch. Watch commanders are responsible for assuring that adequate supervision and uniform personnel are on duty at all times during their respective shifts.

Each shift shall have supervisor(s) who are responsible for supervision and guidance of personnel in the field. During the absence of the watch commander, a shift supervisor will act as the watch commander.

A. Functions

The major functional responsibilities of the Uniform Patrol Division include, but are not limited to:

1. Response to calls for service;
2. Directed patrol oriented toward prevention and detection of specific crime problems which are not readily affected by preventive patrol techniques;

3. Preventive patrol (including inquiry and inspectional activity) oriented toward prevention of crimes and accidents, and the discovery of hazards or delinquency-causing situations;
4. Crime prevention activities;
5. Investigation of crimes, offenses, incidents and conditions, including arresting offenders;
6. Regulation, direction and control of vehicular and pedestrian traffic;
7. Regulation of certain businesses or activities as required by law;
8. Maintenance of public order;
9. Provision or coordination of emergency services;
10. Development of good relationships between citizens and other county services;
11. Reporting of information to appropriate organizational components; and
12. Traffic enforcement activities.

II. PATROL FUNCTION

This directive establishes the objectives and sets procedures for the performance of basic law enforcement activities within the Forsyth County Sheriff's Office.

Members of the Sheriff's Office shall not use any type of biased - based profiling in traffic enforcement, field contacts, asset seizure or other law enforcement activities.

A. Identification of Hazards

All deputies will be responsible for reporting any actual or potential law enforcement hazards which may exist in the community. These hazards may include:

1. Roadway hazards, such as holes, ditches, loose gravel, etc. (Such hazards, when discovered, will be reported to the Forsyth County Public Works or the State Department of Transportation by the 911 Communications Center);
2. Construction projects;
3. Persons known to carry weapons; if confirmed to be in an illegal manner
4. Residences suspected of drug dealing or usage;
5. Non-functioning traffic lights / signals, missing street signs, unlighted alleys;
6. Downed power lines or trees.

When a potential or actual hazard is detected, the deputy will notify a supervisor and the 911 Communications Center of the hazard. All potential or actual hazards will be reported and distributed to other watches. This information should be distributed to all personnel during roll call sessions.

B. Chain of Command, Correspondence and Complaints

1. Chain-of Command

The chain-of-command will be respected in all matters. Information and communications will move up and down the chain-of-command through channels. However, there is no need for the flow of information to stop simply because the next link in the chain-of-command is unavailable. When the next supervisor in line cannot be contacted in important situations or in emergencies, then an attempt should be made to contact the next superior in line, and so on, up to the Sheriff. During times when the Sheriff's Office is closed, an attempt will be made to page or call him at home when necessary.

2. Correspondence

All correspondence pertaining to business going out of the Uniform Patrol Division must first be authorized by the division commander.

3. Complaints

All complaints against other divisions, sections or units will be forwarded through the chain-of-command to the division commander's office.

III. STAFFING

In order to provide the maximum effective law enforcement service on a 24-hour basis, there will be two patrol watches: Day and Evening, which will be 12 hours in length.

The deployment of foot beat patrols, plain clothes patrols and traffic enforcement patrols may become necessary. The watch commander may authorize these patrols if the need exists. Deployment of foot beat patrols should consider such factors as the need for frequent inspections of a relatively small area, high concentrations of calls involving pedestrians or large crowds in a confined area, etc. Deployment of plain clothes patrols should consider such factors as high frequency of residential or business burglaries, surveillance situations, or any situation where the patrol of a marked uniform vehicle and/or deputy will hinder the successful surveillance of crimes in progress and possible apprehension of criminal suspects. Deployment of traffic enforcement patrols should consider such factors as high frequency of traffic complaints and / or accidents. In all situations of considering deployment, the watch commander will first ascertain that he has sufficient manpower to cover his zones and sectors or that the need is so overwhelming that it becomes a priority over routine patrol.

A. Watch Assignment

Upon completion of field training, recruit deputies will be assigned to a patrol watch as determined by the Uniform Patrol Division Commander. Determination of manpower allocation to each watch will be based upon the overall workload for each watch. The assignment of deputies to watches rests with the commander.

B. Off-Days

Patrol deputies' work on a 12-hour shift system. Shifts work two days on, two days off, three days on, two days off, two days on, three days off. With this schedule, days off are continually rotated.

C. Watch Procedures / Guidelines

1. Watch Lists

Watch lists, showing the status of all deputies and supervisors on a watch, to include name, badge number, radio number, zone/beat assignment and off-time status will be prepared by watch supervisors at least 24 hours in advance and placed in the shift folder on the S Drive.

2. Zone/Beat Assignments

Assignment of deputies to a particular zone will be made by the watch commander. Assignment decisions shall take into account the nature of the zone and the deputy's ability and experience. The watch commander shall receive input from the supervisors on zone assignment. Deputies may be moved from normal zone assignments as is necessary to expose the deputy to different areas of the county for familiarization and knowledge.

3. Roll Call

Roll calls will be held daily on each watch with the exception of those days which, in the opinion of the watch commander, workload levels demand the immediate deployment of the on-coming watch.

Roll calls will be conducted as quickly, efficiently and orderly as possible and will include:

- a. Personnel and equipment inspections for completeness and conformance to agency regulations (either in a formal, military manner or informally, at the discretion of the watch commander). Any equipment to be issued will be inspected and logged.
- b. Personnel will be advised of BOLO's and brought up to date on current or unusual activities occurring in the agency or their watch including any special events.
- c. Roll call training, to include policy and procedure changes, safety instruction and refresher training.
- d. A CID supervisor will assign an investigator to conduct periodic briefings at roll call. The purpose of this assignment is to facilitate the exchange of pertinent information between investigators and other agency personnel.

- e. At the completion of roll call, deputies will immediately proceed to their patrol vehicles and inspect the vehicle. Deputies coming on-duty will be ready to accept calls for service immediately after completion of roll call or prior to that time when so instructed.

4. Responsibility

Deputies assigned to a zone will be responsible for all calls or incidents occurring in that zone.

Deputies specifically assigned to a stake-out, plain clothes patrol, prisoner transportation or traffic enforcement duties may be allowed to patrol all zones commensurate with the specific assignment and may be directed to other duties, if the need exists.

Supervisors will be responsible for the supervision of their personnel until going off-duty. The highest-ranking deputy on duty will be in charge in the event of a conflict. If ranking deputies on duty are of equal rank, the deputy who is senior by time in grade will be in charge, or if ranking deputies are equal in time in grade, the deputy who is senior by agency time will be in charge.

IV. FIRE / EMS COORDINATION

A. Fire / Ems Requesting FCSO Response

Each time the Forsyth County Fire Department or contracted EMS provider requests the Forsyth County Sheriff's Office to respond to an incident, a deputy(s) shall be dispatched and respond. Once a deputy and/or supervisor arrives on scene, the circumstances of the incident shall be evaluated, and the best course of action shall be developed in compliance with Sheriff's Office policy and procedures.

B. Sheriff's Office Requesting Fire / EMS Response

Upon discovery of a medical or fire related incident, a citizen's complaint of injury or a medical issue for which Fire / EMS has not been dispatched, a deputy shall notify the 911 Communications Officer to dispatch the Fire Department and/or EMS provider. Deputies shall not ask the citizen if they want an ambulance but shall act on the citizen's request for assistance and/or the deputies' observation.

C. Providing Information to 911 Communications Officer

When a deputy requests a dispatch of the Forsyth County Fire Department and/or the contracted EMS provider, they shall provide the 911 Communications Officer with the nature of the request and provide any pertinent details (i.e., difficulty breathing, severe bleeding, complaint of neck pain, complaint of shoulder pain, vehicle smoking, fire alarm, brush fire, etc.)

D. Response Modes

Fire / EMS response modes are the sole responsibility of the Forsyth County Fire Department and the contracted EMS provider. Therefore, deputies shall not dictate the response mode of Fire Department and/or EMS personnel to an incident.

E. On-Scene Updates

Deputies shall update and/or relay all pertinent information about the incident to the 911 Communications Officer. This information shall be relayed to the Fire Department and/or EMS provider by the 911 Communications Officer. Deputies shall not cancel the response of Fire or EMS personnel. The Fire Department and/or EMS provider will make the decision on whether to continue or downgrade their response based on all information at their disposal.

F. Unified Command

When an incident involving Sheriff's Office and Fire Department personnel requires a Sheriff's Office supervisor or watch commander to be involved, the supervisor/watch commander will make direct contact with the on-scene Fire Department supervisory staff and establish a Unified Command. This allows face to face communication and enables objectives to be established with known facts thus reducing miscommunication.

V. MOTORIST ASSISTS

Because of the overall danger to all motorists, the agency will offer reasonable assistance at all times to the motorist who appears to be in need of aid. This will apply at all hours of the day, but particularly during the nighttime hours when the hazards are higher.

Deputies should be constantly alert for roadway users who appear to need assistance. Deputies should freely provide information and directions upon request.

In an effort to better serve the citizens, deputies should not only become familiar with the streets and services of their county, but also the various services and facilities in the area. To that end, the following procedures will apply:

- A. Requests for information, directions or assistance will be handled as a normal function of personnel duties. In those instances, where the information or location is unknown, a request will be made to another deputy or the 911 Communications Center for the information.
- B. Personnel who observe motorists stranded on the highways will stop to lend assistance or, if in route to an emergency call or otherwise committed, will notify the 911 Communications Center to dispatch an available unit.
- C. In lending assistance, deputies are authorized to transport stranded citizens to nearby service facilities or a telephone to summons aid.

- D. In cases of mechanical failure, if the citizen cannot obtain aid from private resources in a reasonable amount of time and the vehicle is a traffic hazard, a wrecker service will be called to remove the vehicle to the wrecker service or a repair facility. The deputy will remain with any vehicle which presents a traffic hazard until it is removed from the roadway.
- E. Deputies who assist stranded motorists should remain alert to the following possibilities:
- 1) the vehicle in the possession of the motorist has not been authorized for their use;
 - 2) the vehicle is in unsafe operating condition;
 - 3) the motorist is unlicensed to drive;
 - 4) the motorist is incapable of safely operating the vehicle and / or
 - 5) the vehicle's occupants have engaged in criminal activity.
- F. Deputies may provide assistance to motorists in obtaining tow services, if needed, by calling for a specified wrecker of the motorist's choice or by calling for the next list wrecker service.
- G. Deputies will render all practical assistance to users of the roadway who are involved in emergency situations.
- H. Deputies will immediately advise the 911 Communications Center upon discovery of a vehicle fire. The location, type of vehicle, location of fire, and cargo (if applicable) will be given to the dispatcher. The 911 Communications Center will notify the Fire Department of these facts so appropriate response can be made.
- I. Upon discovery of a medical emergency, the deputy will request an EMS unit be dispatched. When requesting a paramedic unit, the following information will be given to the 911 Communications Center:
- 1) type of emergency;
 - 2) location;
 - 3) condition of patient; and
 - 4) any other information available regarding the emergency.
- After notifying the dispatcher of the nature of the emergency, deputies will render first aid assistance consistent with his/her training.
- J. Agency vehicles will **not** be used to escort any emergency vehicle which has its own operating emergency equipment, unless approved by a supervisor and only under the following special circumstances:
- 1) Escorting an emergency vehicle to a hospital when the driver of the emergency vehicle is not familiar with the location of the hospital.
 - 2) When the emergency equipment on the vehicle needing to be escorted is malfunctioning. In unclear situations, a supervisor is to be consulted.

- 3) No emergency escort will be provided unless the deputy receiving the request has reasonable grounds to believe a very real emergency exists.
 - 4) Vehicles carrying emergency supplies such as blood should have the supplies transferred to the patrol car, if practical.
- K. Private vehicles on emergency runs will not be escorted by Sheriff's Office vehicles at any time. If such an emergency exists, the patient should be transferred to an ambulance or, in the event that an ambulance is unavailable, to the patrol car for the emergency run. The driver of the civilian vehicle should be directed to proceed to the emergency medical facility at normal speed in compliance with all traffic regulations.

VI. HAZARDOUS ROAD CONDITIONS

A. Definitions

Hazardous highway and / or environmental conditions are defined as:

1. Defects in the roadway itself (holes, ruts, or dangerous shoulders)
2. Lack of, or defects in, highway safety features (e.g., center and roadside striping and reflectors) or improper, damaged, destroyed or visually obstructed traffic control and information signs;
3. Lack of traffic control and information signs (curve and hill warnings, stop and yield signs, speed limit signs, street and highway identification), or improper, damaged, destroyed, or visually obstructed control or information signs;
4. Lack of mechanical traffic control devices or improperly located or malfunctioning traffic control devices;
5. Lack of roadway lighting systems or defective lighting systems;
6. Natural or man-caused obstructions (fallen trees and rocks, litter, debris, parts of vehicles, broken water mains and electrical wires);
7. Ice or heavy snow accumulations on roadway surfaces;
8. Fire and its attendant smoke in areas adjacent to the highway;
9. Vehicles parked or abandoned on or near the highway.

B. Correcting Hazards

The following procedures will be followed in reporting and correcting any hazardous roadway, roadside, or environmental condition discovered by a deputy:

1. When a hazard is identified and in the deputy's opinion such hazard requires immediate correction (such as a fallen tree or electrical wire across or on any part of the traveled portion of the roadway), the deputy will immediately inform the 911

Communications Center of this situation and identify the assistance or special equipment required. The deputy will protect the scene and bystanders, and direct traffic or take any other action deemed necessary to correct the situation;

2. When a hazard is detected that represents a potential accident situation but the threat of such is not imminent (such as wildlife, or livestock deceased in the roadway), the deputy will pass this information on to the 911 Communications Center. The 911 Communications Center will notify the Public Works Department or other proper authority to have the situation corrected. If the deputy can correct the situation, he will take appropriate action prior to leaving the scene.

VII. DETAINEE PROCESSING PROCEDURES

Under normal circumstances, adults in custody shall be taken directly to the Adult Detention Center for processing. If this is not practical, they may be transported to the North Precinct for processing. Juvenile detainees are not permitted in the jail and thus may be transported to the North Precinct for processing.

The following procedures apply when an adult or juvenile detainee is taken to the North Precinct for processing:

- A. The reason, date and time in and out of the facility, and any meals, if any, that were provided during the detention will be documented. (CALEA 71.3.1a 6th ed.)
 - 1) Documentation may occur via an incident report, notifying dispatch for inclusion in the CAD or other appropriate means.
- B. The detaining deputy shall search the detainee for weapons and shall maintain supervision and accountability of the individual in custody UNLESS properly relieved by another law enforcement officer. Under no circumstances shall a detained individual be supervised by a civilian or non-agency personnel. (CALEA 71.3.1b 6th ed.)
- C. The room utilized for testing shall not be equipped with a locking door and shall never be utilized for temporary detention.
- D. Deputies will maintain control of their individual weapons at all times. **UNDER NO CIRCUMSTANCES WILL WEAPONS BE LEFT ACCESSIBLE TO DETAINEES.**
- E. Deputies shall have immediate access to their portable radios and/or telephone should additional assistance be required.
- F. No individual shall be secured to a fixed object.
- G. Juveniles shall be kept separated, sight and sound, from and shall not be processed in the presence of adult detainees.
- H. Female detainees shall be kept separated from male detainees.
- I. Detainees shall be provided access to water and restrooms. Any detainee requiring or requesting medical attention will be offered first aid by EMS personnel. Whenever first aid or other medical treatment / evaluation is offered to or performed on a detainee, it will be documented in the incident report or supplemental as appropriate.

GENERAL ORDER: 3-3.2 TRAFFIC UNIT

Rescinds/Amends:

Effective Date: June 29, 2021

Committee Review - Date: April 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I TRAFFIC UNIT

The Traffic Unit is primarily responsible for enforcement of traffic laws that cause motor vehicle and pedestrian accidents. In addition to enforcement of traffic laws, the Traffic Unit shall consist of the following elements:

1. Planning, analysis, inspection, and coordination of the agency's traffic services program through data analysis of traffic accident information and enforcement patterns;
2. Technical accident investigation and reconstruction (if needed), to include investigation of all fatal and serious personal injury accidents and non-traffic fatalities resulting from motor vehicle accidents;
3. Development and coordination of the agency's selective enforcement program, to include specialized speed enforcement efforts;
4. Calibration and maintenance of speed measuring devices (Radar, Laser, etc.), preliminary breath testing devices and their records;
5. Evaluation and coordination of enforcement activities resulting from citizen complaints;
6. Follow-up investigation of all hit and run accidents;
7. Special events coordination where vehicular or pedestrian traffic is concerned;
8. Traffic safety education, in conjunction with the Community Relations Unit;
9. Enforcement of Driving Under the Influence of Alcohol / Drugs (DUI) violations;
10. Enforcement of aggressive driving and distracted driving violations.

II TRAFFIC ENFORCEMENT

Traffic enforcement is one of the primary responsibilities of the agency. The following objectives of Traffic Enforcement shall be given top priority:

- A. Identifying and removing those drivers whose behavior indicates that they are an immediate danger to the public, i.e., intoxicated drivers;
- B. Enforcement of occupant safety restraint laws to reduce the number and severity of injuries caused by motor vehicle accidents;
- C. Improving driving behavior that differs from the accepted or legal requirements through direct enforcement contact and driver observation of law enforcement activities; and
- D. Developing and encouraging voluntary compliance with traffic laws and ordinances through a continuing enforcement program.

The responsibility for the enforcement of traffic laws and regulations rests with all uniformed personnel of the agency. All sworn deputies, while on duty and in uniform, shall take appropriate enforcement action for all violations of traffic laws and regulations they observe.

Deputies are to use individual discretion, based on professional judgment, as to which form of enforcement action will be taken. Action will be appropriate for each violation of the law. This will be accomplished in a fair, impartial, courteous and businesslike manner with one of the following options:

- A. **Verbal Warning:** A verbal warning is appropriate when the violator commits a very minor violation that results in little or no potential danger to the public.
- B. **Written Warning:** A written warning should be issued for minor or non-life-threatening traffic violations, when, in the discretion of the deputy, the enforcement objective has been achieved and the violation does not dictate a citation or physical arrest. Unless the violator provides extenuating circumstances for the violation committed, thus justifying the deputy's decision to issue a verbal warning, a written warning should be issued. A written warning should be issued on the Georgia Uniform Traffic Citation/Warning form produced by the software application currently in use by the agency.
- C. **Written Citation:** Traffic citations should be issued to violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic. A written citation will be issued on the Georgia Uniform Traffic Citation form produced by the software application currently in use by the agency.
- D. **Physical Arrest:** The physical arrest of a driver is the most extreme action that may be taken for a traffic offense. This action may only be taken when:
 - 1) the continued operation of the vehicle would result in immediate danger to the public;
 - 2) the driver is revoked under the Habitual Violator statutes. (If the status is unable to be determined, the deputy will not make a physical arrest);
 - 3) the driver is determined to be in violation of an offense DUI cited;

- 4) the driver does not have a valid license or has never been issued a valid license;
- 5) the appearance in court of the charged party is in doubt; or
- 6) their driver's license has been suspended or revoked by the Georgia Department of Driver Services or the Department of Public Safety of another state, and only if there is proof that the driver has been properly served with notice of suspension.

Proof of actual notice of a license suspension is now only required for the following suspensions:

- 1) ALS or implied consent
- 2) Failure to appear (pre-January 1, 2010)
- 3) Child support
- 4) School suspensions
- 5) Safety responsibility
- 6) Insurance cancellation (no new insurance cancellation suspensions were imposed after October 2002)

The State can meet its burden of proof for this element of O.C.G.A. 40-5-121 through an officer's testimony that the driver admitted that he/she knew about the suspension, audio/video of that admission, or documentary evidence (service form, certified mail from DDS, etc.). Any failure to appear suspensions after January 1, 2010 do not require a serve date. Contact your supervisor with any questions as to whether the custodial arrest should be made.

Exception: *When the suspension is based on a violation of the "super speeder" law (O.C.G.A. §40-6-189), there is no requirement that the violator be served.*

A. TRAFFIC PATROL

1. Visible Traffic Patrol
 - a. Area - moving or stationary observation in an area that includes a number of streets or sections of highway.
 - b. Line - moving or stationary observation on a specific street or highway between two points.
 - c. Directed - Area or line patrol that is specifically directed by supervisory personnel and is based on unfavorable traffic accident or enforcement data.

2. Stationary Observation

- a. Covert - when operating speed detection devices, traffic enforcement vehicles will not be concealed (O.C.G.A. §40-14-7).
- b. Overt - traffic enforcement vehicles will be positioned near the roadway intersection in such a manner that they will be clearly seen by persons using ordinary powers of observation.

3. Unmarked Vehicles

Unmarked vehicles will not normally be used in traffic enforcement. However, should a deputy driving an unmarked vehicle see a violation that they feel needs to be addressed, they may take the appropriate action.

B. SPECIAL PROCESSING PROCEDURES

1. Non-residents

- a. If a violator's state of residence is a member of the Non-Resident Violator Compact, the deputy may release the person on a copy of the citation and will advise the violator that if the citation is not paid, or if they do not appear in court on the date indicated, the Georgia Department of Driver Services will notify the Department of Public Safety of the violator's home state and the driver's license will be suspended until the fine is paid.
- b. If a violator's state of residence is not a member of the Non-Resident Violator Compact, the violator will be escorted to the Detention Center to post a bond. The citation should be marked "Posted Bond" in the remarks section of the citation, and appropriate copies forwarded to the Records Section.
- c. Currently, the only states that are **not** members of the Non-Resident Violator Compact are:
 - i. Alaska
 - ii. California
 - iii. Michigan
 - iv. Montana
 - v. Wisconsin

C. JUVENILE OFFENDERS

1. A child is defined as any individual under the age of 18 years or under the age of 17 years when alleged to have committed a delinquent act. Juvenile Traffic Offenses are not delinquent acts and are committed by those individuals under the age of 17 years. Therefore, a person age 16 or under can be charged with Juvenile Traffic Offenses. If a Juvenile Citation is written for a child who has committed a Juvenile Traffic Offense, a Juvenile Court Date shall be issued to the child by the clerk of court.

A Juvenile Traffic Offense consists of a violation by a child (age 16 or under) of:

- A. A law or local ordinance governing the operation of a moving motor vehicle upon the streets of highways of this state or upon the waterways within or adjoining this state; or,
- B. Any other motor vehicle traffic law or local ordinance if a child is taken into custody and detained for its violation.

However, the following offenses shall be acts of delinquency and shall not be handled as juvenile traffic offenses:

- A. Aggressive Driving
 - B. Reckless Driving
 - C. Four-point speeding offense
 - D. Homicide by Vehicle
 - E. Manslaughter resulting from the operation of a vehicle
 - F. Any felony in the commission of which a motor vehicle is used
 - G. Racing on highways and streets
 - H. Using a motor vehicle in fleeing or attempting to elude an officer
 - I. Fraudulent or fictitious use of a driver's license
 - J. Hit and run or leaving the scene of an accident
 - K. DUI alcohol/drugs
 - L. Any offense committed by an unlicensed driver under 16 years of age
2. A Juvenile Complaint Form shall accompany the following traffic violations whether the juvenile is arrested or released with a citation.
 - A. Homicide by Vehicle
 - B. Manslaughter
 - C. Driving Under the Influence (DUI)
 - D. Failure to stop and render aid
 - E. False affidavit relating to ownership of vehicle
 - F. A felony in the commission of which a motor vehicle is used
 - G. Racing on the highway or street
 - H. Fleeing or attempting to elude a deputy
 - I. Fraudulent or fictitious use of a license
 - J. Hit and run or leaving the scene of an accident
 - K. Laying drags
 - L. Display of another person's license

A Juvenile Complaint Form may also accompany other citations in cases where additional information surrounding the circumstances of the violation would be beneficial to the court.

3. Juveniles that are taken into custody for D.U.I. should be given their rights under the Georgia Implied Consent Law for the purpose of the chemical test(s) for alcohol or drugs. If the juvenile takes the test(s), the results should be noted in the deputy's Juvenile Complaint Form. If the juvenile refuses to take the chemical test(s), it should also be noted in the deputy's Juvenile Complaint Form and the proper forms for a refusal completed and forwarded to the Georgia Department of Driver Services.

The chemical breath test should be administered at the Forsyth County Sheriff's Office, North Precinct. Drawing of blood and / or obtaining urine samples should be done by qualified medical personnel. All necessary precautions should be taken to expedite the juvenile's processing. The juvenile may not be placed in any holding cell.

D. UNIFORM ENFORCEMENT FOR TRAFFIC LAW VIOLATIONS

1. Driving Under the Influence (DUI) of Alcohol / Drugs

Deputies will arrest any driver found to be in violation of DUI laws. Arrests will be determined by the driver's observed operations on the roadway or involvement in an accident, field sobriety tests, blood alcohol tests and toxicology tests. The mere fact that a driver has the odor of alcoholic beverages on his breath is not sufficient cause for arrest. The violation is when the driver's ability is impaired.

2. DUI Countermeasures and Enforcement Program

Patrol deputies must be alert for signs of alcohol and / or drug impairment in all contacts with motorists. After conducting an initial examination at the scene of the traffic contact and upon determining that probable cause to arrest is present, the deputy will affect a physical arrest of the subject.

Chemical tests will be offered in accordance with the Georgia Implied Consent law and agency policies and procedures. Deputies are reminded that chemical tests are supplemental tools only, and a refusal to submit to a chemical test will not constitute cause to issue a citation for a lesser offense.

All deputies will be familiar with D.U.I. detection and field sobriety tests. If any deputy recognizes a need for additional training in either area, the deputy should seek advanced training through the chain-of-command by making application to the Training Unit.

The DUI Enforcement Program uses various combinations of the following countermeasures; selective assignment of personnel to and surveillance of locations where significant violations / accidents have occurred; analysis of DUI related accidents; selective safety checks for deterrence purposes; and enforcement of DUI laws.

3. DUI Procedures

The procedures below will be followed by all personnel of the Sheriff's Office in driving under the influence cases:

- a. When a motor vehicle is stopped based on reasonable suspicion, resulting in probable cause for an arrest, either in a one-on-one situation or a safety road block, the first verbal contact with the driver must be a professional greeting and a request to see their driver's license. Deputies will be polite and businesslike, remaining aware that the driver's judgment, self-restraint, and self-confidence are the first faculties to be distorted by alcoholic beverages. This could create a setting for lack of cooperation, belligerency and even physical contact. Do not allow yourself to be drawn into an argument. The deputy should answer intelligently any question raised by the driver. Example of driver questions: "What did I do?" "Why are you stopping me?" "What is this all about?" You should answer these questions to the best of your ability and let the driver talk. In talking to the driver, you will be able to observe the manner of his speech and note any odor of alcoholic beverages on the breath of the driver.
- b. A good idea at this point is to ask the driver general questions while they are performing a task to divide their attention. For example: While they are searching for their insurance card, ask them a question like, "What is your middle name?" or "Without looking at your watch, can you tell me what time it is?" These simple divided attention tests are good indicators of impairment since an unimpaired driver can usually perform a physical task as well as a mental task at the same time, while the impaired driver finds it difficult or impossible to do two tasks at the same time.
- c. If you have reasonable cause to believe the driver's ability to be impaired, you have the right to request the driver to step from the vehicle to observe the driver's balance, appearance and to have the driver perform field sobriety tests.
- d. After you have administered field sobriety tests, and you have determined that the driver is under the influence to the extent that it is unsafe for him to continue to operate a motor vehicle, you should at this time place him under arrest for DUI. Once the driver is placed under arrest for DUI, he becomes subject to testing procedures under the Implied Consent Law.
- e. It is now imperative that you read the suspect the Implied Consent Warning in its entirety. You must read it understandably and clearly. It must be read exactly as it is printed on the card currently issued by the DDS. You should request clearly which test or tests you are requesting and ask the suspect if he understands the warning.
- f. The suspect should then be transported to the Detention Center to be administered a breath test, or to the nearest or reasonably requested hospital for a blood or urine test.
- g. In that Georgia's code allows a deputy to request more than one test, deputies should continue to select an appropriate test and utilize that test. For example:

- (1) If the suspect is obviously under the influence of alcohol, a breath test might be appropriate; or
- (2) If the suspect is obviously under the influence of drugs, a blood / urine test might be appropriate; or
- (3) If the suspect appears to be under the influence of both alcohol and drugs, a blood / urine test might be appropriate.

Situations may warrant more than one test to be given and in these situations the deputy must read the Implied Consent Warning again requesting each subsequent test, each time. The deputy may request more than one test at a time.

NOTE: A breath test will only provide an alcohol reading. A blood test will provide an alcohol reading as well as drug detection and quantity. While a urine test will detect drugs (or metabolites) being eliminated from the subject's body through excretion, it is not recommended for the primary detection of alcohol level.

- h. Persons arrested for DUI with or without a valid driver's license, who refuse to take the test to determine alcohol / drug content, will be processed through the Detention Center and placed in jail. The arresting deputy should complete the most current DDS Form 1205 "Administrative License Suspension Form" and then forward it to the Records Unit which will submit it to the Department of Drivers Services as soon as possible or within ten (10) days.
- i. Once the driver has been read the contents of the Implied Consent Warning Card and given the state administered test(s), he may at any time before being turned over to the jail for confinement make a request for an additional test by someone of their own choosing. Below contains a list of drug testing facilities located in the immediate vicinity. The driver is not limited to just these facilities and may request to be taken to any drug testing facility of his own choosing located within a reasonable driving distance from the Forsyth County Sheriff's Office. If the driver requests an additional BREATH test, one will be provided for him by the instrument used for the state test, AT NO CHARGE. A supervisor should be notified each time a person requests his or her own test as such request must be within the realm of reasonableness.

(1) Drug Testing in Forsyth County

Northside Forsyth Hospital, 1200 Northside Forsyth Drive 770-844-3200. Drug testing laboratory open 24 hours per day, seven days a week. The hospital accepts major credit cards, cash or personal checks.

(2) Telephone

A telephone will be made available to the driver to help him facilitate obtaining an independent blood or urine test. The telephone cannot be used for

personal calls. It can be used only to assist the driver in obtaining an independent blood or urine test.

Allow the driver to either phone ahead to find out the costs involved or transport them to the hospital to be personally told by the hospital staff of the charges. Do not tell the driver what the hospital charges are, if you know. Let the hospital staff tell him.

The driver may use a telephone to contact a relative, friend, lawyer, or his personal physician to assist him in obtaining an independent blood or urine test.

(3) Payment

- (a) Requesting, obtaining, and paying for an independent blood or urine test is the sole responsibility of the driver.
- (b) Persons requesting an independent blood or urine test who are not in possession of sufficient funds to pay for such tests may use the provided telephone to contact a relative or friend for assistance.
- (c) Persons in possession of a teller card may, in certain circumstances, be taken to a teller machine so they can withdraw sufficient funds to cover the cost of the blood or urine test. Any transportation to a teller machine will only be approved by the on-duty watch commander and only in situations in which the arrestee is cooperative, non-violent, and manpower is available.

(4) Legal Assistance

- (a) Persons requesting legal assistance in obtaining an independent blood or urine test may contact their own lawyers for assistance.
 - (b) Persons not having personal attorneys can contact, if they choose, the Forsyth County Indigent Defense
- j. A full incident report will be made on all DUI arrests. You must list all the facts, your reasonable suspicion for the stop, and the probable cause for the arrest. You must list all witnesses with knowledge of and those involved in the arrest. Include witnesses to the Implied Consent reading and any passengers in the motor vehicle who could possibly testify for the driver in court at a later date. All field sobriety tests that were given must be listed with the detailed results of the tests.
- k. DUI violators will be incarcerated and not turned over to a third party except in extreme circumstances authorized by a supervisor.
- l. The driver's vehicle may be released to another at the driver's request provided all other surrounding circumstances are reasonable and safe. If no one is available to pick up the car and it cannot be safely left at the stop location, it will be

impounded for safekeeping. You are not compelled to tow the car if it can be reasonably released with the driver's permission. Obviously if the vehicle must be impounded for evidentiary reasons, the driver will not be afforded the opportunity to release his car.

4. Speed Law Violations / Extenuating Circumstances

Speed enforcement should be utilized on residential streets and at those locations where citizen complaints have indicated that speeding violations occur. The following guidelines should be followed when taking enforcement action:

- a. All detected speeding violations should be enforced by a written warning or citation, especially at the locations and times noted in selective enforcement reports;
- b. The use of speed detection devices will be governed by applicable state law (O.C.G.A. §40-14-8); and
- c. When speed has been determined to be the causative factor in a traffic accident, a citation should be issued. This includes speed related offenses such as "following too closely" or "too fast for conditions."

5. Hazardous Moving Violations

Hazardous traffic law violations are defined as those violations of any law or regulation affecting the use or protection of streets or highways enacted primarily to regulate safe movement of vehicles and pedestrians. It will be the practice to issue citations or arrest, if appropriate, for hazardous moving violations and operating unsafe or improperly equipped vehicles.

6. Equipment Violations

When a vehicle is found to be in violation of several equipment requirements, a citation should usually be issued for the most serious violation.

7. Commercial Vehicles

Enforcement of commercial vehicle laws will be governed by applicable state laws and local ordinances.

8. Non-Hazardous Violations

Minor traffic infractions may be resolved by written warnings.

9. Multiple Violations

When multiple violations are observed which can be classified separately as having distinctly different elements, they shall be dealt with independently. A motorist stopped for following too closely and subsequently found to be operating without a driver's license should be issued two separate citations. In situations where two violations are similar to the extent that the elements of one law are included in the

other law, only the most serious should be charged. A motorist who has been charged with reckless driving would not be charged also with speeding or improper driving on the roadway if these offenses occurred concurrently with and are important factors in the charge of reckless driving. A warning citation may be issued at the deputy's discretion for a non-hazardous (and non-serious) violation in conjunction with another citation for a more serious equipment or hazardous moving violation. For example, a warning for a seat belt violation may be issued when a subject has been stopped and given another citation for speeding.

10. New Laws / New Traffic Control Devices

When new traffic control devices have been erected, only warning citations shall be issued for at least a thirty (30) day period.

11. Pedestrian Enforcement

In enforcing traffic laws pertaining to pedestrians, deputies will concentrate their efforts on pedestrian violations in those areas where pedestrian accidents have been frequent and severe. Prior to any substantial increase in the enforcement effort directed toward pedestrian traffic, sufficient publicity and community awareness campaigns will be conducted.

12. Bicycle Enforcement

The following procedures are guidelines to help promote a more uniform and consistent application of the law in relation to bicycle enforcement.

- a. In those areas where congestion and the frequency of traffic accident experience involving bicycles has been predominant, those laws pertaining to the proper operation of bicycles will be strictly enforced;
- b. On those arteries with a substantial flow of vehicular traffic and where hazardous moving violations are observed involving persons operating bicycles, the applicable laws will be enforced;
- c. In those areas where traffic flow is minimal, visibility is unobstructed, and traffic accident experience low, deputies should exercise discretion in the application of those laws regarding safe operation of bicycles;
- d. Deputies should be less tolerant with older offenders who should be aware of the hazards inherent in the unsafe operation of bicycles. Deputies should be more lenient in the enforcement of the law and more instructive in their response to youthful offenders, who may not be fully aware of their responsibility in the safe operation of bicycles;
- e. The school safety and community relations programs will include various bicycle safety courses to inform and familiarize younger children in the proper and safe operation of their bicycles.

13. Off-Road and Recreational Vehicles

When investigating the use of recreational vehicles on private property, attempts will be made to contact the property owner to determine if permission has been granted in writing, to operate on the owner's property. If the owner's permission is not granted, the operators are in violation of state law O.C.G.A. §40-7-4. If a violation of other applicable laws occurs while operating a recreational vehicle, such as DUI, reckless driving, hit and run, or criminal damage, additional enforcement action may be taken by deputies. Any recreational vehicle driven upon public roadways will fall in accordance with registration laws and driver's license laws, as would any other motor vehicle driven upon public roadways.

14. Parking Violations

Parking enforcement activities will normally be limited to situations that present a threat to public safety and/or in response to a public complaint.

When enforcing parking violations, particularly in residential areas, the deputy should attempt to locate the owner of the vehicle and have the vehicle removed. If compliance is not achieved, a citation might then be issued. If an immediate hazard is caused by the violation, the vehicle should be towed. An effort to contact the owner of the vehicle should be attempted before the vehicle is towed. Blocking a roadway is sufficient reason for the vehicle to be towed.

A. Parking Violation Procedures

Particular emphasis will be placed on enforcing unlawful parking in properly marked handicapped parking spaces. A Georgia Uniform Traffic Citation should be issued. The code section for handicapped parking violations is O.C.G.A. §40-6-225 (State Law).

B. Abandoned Vehicles

Whenever a deputy finds a motor vehicle which has been abandoned or left unattended on a public street, road, highway, controlled access highway or other public property, they shall be authorized immediately to cause that motor vehicle to be impounded when such motor vehicle poses a threat to public health or public safety. This shall be done pursuant to O.C.G.A. §40-11-3.

Whenever a deputy finds a motor vehicle which has been abandoned or left unattended on a controlled access highway (GA. 400) and such vehicle is not a threat to public health or safety, the vehicle may only be impounded after a period of 24 hours has expired. Once an abandoned or unattended vehicle (that is not a hazard) has been identified by a law enforcement deputy, the deputy should immediately "red tag" the vehicle and the 24-hour period shall begin at that time. This shall be done pursuant to O.C.G.A. §40-6-206.

Whenever a deputy finds a motor vehicle which has been abandoned or left unattended on any public street, road, highway or other public property (other than GA. 400) and the motor vehicle does not pose a threat to public health or

safety, the deputy must allow a period of at least five (5) days to expire before causing such motor vehicle to be impounded. The five-day period should begin once the vehicle has been checked. In this situation, the deputy must reasonably believe that the person who left such motor vehicle unattended does not intend to return and remove the vehicle. This shall be done pursuant to O.C.G.A. §40-11-3.

Once a decision has been made by a deputy to impound a vehicle pursuant to this section, the deputy must include pertinent information in the report and include the state law or local ordinance relied on for the impound, and if the vehicle had been previously "red tagged" and the date of the "tagging." Impound reports will consist of filling in all of the information contained on the back of the supplemental incident report and will be accompanied by the impound receipt provided by the wrecker service.

C. Private Property

Abandoned vehicles shall not be impounded from private property unless:

- 1) The vehicle is wanted in connection with a crime;
- 2) Emergency Conditions - the vehicle constitutes an immediate danger to life and / or property.
- 3) Junked Motor Vehicles - any person employed by the Sheriff's Office or Forsyth County to remove junked vehicles constituting a nuisance has the right to enter private property to remove a junked motor vehicle.

15. Driving with a Suspended License

The deputy should check through the 911 Communications Center by name and date of birth, or driver's license / social security number for the current status of driving privileges. If the violator has a valid license, the deputy's actions should be dictated by the initial violation or contact.

If the driver does not have a valid driver's license through GCIC / NCIC on-line records, the deputy should determine if the violator was ever issued a license through this state or his state of residency. If it can be determined no license was ever issued, the deputy should cite for no driver's license and the driver should be arrested.

If the violator was issued a license in this state or his state of residence and the violator's driving privileges have been revoked or suspended, the deputy should cite for no driver's license or driving under suspension and the driver should be arrested.

In either case, arrangements should be made for the vehicle (e.g., another licensed driver in the vehicle, or someone who can pick the vehicle up). The vehicle need not be towed if it is legally and safely parked or on private property.

If there is doubt about the correct status of a license suspension and verification of court action cannot be gained within a short period of time, the deputy should release the driver until verification by teletype is gained. A citation can then be issued when confirmation of the license suspension is received.

E. TRAFFIC CITATIONS, ARREST REPORTS AND SUPPLEMENTAL REPORTS

The issuance of a traffic citation is applicable in the majority of cases for all traffic violators. At the time a motorist is charged with a violation, the issuing deputy will note on the citation information relative to the specific charge, to include:

1. Assigning a court date even when the citation is eligible for payment, in order to allow that person to contest the citation. The issuing deputy shall advise the violator that the citation must either be paid by the date on the citation or the subject must appear in court on that date (an exception to this step is noted for juveniles; a court date is not assigned by the Sheriff's Office; it will be determined by the Forsyth County Juvenile Court);
2. An indication on the reverse side of the violator's copy of the citation that states whether or not the citation is eligible for payment, or if a court appearance is mandatory; and
2. Other information relative to processing the citation (such as address and telephone number of the Clerk of Courts, special instructions for juveniles, etc.) is provided on the citation, and will be provided to the violator at the time the citation is issued.

Warning citations may be issued to violators on the standard Warning Citation form for minor traffic violations. The deputy shall issue a copy to the violator and retain the agency copy for his records.

Reports by uniform personnel will be completed and submitted to a supervisor by the end of his shift, unless prior approval has been granted.

The supervisor will check each report for accuracy, completeness and legibility. After each report has been read and checked by the supervisor, he will sign his name to it in the proper section, indicating that the report has been approved. Approved reports will be forwarded to the Records Unit. Traffic citations will be also forwarded and distributed as indicated in the Records policy directive.

Reports will be printed legibly in black ink or typed.

F. REQUESTS FOR RE-EXAMINATION OF DRIVERS

Any deputy having reason to believe that a person is not physically or mentally able to safely operate a motor vehicle should make notice to the Driver's License Advisory Board (O.C.G.A. §40-5-34c). A DDS-270 form (Request for Driver Review) should be completed in its entirety; noting the driver's information, reason(s) for the request, traffic violations observed, deputy's information, deputy's signature, and date. If the driver was involved in a traffic accident, attach a copy of the report.

Mail or fax completed requests to:

Georgia Department of Driver Services
c/o Medical Review Unit
P.O. Box 80447
Conyers, GA 30013

Fax to: 770-344-3629

G. SPEED MEASURING DEVICES

The agency will use speed detection devices in high or potentially high accident locations when speed is a factor, in areas where speed limit violations are prevalent, and in response to citizen complaints concerning speeding motorists.

The Sheriff's Office will only utilize speed measuring devices which meet or exceed the performance specifications established by DDS. (O.C.G.A. §40-14-1)

1. Operator Training and Certification

All deputies using speed measuring devices must successfully complete an initial basic operator program and receive certification prior to issuing citations requiring financial sanctions for violations (O.C.G.A. §35-8-12). This program will include:

- a. Familiarization with the theory of operation of speed detection devices (radar, laser, or other technology) through reading approved instructional materials provided in the course;
- b. Instruction on speed detection equipment characteristics and operation by a properly trained instructor;
- c. At least forty (40) hours of in-car, on-the-job instruction in detecting, tracking, and documenting violations (by issuing warning citations) under the direct supervision of an experienced certified operator or instructor;
- d. Demonstrated proficiency to the radar, laser, or Vascar instructor who shall issue a certificate of proficiency;
- e. Any written tests deemed necessary by the governing authority to ensure proficiency with the device; and
- f. Demonstrate minimum requirements to P.O.S.T. for speed detection device certification.

2. Radar Procedures

The precise method for using a radar unit and the enforcement of those laws applying to speed will vary in accordance with the type of radar equipment used. Generally, the following procedures are applicable:

- a. The radar unit must be properly installed per the manufacturer's recommended procedures
- b. The effective range of the particular radar unit must be thoroughly understood by the operator so visual observations can support the speed readings.
- c. The radar unit will be properly calibrated to ensure accuracy in checking speed. Prior to use, the calibration will be confirmed using the manufacturer's recommended procedure. All manufacturers recommend specific methods of checking calibration and these will be followed without exception.
- d. A calibration check will be made upon request of any citizen about to receive a traffic citation for speeding through the use of radar. This calibration check will be offered to the violator prior to the issuance of the citation pursuant to O.C.G.A. §40-14-5.
- e. A calibration check will be made at the end of using the radar unit, or at the deputy's end of duty.
- f. All calibration checks per O.C.G.A. §40-14-5 (a), will be recorded in the individual operator's Radar Log Book indicating the date and times used, the serial number of the unit and tuning forks, and whether there were any errors as a result of the test. This will be an absolute minimum to be recorded. The Traffic Unit commander, or changes in Georgia State Law, may require that additional information be added to the deputy's Radar Log Book.
- g. Any radar unit not meeting the manufacturer's minimum accuracy requirements shall be removed from service and shall not be used until it has been serviced, calibrated, and recertified by a qualified technician as required in O.C.G.A. §40-14-4.

3. Laser Procedures

Prior to each use, the laser shall have its calibration checked by both of the following tests:

- a. Internal Calibration Test; and
- b. External Distance and Alignment Test.

Each test will be performed in direct accordance with the manufacturer's procedure.

4. Courtroom Evidence

In order to substantiate a case involving any speed measuring device in court, deputies should be prepared to testify to:

- a. The time, place, direction, and the speed of the vehicle as displayed on the unit;
- b. That the defendant's vehicle was identified as the violator vehicle to the exclusion of other traffic on the road;
- c. That the defendant was the individual operating the vehicle in Forsyth County;
- d. The fact that the device was operating properly and calibration method.

5. Proper Care and Upkeep

Proper care and upkeep will be required on a continual basis, to include cleanliness of the units, repairs to all units whenever reported, and daily inspection by patrol deputies assigned to operate radar or laser.

6. Programmed Maintenance of Radar and Laser Units

It shall be the duty of the Traffic Unit commander to ensure that adequate and necessary maintenance, calibration and operational record systems (suitable for introduction as evidence in court) are developed and maintained. The Traffic Unit commander shall also ensure that operators receive proper certification, periodic in-service training and recertification. Preventative maintenance shall include:

- a. Programmed maintenance on at least an annual basis, which will check all lights, readout windows, connectors, tuning forks, mounting brackets, and all other vital parts of the units or their casings and mounts; and
- b. Professional calibration of each operational radar and laser unit at least once each year by a factory-authorized technician.

7. Maintenance and Calibration Records

Records shall be maintained of each radar or laser unit to include:

- a. Statement of origin and accuracy;
- b. All calibrations performed, including certificates of calibration; and
- c. All reported defects or repairs to each unit.

8. Equipment Specifications for Speed Measuring Devices

- a. Radar and laser units used by the agency shall be in compliance with Georgia Department of Public Safety (DPS) rules and regulations.
- b. A secondary method used to measure violator speed is a certified speedometer. Whenever a speedometer is used as a basis for issuing a citation for a speeding

- c. violation, the operator of the vehicle will either have the speedometer checked by using radar to verify its accuracy, or have had the speedometer calibration checked for accuracy and certified by qualified personnel.

- d. Radar and Vascar can also be used by pacing a vehicle driving in the same direction and monitoring the speed as measured by the radar or Vascar. Such pacing should continue over a constant distance between patrol vehicle and violator vehicle, for a long enough period of time to obtain an accurate speed reading on both the patrol vehicle and the violator vehicle. Radar and Vascar operational procedures shall be followed as trained and indicated in this procedure.

GENERAL ORDER: 3-3.3 K-9 UNIT

Rescinds/Amends:

Effective Date: March 23, 2023

Committee Review - Date: March 2023

Related Procedure(s): GO 3-10

Authorized by: Sheriff Ron H. Freeman



Purpose

The purpose of this order is to designate responsibilities and implement procedures for the organization, operation, supervision, training and utilization of the Sheriff's Office K-9 Unit.

K-9 teams may be used as a supplemental and supportive tool searching buildings, tracking persons, apprehending criminal suspects, locating evidence or contraband and other purposes with proper training.

I DEFINITIONS:

- A. K-9 bite: Any gripping of a person's body or clothing by a K-9's mouth, irrespective of injury or damage to the person's clothing.
- B. K-9 Contact: Any aggressive touching of a person's body by the K-9's paws, claws or body irrespective of injury or damage to the person's clothing.
- C. K-9 Deployment: The utilization of a K-9 for the purpose of locating and/or apprehending a person, searching buildings or locating items of evidentiary value. K-9 demonstrations, training and maintenance activities shall not constitute a K-9 Deployment.
- D. Locate: The use of a K-9 to track the scent of a person for the purpose of determining their location or to determine the location of articles.
- E. Apprehend: The utilization of a K-9 to take physical control of a suspect who is resisting lawful efforts by Deputies to take him/her into custody. The mere presence of a K-9 often results in a peaceful surrender. However, in some instances, resistance and hazards presented by a suspect may force a K-9 to make physical contact to subdue them.
- F. K-9 Use of Force: A K-9 bites or makes contact with a suspect, irrespective of injury or damage, to overcome resistance, neutralize assaults, capture a fleeing suspect or otherwise locate a suspected perpetrator. Additionally, any injury or damage to a person's body or clothing caused by contact with the dog's teeth (i.e., rakes, abrasions or tearing of clothing) shall also be

reported as a Use of Force (A Use of Force Report is not required for those incidents that occur during K-9 Training) [See also GO 3-10, V, A, 2, f Use of Force]

II K-9 TEAM SELECTION, QUALIFICATION and TRAINING

A. Handler Criteria

Deputies who desire assignment to the K-9 Unit shall have the following qualifications:

1. Candidates shall have a minimum of three years' law enforcement experience, including two years with the FCSO; hold a minimum rank of Deputy Sheriff II; must have completed the Field Training Program and be in a non-probationary status.
2. Lateral entry is permitted at the discretion of the Sheriff or designee.
3. The candidate must reside in a home with ample space and yard to accommodate the K-9 and its kennel.
4. Candidates shall have an exemplary record of employment with the agency as demonstrated by a review of performance evaluations, training record, and other related documents contained in the applicant's personnel file.
5. Candidates may be disqualified if they have disciplinary action(s) resulting in 8 hours or more suspension within the past 12 consecutive months prior to the date of the posting.
6. Each applicant must successfully pass the Forsyth County Sheriff's Office K-9 physical fitness test (PFT), meeting the minimum standard. After selection, members must continue to pass the PFT once a year. This is a Pass/Fail event.
7. Each K-9 handler shall compete an approved K-9 Handler training course prior to assignment to the K-9 Unit.

B. K-9 Criteria

Agency K-9s shall be selected based on the following criteria:

1. Agency K-9s may be acquired from K-9 vendors, breeding programs, law enforcement agencies, or any other source approved by the Sheriff or designee.
2. The selection process for agency K-9s shall consist of a complete and thorough physical examination, along with a selection/testing phase. The purpose of the testing and selection phase is to identify whether the K-9 possesses the required drives and character traits to perform the specific task required. Exercises shall be performed at the discretion of the K-9 Unit Commander or their designee to identify these drives.

3. Each K-9 selected shall possess the ability to pass all required certification/training standards as set forth by the K-9 Unit Commander.
4. The final decision on the selection of an agency K-9 shall be made by the Sheriff or designee.

C. K-9 Team Criteria

Each K-9 Team (Handler and K-9) shall complete an annual certification program(s) as approved by the Sheriff or designee.

K-9 Teams should attend monthly in-service training. K-9 handlers shall document all training using pre-approved training forms and/or an agency approved records management system (RMS).

D. DISMISSAL

1. Each K-9 Team must maintain adequate levels of performance and physical fitness. Failure to maintain adequate levels of performance or physical fitness are grounds for dismissal from the unit. Also, K-9 Handler may be dismissed from the unit when there is a consensus on the part of the chain of command that dismissal of the member is in the best interest of the K-9 Unit.
2. The procedure when a team member fails a recertification is remediation followed by a retest within 30 days. If the K-9 team is not under another current certification, then the K-9 team shall be taken out of service. Failure to pass the retest shall result in the team member and K-9 being reevaluated to determine if the team should continue in service. This determination shall be made by the chain of command.
3. Any team member, who fails to certify on the first opportunity twice in a one-year period, shall be reviewed by the chain of command for dismissal.
4. Physical fitness tests shall be conducted annually. The tests shall be conducted by the K-9 Commander and shall have all K-9 members present. All K-9 members must participate in all physical fitness tests. A team member who is unable to make a scheduled test must request a test on an alternative schedule within the same week as the scheduled test. Failure to take or pass any physical fitness test shall result in the member being placed in a non-deployable status for a period of 30 days. Prior to the end of those 30 days the member must request a retest. Failure to take a retest or failure to pass a retest shall result in immediate dismissal from the K-9 unit.
5. If the failure to take the test is due to the existence of a valid injury, as determined by the Unit Commander, the team member shall begin a rehabilitate process which shall result in the passing of the fitness test. The member shall be given up to 90 days, based on the nature of the injury, to pass the test. If 90 days is insufficient, based on a doctor's report, the member shall be placed on a temporary leave of absence from the K-9 Unit duties and shall be required to receive a doctor's clearance for return to the unit. No more than 180 days leave of

absence shall be granted. A member requiring longer rehabilitation of an injury shall be dismissed from the unit.

6. Any team member who fails to adequately maintain assigned equipment may be dismissed from the team. Any team member who loses team equipment, through negligence, shall be required to replace the equipment.

III. TRAINING AIDS

A. Narcotics Training Aids

Narcotics training aids may be obtained from the Drug Enforcement Agency (DEA) or may be obtained from the Property/Evidence Unit. The DEA guidelines for narcotics used for training shall be followed when narcotics are requested and approved by the DEA. Narcotics obtained from the Property/Evidence Unit shall be accounted for per the procedure outlined in **SOP 3-3.1100 Property/Evidence Unit**.

1. To ensure that the K-9 Unit remains in a high state of readiness, it is crucial that the handlers be allowed access to various amounts and weights of controlled substances. Acquisition and handling of training aids must be structured and strictly monitored in order to preserve the integrity of the program.
2. The K-9 trainer is responsible for ensuring that the Sheriff's Office, obtains the proper registration certificates, maintains all necessary records, properly stores training aids, and properly and accurately checks out and checks in all such controlled substance training aids. All records are to be maintained for a period of three (3) years.
3. On an annual basis, the Sheriff's Office shall apply for, and maintain the proper certificates in order to possess the controlled substances as training aids.
 - a. In compliance with Federal Regulations, the Sheriff's Office shall apply for a Controlled Substances Registration Certificate with the United States Department of Justice and Drug Enforcement Administration.
 - b. In compliance with Georgia State regulations, the Sheriff's Office shall apply for a Georgia Controlled Substances Registration Certificate with the Georgia State Board of Pharmacy.
4. Registration certificates shall be kept with the controlled substance training aids and shall be available for examination by the proper authorities at any time. A ledger shall be maintained for all training aids listing their current weight for each time they are checked out for training purposes and checked in. Registration certificates and controlled substance training aids shall be stored in a locked, fire and burglary resistant safe.
5. DEA training aids shall be securely stored separate from narcotics aids provided by the Evidence Unit. Access to DEA training aids shall be restricted to the K-9 Unit supervisor, K-9 Unit trainer, and Evidence Custodian.

6. Narcotics training aides provided by the Evidence Unit shall be securely stored. These training aides shall be kept separate from DEA training aides and a separate ledger shall be maintained. These training aides may be accessible to K-9 Handlers for training purposes only.
7. K-9 Handlers shall return all training aids to secured storage upon completion of training for the day. A K-9 Unit Supervisor and/ or K-9 Unit Trainer may check out training aides for up to one week of time for training purposes, provided the training aides are stored in an agency provided vault which is securely attached to a Sheriff's Office vehicle.
8. The appropriate training aid logs shall be completed indicating the checkout date and weight and the returned date and weight. Any difference between the checkout weight and return weight shall be immediately reported to the K-9 Unit Commander.

B. Explosives Detection Training Aids

Explosives training aids, when not in use, will be properly stored and secured in an area appropriate for the type of materials.

1. Documentation shall be maintained of the type and quantity of explosive training aids that are stored.
2. Storage areas shall be accessed by canine handlers, unit supervisors, and higher-ranking authorities.

IV. K-9 TEAM OPERATIONS

A. K-9 Vehicles

K-9 teams shall patrol in modified, specially-equipped vehicles designated for such duty and clearly marked "CAUTION: K-9."

B. Control of K-9s and Use of Force

Use of specially trained K-9s for law enforcement constitutes real or implied use of force. In this, as in other cases, deputies may only use that degree of force reasonable and necessary to apprehend or secure a suspect. (See also "GO 3-10 Use of Force")

K-9 handlers shall maintain control over their K-9 at all times. Citizen contacts with Sheriff's Office K-9s shall be limited to situations the handlers feel are advisable and safe for the citizen and K-9s.

C. Apprehension Guidelines

A K-9 may be utilized to apprehend a suspect if the K-9 handler reasonably believes that any of the following conditions exist:

1. The individual(s) is in commission of and/or fleeing from a known crime of a serious nature.
2. There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler.
3. The suspect is physically resisting or threatening to resist arrest and the use of a K-9 reasonably appears to be necessary to overcome such resistance and other less lethal means are not available or are unable to be used.
4. The suspect is believed to be concealed in an area where entry by deputies other than the K-9 would pose a threat to the safety of officers or the public and other options have been exhausted or are unavailable at the time.
5. Prior to deploying a K-9 for apprehension, the K-9 handler is responsible to ensure the K-9 is targeted on the individual(s) and the area is free of any known third parties.

The following restrictions shall apply to any "unleashed deployment: of the K-9:

1. K-9s shall not be deployed "unleashed" to pursue or apprehend misdemeanor offenders, except where the offender has committed, or is in the commission of, an act of domestic violence where serious injury has occurred or is likely to occur or an act of aggression likely to cause serious injury or death to another.
2. K-9s shall not be deployed "unleashed" to pursue or apprehend known juvenile offenders, except where the offender has committed, or is in the commission of, a forcible felony or violent act which may result in serious injury or death.

The following considerations shall apply to any "unleashed deployments into structures" of the K9:

1. Have all reasonable measures been taken to ensure the structure is free of any third parties
2. Have all reasonable measures been taken to inform a suspect(s) of the ability of a peaceful surrender
3. If a person is available who has knowledge of whether not the building should be occupied, attempts will be taken to obtain that information prior to entering the building with a K9, and announcements will still be given
4. No unleashed deployments while building clearing will be conducted unless there are articulable, and reasonable facts that would lead a reasonable and prudent Law Enforcement Officer to believe there is an individual inside committing a crime of a serious nature, or there are facts supporting a suspect(s) is armed or has access to weapons
5. Should a K-9 alert to the presence of an individual whether inside a structure or not but is not able to apprehend that individual, the K-9 Handler or designee will communicate with a supervisor of the situation
 - a. Steps will be taken to deescalate, gain entry to the area, and the individual(s) will be given an opportunity to surrender
6. The use of a K-9 to apprehend a passively resistant suspect(s) will be based on the actions of the suspect(s) which would rise to the level of force applied by using a K-9 along with circumstances that would place a Law Enforcement

Officer in jeopardy of receiving injury should they be required to go into an unsafe area to effect an arrest

A K-9 will not be utilized to apprehend suspects on narcotics offenses alone, absent exigent circumstances.

A K-9 may be utilized to locate missing/lost persons and articles of significance in law enforcement matters.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to utilize a K-9.

D. Preparation for Deployment

Prior to the use of a K-9 to search for or apprehend any suspect, the K-9 handler and/or the supervisor on-scene should carefully consider all pertinent information known at the time. The information should include, but is not limited to:

1. The nature and seriousness of the suspected offense.
2. Whether violence or weapons were used or are anticipated.
3. The degree of resistance or threatened resistance, if any, the suspect has shown.
4. The suspect's known or perceived age.
5. The potential for injury to officers or the public caused by the suspect if the K-9 is not utilized.
6. Any potential danger to the public and/or other officers at the scene if the K-9 is released.
7. The potential for the suspect to escape or flee if the K-9 is not utilized.

As circumstances permit, the K-9 handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the K-9 handler's responsibility to evaluate each situation and determine whether the use of a K-9 is appropriate and reasonable. The K-9 handler shall have the authority to decline the use of the K-9 whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deployment of the K-9. Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the K-9.

E. Deployments

Officers must log each deployment on the K-9 module (MCT) with enough detail to establish that the deployment was within the guidelines of departmental and unit policy.

F. Warnings and Announcements

Three (3) clearly audible warnings announcing that a K-9 may be deployed if the suspect does not surrender should be made prior to releasing a K-9 unless the handler has reason to believe that his safety or the safety of others would be placed in immediate jeopardy by any warnings given. The handler should allow a reasonable time for a suspect to surrender and take steps to ensure the person to be apprehended is the suspect.

Example:

“This is the Forsyth County Sheriff's Office. Come out now or I shall send in a police dog and you may be bitten and hurt.” (Pause to give the suspect a chance to respond.)

“This is the Forsyth County Sheriff's Office. Come out now or I shall send in a police dog and you may be bitten and hurt.” (Pause to give the suspect a chance to respond.)

“This is the Forsyth County Sheriff's Office. Come out now or I shall send in a police dog and you may be bitten and hurt.” (Pause to give the suspect a chance to respond before releasing the dog.)

G. K-9 Bite Guidelines

When a deployed K-9 has bitten any person, the following procedures shall be followed:

1. The handler shall ensure that proper medical attention is administered as soon as safely possible.
2. The K-9 handler and the on-duty supervisor shall examine all injuries.
3. The K-9 handler shall ensure that all injuries sustained by a person as a result of a K-9 bite are photographed after the injury has been properly treated and cleaned. This should allow an accurate depiction of the injury or injuries. All photographs taken of K-9 bites shall be turned in to the Property/Evidence custodian without exceptions.
4. Injuries resulting from the deployment of a K-9 team shall be reported to the K-9 supervisor, if available, and the on-duty supervisor immediately and all injuries suffered as a result of a K-9 bite shall be fully documented in a Use of Force Report.
5. Whenever there is a K-9 bite incident of a criminal suspect or citizen, it shall be the responsibility of the on-duty supervisor to initiate a Use of Force Report in accordance with established procedures as outlined in the Use of Force policy directive (GO 3-10).
6. Whenever there is a K-9 bite incident of Sheriff's Office personnel, it shall be the responsibility of the on-duty supervisor to complete a Workman's Compensation packet. A copy of the Workman's Compensation packet shall be forwarded up the respective chain-of command for review.
7. The Sheriff's Office designated veterinarian shall keep all health records and vaccination reports. These reports may be made available to medical professionals, if necessary.

H. Explosives Detection

Deployment of an explosive detection team may be authorized as follows:

1. Executive sweeps at special events, during VIP and dignitary visits, and/or restricted areas;
2. Bomb threats where explosive devices may be hidden:
 - a. Provided that advance notice of information is given to allow the search of a known area to be inspected; and
 - b. Assisting in the search of areas where an explosion has occurred, and a secondary explosive device are suspected.
3. At no time shall the team be deployed to a location where a suspicious package is identified and a reasonable suspicion exist that the package contains an explosive device and the detonation time is unknown. A qualified bomb unit shall be notified in such cases.
4. At no time shall any member of the team attempt to disarm, remove, or in any way tamper with a suspected explosive device with no expertise or training; and
5. Upon locating a suspected explosives device, all members of the team shall immediately withdraw from the area and notify the on-site supervisor.

The following recommended guidelines should be followed in anticipation of the deployment of an explosive detection team:

1. Secure the entire area;
2. Maintain a safe distance from the known area;
3. Obtain available information on the nature of any suspected or reported threats, as well as any suspected locations of the device or detonation times;
4. Avoid unnecessary radio traffic near the known area; and
5. Notify the appropriate safety, emergency, and first responders

I. K-9 Equipment Required

The K-9 Unit Supervisor shall maintain a list of equipment required for the deployment of each K-9.

J. K-9 Care and Maintenance

K-9 handlers are responsible for all care and maintenance of the K-9. Each handler shall receive forty-five (45) minutes of salary full time pay per day for "At home" care and maintenance of his K-9 partner. This pay shall only be received by the handler during times that he/she is in actual possession of the K-9. The handler shall not receive said pay while on vacation; the K-9 is being board, etc.

Should another handler take control of a second Sheriff's Office K-9 while the original handler is unable to care for it the second handler shall then receive an additional thirty (30) minutes of salary full time pay per day only for those days that he/she is in actual possession of the second K-9.

Food and supplies for each K-9 shall be provided by the Forsyth County Sheriff's Office.

24-hour veterinary care for agency K-9s shall be provided by an approved veterinarian.

**GENERAL ORDER: 3-3.5 CRIMINAL
INVESTIGATION DIVISION**

Rescinds/Amends:

Effective Date: March 24, 2020

Committee Review - Date: March 2020

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I PURPOSE

The purpose of the Criminal Investigation Division (CID) is to thoroughly and professionally investigate all criminal activity, identify and apprehend offenders, recover property, gather, document, and evaluate facts regarding criminal activity, and assist in the prosecution of those charged with criminal offenses.

The division commander is responsible for the overall operation of the Criminal Investigation Division. The commander shall have the authority to assign or transfer personnel as he/she deems necessary and beneficial to the division.

The commander assumes primary responsibility for the following:

1. Investigation and enforcement of violations of criminal statutes
2. Developing section goals which facilitate the achievement of agency goals
3. Development and implementation of general and special law enforcement programs within the division
4. Development, preparation and execution of the section budget, including the management of confidential funds
5. Ensuring that division personnel comply with established policies, procedures and rules of the agency
6. Reporting monthly to the bureau commander on the activities of the division, to include the type and number of arrests, seizures, major case status and fiscal accounting of section funds

Unit supervisors are responsible for individual assignments, direction and control of personnel under their command to ensure the proper performance of duties and the adherence to established rule, regulations, policies, and procedures. Unit supervisors shall be responsible for case assignments to investigative personnel; for the direct supervision over case investigations and communication between the various investigative units.

II CRIMINAL INVESTIGATION DIVISION**A. CRIMINAL INVESTIGATION DIVISION TRAINING (CID)**

After receiving initial training, detectives shall be assigned to a training detective for a period of at least two weeks for on-the-job training (OJT). Evaluation of the trainee's progress shall be reported to the supervisor of the field training detective to determine whether further training is needed.

Upon completion of the OJT training, detectives shall be assigned cases requiring minimal investigation to gain expertise and confidence and shall eventually progress to more complex investigations. New detectives shall normally be assigned to the property investigations unless they have previous investigative experience.

As soon as possible following assignment to the Criminal Investigation Division, personnel should attend the Georgia P.O.S.T. eighty (80) hour course on criminal investigations.

B. DRESS CODE

Detectives are furnished a clothing allowance. It shall be the responsibility of the individual detective to purchase clothing that reflects a professional image of the agency and that conforms to the following regulations:

1. Male Investigator Attire

Traditional business attire for male detectives is defined as a suit and tie, a sport coat combination, or dress shirt/pant (business casual) and appropriate footwear that blends with the total business and professional image presented. Clothing should closely resemble that of the business attire worn by the community and be accepted as proper.

2. Female Investigator Attire

Traditional business attire for female detectives is defined as suits, dresses, business skirts and blouses, blazers, dress pants and appropriate footwear that blends with the total business and professional image presented. Clothing should closely resemble that of the business attire worn by the community and be accepted as proper.

All clothing worn by Criminal Investigation Division personnel shall be kept properly cleaned and pressed at all times and footwear shall be kept clean. Any deviation from the proper dress code shall require prior approval of the employee's supervisor and shall be for special assignments only.

3. Exceptions to the clothing policy shall be:

- a. Coats / Jackets, if worn, may be removed during hot weather or when working within the building if the detective is not in a public place.
- b. During after hour call-out status, appropriate, neat and casual attire may be worn by the responding detective.

- c. When necessitated by a specific task, the detective may substitute appropriate, neat and casual attire in accomplishing this assignment with the immediate supervisor's approval.
- d. When the service weapon is worn exposed, the badge shall be prominently displayed.
- e. Division personnel working in an undercover capacity shall refer to traditional business attire for all court appearances and professional meetings.

C. CASE MANAGEMENT

1. Case Review

Case management begins when incident reports are reviewed by the CID supervisor or designee. The CID supervisor shall review incident reports to make a determination to assign the case or to classify it inactive.

a. Inactive Status

An inactive case is one in which no solvability factors are present and there are no investigative leads. These cases shall not be assigned to a detective.

b. Active Cases

- 1) Case Assignment: A CID supervisor shall assign cases to an individual detective. All cases shall be assigned in a fair and equitable manner based on:
 - a) Category of Crime
 - b) Expertise of detective - Detectives possessing specialized skills, knowledge and abilities in that area of investigation.
 - c) Case Load of Investigator - Once the assignment has been made, the detective has full responsibility of the case. This does not preclude the supervisor from assigning more than one detective to an investigation. However, one detective shall be designated as case coordinator for each case.
- 2) Solvability Potential: Each supervisor shall determine if solvability factors are present when assigning cases. Factors to be considered include, but are not limited to:
 - a) Known suspect
 - b) Criminal history of suspect including repeat offenses
 - c) Identifiable suspect vehicle and / or license plate number
 - d) Identifiable suspect description
 - e) Traceable property taken or recovered
 - f) Other investigative leads known
 - g) Personal injury or threat of injury occurred

- h) Multiple occurrences with the same victim or multiple occurrences in the same geographic area
- i) Any combination of factors to include documented experience or research conducted by the agency or any other law enforcement agency that would lend themselves to solving the case

D. INVESTIGATIVE CASE FILES

Investigative case files are maintained in a Records Management System (RMS) approved by the Forsyth County Sheriff. The progress of investigative activities shall be updated and related documents shall be scanned into the system as each investigation progresses. Access to the RMS case management system shall be strictly limited to the appropriate personnel.

Certain case documents may be maintained in a secured folder on the Forsyth County computer network. Access to investigative case file folders shall be strictly limited to appropriate personnel.

1. Supervisory Review

A supervisor shall review cases with the assigned detective regularly as long as the case is an open case status. The supervisor shall also conduct a review when the case is closed.

2. File Composition

All relevant documents shall be scanned and placed into the detective's case file including interviews, audio recordings and photographs. The only exception shall be for the storage of the following case files:

a. ICAC Files / Digital Images

- 1) ALL digital images/video files containing child pornography are to be stored and maintained on a separate and secure external hard drive which shall be separate from all other investigative files and drives. Access to these files is restricted to the ICAC Unit member(s) and the direct supervisor of the Unit.
- 2) All images established as possible child pornography by investigators from any unit within the Criminal Investigations Division shall be removed and stored in the designated external hard drive to be maintained for prosecution and or evidence of crime. The external hard drive shall be accessible and maintained only by the detective directly assigned to work child pornography crimes and his/her direct supervisor.
- 3) The transfer of evidence containing child pornography shall be done in a secure manner. Case files containing child pornography provided to the District Attorney's Office or transferred to another jurisdiction shall be provided in a secure (i.e.; digitally-protected) manner.

3. Cases Involving Arrests

Case files on arrested persons shall be completed and turned in to a supervisor for review, in a timely manner after the arrest is made. Copies of the case file shall be sent to either the Solicitor's Office or District Attorney's Office, placed on the X drive or provided to any other court only with approval of a CID supervisor.

Case files on arrested persons shall contain the following information and shall be put in the following order:

- a. Case file template
- b. Case Summary
- c. Investigative Summary
- d. Exhibit List
- e. Witness List
- f. Copy of original incident report
- g. Arrest Report
- h. All Evidence/Property Reports, Crime Lab Reports, Victim/Witness Statements

4. Case Status and Clearance

Cases shall receive a clearance status upon conclusion of the investigation by a detective. They shall be classified as follows:

a. Cleared Case Status

Cleared by Arrest - An offense is cleared by arrest when one or more persons are arrested and held for prosecution.

Cleared / Unfounded - An offense is considered unfounded when the investigation yields no evidence to verify that a criminal violation of law occurred.

Exceptionally Cleared - An offense is exceptionally cleared when ALL of the following requirements are met:

- i. the investigation has definitely established the identity of the offender;
- ii. there is enough information to support an arrest, charge, and turning over to the court for prosecution;
- iii. the exact location of the offender is known so that the subject could be taken into custody now; and

- iv. there is some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender.

b. Case Status When Not Cleared

Active - This status is used at the conclusion of an investigative summary when an investigation is still active and possesses a degree of solvability.

Inactive - This status is used at the conclusion of an investigative summary to indicate all investigative efforts have been exhausted, there is an unavailability of investigative resources and / or insufficient degree of seriousness, and the case shall be inactive pending the development of further information.

Investigators should not maintain a case report in "active" status beyond forty-five (45) days unless a continuing flow of information and leads are available to support the "active" status without the supervisor's approval.

If new information is discovered on an inactive or unassigned case, the supervisor shall then assign the case to a detective.

5. Case File Filing and Dissemination

All case files shall be completed on the S drive when a warrant is taken even though a physical arrest has not been made.

Case files shall not be disseminated without prior-approval of a CID supervisor, the division commander or the bureau commander.

E. ON CALL PROCEDURES

CID personnel, including supervisors, shall be on a rotating on-call schedule to be determined by their supervisor to provide 24-hour investigative resources to field personnel. While on call, CID personnel shall be readily available, shall refrain from drinking alcohol, and shall be in a geographic area whereby they can arrive at incident locations in Forsyth County within an hour of being notified. When on-call, CID personnel shall have their county issued phone available for communication and call-out purposes.

Property Crimes, Major Crimes, Narcotics and Crime Scene unit supervisors shall maintain an on-call roster for Investigator and CID Supervisor call-outs. Updated on-call rosters shall be provided to the Forsyth County 911 Communications Center.

F. ROLL CALL BRIEFINGS

The CID supervisor or shift commander on duty shall assign a detective to conduct periodic briefings at the UPS roll call. The purpose of this assignment is to facilitate the exchange of pertinent information between the CID and patrol personnel. Information regarding recent criminal activity, suspects, and B.O.L.O.'s are to be disseminated as quickly as possible.

G. Purging of Case Files

Upon receipt of a court order, the Criminal Investigations Division Commander shall notify the appropriate units to purge any and all property, evidence, case files, electronic files or other documents as specified therein.

H. CAREER / SERIOUS OFFENDERS:

1. **CRITERIA:** A career offender is any person who has been previously convicted three times under the laws of this state of felonies or under the laws of any other state or the United States of crimes which would be felonies if committed within this state. (OCGA 35-3-30)
2. **IDENTIFICATION:** All cases in which a designated habitual or career offender is involved will be noted in the case file.
3. **NOTIFICATION:** (CALEA 42.1.5c 6th ed.) The District Attorney's Office will be notified on all cases involving a habitual or career offender, such notification will be noted in the case file.

III INVESTIGATIVE PROCEDURES

Common elements of all investigations and basic procedures to be used in criminal investigations are but not limited to:

A. DEVELOPMENT OF INFORMATION

The development of pertinent case information begins when a call is received and continues until the case is cleared or moved to inactive. Obtaining and recording even minor information is often critical to the successful resolution of a case.

1. Sources of information that are valuable and should be utilized include; but are not limited to:
 - a) Vehicle files;
 - b) Arrest records;
 - c) Traffic and accident reports;
 - d) Identification section photograph and fingerprint records;
 - e) Pawn shop records; and
 - f) Permit Unit records
2. Outside agency information can be valuable in an investigation and should be utilized when appropriate. Such information includes; but is not limited to:
 - a) N.C.I.C. / G.C.I.C. criminal history records information;
 - b) Department of Driver Services (DDS) records;
 - c) In-house and federal agency records;
 - d) Court records;

- e) Tax records;
 - f) Licensing Units records;
 - g) Welfare and social service agency records;
 - h) Board of education records;
 - i) Real estate records;
 - j) Post office records; and
 - k) G.C.I.C. off-line searches for vehicle type, etc.
 - l) LInX Law Enforcement Exchange hosted by the Naval Criminal Investigative Service (NCIS)
3. Private organizations and agencies can also provide information valuable to investigation. Subpoenas may be necessary to obtain confidential and / or certified records. Such sources of information include; but are not limited to:
- a) Utility companies;
 - b) Telephone companies;
 - c) Banks and credit agencies;
 - d) Union and professional agencies;
 - e) Insurance companies;
 - f) Neighbors, social contacts and business associates;
 - g) Medical records;
 - h) Facebook; and
 - i) Accurant

B. FOLLOW-UP INVESTIGATION

The follow-up investigation is an extension of the activities of the preliminary and immediate investigation; not a repetition of it. The purpose of the follow-up investigation is to build upon available evidence and information to prove the elements of a particular crime. This follow-up investigation can then lead to the arrest and successful prosecution of the perpetrator(s) and/or recovery of stolen property.

1. Function in Non-Criminal Cases - The basic function of the follow-up investigation in a non-criminal case includes, but is not limited to:
 - a) Interviewing complainants and witnesses;
 - b) Locating missing persons;
 - c) Determining if information or suspicious activity may / does relate to criminal activity;
 - d) Distributing information to the proper persons or agencies;
 - e) Locating lost property and returning it to the owner;
 - f) Investigating deaths, overdoses, suspicious circumstances and injuries to determine if a crime was committed;
 - g) Making necessary notification, conducting necessary inspections; and
 - h) Recording information obtained.
2. Function in Criminal Cases - The basic function of the follow-up investigation in a criminal case includes, but is not limited to:

- a) Reviewing and analyzing reports of preliminary investigations;
 - b) Recording information obtained during follow-up investigations;
 - c) Reviewing records for investigative leads;
 - d) Seeking additional information (uniform deputies, informants, etc.);
 - e) Interviewing victims, witnesses, and suspects;
 - f) Arranging for the dissemination of information as appropriate (roll call, teletype, lookouts);
 - g) Planning, organizing and conducting searches;
 - h) Collecting physical evidence;
 - i) Recovering stolen property;
 - j) Arranging for the analysis and evaluation of evidence;
 - k) Reviewing results from laboratory examinations;
 - l) Identifying and apprehending the perpetrator;
 - m) Checking for suspect's criminal history;
 - n) Determining if other crimes may have been committed by the suspect;
 - o) Consulting with the appropriate prosecutor's office in preparing cases for court; and
 - p) Attending all court proceedings as required.
3. A CID supervisor shall assign the detective to respond to any crime, especially for crimes in which they have primary responsibility for the follow-up investigation and to assist the Uniform Patrol Section. Any detective in the vicinity of, or available for an in-progress call, shall respond to the scene and offer appropriate assistance making certain that his identity and presence is made known to other deputies responding to the scene.
 4. CID shall submit their reports to the appropriate supervisor.
 5. There must be an incident report made for any case in which there has been a criminal arrest.
 6. It is the responsibility of the detective assigned to the case to contact the victim(s) or complainant(s) involved in the case and inform them:
 - a) Of the case status: arrest, unfounded or open and inactive.
 - b) If lost or stolen property is recovered and how to claim it.

C. LInX LAW ENFORCEMENT INFORMATION EXCHANGE

The Law Enforcement Information Exchange is a database which is maintained by the Naval Criminal Investigative Service. LInX is designed to enhance information sharing between local, state, and federal law enforcement in areas of strategic importance to the Department of the Navy. LInX provides participating law enforcement partner agencies with secure access to regional crime and incident data and the tools needed to process it, enabling investigators to search across jurisdictional boundaries to help solve crimes and resolve suspicious events. LInX is designed to facilitate cooperation and sharing. Ownership and control of the data remains with the agency that provided it.

Users must enter the reason for each and every query in the justification field on a query page. The justification must be for a legitimate law enforcement reason and must be

sufficient enough that it would remind the User of the specific law enforcement event/activity /purpose that justified the user to conduct the query.

Users shall not conduct a query for any personal reason, "surfing", curiosity, or any other non-related law enforcement reason.

The LInX Program Manager shall conduct periodic audits to determine if there have been inappropriate searches or other misuse. The Program Manager shall perform an annual on-line audit of the LInX system

When information is expunged from the Forsyth County Sheriff's Office Records Management System (RMS), the LInX Program Manager shall be notified to check for and expunge the information from LInX.

D. NEIGHBORHOOD CANVASS

The canvassing of a neighborhood by detectives can be an effective information gathering technique. A canvass shall always be conducted when a major crime occurs. At each location the detective shall complete an investigative summary. The reports should be reviewed by the detective assigned to the case for any pertinent information. The interview reports shall be kept with the active case file.

E. FIELD CONTACT WITH SUSPECT(S)

During an investigation, the necessity to make contact with suspects may require travel to locations away from the investigator's office. When making field contact, the investigator shall have a deputy or another detective with them, unless exigent circumstances are present.

F. BACKGROUND INVESTIGATIONS

Personnel of the Criminal Investigation Section shall on occasion conduct background investigations of persons and organizations during the course of their duties. Investigations may be conducted to gain intelligence information, establish known associates, develop M.O.s, etc. These investigations should be conducted as discreetly and as confidentially as possible in order to protect innocent persons. Background investigations may warrant judicial assistance in the form of a subpoena, wiretap or court order. In these situations, it shall be necessary to request assistance from the District Attorney's Office in order to aid the detective in following the proper procedure in securing the subpoena or court order. In addition, the CID commander shall brief the bureau director who shall brief the Sheriff or designee.

Potential sources for background information are:

- a) Public Utilities Records;
- b) Past Employee Records;
- c) Credit Information;
- d) Criminal History Records;
- e) License Applications;
- f) Driver's License Information;

- g) Other Law Enforcement Agencies;
- h) Electronic and Visual Surveillance; and
- i) Informants.

Once the information is collected, it shall then be evaluated as to criminal activity and its potential for use during any prosecution of the suspect. Background information collected should become a permanent part of the investigative file and be preserved by the detective.

G. CASE REVIEW

It is the responsibility of the supervisors to review cases submitted to the office of the Forsyth County District Attorney for prosecution for completeness and accuracy. In order to achieve improvements and maintain accountability, it is also the responsibility of the supervisors to review any case(s) that has been declined for prosecution by the District Attorney's Office to determine the case's deficiencies. If these deficiencies can be overcome, the case shall again be submitted for prosecution. If it is determined that the case was mishandled, the detective may be subject to additional training or disciplinary action, if appropriate.

A case brief shall be completed on any case where an arrest is made that is politically or racially sensitive or that may otherwise draw public or media attention. Case briefs shall be completed by the detective who shall place the brief on the R-drive. The detective shall notify the supervisor when the brief is completed. If needed the supervisor shall make a copy and forward it up the chain. The division commander shall brief and submit status reports to the division director.

H. VICTIM/COMPLAINANT CONTACT

The victim(s) or complainant(s) shall be contacted as soon as possible by the investigator to whom the case is assigned. Also, a second contact shall be made before an investigation is moved to inactive status. The contact may be made in writing, in person or by telephone and the contact shall be recorded in the investigative summary.

I. CRIME LABORATORY REPORTS

The Property and Evidence custodian shall be responsible for assuring that evidence requiring analysis is transported to and from the Georgia State Crime Laboratory. A copy of the lab report shall be maintained with the case file. The chain-of-custody should be kept as limited as possible to reduce the number of deputies that may be required to appear in court. The chain of evidence including the transfer of suspected drugs to the State Crime Lab must be carefully preserved and documented.

J. SUBMISSION OF EVIDENCE OBTAINED FROM FORENSIC MEDICAL EXAMINATIONS

When a forensic medical examination is conducted and evidence collected, the detective assigned to investigate the case shall take possession of said evidence within ninety-six (96) hours of being notified.

The detective assigned to investigate a case wherein evidence from a forensic medical examination has been obtained shall be responsible for submitting the evidence to the GBI within thirty (30) days of it being collected.

K. COURT PROCEDURES

Personnel assigned to CID are required to attend any and all court proceedings for which a subpoena has been issued. If personnel are scheduled for personal leave, they shall notify the appropriate court.

In the event of an emergency that prevents personnel from attending court, a supervisor shall be immediately notified. The supervisor shall forward this information to appropriate court and document the date, time and person notified.

L. WARRANT PROCEDURES

1. Detectives attempting to serve a warrant outside Forsyth County shall notify the law enforcement agency from that jurisdiction.
2. Detectives shall attempt to serve a search or arrest warrant only with proper back-up, regardless of the charge or circumstances.
3. If there is information related to service of the warrant that would aid whoever serves it, that information shall be provided with the warrant.
4. When a search warrant is executed, a supervisor shall be present. If a CID supervisor is not available, a sworn supervisor from another division shall be asked to assist. The supervisor has a responsibility to review the affidavit and circumstances to ensure that the requirements of the law are being met.
5. Requests for wiretap warrants shall be made only with the specific approval of the Bureau Commander, the Chief Deputy and/or the Sheriff and the District Attorney's Office.
6. All persons arrested on a warrant by personnel of this agency shall be checked on G.C.I.C. and N.C.I.C. before being placed in jail.

GENERAL ORDER: 3-3.6 MAJOR CRIMES SECTION

Rescinds/Amends: GO 3-7

Effective Date: November 27, 2017

Committee Review - Date: November 2017

Related Procedure(s): SOP 3-3.500

Authorized by: Sheriff Ron H. Freeman



I CRIMES AGAINST PERSONS

The Major Crimes Section will consist of The Special Victims Unit, Computer Crimes Unit, Sex Offender Registry Enforcement Unit, Crime Scene Investigations Unit, and the Victim Advocate Unit.

A. SPECIAL VICTIMS UNIT

The Special Victims Unit will investigate homicides, all other death investigations, (excluding traffic fatalities), assault, terroristic threats and stalking, domestic violence, elder abuse, robbery, kidnapping, missing persons, runaway juveniles, rape and other sex offenses to include offenses against children.

B. COMPUTER CRIMES UNIT

The Computer Crimes Unit will investigate computer related crimes, aid in the investigation of all crimes associated with computers, and collect evidence in accordance with agency policy and procedure.

C. SEX OFFENDER REGISTRY ENFORCEMENT UNIT

The Sex Offender Registry Enforcement Unit will be responsible for the registration and tracking of registered sex offenders who live or work within the county jurisdiction. The Unit will ensure agency compliance with statutory requirements set forth under O.C.G.A. 42-1-12, and will also ensure compliance of the stated statutes by offenders.

D. INTERNET CRIMES AGAINST CHILDREN

The Forsyth County Sheriff's Office ICAC Unit's primary responsibility is to work cases involving technology-facilitated sexual exploitation and Internet crimes against children. The Unit works in conjunction with the Georgia Bureau of Investigations ICAC Task Force as a Member Agency.

The Unit will follow the ICAC Program Operational and Investigative Standards set forth by the Department of Justice and the Sheriff's Office standards set forth below.

1. Selection and Retention of ICAC Task Force Member
 - a. During the selection process of members, supervisors shall evaluate prospective candidates for work histories that indicate prior investigative experience, courtroom testimony skills, technical knowledge and ability, an ability to prudently handle sensitive information, a genuine interest in the protection of children, and an understanding of the effects that members may experience when exposed to images.
 - b. Supervisors shall acknowledge the potential effects of investigations and exposure to images.
 - c. Once either the Supervisor or Task Force member is reassigned, all access to the secured files will be withdrawn. All passwords and security phrases will be immediately updated with the assignment of any new member or supervisor.

**PROCEDURE: GO 3-3.600 SEX OFFENDER
REGISTRY ENFORCEMENT UNIT**

Rescinds/Amends:

Effective Date: April 25, 2023

Committee Review - Date: March 2023

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I SEX OFFENDER REGISTRY ENFORCEMENT UNIT

It is the policy of the Forsyth County Sheriff's Office to register and track registered sex offenders and sexually dangerous predators in accordance with applicable state and federal law. The primary responsibility for registration and tracking of sex offenders rests with the Criminal Investigation Section.

DEFINITIONS:

Registered sex offender – any individual who has been convicted of a criminal sex offense in the State of Georgia; or who has been convicted under the laws of another state or territory, under the laws of the United States, under the Uniform Code of Military Justice, or in a tribal court and is required to register in this state or any other state.

Sexually dangerous predator – A person who has been convicted on or after July 1, 1996 of a sexually violent offense and is designated by the Sexual Offender Registration Review Board to be at risk of perpetrating any future dangerous sexual offenses. Any person who is designated as a sexually dangerous predator in another state prior to residing in Georgia shall be considered a sexually dangerous predator in Georgia, regardless of the offense or crime committed in the previous state of residency.

A. SEX OFFENDER REGISTRY

1. All sex offenders required to register under O.C.G.A. § 42-1-12 must do so in person within seventy-two (72) hours from the date released from prison, jail, or placed on parole, supervised release, probation, or entry into this State.
2. Proximity restrictions are determined by the date of offense. Therefore, the registering Sheriff's Office will obtain the date of offense and determine if, and which, proximity restrictions apply to the sex offender.
3. Sex offenders must register within seventy-two (72) hours in the event of any change of required registration information. If the change is address, registration must be within seventy-two (72) hours **prior** to the change.
4. Sex offenders are required to re-register within seventy-two (72) hours **prior** to their

birthday each year. Sexually dangerous predators must re-register two times per year (72 hours prior to such individual's birthday, and 6 months later).

B. RESPONSIBILITIES OF ALL AGENCY PERSONNEL

Agency personnel who are approached by a sex offender attempting to register will notify the Sex Offender Registry Unit (SORU). Agency personnel shall notify the Criminal Investigations Section via telephone at 770-781-2000 extension 1606 or email at SOSEXOffender@forsythco.com during regular business hours of 0800-1700 M-F. After hours the offender should be told to call 770-781-2000 extension 1606 to schedule an appointment.

C. RESPONSIBILITIES OF JAIL PERSONNEL

1. When an arrested person is booked into the Forsyth County Jail, and it is determined that the inmate is a registered sex offender (either by a wanted check or a criminal history check), the deputy will send an email to SOSEXOffender@forsythco.com notifying the SORU personnel that an offender has been arrested and for what charge(s).
2. Prior to the release of the registered sex offender, jail personnel will send an email to SOSEXOffender@forsythco.com notifying the SORU personnel of the impending release from confinement or permanent transfer.

D. RESPONSIBILITIES OF THE CRIMINAL INVESTIGATIONS SECTION

1. The SORU personnel registering sex offenders will complete all standardized forms. The following minimum information required by law will be gathered:
 - a. Name, SSN, age, race, sex, DOB, height, weight, hair color, eye color, fingerprints, and photograph.
 - b. Physical address(es), mailing address(es), and temporary address(es) if working from out of state, or if homeless (has no residence), the location where the individual sleeps. Names and addresses of all schools currently attending (and enrollment status if attending from out of state).
 - c. Employer's name and address, date of employment, vocation; and, status if sex offender is not a Georgia resident
 - d. Descriptions of vehicles.
 - e. Crime for which the sex offender was convicted and must register, the date of offense, the date of conviction, and the jurisdiction.
 - f. The date released from prison or placed on parole, supervised release, or probation.
 - g. The risk assessment classification level provided by SORB (Sexual Offender Registration Review Board).

2. Files for registered sex offenders are maintained in the Criminal Investigation Section, and shall be updated as new information is received.
3. SORU personnel will enforce the criminal provisions of Title 42.
4. SORU personnel will cooperate and communicate with other sheriff's offices in this state and in the United States to maintain current data on the location of sexual offenders.
5. SORU personnel will conduct at least quarterly residence checks on each offender to verify the offender is still living at the registered residence.
6. If the offender is leveled as a predator, they are subject to electronic monitoring. If the offender is not monitored by probation or parole, it is up to SORU personnel to ensure they are monitored.
7. See SORU Instruction Manual for specifics on registration and maintaining the registry.

GENERAL ORDER: 3-3.7 PROPERTY CRIMES SECTION

Rescinds/Amends: GO

Effective Date: November 27, 2017

Committee Review - Date: November 2017

Related Procedure(s): SOP 3-3.500

Authorized by: Sheriff Ron H. Freeman



I CRIMES AGAINST PROPERTY

The Property Crimes Section will consist of the General Investigations Unit, Auto Theft Unit and the White Collar Crime Unit. The unit will investigate crimes including but not limited to: Burglary; Larceny; Criminal Trespass and Criminal Damage to Property; Auto Theft; Forgery; Financial Transaction Card Theft/Fraud; Identity Fraud, Prescription Fraud, and Embezzlement. The unit will be responsible for maintaining the pawn shop registry.

A. GENERAL INVESTIGATIONS UNIT

The General Investigations Unit will investigate the crimes of Burglary, Larceny, Criminal Trespass, Criminal Damage to Property and other Part I and Part II crimes as determined by the unit commander.

B. AUTO THEFT UNIT

The Auto Theft Unit will be responsible for the investigation of vehicle thefts and recoveries. Investigations will include both on and off-road vehicles, trailers, boats and other conveyances. Responsibilities may also include investigation of the registration and licensing of vehicles, certificates of titles, and the identification of vehicles and vehicle parts.

C. WHITE COLLAR CRIME UNIT

The White Collar Crime Unit will investigate all crimes defined as Forgery and Fraudulent Practices in O.C.G.A. Title 16 Chapter 9, including, but not limited to: Forgery, Financial Transaction Card Theft and Fraud, Deposit Account Fraud, Identity Fraud, Residential Mortgage Fraud, and Prescription Fraud.

GENERAL ORDER: 3-3.8 NARCOTICS TASK FORCE

Rescinds/Amends:

Effective Date: March 23, 2023

Committee Review - Date: October 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



PURPOSE:

To establish procedures for receiving, processing and investigating vice, drugs and organized crime complaints and associated violation(s) of law.

The procedures of this SOP are applicable to all agency employees.

POLICY:

All agency employees are required to report information they receive, either by direct observation or second hand report, concerning any suspected or actual occurrences of vice, drugs, or organized crime activity.

DEFINITIONS:

1. **VICE:** activities such as prostitution; illegal sale, manufacture and consumption of alcohol; manufacture, sale, or distribution of obscene or pornographic materials.
2. **DRUGS:** the illegal use, sale, distribution, and manufacture of controlled substances.
3. **ORGANIZED CRIME:** participation by members of an organized group or street gang in any illegal activity to included extortion, theft, fencing, loan-sharking, labor racketeering or other offenses for profit such as: supplying illegal goods or services, prostitution, drugs, liquor, weapons and/or the illegal use of force, fraud, bribery, or corruption.

RESPONSIBILITIES:

1. **Narcotics Task Force Commander:** is responsible for the over-all management of the agency's narcotics, vice and organized crime program.
2. The Narcotics Taskforce is responsible for the investigation of illegal narcotic and controlled substances trafficking and abuse; gathering intelligence and prosecuting illegal narcotic activity of an organized nature. Additionally, the unit shall conduct follow-up investigation and often preliminary investigation of:
 - Prostitution and commercialized vice and certain other consensual sex offenses;
 - Gambling investigations and violations;
 - Corruption cases;
 - Organized Crime; and
 - Other cases as assigned. ~~by a supervisor.~~
3. The Narcotics Task Force Commander may assign complaints to the Criminal Investigations Division for investigation.

I NARCOTICS TASK FORCE

The Narcotics Taskforce Commander is responsible for the daily activities and general management of the Taskforce and the direction and control of personnel under his/her command. The commander develops procedures and policies and participates and supervises activities conducted by the section personnel. The Commander can delegate the stated responsibilities to Taskforce supervisors. Training recommendations may be made from the Taskforce Supervisors up the Chain of Command based on the detective's individual or team needs.

The Narcotics Taskforce Commander reports directly to the Law Enforcement Bureau Commander and keeps the commander informed in advance of all undercover activities.

The Narcotics Taskforce Commander shall coordinate undercover and raid activities with the SWAT commander when additional back-up or surveillance personnel needs are anticipated.

Funds secured by budget and / or shared assets forfeited shall be carefully monitored and documented.

The Taskforce Commander shall, immediately notify the Law Enforcement Bureau Commander prior to opening an investigation on any elected official, law enforcement deputy, deputy of the court, or any federal or state employee.

A. COMPLAINT HANDLING PROCEDURES:**1. INITIAL REPORTING:**

- a. When any employee of the agency outside of the Narcotics Taskforce receives information of vice, illegal drugs or organized crime activity, the information shall be forwarded to the Narcotics Taskforce via a dedicated email address of narcotics@forsythco.com.
- b. In the case of an urgent situation, a verbal report shall be made to a member of the Narcotics Task Force with written documentation to follow at the first opportunity.
- c. When making an initial report, all known information shall be submitted, even if fragmentary, hear-say, or unsubstantiated. When possible, the following shall be addressed:
 - (1) Who the information was obtained from;
 - (2) What information was obtained;
 - (3) When the information was obtained;
 - (4) Where the information was obtained;
 - (5) How or under what circumstances, the information was obtained;
 - (6) Why the information was obtained;
 - (7) Motive of the source (if outside agency) for reporting information;
 - (8) Prior record or activity (if known) of information source.

2. RECEIVING AND PROCESSING: (CALEA 43.1.1a, 6th ed.)

- a. All initial reports shall be screened by the Narcotics Task Force Commander or designee for validity, current known activity, and relevance to any violation of Georgia or Federal laws.
 - (1) Raw data information that is fragmentary or unsubstantiated, shall be handled in accordance with the procedures prescribed in the [Criminal Intelligence SOP](#).
 - (2) Significant information that may have investigative value, may necessitate the initiation of preliminary intelligence screening activities to gather additional information about the facts and circumstances of the case.
- b. Following the initial case screening:
 - (1) Any significant information involving vice or organized crime activities may be forwarded to the Criminal Investigations Division for appropriate follow-up investigations; for referral to another investigative agency; **OR** for further intelligence gathering.

(2) All information regarding drug-related violations shall normally be investigated by the Narcotics Task Force.

c. A record shall be maintained anytime information is conveyed to or received from an outside agency regarding vice, drugs, or organized crime. (CALEA 43.1.1c, 6th ed.)

3. RECORD OF COMPLAINTS: (CALEA 43.1.1b, 6th ed.)

All reports or complaints concerning active vice, drug, and organized crime investigations shall be securely maintained in the Narcotics Task Force or Criminal Investigations Division office in accordance with the procedures prescribed by the [Criminal Intelligence SOP](#).

4. RECEIVING & DISSEMINATING INFORMATION:

a. Information disseminated outside of the Narcotics Task Force to a criminal justice agency shall be for official law enforcement purposes only.

(1) If the request comes from an agency and official who is well known to the Narcotics Task Force or CID employees, prior approval is not required.

(2) All other requests for information must be reviewed and approved by the Narcotics Task Force Commander or designee.

(3) Whenever members of the Forsyth County Sheriff's Office enter into a joint investigation with another agency, there may be a free flow of information between the investigating units without special approval for each request.

b. Any information that is received from an outside agency shall be handled in accordance with the receiving and processing procedures outlined above.

B. ADMINISTRATION:

1. RECORDS MAINTENANCE AND SECURITY: (CALEA 43.1.2, 6th ed.)

a. All records (including the initial complaint), reports, or information relating to active vice, drug, and organized crime investigations shall be securely maintained in the Narcotics Task Force or Criminal Intelligence Division and kept separate from the Records Management System (RMS).

(1) Should an investigation require an Incident Report; it shall be maintained at the Narcotics Task Force or Criminal Investigations Division separate from any Central Records system.

- b. Detectives assigned to actively investigate vice or organized crime cases shall be required to return all investigative files and related materials to the Narcotics Task Force or Criminal Intelligence Division when such documents are not in use.
- c. Information pertaining to illegal drug activity or investigations shall be maintained by the Narcotics Task Force.

2. PURGING INFORMATION:

- a. Information regarding active vice, drug and/or organized crime investigations shall be contained in the files of the Narcotics Task Force or Criminal Intelligence Division and shall be reviewed and purged in accordance with the procedures in the [Criminal Intelligence SOP](#).
- b. Information contained in the files of completed investigations shall be maintained in accordance with the agency's records retention schedule.

C. NARCOTIC BUY PROCEDURES

1. Buy Conditions

A buy shall be made only with the approval of the Narcotics Taskforce Commander or Assistant Commander. A buy in excess of \$2500.00 must have prior approval of the Law Enforcement Bureau Commander.

- a. In considering a buy, all personnel must be mindful of hazardous locations and circumstances surrounding the buy.
- b. The Narcotics Taskforce Commander or Assistant Commander may authorize a buy of \$500.00 or less to be carried out without their presence at the scene. However, no buy shall take place without a supervisor and additional personnel present or within close proximity of the buy.

2. Location of Buys

For all practical purposes, each narcotics buy shall be made within taskforce jurisdictions. Whenever possible, it shall be made clear to the dealer that the narcotics must be delivered to and at a location acceptable to the undercover detective.

- a. If it is not possible to get the dealer to deliver the narcotics within taskforce jurisdiction, the detective may attempt to make the buy outside taskforce jurisdictions. Authorization to make a buy outside of taskforce jurisdictions must come from the Narcotics Taskforce Commander or Assistant Commander. Any buy outside of taskforce jurisdictions may only be made after notifying the

proper jurisdiction where the buy is conducted, advising of the situation and requesting assistance if needed.

- b. If necessary, the other law enforcement agency may be asked to make the buy in its own jurisdiction.

3. Number of Buys to be made per Defendant

The lead detective shall discuss with the Narcotics Taskforce Commander or Assistant Commander or supervisor to determine how many buys shall be needed on each defendant. If the case is unusually complex or involves large amounts of narcotics, guidance shall be sought through the District Attorney's Office.

4. Operation Plan for Buys

An Operation Plan for each buy must be laid out and followed as closely as possible. This plan should be based on as much surveillance and information as possible on the dealer. Whenever possible, the identity of the suspect shall be established prior to the buy.

5. Minimum Back-up Required / Surveillance

If possible, at least four law enforcement personnel shall provide cover/back-up and surveillance during the buy. They shall observe and note all pertinent activity surrounding the buy and ensure the personal safety of the undercover detective.

- a. If possible, surveillance of the buy location should be set up prior to the time of the meeting.
- b. The Uniform Patrol Section (UPS) Watch Commander shall be advised and made ready to assist, if needed.
- c. Whenever possible, the surveillance team shall continue surveillance of the dealer and associates after the buy to ensure the undercover detective is not followed.

D. BUY-BUST PROCEDURES

1. Advantages and Disadvantages

The advantages of a buy-bust are that the buy money is immediately recovered and the dealer is immediately arrested. The disadvantage is that the identity of the undercover detective or informant may become known to the dealers.

2. Display of Badges during Arrests

- a. In effecting an arrest in a buy-bust, the members of the cover team shall display their badges and announce to the dealer that they are law enforcement deputies.
- b. When possible, all cover / surveillance detectives shall be dressed in law enforcement gear clearly identifying themselves as law enforcement deputies by

having the word "SHERIFF / POLICE" marked on both the front and back with protective vests.

- c. Undercover detectives must exercise extreme caution in such arrest situations in order to convince the dealer that they are, in fact, law enforcement.

E. BUY-RIDE PROCEDURES

1. Advantages and Disadvantages

A buy-ride has several advantages. First, the identity of the undercover detective is not revealed by making the arrest at the time of the buy. Second, all arrests in an area can be delayed until a simultaneous series of raids can be conducted. Third, several buys from minor dealers can lead to major dealers.

There are two disadvantages to a buy-ride.

- a. Dealers are highly transient and may be difficult to locate after the first buy has been made.
- b. There is little chance of recovery of the money used in a buy-ride. In order to minimize the loss of funds, each buy should be on as small a scale as practicable. If a large purchase is needed on a buy-ride basis, a State or Federal law enforcement agency may be able to assist with money.

2. Identification of Dealer

If it is entirely impossible to identify the dealer before the buy-ride, obtain as much information on him / her as possible; such as age, height, weight, locations he / she frequents and any known associates.

3. Testing and Security of Buy-Ride Drugs

Drugs purchased on a buy-ride shall be secured as evidence and tested with a field test kit before another purchase is made from the same dealer. This procedure is mandatory. This is to ensure that the alleged drug is what it is supposed to be.

F. FLASH ROLL PROCEDURES

Recognizing that undercover law enforcement detectives have been robbed and killed for flash rolls, the undercover detective should be as familiar with the dealer as possible. If it's possible, he should know the dealer's name, address and all other pertinent information about him, including the dealer's criminal background, his potential for attempting robbery, whether he is known to carry weapons, how long and what quantity he has been dealing.

1. Knowledge of Current Value

The detective must know the current value of what he is purchasing prior to the show of money. If the price is too high or too low, the detective should be wary.

2. Detective and Money Safeguarding

The detective and the money must be protected at all times. Caution shall be exercised if the dealer is insistent about setting up the show of money under conditions conducive to a rip-off. Caution shall also be exercised if the suspect(s) agrees to conditions which are clearly disadvantageous to themselves. If at all possible, the detective should control the environment.

3. Body Bugs

When safety permits, the detective shall be equipped with a body bug or transmitting device and monitored during all undercover operations. The decision to not wear a body bug shall depend on numerous factors and shall be approved by the Narcotics Taskforce Commander or Assistant Commander or in his absence, the supervisor.

4. Recording of Currency Serial Numbers

The serial number of all bills shall be recorded or photo-copied.

5. Location Guide for Show of Money

If possible, the show of money shall take place at a location with the following characteristics:

- Location should be well lighted.
- Cover personnel should have ready access to the scene and a vantage point from which to observe.
- It should be possible to block the suspect's escape.
- The involvement of unknowing citizens should be minimized when possible.
- If a motel room is used, it should connect with an adjoining room controlled by cover personnel.

6. Other Protection Methods

Other methods to protect large flash rolls include:

- Using a picture of the money, preferably with a date-stamp to show that the picture was taken today (cellular/smart phone)
- Show only half, explaining the rest shall be provided upon completion of the deal.

G. AUTHORIZATION, DISTRIBUTION, AND USE OF SURVEILLANCE**EQUIPMENT:** (CALEA 43.1.4, 5th ed.)**1. WIRE-TAP EQUIPMENT:**

- a. **AUTHORIZATION:** No wiretap equipment shall be used without the prior approval of the Sheriff or, in his absence, the Chief Deputy.
- b. **LIMITATIONS:** It is unlawful for any member of this agency, through the use of clandestine means, to intentionally overhear, transmit, or record the private conversation of another individual that originates in a private place without the consent of at least one person directly involved OR when authorized by court order. (OCGA 16-11-62)
- c. **EXCEPTIONS:** The use of electronic surveillance devices is not unlawful when directed against those lawfully incarcerated in the Adult Detention Center PROVIDED that such equipment shall not be used while a prisoner is discussing his/her case with an attorney. (OCGA 16-11-62)
- d. **COURT ORDER REQUEST PROCEDURES:** Wire-tap equipment shall only be used when there is probable cause to believe that a person has or is committing a criminal offense or other violation as specified in the Georgia Code AND only upon written application of the district attorney of the circuit wherein the device is to be physically placed AND only after all statutory application procedures are followed. (OCGA 16-11-64)
- e. **CONSENT:** No court order is required when both the sender and receiver of the communications expressly or implied consent OR when permission is obtained from at least one party to the conversation, in those situations when the message is initiated or instigated by a person involving the commission or furtherance of a crime. (OCGA 16-11-66)

2. OTHER SURVEILLANCE AND UNDERCOVER EQUIPMENT:

a. **AUTHORIZATION:** All other surveillance and undercover equipment shall be used when authorized by the Narcotics Task Force Commander or designee. Such equipment includes:

- (1) Body wire and recording device;
- (2) Cameras and related equipment; AND
- (3) Electronic transmitters.

b. **DISTRIBUTION & USE:** Equipment shall be used by agency personnel as required in support of authorized surveillance or undercover operations.

c. **CONTROL OF EQUIPMENT:**

- (1) Specialized intelligence gathering equipment shall be properly stored, maintained, and secured at all times.
- (2) Equipment shall be logged in and out on an equipment inspection/check-out log.
- (3) Only personnel properly trained shall use the equipment.
- (4) No item shall be loaned to an outside agency without the authorization of the supervisor. When loaned to another agency, the equipment shall be properly receipted for and inspected to ensure its operational readiness when returned.

H. COVERT OPERATIONS: (CALEA 43.1.5, 6th ed.)

1. **GENERAL:** When necessary, officers, regardless of agency assignment, may be selected to perform covert operations to develop evidence of a crime by infiltrating an operation or associating with persons who have a criminal record OR who are suspected of, or actually involved in, criminal activity. Such selections shall be made in consultation with the employee's Division Commander and subordinate supervisors. Once selected, personnel shall be assigned on a temporary basis to the affected Command or Senior Commander, until the completion of the operations or until the assignment is no longer required.
 - a. By their very nature, such operations are extremely dangerous to employees and members of the general public.
 - b. To be successful, covert activities require careful planning and often the expenditure of significant time and resources that could be applied to other pressing law enforcement matters.
 - c. Consequently, covert operations shall not be entered into as a routine order of day-to-day business. On the contrary, they shall be initiated only after careful consideration of the following criteria:
2. **CRITERIA FOR INVESTIGATIONS:** All complaints of organized crime and vice shall be investigated to the fullest extent practicable. The following information should be considered:
 - a. Is the original report valid and can the information be substantiated?
 - b. Can the criminal nature of the problem be determined?

- c. How important is the problem to the general public?
- d. What investigative leads exist?
- e. What investigative techniques are required?
- f. Does the agency have sufficient resources to conduct the investigation?
- g. Is there another investigative agency that has primary jurisdiction over, and interest in, the situation?

3. AUTHORIZATION:

- a. No employee is authorized to participate in any covert operations without the prior approval of a Division Commander or Senior Commander or designee.
 - b. Such authorization can only be granted for a specific law enforcement purpose **AND**, whenever possible, following consultation with the District Attorney's Office.
4. Personnel resources for undercover, decoy, surveillance, and raid operations shall originate in CID.
- a. However, any officer in the agency may be assigned to participate in such operations on a temporary basis.
 - b. Assistance and advice should be obtained from officers with recent experience in these types of investigations.

I. GENERAL PLANNING CONSIDERATIONS: (CALEA 43.1.5, 6th ed.)

All covert activities shall be well planned prior to implementation. Such considerations include:

- 1. **CRIMES, VICTIMS, AND SUSPECTS** shall be analyzed with the assistance of other detectives, when necessary, to determine the nature and scope of personnel and equipment required to safely perform the operation. Probable offenders and their habits, associates, vehicles, methods of operation, criminal history, weapons proficiency, or any other pertinent information which shall affect the manner of the surveillance and eventual prosecution shall be identified and analyzed.
- 2. **LEGAL ASSISTANCE** may be obtained from the District Attorney's Office to determine the legal ramifications involved.
- 3. **FAMILIARIZATION:** All participating personnel should be familiar with the neighborhood and general surrounding area of the target to identify potential hazards or dangerous areas.

- a. Of particular concern should be the presence of children and innocent by-standers. This becomes especially critical in raid operations where the use of force becomes highly likely.
- b. Also, the presence of pets may interfere with raid or surveillance operations by alerting potential suspects to the presence of law enforcement officers.
- c. Surveillance activities must be designed to minimize the risks of premature detection. Caution must be given to the possibility that while attempting to become familiar with the target area that the security of the operation does not become compromised. Likewise, efforts to gain information by using non agency sources should be avoided, if at all possible.

4. OPERATIONAL PROCEDURES for the specific type mission needs to be developed.

- a. Each type of covert operation shall require detailed preparation and planning.
- b. Specific personnel assignments and equipment resources must be identified.
- c. When possible, rehearsals should be conducted before the operation is executed to avoid confusion and the risk of injuries.

5. EXPENSE FUNDS shall be provided, when necessary, from authorized agency sources and accounted for in accordance with confidential fund procedures.

6. ROUTINE AND EMERGENCY COMMUNICATIONS procedures shall be established, to include:

- a. The need for special radio frequency;
- b. Non agency telephone line;
- c. Pass words;
- d. Methods to identify officers in civilian/unconventional clothing;
- e. Duress/panic alarms;
- f. Or other emergency forms of communications to inform participants of any changes in procedures or any commands.

7. EQUIPMENT and/or vehicles appropriate for the operation shall be obtained, to include:

- a. Special surveillance equipment or

b. Unmarked and/or unconventional vehicles from which surveillance or other undercover activities can be performed.

8. **ADDITIONAL PERSONNEL** for relief, back-up security, and perimeter protection for surveillance, decoy, and undercover officers, as necessary. S.W.A.T. personnel may be utilized for protection of undercover officers as needed.

9. **FALSE IDENTITIES/DISGUISES/CREDENTIALS** may be required in order to conceal the true nature of the decoy, surveillance, and undercover operation, especially if there is a likelihood that the surveillance of decoy operations may be conducted in the open and the officer(s) may be confronted by the suspects or by members of the general public.

a. **UNDERCOVER DRIVER'S LICENSES** may be obtained from the Department of Public Safety in conjunction with covert operations in accordance with the following procedures:

- (1) The officer requiring the license shall submit a written request to the Senior Commander in their chain of command.
- (2) The Senior Commander shall determine the legitimacy and necessity of the request, and, if approved, schedule an appointment for the officer to appear at the Department of Public Safety.
- (3) Once issued the license, it shall only be used by the officer during actual performance of his/her undercover duties.
- (4) At the conclusion of the investigation OR when the officer is removed from the case, the license shall be returned to the original authorizing Senior Commander and forwarded to the Department of Public Safety.

b. **OTHER FORMS OF IDENTIFICATION** shall be obtained, based upon the needs of the operation.

c. **DISGUISES** shall normally be accomplished by altering the physical appearance of the officer so that a law enforcement affiliation is not readily apparent.

- (1) When using a disguise, employees should not frequent agency facilities or otherwise engage in activities that may reveal their identity to others. This is especially important in those locations where inmates are working or where members of the general public may have access.
- (2) It may become necessary to perform agency administrative requirements involving undercover personnel at a neutral site.

10. **CONFIDENTIALLY AND COVER** of the operation are critical in order to protect the lives and safety of the participants and for the overall success of the operation. Only those within and outside the agency with a "need-to-know" shall be provided with any information about a covert mission.
 - a. All attempts to maintain the appearances of normal, day-to-day operations should continue. Any organizational behavior that is unusual or out of the ordinary may provoke the interest of others, such as the media, the general public, or suspects. Such activity may have the unintended consequence of alerting the subject of the operation.
 - b. The use of disinformation should be considered, especially when illegal vice or organized crime activity is common knowledge. The dissemination of information that is false or misleading OR the use of an activity that is a ruse, may help in diverting attention from the true nature of the operation.
 - c. Agency personnel shall ignore any employee known to be acting in an undercover status unless the undercover officer firsts acknowledges the encounter by some form of recognition.
11. **USE OF FORCE** procedures as outlined in the [Use of Force Policy](#) must be reviewed and thoroughly understood by all participants.
12. **COMMAND** and control of the operation and all related activities shall be provided by the designation of a single Field Commander.
 - a. Such an individual shall be given the authority to organize, plan, and execute the mission and to supervise all assigned personnel involved.
 - b. The Field Commander shall report to the Narcotics Task Force Commander, or designee, over the area affected.
13. **CLOSE SUPERVISION** over the covert operation shall be provided by a Narcotics Task Force Commander, or designee, who shall be responsible for:
 - a. The adequacy and thoroughness of all preparations;
 - b. The review of written tactical plans;
 - c. Coordination with outside agencies, when required;
 - d. Training of the participants;
 - e. Obtaining necessary funds, equipment, and other required resources;

- f. Arranging for the temporary assignment of agency personnel to the operation;
- g. Approving the use of non-agency personnel in undercover activities.

14. **MAKING CONTACTS WITH SUSPECTS** while in a detention facility should be avoided, whenever possible.

- a. If contact is required for official law enforcement purposes, the suspect shall be brought to a designated and secure location by Detention Center personnel for interview.
- b. The security of such individuals shall be the responsibility of undercover officers.

15. **SEARCHES AND SEIZURES** and the methods used to obtain and safe-guard evidence/contraband must be considered.

- a. When necessary, individuals should be designated the principal responsibility to seize, catalogue, and secure any items of evidentiary value.
- b. Likewise, the use of videotaping should be considered to document the operations, the target area, and specific items of evidence/contraband.

c. **PROCEDURES FOR HANDLING CURRENCY:** All currency coming into custody shall be counted immediately in the presence of another law enforcement officer. When an extraordinary amount of currency makes an immediate count impractical, the count may be held in abeyance as follows:

- (1) The currency shall be secured in a sealed container **AND**
- (2) The custodial officer or supervisor and another sworn law enforcement witness shall enter the sealed container into evidence until the count is affected.
- (3) Unless extraordinary circumstances exist, all currency shall be hand-counted and verified by either an automated or second-hand count. If an automated counter is being used, the currency shall be counted two times and any discrepancy resolved by hand counting.
- (4) The Narcotics Task Force Commander shall be immediately notified when an officer assumes possession of currency in excess of \$5000.00.

d. **DOCUMENTATION AND SECURITY** of currency:

- (1) All currency shall be documented on a Receipt of Property Form in accordance with normal evidence handling procedures.

- (2) The count of currency must be verified by a second officer. The name and signature of the verifying officer must be annotated on the form.
 - (3) All currency shall be sealed and maintained in a tamper-proof deposit/evidence bag. The bag shall be placed in the agency's Evidence and Property Control Facility as soon as is reasonably possible.
16. **MEDICAL ASSISTANCE** should be arranged for in advance. It is paramount, however, that such requests be made so as not to jeopardize the operation by revealing any information that may disclose the true nature of the mission, until it is absolutely essential to do so.
17. **OTHER COORDINATION** for assistance should be made from both inside and outside the agency.
- a. Coordination with other agency personnel to minimize interference with the operations.
 - b. Other non-agency law enforcement personnel may be required, especially for undercover operations, when the identity of agency personnel may be well known or compromised.

L. CONDUCTING RAID OPERATIONS:(CALEA 43.1.5, 6th ed.)

1. **GENERAL:** A raid is the invasion of a building or locality for lawful purposes, such as to apprehend a suspect(s) and/or seize evidence of illegal activity in accordance with a court-issued warrant.
- a. A raid operation is potentially one of the most dangerous assignments in law enforcement.
 - b. If it is not well planned, the raid shall often result in confusion and injury, and shall seldom hold up in court.
2. **INTELLIGENCE:** Pre-raid surveillance of suspects and the target location in accordance with the general planning considerations outlined above, are essential. In addition, a detailed advance site survey should be performed. Collectively, such information shall produce detailed intelligence data about:
- a. **PEOPLE:** Number and identity of suspects/associates, their race, sex, age, nationality, physical description, history, propensity toward violence, use of firearms, prior military or law enforcement training, and mental or emotional stability;
 - b. **VEHICLES:** Motor vehicle(s) description, make/model, and license number; AND

- c. **TARGET LOCATION & ENVIRONMENT:** The exact address, primary/alternate/escape routes; full description of the house/building, floor-plan, entry/exit points; structural information pertaining to doors and windows; out-buildings, fences, and other potential hazards; exterior alarms or cameras; **AND** the existence of lookouts, dogs, children, or innocent civilians.
3. **COORDINATION:** A raid is a complex operation best controlled when broken down into a series of manageable components. All personnel must be provided information about:
 - a. Names and identity of all raid participants, especially if non agency personnel are involved;
 - b. Individual duties before, during and after the raid;
 - c. Team composition and assignments;
 - d. Interagency planning, command, and control;
 - e. Final briefing location;
 - f. Radio frequencies, codes, and call signs;
 - g. Vehicle line-up and movement to the target location;
 - h. Post-raid management of suspects and evidence; **AND**
 - i. Location of debriefing and accountability of all equipment and personnel.
 4. **EXECUTION:** Raids are not single-step activities, but rather carefully choreographed productions that must be well organized, timed, and controlled. The initial moments are critical, with success often dependent upon the time it takes to obtain total control of the situation, particularly the suspects.
 - a. Movement by the raid team must be swift or suspects shall have time to run and arm themselves, escape, destroy evidence, and/or use force against law enforcement personnel.
 - b. The element of surprise may come from the use of undercover vehicles, disguises, ruses, distractions/diversions, or no-knock warrants.

NOTE: A search warrant containing a No-Knock provision shall have been reviewed and approved by the Chief Deputy or Sheriff prior to Judicial review and/or approval.

- c. Shock action is a by-product of speed, surprise, and a dynamic entry at the least expected time and place. This shall temporarily stun the occupants in the first few crucial seconds of the operation.
- d. Finally, simplicity is also important. Individual assignments must be kept simple and described in a clear and concise manner.

5. USE OF UNIFORMED PERSONNEL:

- a. Whenever a raid is conducted, sufficient uniformed personnel shall be present to assure innocent civilians that a legitimate law enforcement operation is being conducted **AND** to perform necessary traffic and pedestrian control around the area.
- b. Although such personnel may not be directly involved in the raid itself, it is vital that their use be factored into the overall plan of the operation and that they be provided with sufficient information about the description of suspects and identities of undercover officers.
- c. In addition, prior coordination shall be made with Detention Center personnel when it is anticipated that large numbers of suspects shall require transport and book-in.

M. DECOY OPERATIONS: (CALEA 43.1.5, 6th ed.) Investigations may require officers to act as a decoy in situations where there are complaints of prostitution, robbery, or other crimes. Decoy operations may also involve the reverse sale of narcotics to simulate open-air drug markets

1. RESPONSIBILITIES:

- a. Approval must be obtained from the affected Division Commander prior to the execution of any decoy operation.
- b. Approval must be obtained from a Uniform Patrol Watch Commander prior to any patrol officer involvement in any decoy operation regardless of the nature of patrol involvement i.e., take-down or backup units, etc.

2. **PRE-OPERATION INVESTIGATIVE PROCEDURES:** Prior to initiating a decoy operation, it is necessary to have completed a comprehensive investigation which shall include at a minimum the following:

- a. Analysis of the type of crime, victim, and suspect being targeted;
- b. Determining legal ramifications through the prosecuting attorney's office;
- c. Determining the need for officer's false identity, disguises, or necessary credentials;

- d. Ensuring proper authorization has been given for the decoy operation planned;
- e. Establishing the help of outside agencies and providing them with details of the investigation and copies of the operation plan; **AND**
- f. Establishing means to ensure confidentiality and cover for the decoy officer.

3. **PRE-OPERATION PLAN:** To help ensure the safety of all participants and the successful completion of any investigation, prior to any operation involving decoys, a pre-operational plan shall be developed and given to all involved, to include at a minimum:

- a. The objective and details of the operation, the neighborhood, and target area;
- b. Operational procedures for observation, arrests, surveillance, and high-risk operations;
- c. Means of routine and emergency communications;
- d. Vehicle and equipment requirements and the officer to which they are assigned;
- e. Assignment of relief, backup, and perimeter protection for decoys;
- f. Designation of a single person as supervisor and coordinator who shall provide close supervision during the operation;
- g. How suspect contact shall be made and appropriate take down or distress signals;
- h. Procedures for searching suspects/arrestees and for searching for and seizing contraband;
- i. Location of stand-by, or contact procedures for, emergency medical assistance;
- j. Role and assignments of outside agency participants; **AND**
- k. Record of officer making contact with a Uniform Patrol Watch Commander and the 911 Communications Center to advise them of the operation times and location.

4. **SURVEILLANCE AND COVER PROCEDURES:**

- a. All decoy officers shall be identified before the operation to all cover and backup officers, to include descriptions of decoy's clothing and vehicles.
- b. All decoy operations shall be audio and video recorded, when at all possible, through the use of body microphones and other recording equipment.

- c. To ensure cover and backup officers shall be able to maintain visual contact, the decoy officer shall not leave the prearranged target area.
- d. If possible, cover officers should advise the decoy officer of potential suspects approaching the area.
- e. Decoy officers shall immediately notify back up officers of approaching suspects or of the commission of any crime.
- f. The decoy officer should wait until the arrival of backup officers before revealing his/her identity to a suspect, unless immediate action is required of the decoy.

N. NOTIFICATION PROCEDURES: (CALEA 43.1.1d, 6th ed.)

1. The Sheriff or his designee shall be made aware of any major vice, drug, and organized crime activity within Forsyth County or that which directly affects Forsyth County in any way. He or the designate shall be notified as to the nature of the activity, persons involved and a complexity of this activity. The Sheriff shall determine if other notifications shall be made at that time.
2. Notification of the Sheriff or designee shall be made by the Narcotics Task Force Commander or designee.

General Order: GO 3-3.805 Asset Forfeiture Fund Management

Rescinds/Amends:

Effective Date: January 15, 2018

Committee Review Date: January 2018

Related Procedure(s): GO 3-3.806

Authorized by: Sheriff Ron H. Freeman



A. PURPOSE: The purpose of this General Order is to establish procedures for the control and disbursement of monetary funds and the control and accountability of property derived from assets seized in accordance with Federal and State forfeiture laws. The policies and procedures contained within this SOP are applicable to all personnel employed with the Forsyth County Office.

B. DISCUSSION: One of the primary goals for the asset forfeiture program is to enhance local law enforcement operations and to increase but not supplant police resources that are otherwise available through other government sources.

C. POLICY:

1. All Federal asset forfeiture proceedings will be conducted in accordance with Federal law and established Federal procedures.
2. All State asset forfeiture proceedings will be conducted in accordance State Law.
3. All purchases made from proceeds obtained through Federal procedures will be processed in accordance with Forsyth County Government Procurement Policies.
4. Any proceeds derived from the lawful seizure of assets through either Federal or State procedures will be used for law enforcement purposes.
 - a. Monetary funds and interest derived from Federal and State forfeitures will not be commingled, but will be maintained in separate accounts as prescribed below.
 - b. Expenditures from either the Federal or State fund accounts shall be authorized only by the Sheriff.
 - c. The Sheriff shall appoint an Asset Fund Coordinator who will report on matters pertaining to asset forfeiture funds. The Asset Fund Coordinator will be solely responsible for the proper deposit of all funds into the appropriate account; their accountability and reconciliation; and the maintenance of appropriate records as prescribed below.
5. Any tangible property derived from the lawful seizure of assets through either Federal or State procedures will be used only for official law enforcement purposes.
 - a. If any property becomes damaged, unusable, "burned" during undercover operations, or otherwise cannot be used for its intended purpose, it may be sold and the funds used only for further law enforcement purposes.

- b. If such property cannot be sold because of its condition or because a buyer cannot be found, the property will be disposed of in accordance with applicable Federal or State legal procedures.
- c. The Sheriff shall appoint an Asset Property Coordinator who will report on matters pertaining to tangible property forfeitures. The Asset Property Coordinator will be solely responsible for the proper accountability of property forfeited through either Federal or State condemnation procedures and the maintenance of appropriate records as prescribed below.

D. PROCEDURES:

1. The Asset Fund Coordinator will establish at least two checking accounts at a financial institution for the control of funds derived from lawful asset forfeitures. These funds will be titled according to the source of the funds on deposit.
2. Signature cards will be prepared for all accounts in the name of the following individuals:
 - a. Sheriff,
 - b. Sheriff's designee.
3. All interest earned by monies will accrue to the respective accounts.
4. Disbursements: Request for funds will be made directly to the Sheriff, along with necessary supporting information upon which the expenditure decision may be based.
 - a. Funds will only be authorized for withdrawal for law enforcement related expenditures.
 - b. The decision to use funds from the Federal or State Asset Forfeiture Fund will be based upon the current balance within the accounts and the amount of the expenditure.
 - c. Once the request for funds is approved, the Sheriff will direct the Asset Fund Coordinator to issue a check for the expenditure.
5. Accounting of funds:
 - a. The Asset Fund Coordinator will establish a separate deposit/disbursement ledger for each fund account. The ledger will reflect the following information for each authorized expenditure or deposit:
 - (1) Check number;
 - (2) Amount of the check for deposit/disbursement;
 - (3) Date of check;
 - (4) Name of individual/organization check issued to;
 - (5) Description of purchase;
 - (6) Copy of the invoice or receipt; and
 - (7) Fund account balance following the deposit/expenditure.
 - b. The Asset Fund Coordinator will perform monthly reconciliation of each fund account following the receipt of the bank statements. The reconciliation shall verify:
 - (1) Beginning and ending monthly balances;
 - (2) Total monthly deposits;
 - (3) Total monthly disbursements;
 - (4) Amount of outstanding checks;

- (5) Amount of deposits-in-transit; and
 - (6) Amount of interest earned.
- c. The Asset Fund Coordinator will prepare a quarterly report of expenditures on a calendar year basis for the Sheriff.

6. Fund Deposits:

- a. When funds are received, the check will be immediately endorsed by the Asset Fund Coordinator as follows: "For deposit only to (name of account)."
- b. Funds will be deposited into the appropriate Federal or State account on the date received, but no later than the next business day.
- c. All checks not deposited on the day received, will be secured in a locked container within the office of the Asset Fund Coordinator.

7. Audit of Fund Accounts:

- a. The Asset Fund Coordinator will insure that both fund accounts are audited at least once per calendar year by Forsyth County Finance Department or their designee.
- b. The Asset Fund Coordinator will retain all audit reports according to State guidelines as set by the Georgia Archives University System of Georgia.
- c. Any discrepancies in fund accountability will be reported to the Sheriff for his immediate action.

8. Property Control and Accountability:

- a. The Asset Property Coordinator will establish two property accountability ledgers for the accountability of tangible property released to the Forsyth County Sheriff's Office through lawful condemnation proceedings. These property accountability ledgers will be called the:
 - (1) Federal Forfeited Property Ledger.
 - (2) State Forfeited Property Ledger.
- b. Each Property Ledger will reflect the following information for each item of property received through the condemnation process.
 - (1) Item description;
 - (2) Serial number (if applicable);
 - (3) Date item received;
 - (4) Location of item;
 - (5) Final disposition of item (i.e., destroyed, transferred to another law enforcement agency, sold);
- c. The Asset Property Coordinator will establish a separate file folder for each item received. Federal and State property file folders will not be commingled. Each file folder will be identified by its item file number as indicated in the appropriate property ledger. The file folder will contain the following information:
 - (1) Letter of authorization transferring the item to the Forsyth County Sheriff's Office;
 - (2) Receipt for property signed by the employee assigned to use and maintain the item;
 - (3) Documents relating to the final disposition of the item concerning its sale, transfer, or destruction.

- d. All funds derived from the authorized sale of any item of forfeited property will be transferred to the Asset Fund Coordinator and deposited into either the Federal Asset Forfeiture or State Asset Forfeiture Account (depending upon the original source of the property).
- e. The final disposition of each item of property will be in accordance with established Federal or State forfeiture procedures.
- f. The Asset Property Coordinator will conduct an unannounced annual inventory of all forfeited property currently on hand. A written report will be prepared for the Sheriff following each inventory indicating the status of items on hand. Any instance when an item(s) cannot be accounted for; when an item appears to have been damaged or misused through negligence; or when an items condition exceeds "fair wear and tear" will be immediately reported to the Sheriff for necessary action.

General Order: GO 3-3.806 Asset Forfeiture Processing

Rescinds/Amends:

Effective Date: January 15, 2018

Committee Review Date: January 2018

Related Procedure(s): GO 3-3.805

Authorized by: Sheriff Ron H. Freeman



A. PURPOSE: The purpose of this General Order is to establish policy and procedures for the processing of Federal and State forfeiture applications.

B. POLICY:

1. All Federal asset forfeiture proceedings will be conducted in accordance with Federal law and established Federal procedures.
2. All State asset forfeiture proceedings will be conducted in accordance with applicable State statutes.
3. Any monetary proceeds or tangible property derived from the lawful seizure of assets through either Federal or State procedures will be used for law enforcement purposes.
4. All property will be disposed of in accordance with applicable Federal or State legal procedures.
5. The Forsyth County Sheriff's Office is responsible for the control of monetary funds and the control and accountability of property seized by agency personnel.
 - a. All seized funds and property approved for condemnation by either Federal or State authorities, will initially be placed under the administrative control of the Forsyth County Sheriff's Office.
 - b. The Forsyth County Sheriff's Office will be responsible for ensuring that all required payments are made to outside agencies/individuals as directed by court orders or order for distribution for state condemnations.
6. All funds and property seized by Forsyth County Sheriff's Office personnel and approved for condemnation by either Federal or State authorities:
 - a. Will be processed as directed by appropriate State court documents or Federal notification documents in accordance with the procedures outlined in the Asset Forfeiture Fund Management Policy.
 - b. Will be disbursed as directed by the Sheriff.

C. PROCEDURES:

1. The Sheriff will appoint a person to serve as Condemnation Coordinator. The duties of the condemnation coordinator are to:

- a. Accept potential condemnation cases from assigned personnel;
 - b. Prepare and maintain condemnation files;
 - c. Evaluate potential condemnation cases to determine their suitability for further condemnation action;
 - d. Submit requests for condemnations to either Federal or State authorities in accordance with their respective applications procedures;
 - e. Research potential condemnation cases for the identification of additional assets;
 - f. Serve as liaison with Federal and State condemnation authorities;
 - g. Conduct appropriate follow-up actions for all cases submitted for condemnation until final disposition is made;
 - h. Provide Federal or State documentation concerning approved condemnation requests to:
 - (1) Asset Fund Coordinator for condemnations involving cash or monies.
 - (2) Asset Property Coordinator for condemnations involving real or tangible property.
2. All funds and property seized by Sheriff's Office personnel will be released to the Forsyth County Sheriff's Office evidence and property custodian for control and security within seventy-two (72) hours following the seizure.

3. EVIDENCE AND PROPERTY CUSTODIAN RESPONSIBILITIES:

a. Seized Property:

- (1) Will be secured in accordance with established evidence control procedures.
- (2) Will be accounted for in accordance with the provisions of GO 3-3.805 Asset Forfeiture Fund Management.
- (3) Will be released as directed by appropriate State or Federal orders.

b. **SEIZED FUNDS:**

- (1) Will be temporarily secured in accordance with established evidence control procedures.
- (2) Funds obtained under State condemnation procedures will be released to the Asset Fund Coordinator for deposit in the State Asset Forfeiture Fund Account.
- (3) Funds obtained under Federal condemnation procedures will be released to the Condemnation Coordinator for subsequent transfer to the local US Marshal's Office or other appropriate Federal agency along with the DAG 71 Form.

4. ASSET FUND COORDINATOR RESPONSIBILITIES:

- a. Receive seized funds from the Evidence and Property Custodian;
- b. Deposit seized State funds in the appropriate Forfeiture Account as prescribed by policy.
- c. Disburse funds as directed by appropriate state condemnation orders.

5. CONDEMNATION APPLICATION PROCEDURES:

- a. The "requesting agency" for Federal and State condemnation applications will be the Forsyth County Sheriff's Office.
- b. The Condemnation Officer will sign condemnation applications that apply to Sheriff's Office forfeitures.

**GENERAL ORDER: 3-3.807 EVENT
DECONFLICTION
PROCESS**

Rescinds/Amends:

Effective Date: Sept. 4, 2018

Committee Review - Date: August 2018

Related Procedure(s):

Authorized Sheriff Ron H. Freeman



I. PURPOSE

Event deconfliction, along with sharing of event and investigative information between law enforcement agencies, and proper case activation procedures enhance officer safety and the efficiency of criminal investigations. As such, the following policy should be adhered to when executing a planned operation or conducting a high-risk criminal investigation.

A. EVENT DECONFLICTION EXPLAINED

Event deconfliction is the process of determining when law enforcement personnel are conducting events in close proximity. The process of entering information of a planned event into a case deconfliction system (web based software) prior to its execution aids in preventing deputies from unknowingly targeting or conflicting with another law enforcement agency or compromising another investigation. This is particularly important for agencies in concurrent or contiguous jurisdictions that are involved in high risk activities such as undercover operations, surveillances, execution of search warrants, or fugitive apprehensions.

The event deconfliction process is a pointer system, alerting officers that they may be operating near one another. When information entered into a deconfliction system indicates certain elements (e.g. location, date and time) match between two or more events/operations, a conflict (or hit) results. Immediate notification is then made by the deconfliction system to the involved agency personnel.

When a conflict exists, both agencies are notified in order for them to determine the nature of the conflict and individually decide the extent to which they wish to share case details.

B. POLICY

It is the policy of the Forsyth County Sheriff's Office to engage in event deconfliction in an attempt to avoid dangerous confrontations and/or unintentional consequences for law enforcement personnel and our citizens by entering qualifying events into a case deconfliction system such as but not limited to EPIC, *Case Explorer*, *RISSafe* or *SafeTNet*. These deconfliction systems communicate with each other in order to ensure the information is shared and proper notifications are made.

All information entered is considered confidential and law enforcement sensitive.

The following activities/events should be entered into the event deconfliction system:

1. The service of search warrants which require a SWAT consult or SWAT Service;

2. The service of high risk arrest warrants;
3. The planned arrest of a person immediately after he or she has delivered or received, or attempted to deliver or receive, contraband to or from an officer or informant (buy-busts, reverse sting operations, controlled drug deliveries, stolen or burglarized property, etc.);
4. Taking delivery of any contraband from a suspect who is not arrested, but permitted to leave pending further investigation ("buy-walk");
5. Informant or officer face-to-face meetings with suspects for the purpose of receiving, delivering, or negotiating the receipt or delivery of any contraband;
6. Predetermined surveillances, whether stationary or mobile, including those occurring in our agency's jurisdiction or the jurisdiction of a non-participating law enforcement agency;
7. Covert activity by officers, or by informants acting under the direction of officers, that could initiate a response from citizens or local police who may reasonably believe that a crime is in progress;
8. Fugitive operations which are operational (roundups);
9. Long term covert operations (storefronts);
10. Any other high-risk or specialized law enforcement activities that would benefit from event deconfliction.

Personnel conducting field operations as described above should ensure that these operations are entered into the event deconfliction system either online or by telephone. All operations requiring entry into the event deconfliction system should be made as soon as information is available, but at least two hours prior to the event taking place, if possible.

Information entered into the deconfliction system should include:

1. Date and time of planned operation;
2. Type of operation;
3. Location of the operation, including any staging areas;
4. Information about the suspect(s), including full names, aliases or monikers, date of birth, vehicle information, phone numbers, contraband to be purchased and amount of money involved;
5. Lead and participating agency names;
6. Name and agency of the person entering the operation, including cellular telephone number, along with a secondary point of contact for the operation.
7. Specify the radius of deconfliction (if not preset by the deconfliction system).

If a conflict with other law enforcement activity is identified, contact personnel with each agency will be notified by the event deconfliction system or watch center personnel. Each affected law enforcement entity is responsible for contacting one another and resolving the conflict before taking further action. Investigating personnel should refrain from executing any operations until identified conflicts have been resolved.

Unresolved operational conflicts should be immediately referred to command/supervisory level personnel.

Any exemption or deviation from this procedure should be considered on a case-by-case basis and approved only by a command/supervisory level officer.

C. TRAINING AND ACCESS

All personnel with assignments that may require them to perform event deconfliction should receive training enabling them to obtain appropriate security access and to navigate through the event deconfliction system.

GENERAL ORDER: 3-3.9 VICTIM / WITNESS ASSISTANCE PROGRAM

Rescinds/Amends:

Effective Date: June 29, 2021

Committee Review - Date: June 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. PURPOSE

The purpose of this General Order is to outline the responsibilities and functions of the Sheriff's Office Victim/Witness Assistance Program. Victim/witness assistance programs and activities shall comply with the Crime Victims' Bill of Rights, Title 17 Chapter 17 of the Official Code of Georgia. To further these objectives, a program shall be established which assists victims and witnesses with referral to appropriate community service agencies.

II. VICTIM / WITNESS PROGRAM

A. Rights of Victims and Witnesses

The Forsyth County Sheriff's Office is committed to the development, implementation and perpetuation of the "Victim / Witness Assistance Program".

Victims have a right to:

1. Be treated with fairness, dignity, and compassion by emergency services, criminal justice personnel, news media and the general public.
2. Protection from intimidation and harm.
3. Be informed concerning the criminal justice process. This includes the status and progress of an investigation or prosecution, when the defendant is released on bail or from prison, and to be informed of all hearings and procedures in time to exercise their right to attend.
4. Be represented by counsel. Assistant district attorneys, solicitors and / or prosecutors are essentially the victims' or witnesses' attorney and shall protect the victim's/ witnesses' interests and discuss the case in non-technical language.
5. Restitution for expenses of property loss incurred as a result of a crime (O.C.G.A. 17-15-1). When restitution is ordered, they have a right to have that order enforced.
6. Reservation of property and employment. They should be able to respond to a subpoena without fear of retaliation or loss of wages.

7. Victims' stolen property, once recovered, shall be returned promptly to the rightful owner if photographs of the property can be substituted in a criminal proceeding.
8. Due process in criminal court proceedings. They should be notified in advance when a proceeding has been rescheduled or canceled. A victim or witness should be minimized from stress, cost, and inconvenience resulting from their involvement in a prosecution or investigation. The victim should have the right to have a victim impact statement presented and considered prior to sentencing (O.C.G.A. 17-10-1.1).

B. Agency's Role in Victim / Witness Program

The Forsyth County Sheriff strives to ensure that all victims and witnesses receive professional handling consistent with their important role in the successful investigation and prosecution of a case.

The role of the agency shall be accomplished through the following objectives:

1. Training all personnel as to the mission of the Victim / Witness Assistance Program as it pertains to law enforcement.
2. By treating all victims and witnesses with fairness, compassion, and dignity.
3. By providing a toll free, emergency response phone number (911) available twenty-four (24) hours a day, on initial contact and provide all victims / witnesses with immediate assistance if necessary.
4. Provide victims / witnesses with a list of community services within the service area available through the 911 Communications Center twenty-four (24) hours a day.
5. Provide services without duplicating victim / witness assistance services provided elsewhere.
6. Provide victims / witnesses with the appropriate brochures describing the judicial process and the phone number of the Victim/Witness Advocate and Victim/Witness Assistance office.

C. Preliminary and Follow Up Investigations

1. Preliminary Investigations

The primary responsibility for providing assistance to a victim or witness shall be the first responder to a scene. At the point of initial contact with the victim or witness of a crime, and after emergency assistance has been rendered, the initial responding deputy shall render the following services in addition to other normal investigative routines:

- a. Give information to the victim / witness about applicable rights and services (e.g. counseling, medical attention, compensation programs, emergency financial assistance, victim advocacy, etc.) and the phone number:

Forsyth County Sheriff's Office Victim Advocate at 678-455-8458 or Bell-Forsyth Judicial Circuit Victim Assistance Program 770-205-2268.

Agency personnel shall complete a Victim/Witness Notification Form. The form shall be transported to the Inmate Booking desk along with the defendant if arrested. If the defendant is not arrested and a warrant for the defendant is issued the Sheriff's Office case number shall be included on the face of the warrant. The original Victim/ Witness Notification form shall be submitted to the Records Section with the deputy's Incident Report. The Warrant Unit shall have the responsibility to attach the Victim/Witness Notification form to the warrant.

- b. Advise the victim / witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her.
- c. Inform the victim / witness of the case number (if known by the deputy) and subsequent steps in the processing of the case.
- d. Provide the telephone number and name of the detective (if known by the deputy) and telephone numbers that the victim / witness can call to report additional information about the case or to receive information about the status of the case.

2. Follow-up Investigations

A victim / witness shall be re-contacted within ten (10) days of the initiation of an investigation and periodically thereafter by the Criminal Investigation Division whenever, in the opinion of the detective, a supervisor, or the Sheriff, the impact of the crime has been unusually severe upon a victim / witness. The purpose of this contact is to determine if needs are being met and / or additional assistance is needed.

- a. When available, a victim's advocate should be assigned to the victim/witness during the follow-up investigation.
- b. A detective or Victim Advocate shall explain to the victim / witness the procedures involved in the prosecution of their cases and their role in those procedures. Caution should be used to explain in such a manner as not to endanger the successful prosecution of the case.
- b. Scheduling line-ups, interviews and other required appearances should be at the convenience of the victim / witness whenever feasible. Factors which should be considered in this scheduling include the physical, financial and emotional well-being of the victim / witness. If

- necessary, the Forsyth County Sheriff's Office may provide transportation to and from the agency for the victim / witness.
- c. Whenever possible, victim / witness property taken as evidence by the agency shall be promptly returned (with the exception of contraband, disputed property, and weapons used in the course of crime). Deputies should consult with the solicitor, prosecutor and Georgia Revised Code whenever questions of law or rules of evidence are in doubt.
 - d. Whenever there is a traumatic incident such as a rape, child abuse, sexual assault, or other incident which requires more than the average amount of victim / witness assistance, the victim / witness should be advised of the services of a victim advocate such as the Rape Crises Center at 770-887-1121, Family Haven for Domestic Violence at 770-887-1121, or Georgia Council on Child Abuse at 800-532-3208 to assist them during the follow-up investigation.
 - e. The Crime Prevention Unit shall be available to conduct a follow-up security survey on each burglary, assault in home, etc. if necessary.
 - f. Copies of incident and supplemental reports should be forwarded to the local prosecutor's office, if required.

D. Services Provided to Victims / Witnesses

1. Informing Victims and Witnesses

Whenever a perpetrator of a crime is arrested, the victim / witness shall be notified of the arrest, the criminal charges, the date of arraignment, the immediate custody status (citation or incarceration) and bail-bond information (when available). The following procedures should be followed:

- a. When a defendant is charged in any case in which the victim has requested notification, Jail staff shall access the Victim/Witness Notification Form prepared by the initial responding deputy at the time the incident report was generated. This Victim/Witness Notification Form contains the victim's contact information as well as the establishment of a PIN number which allows the victim access to the Forsyth County Sheriff's Office Victim Notification Service (VINE) 24 hours a day to obtain information about the custody status of the offender.
- b. Jail staff shall then contact the Forsyth County Sheriff's Office Victim Notification Service (VINE) at 1-800-398-2892 or at www.vinelink.com and using the designated PIN number on the Victim/Witness Notification Form register the victim with VINE so the victim shall be contacted by VINE in the event of the offender's release, escape or transfer.
- c. Jail staff registering the victim with the Forsyth County Sheriff's Office Victim Notification Service (VINE) shall enter the date, time and their

respective names and badge numbers at the bottom of the Victim/Witness Notification Form.

- d. When there is an emergency change in custody of the offender for which the victim requested notification, the Forsyth County Sheriff's Office Victim Notification Service (VINE) shall make telephone contact with the victim every 30 minutes for 24 hours or until the correct PIN is entered to confirm and stop the notification calls.
- e. In non-emergency situations, calls shall be made by the Forsyth County Sheriff's Office Victim Notification Service (VINE) every 30 minutes for 48 hours from 7 am to 9 pm or until the correct PIN is entered.
- f. The Victim/Witness Notification Form shall be made a portion of the Inmate file, and become a permanent record maintained by the Records Section.

E. Threatened Victims / Witnesses

Threats to any victims or witnesses shall be documented by an agency incident report and forwarded to the Criminal Investigation Division for follow-up. Appropriate assistance / protective measures shall be determined by the nature of each individual case, the level of threat, and the resources available to the Sheriff's Office.

Appropriate assistance may range from arrest of the individual making any threats to simply talking with the threatened person.

If the agency becomes aware of danger to a victim or witness, every effort shall be made to promptly contact, alert, and offer appropriate assistance / protective measures to the threatened person. If outside this jurisdiction, the member learning of such threat shall also notify the affected law enforcement agency.

The Solicitor's or District Attorney's Office shall be promptly notified of any threats received.

F. Liaison with Other Agencies

The Forsyth County Sheriff's Office Victim Advocate shall work in conjunction with the coordinator of the program at each Prosecutor's Office. In addition, the Victim Advocate shall maintain contact with other agencies in the service area which are responsible for the delivery of the referral services.

The purpose of the liaison is twofold.

- 1. Ensure that all referrals of victims / witnesses to outside sources are based on accurate and up-to-date knowledge of the services provided, and

2. To maintain an ongoing channel of communication by which to offer and receive suggestions about how the Sheriff's Office and other resources can more effectively work together.

Liaison may be maintained by letter, phone, or in person. The Victim Advocate shall be responsible for the confidentiality and security of any files relating to participants of the program.

Periodically, the Victim/Witness Advocate shall inform the public and media about the agency's role in the Victim / Witness Assistance Program through the agency web site or news releases.

G. Orientation of All Employees

The Training Division in collaboration with the Victim/Witness Advocate shall be responsible for the training of all existing personnel and any subsequent personnel in the agency's role in the Victim / Witness Assistance Program. In addition, refresher training shall be offered at least once every two (2) years. Initial and subsequent training may be accomplished through standard roll call training.

III. VICTIM ADVOCATE UNIT

A. Victim Advocate Unit Responsibilities

The Victim Advocate Unit functions as a support unit of the Sheriff's Office to assist patrol officers and victims of crimes and their families. Victim Advocates are available to assist victims of domestic violence, sexual assaults, and other matters where they can provide help or referral prior to any prosecution or court intervention.

The agency is committed to the developing, implementing and continuing victim / witness assistance programs and activities which provide victims of crime with all reasonable assistance to:

1. Protect the victim / witness from further harm.
2. To nurture cooperation between the agency and the victim / witness;
and
3. To enhance willingness on the part of the victim / witness to assist in prosecution of criminal offenders.

Agency Victim Witness Advocates shall coordinate and administer the agency's Victim Witness Program in conjunction with the Bell-Forsyth Judicial Circuit Victim/Witness Program.

Examples of services offered to victims of crimes include:

1. Accompany the victim to the hospital for medical treatment
2. Emergency referrals for food, shelter, clothing, medical care, counseling and legal assistance
3. Contact victim's family or support system
4. Transportation to a safe haven when necessary
5. Assistance with a safety plan or obtaining a Temporary Protective Order
6. Telephone follow-up with victims to assess needs
7. Referral to social service agencies and other groups and individuals for assistance
8. Accompaniment to forensic examinations, lineups, interviews, crime scene for review
9. Provide information about status of an investigation
10. Assistance in completing victim compensation claim forms, and
11. Offer continued emotional support when an arrest is made

The following responsibilities are vested in the Victim Advocate:

1. Assist with the implementation and delivery of victim/witness assistance services offered by agency members.
2. Ensure the confidentiality of records, files of victims/witnesses and their role in case development to the extent consistent with state and federal law. The confidentiality of files shall normally be determined by an ongoing review of the open records law and Sheriff's Office general orders, policy directives and procedures as they relate to the release of information.
3. Assist in the agency's efforts to periodically inform the public and media about victim/witness services.
4. Maintain a liaison with criminal justice agencies, government and non-government agencies and other organizations which provide assistance to a victim/witness that may be unavailable from within the agency.
5. Submit a monthly report to the Sheriff or designee detailing the agency's victim/witness services offered to the public.
6. Utilize various citizen groups and contacts to inform the public of services offered by the agency.

B. VICTIM ADVOCATE UNIT SERVICES

The following services may be provided by the Victim Advocate Unit:

1. Delivering death notifications to next of kin.

2. Transporting victims, witnesses, or family members of victims at the request of the on-scene supervisor.
3. Providing referral information to victims and witnesses. Referrals shall be made to both government and social service agencies.
4. Assisting victims and family members of victims in applying for compensation through the Criminal Justice Coordinating Council.
5. Providing clothing to sexual battery victims in the event that their clothing is collected as evidence.
6. Providing contact information for the issuance of 9-1-1 cell phones to domestic violence victims.
7. Assist victims with family violence and stalking temporary protective orders.
8. Providing assistance as outlined in "Forsyth County Victim Assistance" pamphlet.
9. Rendering any other assistance as directed by a watch commander or on-scene supervisor.
10. Accompanying victims to forensic interviews, medical examinations or court proceedings. AND
11. Acting as a liaison between agency members and victims during initial investigation and follow-up contact.

C. Victim Advocate Call-Out-Procedures

The Victim Advocate shall be contacted by the 911 Communications Center when instructed to do so by a watch commander, supervisor, or an on-scene detective. Once contacted, the Victim Advocate shall be advised of the situation, and it shall then be determined if the Victim Advocate shall respond to the scene or shall conduct follow-up contact as deemed necessary.

D. Non-Discrimination Policy

Members of the Forsyth County Sheriff's Office shall not discriminate against individuals or groups on the basis of race, color, national origin, religion, sex, immigration status or disability. Persons who feel they have been a target of discrimination may file a civil rights complaint. Information on how to file a civil rights complaint can be found on the Office of Justice Programs website <http://www.ojp.usdoj.gov/about/ocr/complaint.htm>. Adverse findings must also be sent to the Criminal Justice Coordinating Council by calling (404) 657-1956 or by mailing the finding to 104 Marietta St NW, Suite 440 Atlanta Ga 30303.

GENERAL ORDER: 3-3.10 CRIME SCENE UNIT

Rescinds/Amends: GO 3-7

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s): SOP 3-3.1100

Authorized by: Sheriff Ron H. Freeman



I CRIME SCENE UNIT

Crime Scene personnel will be contacted to evaluate, photograph / video and process the crime scene for physical evidence on the following incidents (This list does not limit requesting Crime Scene Investigators or Evidence Technicians on other offenses where evidence requires processing):

1. Homicide
2. Suicide
3. Rape
4. Arson
5. Robbery
6. Major assaults
7. Burglary

**GENERAL ORDER: 3-3.11 PROPERTY/
EVIDENCE UNIT**

Rescinds/Amends: GO 3-5

Effective Date: November 27, 2017

Committee Review - Date: November 2017

Related Procedure(s): SOP 3-3.1100

Authorized by: Sheriff Ron H. Freeman



I PROPERTY/EVIDENCE UNIT

The purpose of this section is to provide for the management and control of found, recovered, and evidential property which comes into the custody of the agency and to establish an evidence management system which will ensure a traceable chain of custody and strict accountability with respect to the handling, security and disposition of evidence.

It is the responsibility of the Property and Evidence Unit to manage and control all evidential property directed to them for safekeeping. As a part of this responsibility, accurate records will be maintained. Property will be stored, released, and disposed of according to agency policies and Georgia State Statute. Procedures set forth in **SOP 3-3.1100** will insure compliance with this policy.

A. PROPERTY MANAGEMENT RESPONSIBILITY

Responsibility for the Sheriff's Office's in-custody and evidential property management functions is assigned to an individual to be designated by Law Enforcement Bureau Commander. The commander shall insure that semi-annual inspections are conducted by the Evidence Custodian or designee. These inspections are to determine adherence to the procedures that have been established for the control of property.

B. PROPERTY ROOM SECURITY

All property stored at the Forsyth County Sheriff's Office will be within a designated secure area, with access limited according to the need for access and security. The following measures will be taken to ensure that all in-custody property and evidence is stored within designated, secure areas:

1. Only authorized persons conducting property custodial transactions may actually enter the property room area;
2. The property room may only be accessed by the following persons:
 - Evidence Custodian and personnel assigned to the Property/Evidence function;
 - Sheriff's Services Division director or his designee.

Each authorized person is issued an access code to the electronic keypad security system that permits access to the property room.

3. Only the designated individuals will have access to and the combination to the storage safes within the property room. These safes will only be unlocked or opened when items are actually being placed in or taken out of the safe; and
4. The property room will be kept closed and locked at any time authorized personnel are not physically in the room. The door automatically locks itself upon closing.

C. ITEMS REQUIRING INCREASED SECURITY

Combination safes are located within the property room for storage of money, items having a very high monetary value; i.e., jewelry, dangerous drugs and narcotics.

1. Money

All money submitted to the property room will be sealed in a container, properly marked and tagged separately. The tag must identify the dollar amount of the money and bear the signature of the submitting employee and witness verifying count. Money not properly packaged or tagged will not be accepted into the custody of the property room. The property custodian does not need to open the sealed package to verify the contents or amount, only note that it has been properly packaged and tagged. Money submitted to the property room, once logged in, will be stored inside one of the combination safes in the property room or deposited into an agency seizure account.

2. Precious Metals or Gemstones

Precious metals or valuable gemstones, once logged in, will be stored inside the one of the combination safes in the property room.

3. Narcotics and Dangerous Drugs

All dangerous drugs (including, but not limited to narcotics, hallucinogens, and narcotic implements) submitted to the property room either as found, confiscated, evidence will be sealed in a plastic bag or container. Each bag or container will be placed on a property receipt. The following inspection, quantity and quality control measures will be followed when submitting narcotics and / or drugs to the property room:

- a. Narcotics evidence shall be placed in clear plastic bags and sealed by the submitting deputy.
- b. Pills and capsules will be counted with count noted on the property receipt.
- c. Although gross package weights should be done as accurately as possible they should only be used as a quality control and not as an exact weight or for evidential purposes.

- d. The property custodian is not required to open the sealed bag to verify the weight or count, only visually inspect to note that it has been properly sealed.
- e. Once properly logged into the property room, dangerous drugs will be stored inside the drug safe in the property room.

4. Weapons

All weapons received by the property room will be made safe by unloading and each will be listed on a property receipt. If not unloaded by the submitting deputy, the supervisor of the submitting deputy will be notified. All weapons must be checked for stolen wants by the submitting deputy through GCIC / NCIC, and this check must be noted on the property receipt.

D. SECURE FACILITIES FOR TEMPORARY PROPERTY HOLDING

At times when the property room is closed, and no authorized person is available to log property into the property room, deputies will temporarily store property in the designated secured areas as specified in this directive.

1. Temporary property storage areas include the temporary secure property storage lockers located in the precincts. These areas are restricted to agency personnel only and under no circumstances will unaccompanied non-law enforcement personnel be allowed access to the property storage areas; and
2. Property placed in the temporary property storage area must conform to the same standards and procedures as outlined in this procedure for the receipt of property or evidence.
3. When property is stored and secured in temporary property storage lockers or the refrigerator, the lock will be securely locked. The Evidence Custodian or designee has the key and will retrieve the evidence / property as soon as possible to transfer to the crime lab or the main property room.

E. INSPECTIONS AND AUDITS

Inspections and audits of the property and evidence stored at the facility shall be conducted in compliance with all national accreditation and applicable state certification standards. The procedures contained in **SOP 3.3.1100** shall be followed in order to insure compliance.

F. PROHIBITIONS

No explosives, dangerous chemicals, unknown biological specimens, nuclear material, or other dangerous material or property will be accepted into the property room.

G. CALL-IN OF PROPERTY ROOM PERSONNEL

If in the opinion of the submitting deputy or a supervisor, the property or evidence is of great valuable or potentially vulnerable to claims of tampering (such as a large quantity of narcotics

evidence), the Evidence Custodian or other designee may be called in after hours to secure the evidence in the property room or safe.

H. NOTICE OF INTEREST

Prior to disposing of any property held in the possession of this agency and pursuant to state, federal and local law, the Sheriff's Services Division director shall ensure that a reasonable attempt has been made to locate and contact the persons entitled to possession of the property in custody, notify them of when and where it may be claimed, and to return the property at the earliest possible time. In the absence of evidence identifying persons entitled to custody, the Sheriff's Services Division director or designee will place a notice in a local newspaper of general circulation in the city, briefly describing the nature of the property in custody, and inviting persons to view and establish their right to it.

I. COLLECTION, PRESERVATION AND SUBMISSION OF EVIDENCE

All collected evidence/property shall be logged in and placed in an approved evidence locker by the collecting deputy before the end of their tour of duty. Any item collected as evidence by agency personnel shall be processed in accordance with the procedures set forth in **SOP 3-3.1100**.

GENERAL ORDER: 3-3.12 CHAPLAIN CORP

Rescinds/Amends:

Effective Date: January 26, 2021

Committee Review - December 2020
Date:

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I CHAPLAIN CORP

A. MOTTO

“Spiritual service to our community and those who serve and protect.”

B. MISSION

The Chaplain Corps mission is to provide encouragement, emotional support, and spiritual care to agency employees, their families, and the members of the community in which they serve.

C. Scope

The scope of the Forsyth County Sheriff's Office Chaplain Corps is to provide a core group of professional, sincere, trained and compassionate chaplains from a variety of faiths and backgrounds who volunteer their time and talents to the Sheriff's Office and Forsyth County in providing spiritual support to agency employees, their families, and the community.

A chaplain's duty is to care for the spiritual and emotional needs of deputies and their families when invited to do so. In the fulfillment of this duty, chaplains shall not promote a particular religious denomination or affiliation. This support is designed to complement, not compete with, peer support and/or psychological services provided by the agency.

Chaplains serve in a civilian volunteer capacity. They shall not portray themselves in a law enforcement capacity or be assigned regular law enforcement duties. Chaplains shall have no arrest authority beyond that of a citizen.

D. Chaplain Qualification

Individuals inspired to serve in the Chaplain Corp should possess the following qualifications prior to making application:

1. Be ordained or a licensed member of the clergy.
 - a. or submit a written letter of recommendation from their religious body supporting their readiness and fitness to serve as a Chaplain.
 - b. Non-ordained/licensed candidates must have completed a formal education in, or training in their religious belief system.
2. Maintain high spiritual and moral standards.
3. Possess a caring and understanding attitude toward all people regardless of race, sex or religious beliefs.
4. Be willing and available to respond to situations where the presence of a Chaplain is requested.

E. Chaplain Application Processes

1. Individuals desiring to serve in the Chaplain Corp shall participate in preliminary, informal interview(s) with current Chaplains Corps members. They should attend monthly Chaplain Corp Training/Meetings to become acquainted with the current chaplains and understand how the Chaplain Corp operates.
2. Individuals who receive a vote of confidence from the Chaplain Corp may submit an application.
3. Submit a completed Forsyth County Sheriff's Office volunteer application to the Chaplain Coordinator.
4. Successfully complete a thorough background check and drug test.
5. Receive approval of the Sheriff, Chief Deputy or designee.

F. Training and Certification

1. Complete documented familiarization training.
2. Obtain G.S.A. (Georgia Sheriff's Association) or I.C.P.C. (International Conference of Police Chaplains) Certification within twenty-four (24) months of their active service with the Sheriff's Office.
 - a. An extension of the 24-month time requirement for basic training may be granted by the Chaplain Coordinator if the Chaplain is making substantial progress in obtaining the certification.
3. Regularly attend monthly training meetings.

G. Equipment

Sheriff's Office chaplains shall be issued a photograph ID. Furthermore, all chaplains shall be required to display this identification whenever necessary while performing duties as a Sheriff's Office chaplain.

H. Duties and Responsibilities

1. Assist deputies in notifying next of kin when citizens have been seriously injured or killed;
2. Provide spiritual support and guidance to deputies and citizens in crises situations including missing persons incidents, hostage situations, natural disasters and civil disturbances;
3. Conduct post-traumatic stress counseling for Sheriff's Office employees as needed;
4. Visit injured or seriously ill employees of the agency;
5. Attend and/or participate in funerals of active and retired employees or their family;
6. Provide spiritual counseling for employees upon request;
7. Periodically attend shift briefing sessions in order to be familiar with agency operations;
8. Attend official agency and social events; giving invocations and benedictions as requested;
9. Promote, encourage and aide spiritual activities and functions among agency members;
10. Refrain from publicly criticizing any actions taken by agency employees, other chaplains or agency policy;
11. Advise the Sheriff in matters pertaining to the moral and spiritual welfare of agency employees, providing it does not violate clergy confidentiality policies;
12. Periodically participate in an agency ride-along, jail and precinct visits, etc.;
13. Remain open and flexible to new concepts and/or additional duties as deemed necessary.
14. Be available when on-call, or arrange for coverage;
15. Attend monthly corps meetings/training sessions;
16. Maintain a clear understanding of confidentiality policies and guidelines;

I. On-Call Rotation

The Chaplain Coordinator shall publish and maintain a current on-call list of chaplains. The on-call list shall be distributed to each chaplain and the Forsyth County 911 Communications Center.

Employees of the agency may make direct contact with chaplains for either personal or agency-related purposes at any time, regardless of who is on call.

GENERAL ORDER: 3-3.13 SPECIAL WEAPONS AND TACTICS (SWAT)

Rescinds/Amends:

Effective Date: December 13, 2019

Committee Review - Date: December 2019

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I SPECIAL WEAPONS AND TACTICS (SWAT)

Along with its responsibility to handle service calls considered as "routine", the agency is also responsible for handling unusual occurrence calls that require special law enforcement action. These situations often require skills and tactical training that most deputies do not possess.

A. ESTABLISHMENT OF SWAT

In order to meet the demands of these unusual occurrences, SWAT was formed. This unit is comprised of individual deputies from the various divisions within the agency who are physically capable to participate in the demanding duties and have displayed a willingness to give of themselves for the betterment of the agency. SWAT members participate in ongoing training programs to learn the skills and tactics necessary to handle any unusual occurrences that may develop.

1. MISSION STATEMENT

The Mission of the Forsyth County Sheriff's Office SWAT Team is to provide the department with highly motivated, technically & tactically proficient special operations team capable of responding to critical incidents, resolving them with minimum risk to officers, suspects & innocent parties.

The following defined critical incidents will activate the Forsyth County Sheriff's Office SWAT Team:

- A. *Hostage Situations:*** The holding of any person(s) against their will by an armed or potentially armed suspect.
- B. *Barricade Situations:*** The stand-off created by an armed or potentially armed suspect in any location, whether fortified or not, who is refusing to comply with police demands for surrender.
- C. *Other Situations:*** Such as firing upon citizens and/or police by an armed suspect, whether stationary or mobile.

- D. **High-Risk Apprehension:** The arrest or apprehension of armed or potentially armed suspects where the likelihood of armed resistance is high.
- E. **High-Risk Warrant Service:** The service of search or arrest warrants where the warrant service matrix (point values listed below) recommends or requires the use of the SWAT Team.
 - i. 0-17 points – Service may be handled by unit supervisor
 - ii. 18-24 points – Consultation with SWAT
 - iii. 25+ points – SWAT command review required
- F. **Personal Protection:** The security of special persons, such as VIP'S, witnesses, or suspects, based on threat or potential threat to the well-being of those persons.
- G. **Special Assignments:** Any assignment approved by the Sheriff or the division commander, based upon a level of threat.

The SWAT team exists to save lives and decrease the chance of violence during a crisis situation.

2. ORGANIZATION OF SWAT

The organization of the SWAT and CNT Team is detailed in the organizational chart (Attachment "A") at the end of this chapter.

- a. SWAT Team commander (SWAT/CNT)
 - I. Responsible for the overall command SWAT and CNT Teams.
 - II. Reports directly to the Enforcement Division director.
- b. Assistant SWAT Team commander/Training Coordinator (SWAT)
 - I. Reports directly to the SWAT Team commander.
 - II. Acts as SWAT Team commander when commander is absent.
- c. SWAT Team Leader
 - I. Reports directly to the Assistant SWAT Team commander.
 - II. Acts as element leader.
- d. Assistant SWAT Team Leader (SWAT)
 - I. Reports to SWAT Team leader.
 - II. Acts as an element leader.
 - III. Acts as the SWAT Team leader when the leader is absent.
- e. SWAT Operators (SWAT)
 - I. Reports to team leader or assistant team leader.
 - II. Carries out mission objectives.

- f. Marksmen Team Leader (SWAT)
 - I. Reports to the Assistant SWAT Team commander.
 - II. Responsible for the training and deployment of marksmen teams.
- g. Marksmen/Observers (SWAT)
 - I. Report to Marksmen Team leader
 - II. Responsible for completing mission objectives.
- h. Breach Team Leader (SWAT)
 - I. Reports to Assistant SWAT Team Commander
 - II. Responsible for the training and deployment of explosive breaches.
- i. Breach Operators (SWAT)
 - I. Reports to Breach Team leader
- j. Crisis Negotiations Team Leader (CNT)
 - I. Reports directly to the Assistant SWAT Team commander
 - II. Responsible for the overall supervision of the Crisis Negotiations Team.
- k. Primary Negotiator (CNT)
 - I. Communicates with the subject.
 - II. Elicits useful information and reports demands made by the subject.
 - III. Negotiates for the safe release of all hostages.
 - IV. Negotiates for the safe surrender of the subject(s).
- l. Coach (CNT)
 - I. Monitors negotiations.
 - II. Provides feedback to the primary negotiator.
 - III. Serves as back-up negotiator.
- m. Intel/Float (CNT)
 - I. Responsible for gathering, condensing and interpreting all information from all outside sources.
- n. Scribe (CNT)
 - I. Keeps a chronological log by time of all proceedings.

- o. Technical Assistance Response Unit (CNT)
 - I. Responsible for the maintenance of all electronic equipment. Secures and controls phone lines in and out of subject's location.
- p. Mental Health Professional (CNT)
 - I. Serves as an advisor.
 - II. Focus on behavioral assessment of subject.

Personnel assigned to SWAT and CNT will work their normal tour of duty, except when the SWAT or CNT Teams are activated for a tactical situation or a regular training session. SWAT and CNT personnel must remain available for assignment at all times.

B. SWAT / CRISIS NEGOTIATOR SELECTION AND TRAINING

Personnel shall be selected by a review board comprised of SWAT Team or Crisis Negotiation Team members respectively.

1. Candidates for SWAT and/or Crisis Negotiation Team shall submit a request for consideration in memorandum form with all background information as to qualifications and experience to their respective section commander via chain of command. Upon review, the section commander shall forward the request with a recommendation to the Enforcement Division director.
2. At the direction of the SWAT/CNT commander all candidates shall meet with a review board for consideration as vacancies or expansion of the team dictate.
 - a. SWAT candidates shall meet physical requirements set by the SWAT Team commander.
 - b. SWAT candidates without prior law enforcement experience shall have completed their probationary status in order to become eligible for assignment to the team. Final approval for assignment to the team shall be given by the Sheriff or designee.
 - c. New SWAT and CNT candidates must attend and pass a basic SWAT or CNT class within twelve (12) months of acceptance on the team. The class will be forty (40) hours or more and will be in compliance with each team's procedures.

C. EQUIPMENT

Unusual occurrences often call for the use of equipment not normally carried by deputies. Determinations of equipment needed by SWAT and issued to personnel will be made by the SWAT commander.

SWAT personnel are responsible for the maintenance of all equipment issued to them. Lost or damaged equipment will be immediately reported through the chain-of-command to the Team Leader who will notify the SWAT commander in writing.

II DEPLOYMENT OF SWAT/CTOC

In an emergency situation, the watch commander shall contact the 911 Center and authorize dispatch to have the team paged out. On-duty SWAT personnel will immediately be removed from duty assignments and respond to assess the situation. That assessment shall be given to the responding SWAT commander as soon as possible.

Upon the request of the watch commander, SWAT Team commander, CNT commander, CTOC Team leader, an incident commander or any higher ranking deputy, the Forsyth County 911 Center will page the C.T.O.C. Team to respond to the incident in question.

A. RESPONSIBILITIES OF FIRST PATROL DEPUTY ON SCENE

The first deputy on the scene will:

- 1) Confine the perpetrators to the immediate area and maintain firearms discipline.
- 2) Notify the Uniform Patrol supervisor.
- 3) Cordon the area and evacuate injured persons and bystanders, if the situation permits.
- 4) Request ambulance and / or fire apparatus if needed.
- 5) Detain all persons, both civilians and members of the agency having pertinent information regarding the suspect or his / her location for debriefing.
- 6) Establish a command post, advising all concerned units of the location and of any streets or areas which may be unsafe for responding units to enter.

B. RESPONSIBILITIES OF WATCH COMMANDER ON SCENE

The watch commander on the scene will direct all responding members of the agency, and any other departments, to report to the Command Post for assignment and debriefing. The watch commander will insure that all members are aware that the safety of hostages, all personnel and citizens is of primary concern and of the necessity for maintaining firearms discipline. The watch commander will establish an inner and outer perimeter, and maintain the inner perimeter until relieved by the SWAT Team commander. He will also advise the dispatcher of any streets or areas which may be unsafe for responding units to enter and request the command staff to be notified.

The watch commander will determine the necessity to evacuate the location or area. If deemed necessary, commence evacuation of bystanders. Then evacuate persons in their homes, apartments, business places and schools and churches. Gather intelligence information regarding:

1. Location of suspect (floor, room, roof);

2. Types of weapons suspect may have access to;
3. Identification of the suspect, including complete physical description, mental state and physical condition;
4. Suspect's purpose or intent;
5. What crime has suspect committed (assault, robbery, minor disturbances, etc.);
6. Physical description of any hostage and their physical and mental condition - communicate this to all responding personnel;
7. Determine room(s) where telephones are located;
8. Deploy additional vehicles and personnel when they respond, to cover exit and possible escape routes and for vehicle and pedestrian control.

C. DUTIES OF ASSISTING PERSONNEL

Personnel responding to assist a tactical situation will report to the Command Post or to a designated staging area. Assisting personnel will not deploy on their own. When duly assigned to a specific duty, assisting personnel are expected to maintain absolute control of their post, to insure the safety of innocent persons and to prevent escape of the perpetrator(s). Assisting personnel will not act individually unless ordered to do so, or if failing to act would jeopardize the safety or lives of other personnel or citizens.

D. DUTIES OF COMMAND PERSONNEL

The authority to direct tactical situations involving a hostage, sniper, barricaded person, or other unusual incident(s) involving SWAT rests primarily with the SWAT commander.

The SWAT commander will, upon arrival:

1. Insure that all previous steps designated as responsibilities of initial personnel and those of the watch commander on the scene have been fulfilled.
2. Obtain a situation report from the incident commander in charge.
3. Evaluate the situation and determine the degree of danger to any hostage, agency employee or citizen and whether perimeter deployment is adequate.
4. Consider establishing a mobile reserve at the assembly area to relieve personnel previously assigned to other tasks.
5. Request the incident commander to assign a tactical channel and to advise the Criminal Investigation Section (CIS) commander to respond to the command post.
6. Ensure that non-SWAT personnel will only be utilized if they possess a technical skill or pertinent knowledge associated with the situation.

7. The SWAT commander will request from the incident commander such other personnel as may be required by the tactical situation to include, but not be limited to, hostage negotiators, helicopter assistance, dog handler, other SWAT teams etc.

The SWAT commander, or ranking deputy taking command, if taken hostage, cannot order subsequent strategic actions to be taken by personnel.

Negotiations on a personal confrontation basis will not be permitted unless approved by the Sheriff or his designee.

E. DUTIES OF INVESTIGATIVE PERSONNEL

The Criminal Investigation Section will be responsible for:

1. Conducting all phases of the criminal investigation surrounding the incident.
2. Debriefing negotiators and witnesses.
3. Interviewing family and friends of the suspect(s) for intelligence purposes.
4. Verification of all claims or allegations made by the suspect.
5. Preparing appropriate warrants/reports surrounding the incident.

F. LIMITED EMERGENCY SITUATIONS

A limited emergency situation is defined as one which can best be handled by a limited group of deputies.

The primary objective of these procedures is to facilitate responsive organized law enforcement action with the maximum amount of safety for civilians and law enforcement personnel in the emergency situation.

The following procedures will apply:

1. Deputy discovers or responds to situation.
2. Deputy notifies the 911 Center of situation and its pertinent facts.
3. The 911 Center notifies and dispatches shift supervisor and additional deputies for assistance as needed.
4. Deputy at the scene contains situation through perimeter containment.
5. The shift supervisor, upon arrival, verifies situation and notifies radio of verification.
6. The shift supervisor takes command of the situation with the full cooperation of other deputies already at the scene.

7. Deputies at the scene continue perimeter containment.

III SWAT EXPLOSIVE BREACHING POLICY AND PROCEDURES

A. PURPOSE AND OBJECTIVES

The Forsyth County Sheriff's Office recognizes the fact that certain critical incidents require a response beyond the scope of normal operational control. Because of this, the Forsyth County Sheriff's Office has developed, trained, and equipped the Forsyth County Sheriff's Office SWAT Breaching team.

One of the duties of the SWAT Breaching team is to provide specialized tactical support in situations where a crisis escalates beyond the capabilities of field or investigative personnel. This support may also be provided to other law enforcement agencies, upon formal request.

During critical situations, it may become necessary for the Forsyth County Sheriff's Office SWAT Breaching Team to execute an entry into a hostile environment. Forsyth County Sheriff's Office SWAT Breaching Team situations include, but are not limited to, barricaded subjects, suicidal subjects, hostage takers, snipers, terrorist activity, high risk warrant services, or any other situation with potential for violent confrontation which cannot be readily or effectively handled by the on-duty patrol shift. It is critical that the point of entry be breached as quickly and safely as possible. A quick and effective breach is essential to a successful tactical mission.

Explosive Breaching (the use of explosive materials to effect an entry) can be a useful tactical option. An explosive breaching charge should not be viewed as a "bomb", but rather, as a forced entry tool. An effective breach is a design where the most efficient use of the minimum amount of explosives is used to achieve 100% successful penetration, 100% of the time. Effective breaching techniques allow immediate entry with minimal risk to the victims, tactical officers, and the suspects. This technique enhances the speed and shock effect required of dynamic rescue or entry operations.

The objective of the Explosive Breaching Policy is to provide guidelines for the establishment, implementation, and use of the Forsyth County Sheriff's Office Explosive Breaching Unit.

B. DEFINITIONS

- 1) **Explosive Breach** – A technique of employing explosive materials to create an opening through a door, window, wall, or other barrier to allow access by a tactical team.
- 2) **Explosive Breacher** – A current member of the Forsyth County Sheriff's Office SWAT Team who has been trained in the construction, placement, and initiation of explosive breaching devices.

- 3) **Explosive breaching device** – A target specific device constructed with explosive and non-explosive materials for the purpose of gaining entry into a structure.
- 4) **Breacher's Report** – A detailed form used to document the use of explosive breaching charges during training and actual operations.
- 5) **Breacher's Brief** – A detailed information exchange from the explosive breacher to the Forsyth County Sheriff's Office SWAT Team or anyone else present with regard to actions necessary before, during and after an operational or training explosive breach.
- 6) **Forsyth County Sheriff's Office SWAT Team** – The Forsyth County Sheriff's Office is comprised of individuals with various permanent duty assignments who have received special training and have been assigned duties within the Forsyth County Sheriff's Office SWAT Team. The team shall be activated whenever necessary to accomplish the goals of the Forsyth County Sheriff's Office while attempting to ensure the maximum safety to the citizens served by the Forsyth County Sheriff's Office.
- 7) **LCC** – Last Cover and Concealment is the staging area for the "Stack" prior to moving to the Final Assault Position (FAP). The lead line is connected to the firing device, and initiating device is connected to the main charge at the LCC.
- 8) **FAP** – Final Assault Position is the "stacks" final staging area prior to an assault. During an explosive breach the charge is placed after the team reaches the FAP.
- 9) **Critical Situation** – Any situation, including but not limited to, barricaded subjects, suicidal subjects, hostage takers, snipers, terrorist activity, high risk warrant service, or any situation with potential for violent confrontation which cannot be readily or effectively handled by the on-duty patrol shift.
- 10) **Breacher Team Leader** – Duties and responsibilities are as follows:
 - a. Deploys team in accordance with mission directives.
 - b. Ensures all equipment is accounted for and in good condition.
 - c. Submits training needs to the Team Leader for consideration and inclusion in the training plan/schedule.
 - d. Ensures mission readiness of squad members at all times.
 - e. Ensures that all squad members have arrived at the staging area properly equipped for the mission.
 - f. Ensures that all team members receive pertinent intel/info on possible breaching targets.
 - g. Ensures SWAT Team Leader is properly briefed on any explosive breaching options.
 - h. Ensures all appropriate paperwork and breaching reports are completed for operational and training explosive breaches.

C. GENERAL RULES AND GUIDELINES

Except in extreme circumstances and when exigency exists, an explosive breach should not be employed when there is a presence of unstable chemicals or other incendiary materials or there are other effective, safe, and tactically feasible means of breaching techniques available.

D. PROCEDURES

1) Parameters for the use of explosive breaching:

- a. The option to utilize an explosive breach will be at the discretion of the Forsyth County Sheriff's Office SWAT Team Commander after the consultation with the SWAT breaching team leader.
- b. Scouting and Target analysis is a pre-breach responsibility of the explosive breacher(s), or designee.
- c. The construction of all explosive breaching devices shall be conducted by the designated explosive breacher upon completing a target analysis. A selection of certain pre-made explosive breaching devices will be on hand at all times and available for immediate deployment.
- d. Prior to setting the explosive breaching device, the explosive breacher will present a "Breacher's Brief" to the Forsyth County Sheriff's SWAT Team and whoever is present regarding the actions necessary before, during and after an operational or training explosive breach. The safe and tactically sound location of the entry team's "stack" will be determined by the Forsyth County Sheriff's Office team leaders upon consultation with the explosive breacher. For all explosive breaching devices constructed, a net explosive weight and "safe stacking distance" calculation will be conducted.
- e. Placement of all explosive breaching devices shall be performed by the explosive breachers.
- f. For all interior explosive breaching devices, the over pressure will be considered and brought to the attention of the Team Leader/ Commander.
- g. Once the explosive breaching device is constructed and the entry team is at the last cover and concealment (LCC), the firing device will be readied.
- h. The explosive device will be attached to the target when the team reaches the final assault position (FAP).
- i. After the breacher or designee reports the charge is ready. The Forsyth County Sheriff's Office SWAT Commander or Team Leader will direct the explosive breacher when to initiate the explosive breaching device(s).

- j. At the completion of the mission/training, the explosive breacher is responsible for submitting a "Breacher's Report", which details the specific composition of the explosive breaching device(s) used and their performances.
- 2). Safety Considerations
- a. All explosives will remain in control of the explosive breacher and be stored as appropriate to ensure their security.
 - b. Medics shall be staged or present during missions where explosive breaching techniques are performed
 - c. The Explosive breacher will be in control of the firing device at all times to prevent an unintentional detonation by other persons.
 - d. Dual-priming will be the standard procedure used to ensure positive detonation of the explosive breaching devices. Shock-tube initiation system shall be used.
 - e. Any misfires and non-functioning explosive breaching devices are the responsibility of the explosive breacher. The explosive breacher will follow established procedures that may include the following:
 - i. In the event of a misfire, the explosive breacher will re-cock the initiator and fire the device again. If the explosive breacher deems necessary and has time, he/she will reinsert another primer into the initiator and attempt to fire the device.
 - ii. in the event of a second misfire, the explosive breacher will call for a secondary breach.
 - iii. Upon calling for a secondary breach, the explosive breacher will remove the explosive breaching device and place it safely away from the team members. If a secondary breach location is not available, the lead line will be disconnected from the explosive breaching device, the explosive breaching device will be removed, and mechanical means of entry used at the primary entry point.
 - iii. If the explosive breaching device cannot be rendered safe by the explosive breacher, an explosive device disposal unit from a qualified chosen jurisdiction will be requested to dispose of it.
 - iv. Safety clothing and equipment will be worn by all members of the Forsyth County Sheriff's Office SWAT Team during explosive entry operations or training. This will include, but not limited to, balaclava and gloves, eye protection, hearing protection, helmet, ballistic/load bearing vest and boots.

3) Training and Documentation

- a. All explosive breachers will attend a 40-hour basic explosive breaching and handling course prior to performing operational explosive breaches.
- b. All efforts will be made for qualified explosive breachers to supplement their training by attending advanced explosive breaching courses or seminars.
- c. Explosive breaching training is perpetual and will be coordinated and conducted at least 8 hours a month by the explosive breaching team. If a team member is absent for three consecutive training days, they will be put on non-explosive breaching operation status until they complete 8 hours of training. Additional ongoing training to test and evaluate the types of charges best suitable for various targets will be conducted as suitable training sites are provided.
- d. An Explosive Breaching Training/Operation Report will be maintained to document explosive breaching training and operations. This report may be used as a database for future use when determining the most appropriate charge to be selected. A Breaching Report will be completed and filed in the Explosive Breaching log for each explosive breaching device constructed and initiated for training or operational use.

4). Storage

- a) An Explosive Inventory Log will be maintained for all explosives received and ultimately used by the explosive breaching unit.
- b) Blasting caps and initiating systems will be stored in a separate magazine from the explosive materials.
- c) Explosive breachers must maintain an "Access Log" for each explosive storage magazine.
- d) Access to the explosive magazines will be limited to the Forsyth County Sheriff's Office SWAT Team leader/Explosive Breachers and K9 bomb detection Unit.
- e) The explosive magazines will be inspected for inventory and housekeeping by the Forsyth County Sheriff's Office SWAT Explosive Breachers on a quarterly basis.
- f) The explosive inventory will be stored in accordance with the Bureau of Alcohol, Tobacco and Firearms publication ATF P5400.7, Federal Explosive Law and Regulations and OSHA regulations (Standards 29CFR), Storage of Explosive and Blasting Agents, 1926, 904.

5). Storage inside vehicles

- a) Explosives and blasting caps are only authorized to be stored in an official Forsyth County Sheriff's Office response vehicle designated for use by bomb technicians and explosives response teams.
- b) Explosive materials may be stored in unattended, official Forsyth County Sheriff's Office response vehicles parked at an outdoor location, provided the conditions set forth below are met at all times. The outdoor location may be an unsecured area accessible by civilians or unauthorized personnel.
- c) When not in use, official response vehicles must be locked at all times and have at least one additional security feature, such as a vehicle alarm, vehicle tracking device, or vehicle immobilization mechanism, or other equivalent alternative; and,
- d) Official response vehicles located at an outdoor location may not store explosives materials in excess of 20 detonators and 2.5 pounds Net Explosives Weight of all other explosive materials.
- e) Explosive Materials stored in official response vehicles shall meet the following conditions:
 1. Explosive materials must be stored in at least a Type-3 magazine.
 2. Magazines must be secured with one steel padlock (which need not be protected by a steel hood) having at least five tumblers and a case-hardened shackle of at least 3/8-inch diameter. Alternatively, the magazine may be secured by placing it inside a locked compartment within the vehicle designed to meet law enforcement construction standards for weapons storage within the vehicle
 3. Agencies must securely bolt or otherwise affix the magazines, or the locked compartments in which the magazines are stored, to the vehicle. Nuts must be located on the inside of the magazine or compartment where they cannot be removed from the outside. The nuts must be covered with a non-sparking material; such as epoxy paint or plywood.
 4. If a magazine placed in a vehicle uses a secondary locking system containing a chain or cable and a padlock, the agency need not bolt it to the trunk or cargo area of the vehicle or lock it with one steel padlock. Rather, the agency must close and stabilize the magazine securely within the trunk or cargo area of the vehicle using the secondary lock's chain or cable and padlock.
 5. Agencies may store detonators in the same magazine as delay devices, electric squibs, safety fuse, igniters, igniter cord, and shock tube, but not in the same magazine with other explosive materials.
 6. Agencies may not store any amount of loose or free-flowing explosive powders, irrespective of the packaging configuration. This does not prohibit

the transport of necessary amounts of black or smokeless powders, for use at specifically planned operations or the transport of seized black or smokeless powders as a result of operations.

7. Agencies may not store any tools or other metal devices in the same magazine as the explosive materials.
 8. Deputies storing explosive materials within official response vehicles must maintain an inventory storage record. The record must contain the name of the explosive material's manufacturer, the quantity on hand, and the dates that the materials are received, removed, or used. Officers must maintain a copy of this record within the vehicle and at an off-site location, such as with the breacher team leader.
 9. Deputies must conduct a quarterly inventory of the explosive materials on hand and compare it to the inventory storage record. Deputies must note this inventory in the inventory storage record.
 10. Deputies must inspect the magazine one every 7 days to determine whether there has been any attempted or unauthorized entry into the magazine.
 11. Deputies must report the theft or loss of explosive materials to ATF within 24 hours of discovery by calling 1-800-800-3855 and completing an ATF Form 5400.5, Report of Theft or Loss of Explosive Materials. You may obtain this for from the ATF Distribution Center by calling 301-583-4696, or through the ATF website at <http://www.atf.gov/forms/pdfs/f54005.pdf>.
- F. All rules and regulations for vehicle storage are in conjunction with ATF Rul. 2009-3, Title 18, United States Code (U.S.C), Section 842(j).

General Order: 3-3.14 Motorcycle Unit

Rescinds/Amends:

Effective Date: March 23, 2018

Committee Review - Date: January 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I Motorcycle Unit

PURPOSE: The purpose of this General Order is to establish the agency's policies and procedures concerning the operation of the Motorcycle Unit.

A. Training / In-service:

Schedule permitting, training will be conducted on a monthly basis. An "Annual Skills Recertification" will be conducted each year. All training and skill assessments must be successfully completed. Failure will result in the deputy being removed from motorcycle unit.

1. Duration – Each deputy assigned to motors shall attend motorcycle operations training once per quarter for a minimum of four times a year. This does not include the mandatory annual recertification which each deputy must attend every year.
2. Location – The motorcycle FTOs will select the location of training.
3. Forms and Grading – The form used for grading the training and annual skills recertification will be the Police Motorcycle Practical Exam. This form will be filled out by the motorcycle unit FTO and signed by the deputy after reviewing it with the FTO. This form will be maintained in the deputy's motor unit training file.
4. Grading procedure to be used during training – The Basic Police Motorcycle Practical Exam and its score will be used for annual recertification. It may include up to two (2) advanced obstacles at the FTO's discretion. A minimum score of 80% is required to maintain certification.
5. Unacceptable Performance – If a deputy fails to score 80%, they have failed to recertify and will be placed into a training status immediately. The deputy will be assigned to partner with a motorcycle FTO or senior motor deputy for a period of not less than 40 hours and must perform to the motorcycle FTO/senior motor deputy's satisfaction. During this period, the deputy's skills will be observed by the motorcycle FTO/senior motor deputy to insure the deputy's skills are not a danger to the deputy or others while performing his assigned duties. The deputy will then be required to re-take the annual skills recertification at the next scheduled training date. If the deputy fails to retest he/she will NOT be permitted to utilize a department motorcycle until successful completion of the annual skill recertification.

6. Unsafe Riding – Any deputy observing unsafe riding will report same to the deputy's supervisor and to the motorcycle FTOs. A supervisor will have the option of warning the deputy or placing them into immediate training mode (partnered with a motorcycle FTO or senior motor deputy).
7. Removal from Motorcycle Duty – A deputy who is assigned to motorcycle duty may be removed from that assignment if the motorcycle FTOs and supervisors both concur that said deputy displays unacceptable abilities to continue as a motor deputy. This removal should be based upon, but not limited to; the deputy's riding abilities / deficiencies and safety habits.
8. Accident or Injury – Any motor deputy who is off work for a period exceeding 30 calendar days (including light duty) due to injury or illness will complete a skills recertification prior to returning to motorcycle duty.

B. Initial Training:

1. Type of Training – Each deputy MUST meet the following minimum requirements after being assigned to the motorcycle unit.
 - a. Deputy must possess a Class M endorsement prior to attending any training.
 - b. Orientation – Deputies will be given a minimum of 40 (forty) hours orientation on the motorcycle prior to being sent to a P.O.S.T. approved motorcycle training school. This orientation will be given by department motorcycle FTO and will consist of practical application on the motorcycle, riding exercises, etc. If limited positions are available in motor school, candidates will be selected by degree of success in this orientation.
 - c. Additional Training – Upon completion of The Basic Police Motorcycle School, a new deputy will be assigned an FTO within the Motor Unit for a minimum period of at least Three (3) weeks or Fifteen (15) working days. The FTO will act as a riding partner, trainer and evaluator during this period. The FTO will evaluate the new deputy's ability to operate the motorcycle during enforcement riding on motor unit DOR's (Daily Observation Reports). These DOR's will document the new deputy's progress as well as document problems with safety and professionalism that could lead to removal from the motorcycle unit.

C. Motorcycle FTO Duties:

Their duties will consist of the following:

1. Conduct in-service training for motorcycle deputies.
2. Conduct initial motorcycle orientation.
3. Conduct annual skills recertification.
4. Complete police motorcycle practical exams.
5. Observe on-duty riding habits of deputies assigned to enforcement riding.

6. Conduct on-going review of the training program.
7. Conduct recertification for any motor deputy returning to full duty after being on leave or light duty more than 30 calendar days.
8. FTO / train new motor deputies and any deputies immediately assigned to "training status".

II Operations:

The following inspections will be performed on a daily basis:

- A. Safety Inspections – Prior to going on duty each day, each deputy will inspect his/her motorcycle for such things as loose nuts, electrical connections, tire wear, fluid and oil levels, lights functioning, siren operating, etc.

1. Electrical System
 - a. Turn signals
 - b. Brake and Tail lights
 - c. Headlight
 - d. Blue lights and siren system
 - e. Radio (wireless headset system)
2. Tires
 - a. For wear and damage
 - b. Correct tire pressure
 - c. Visual inspection of rims
4. Shocks and Fork Tubes
 - a. Correct pressure
 - b. Visual for leaks and damage
5. Correct Operation of Controls
 - a. Throttle
 - b. Clutch
 - c. Brake lever and pedal
6. Kickstand
 - a. Make sure it will retract fully
7. Inspection of Engine
 - a. To include top engine mount
8. Helmets
 - a. Helmets will be inspected for any damage.
 - b. Helmets will be taken out of service and replaced every Five (5) years from purchase/Manufacture date or when necessary due to damage.

- B. Motorcycle Maintenance:

1. Each deputy will be responsible for keeping his/her motorcycle clean and polished at all times.
2. Preventative Maintenance will be performed on the motorcycle every 5,000 miles by a certified Harley Davidson "PHD" Mechanic.
3. Mechanical service (i.e. clutch, brakes, engine problems, tires) must be completed by a certified Harley Davidson "PHD" Mechanic.
4. Motorcycles will all remain uniform in appearance.

- a. No unauthorized decals, custom accessories, performance parts, etc. can be placed on departmental motorcycles.
 - b. Parts necessary to ensure motor deputy safety (i.e. extended mirrors, lower seats, etc.) can be used after being approved by the Special Enforcement Division Commander.
- C. Riding Techniques:
1. At all times while operating a department motorcycle, deputies will always observe safe operation of their motorcycle and abide by skills instructed at the P.O.S.T. approved Basic Motor Skills Course.
 2. ANYTIME the FCSO motorcycle is in motion, the motorcycle deputy will use the "bright headlight" option. Aka "high-beam".
 3. Deputies will use safe riding techniques including:
 - a. Surface appraisal
 - b. Lane placement
 - c. Traffic conditions
 - d. Clutch, throttle, brake control
 - e. Front brake predominate brake
 - f. Use of mirrors
 - g. Violator stop techniques
 - h. Motorcycle placement during stops
- D. Emergency Response Driving
1. EXTREME CAUTION must be used by the motorcycle deputy anytime a motorcycle deputy is responding to a situation in an "emergency mode" (lights/siren) while utilizing a departmental motorcycle.
 2. The following WILL be observed by all FCSO motorcycle deputies while utilizing a departmental motorcycle:
 - a. Motor unit deputies will NOT respond "emergency" (use of lights and siren) to ANY routine call for service.
 - b. Motor unit deputies will NOT respond emergency to back-up other deputies UNLESS the deputy needing back-up indicates he/she needs assistance emergency (10-18). (i.e. Signal 63-DEPUTY NEEDS HELP, Deputy involved in Signal 29-Fight) and the motor deputy is relatively close to the deputy needing back-up.
 - c. ANY other "emergency response" MUST be approved by a FCSO Supervisor.
 3. Pursuits
 - a. Motor deputies may initiate pursuits, however ANY FCSO supervisor can cancel the pursuit at the supervisor's discretion.
 - b. Motor deputies MUST turn a pursuit over to a 4-wheeled marked patrol unit immediately.
 - c. Motor deputies will not become involved in a pursuit if 4 wheeled marked patrol units are already pursuing the suspect.
 - E. Weather – Deputies will use caution riding in any inclement weather.

- a. Motorcycle deputies will NOT ride their motorcycles when the temperature is below 40 degrees Fahrenheit.
- b. Motorcycle operation will cease when there are any reports of frozen precipitation on the roadway. (using caution, knowing that overpasses and bridges freeze sooner)
- c. Motorcycle operation will cease temporarily during lightning that may endanger the rider.
- d. Motorcycle operation will cease temporarily during heavy rain downpours, hail, or any other inclement weather that poses a safety risk to the safe operation of the motorcycle.

III Responsibilities

A. Daily responsibilities for motorcycle unit deputies:

1. Traffic Enforcement
2. Support the Patrol Division (s) when requested and available.
3. Funeral escorts
4. Other special assignments as directed by FCSO supervisory staff.

B. Required uniform equipment to be worn:

1. While utilizing a department motorcycle, motorcycle deputies will wear their department issued helmet, protective eyewear, gloves, and motorcycle boots.
2. While utilizing a department motorcycle, motorcycle deputies will wear departmental issued motorcycle breeches and uniform shirt.
3. While utilizing a department motorcycle, there are times when the deputy will be off his/her motorcycle for an extended period of time to direct traffic or other specialized assignments. During this time motorcycle deputy are permitted to wear a departmental issued black ball cap or approved motorcycle unit ball cap.

C. Specialized Equipment

1. Motorcycle deputies will be issued a LIDAR unit
 - a. This will remain with the deputy and will be his/her responsibility to maintain and protect this equipment from damage or theft.

IV Funeral Escorts

A. Funeral Escort Request

1. Funeral Homes will request funeral escorts by:
 - a. composing an email to funeral@forsythco.com (email will broadcast to appropriate deputies/supervisors/911 Center)
 - b. The email must contain the time the funeral escort is expected to leave the originating location.
 - c. The email must contain the beginning and ending location street address.

- d. if the funeral home's email system is down, the funeral home will call the 911 Center by phone (770-781-3087) and make the funeral escort request via phone.
2. 911 Center responsibilities:
 - a. Upon receipt of the funeral request email from the funeral home, 911 Center personnel will CAD the call, entering originating location and all times, directions, destination, etc.
 - b. When the dispatcher receives the call, the dispatcher will apply a "PNDFN" unit number to the call. (this is for tracking/report purposes)
 - c. The 911 Center personnel will then compose a "funeral page" via the CAD system indicating the funeral home, time and destination. This page notifies appropriate FCSO personnel.
 - d. Thirty (30) minutes prior to the funeral escort time, the dispatcher will raise a FCSO Motorcycle Unit or Special Enforcement Division supervisor and advise them of the pending funeral.
 - e. On weekends and holidays, the dispatcher will raise the appropriate Patrol Division supervisor thirty (30) minutes prior to the funeral escort and advise them of the funeral escort.
 - f. If a funeral home calls by phone due to email outage, the call taker should CAD the call as described in 2.a
 3. FCSO responsibilities during normal business hours:
 - a. During normal county business days (M-F, excluding holidays) upon the receipt of the email from the funeral home requesting the funeral escort, a Special Enforcement supervisor or their designee will "reply to all" indicating they are clear on the funeral escort request.
 - b. Special Enforcement Division supervisors are responsible for ensuring funeral escorts are planned and escorted accordingly.
 - c. if for unforeseen circumstances the Special Enforcement Division is NOT able to escort the funeral, the Special Enforcement Division supervisor will contact the appropriate Patrol Division watch commander and request assistance. The Special Enforcement Division supervisor will notify the dispatcher that the Patrol Division will handle the escort.
 4. FCSO responsibilities on Weekends/Holidays:
 - a. The appropriate Patrol Division supervisor is responsible for assigning patrol units to escort funerals on weekends/holidays.
 - b. The appropriate Patrol Division supervisor will be notified by the dispatcher thirty (30) minutes prior to the funeral escort.
- B. Motorcycle driving/operations pertaining to funeral escorts
1. Motorcycle deputies will use extreme caution while escorting funeral processions
 2. Motorcycle deputies will NOT rapidly accelerate or use high speed driving during any funeral escort.

3. Motorcycle deputies will activate all emergency blue lights while leading a funeral and will use the motorcycle siren when approaching the motoring public.
4. The motorcycle video camera system will remain activated while the motor deputy is escorting a funeral procession.
5. At least one motorcycle deputy will lead the funeral procession. If a second motorcycle deputy is used, the second motorcycle deputy will also lead the funeral procession and may cautiously pull ahead of the lead motorcycle to clear an intersection for the procession. As the leading motorcycle catches up to the second motorcycle, the second motorcycle will rejoin in leading the funeral procession with the lead motorcycle.

The practice of the second motorcycle "holding" an intersection for the entire funeral procession to pass and then "leap frogging" or passing the funeral procession to race to the next intersection is PROHIBITED.

6. Sometimes funeral processions get separated or funeral procession participants veer off the procession resulting in the funeral procession becoming dissolved. The motorcycle deputy's primary responsibility is to escort the deceased/hearse safely to the internment site and will NOT attempt to reunite a funeral procession that is in progress.

**GENERAL ORDER: 3-3.15 SCHOOL
RESOURCE UNIT**

Rescinds/Amends:

Effective Date: May 14, 2018

Committee Review - Date: April 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I SCHOOL RESOURCE OFFICER PROGRAM

The purpose of this policy directive is to establish and outline guidelines and responsibilities for the agency's School Resource Program. The School Resource Program provides a forum through which students, parents, faculty and law enforcement deputies can become acquainted and, as a result, can gain mutual respect. Such programs demonstrate to the parents and faculty that this agency has a genuine interest in the community's youth.

It shall be agency policy to maintain a School Resource Program which shall act as a resource with respect to delinquency prevention, provide guidance on ethical issues, provide individual counseling to students and to explain the role of law enforcement in society to students.

Each School Resource Officer (SRO) will be on call for any significant event that may impact their assigned school (i.e., vandalism, burglary, etc.). The SRO shall also be available to respond to assist students involved in accidents or other extraordinary situations.

II SCHOOL RESOURCE OFFICER (SRO) PROGRAM

A. SCHOOL RESOURCE OPERATIONS

The School Resource program shall be under the administrative control of an SRO sergeant. The SRO sergeant shall be responsible for the coordination and supervision of the program and shall be the agency's liaison between school officials and the agency.

1. The SRO sergeant shall implement and ensure:
 - a. The program is utilized as a resource for delinquency prevention;
 - b. School Resource officers provide guidance on ethical issues in a classroom setting;
 - c. Individual counseling and/or mentoring is available to students;

- d. The program has provisions for explaining the role of law enforcement to students;

School procedures specifically governing the actions of an SRO in a particular school do not conflict with the orders, directives and procedures of this agency. Any agreements or operating procedures with school officials shall be reviewed and implemented in accordance with this agency's orders, directives and procedures.

B. SCHOOL RESOURCE OFFICERS

SRO's are under the direct supervision of an SRO Sergeant and shall have the following specific duties:

1. Keep 911 Communications Center informed of duty status in accordance with current procedures;
2. Keep the school advised of unscheduled campus departures;
3. Not act as a school disciplinarian. Rule violations shall be reported to the principal;
4. Report or take necessary law enforcement action on violations of Georgia Statutes or County Ordinances;
5. Coordinate all activities with the principal, staff and employees concerned, and will seek permission, advice and guidance from the principal and section sergeant before enacting any new programs within the school;
6. Research and prepare presentations related to law enforcement and community social problems for student, faculty and community audiences;
7. Request to give classroom presentations on ethical issues and the role of law enforcement in society;
8. Coordinate all extracurricular activities and outside overtime work details, both compensatory time and pay, with the Operations Division assistant commander;
9. Participate in school activities when possible and with an equitable allocation of time;
10. Wear the approved SRO uniform while on duty. The uniform shall not be worn if participating in athletic events, plays or other functions making such wear inappropriate (exceptions may be made by supervisory approval);
11. Report rumors involving gang fights, conflicts, or any major felony to the principal, Operations Division assistant commander, and the affected division commander as soon as possible. Incidents involving gang fights, conflicts, or any major felony will be documented and the appropriate action taken;
12. Maintain a liaison with local law enforcement agencies and cooperate with them in law enforcement matters, including juvenile diversion programs;

13. Adhere to Georgia Statutes and this agency's procedures in interviewing juveniles in relation to law enforcement investigations and procedures on releasing juvenile information or reports;
14. Adhere to this agency's assigned vehicle procedures;
15. Attend roll calls as designated by an SRO sergeant;
16. Serve as a liaison between the school and the surrounding community to give advice or support to residents, businesses, and employees who work the area on problems with traffic, trespassing, etc., which relate to the school and its students;
17. Make themselves available for conferences with students, parents and faculty members to offer assistance and advice on problems of a law enforcement or crime prevention nature;
18. Be familiar with community agencies which provide a resource for professional counseling, if necessary;
19. Attend student, parent, faculty and community meetings to coordinate and provide an understanding of the SRO Program goals and objectives as time and duty permits.
20. Perform other duties during summer vacation as assigned by the Operations Division assistant commander.
21. Attend required training. SROs shall successfully complete the P.O.S.T. certified 80-hour basic School Resource Officer course. Failure to successfully complete the required training shall be grounds for transfer to another duty assignment.
22. Each School Resource Officer shall be assigned to specific schools. School Resource Officers shall respond to incidents occurring within their assigned schools during school hours. In the event an SRO is unable to respond to one of their assigned schools another SRO shall be dispatched to handle the incident. SRO's shall be assigned to follow up on criminal incidents which occur within their schools. At times certain felonies may be assigned to the Criminal Investigation Section.

C. SEARCHES CONDUCTED BY SCHOOL OFFICIALS

1. The following information is intended to assist the SRO in recognizing the legality of a search conducted by school administrators in the performance of their official duties:
 - a. School officials may institute a search if there is a "reasonable suspicion" to believe that a search will reveal evidence that a student has violated, or is about to violate, the law or rules of the school.
 - b. The extent of the permissible search will depend on whether the measures used are reasonably related to the purpose of the search and are not excessively intrusive in light of the circumstances, age and sex of the person. The more intrusive the search, the greater the justification that will be required.

- c. School officials are not required by law to obtain a search warrant when carrying out searches independent of law enforcement deputies.
 - d. A search may continue after a school official finds the object of the search.
 - e. A student may give consent to be searched by a school official knowingly and voluntarily (without threats or coercion) if a lack of "reasonable suspicion" exists.
 - f. In all cases where a school official conducts a search, statements should be obtained as to the events leading up to the search, including a detailed explanation of any "reasonable suspicion" and the circumstances surrounding the execution of the search.
2. Situations in which law enforcement searches on school property and related facilities may be permissible without a warrant:
 - a. "Stop and Frisk"
 - b. Probable cause on vehicles
 - c. Probable cause on weapons, bombs or other situations of an exigent nature where life, personal safety of other individuals and their property are at risk.
3. The following information is intended to assist the SRO in recognizing the legality of an interview or interrogation conducted by school administrators in the performance of their official duties:
 - a. Statements taken by school officials are admissible in court proceedings, regardless of the extent of incrimination prior to the child being taken into custody. These statements may be written or oral and may be taken from any child regardless of age, incriminating or not.

III JUVENILE PREVENTION AND ENFORCEMENT PROGRAM

The Special Enforcement Division Commander, or designee, shall conduct an annual review and written evaluation of all enforcement and prevention programs relating to juveniles. The review shall include a summary of program activities, significant events, accomplishments and shortcomings. The commander completing the review shall make detailed recommendations to the command staff as to whether each program should continue in its present form, undergo modifications, or be discontinued.

PROCEDURE: GO 3-3.16 RESPONSE TO DOMESTIC VIOLENCE INCIDENTS

Rescinds/Amends:

Effective Date: January 26, 2021

Committee Review - Date: January 2020

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I RESPONSE TO DOMESTIC VIOLENCE INCIDENTS

This General Order establishes guidelines and procedures to be followed by deputies and other personnel involved in the law enforcement response to domestic violence incidents.

A. DISPATCH

1. A dispatcher should attempt to elicit from the caller:
 - a. The nature of the incident;
 - b. The address of the incident, including the apartment number, complex name, victim's name and perpetrator's name;
 - c. Extent of injuries, if any, and the need for an ambulance;
 - d. Types of weapons involved or at the scene;
 - e. if a physical fight is in progress;
 - f. If suspect is present and, if not, the suspect's description, direction of flight and mode of travel;
 - g. Number of children are at the scene.
 - h. Number of people are present at the scene;
 - i. A telephone number where the caller can be called back;
3. If the caller is the victim, the dispatcher should attempt to keep the caller on the telephone as long as possible and assure the caller that help is on the way.
4. The dispatcher should relay ongoing information provided by the caller to the responding deputy.

5. Attempt to verify any information pertaining to an existent Protective Order. Protective orders are valid for six months from date issued. (See OCGA 19-13-4.)
6. All complaints of domestic violence will require a law enforcement response to assure the caller's safety.

B. INITIAL LAW ENFORCEMENT RESPONSE

1. Approaching the Scene

- a. Responding deputies should approach the scene of a domestic violence dispute as one of high risk. At least two deputies will respond.
- b. Deputies should obtain all available information from the dispatcher before arriving at the scene and notify the dispatcher upon their arrival.
- c. Deputies should not park directly in front of the residence or scene of the disturbance. They should be alert for assailants leaving the scene and for employment of weapons from doors, windows or nearby vehicles.

2. Initial Contact with Occupants

- a. Responding deputies should identify themselves as Deputy Sheriffs, explain why they are present and request entry into the home. The deputies should ask to see the person who is the subject of the call. If the person who called law enforcement is someone other than the subject of the call, the deputies should not reveal the caller's name.
- b. The deputies may enter and conduct a search of the premises if consent has been given to do so.
- c. If entry is refused, the deputy should be persistent about seeing and speaking alone with the subject of the call. If access to the subject is refused, the deputy should request the dispatcher to contact the caller, if the caller was the subject of the call. If access is still refused, the deputy must decide whether to leave, remain and observe, or force entry. If the deputy remains to observe, he/she should move to public property (the street) and observe the premises. Forced entry will be used only if the deputy has reason to believe the victim of the call could be in immediate danger upon the deputy's departure.

3. Establishing Control:

The Safety of Deputies and all persons involved or impacted by incidents of domestic violence is paramount. Therefore, Deputies should complete the following actions as soon as possible:

- a. Identify potential weapons on the surroundings;
- b. Separate the victim and the assailant;

- c. Assess injuries, administering first aid or activating the Fire Department/EMS;
 - d. Restrain the assailant if necessary and remove the assailant to the patrol car if immediate arrest is warranted;
 - e. Inquire about the nature of the dispute;
 - f. Identify all occupants / witnesses on the premises; and
 - g. Separate occupants / witnesses from the victim and accused and keeping them out of hearing range (to avoid compromising the witness status).
4. On-scene Investigation:
- a. The responding deputy should interview all parties involved to identify the victim(s), witnesses and the predominant aggressor. The term "predominant aggressor" means the individual who poses the most serious, ongoing threat, which may not be the initial aggressor in a specific incident.
 - b. The deputy should ensure the victim's safety and privacy by interviewing them in an area apart from other persons. The deputy should ask the victim about previous domestic incidents, their frequency and severity. The deputy should not tell the victim what action is contemplated until all available information has been collected.
 - c. If the predominant aggressor has been identified and placed "in custody," before the interview, they must be given Miranda warnings before any questioning takes place. If the predominant aggressor has fled the scene, the deputy should solicit information regarding the possible location of the accused (place of employment, relatives, friends, etc.).
 - d. If the dispatcher has not advised the deputy of a Temporary Protective Order, the deputy should ask the victim whether there is such an order and, if so, if the victim can produce a copy and if a copy has been filed with the agency. The deputy should have the TPO located to determine the existence and effective period of the order. The deputy should note that the protective order is only valid for six months from date of issuance, unless the Court, in its discretion, has converted the temporary order to a permanent order.
 - e. Criminal Investigations may be requested to respond, if necessary.
 - f. The deputy should interview any witnesses as fully and as soon as circumstances allow. If witnesses provide information about prior incidents, the deputy should document such incidents to establish a pattern.
 - g. Children should be interviewed in a manner appropriate to the child's age.

- h. Signs of trauma and any apparent healing of abuse wounds on the child should be noted by the deputy and immediately reported to an investigator for further investigation.
- i. The deputy should collect and preserve all physical evidence necessary to support prosecution, including evidence substantiating the victim's injuries, evidentiary articles that substantiate the attack (weapons, torn clothing, etc.), and evidence recording the crime scene. The deputy should ensure that photographs are taken of visible injuries on the victim and of the crime scene.
- j. The deputy should encourage the victim to seek an emergency room examination for any injuries or urgent medical conditions. The deputy should ask about injuries of the victim that are concealed by clothing or otherwise not readily apparent. Also, because bruises may not appear for several days after an assault, the deputy should advise the victim to re-contact the agency for photographs.
- k. All physical evidence should be collected, noted in reports and logged into evidence as in other criminal investigations.

C. THE ARREST DECISION

1. The predominant aggressor may be arrested in accordance with OCGA 17-4-20. Deputies shall not be required to arrest any other person believed to have committed an act of family violence during the incident. If the deputy decides not to arrest the predominant aggressor, they should include in their report of the incident a detailed explanation of the reasons why an arrest was not made.
2. Georgia Code Section 17-4-20 states that "*an arrest for a crime may be made by a law enforcement deputy either under a warrant or without a warrant if the offense is committed in his presence or within his immediate knowledge; if the offender is attempting to escape; if the deputy has probable cause to believe that an act of **family violence**, as defined in Code Section 19-13-1, has been committed; or, for other cause if there is likely to be a failure of justice for want of a judicial deputy to issue a warrant*".

Further procedural guidance for arrest in "family violence" situations is provided in Georgia Code Section 19-13-1. Section 19-13-1 defines "family violence" as "*the occurrence of one or more of the following acts between past or present spouses, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living in the same household:*

- a. *any felony; or*
- b. *commission of offenses of battery, assault, criminal damage to property, unlawful restraint or criminal trespass.*

The term "family violence" will not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention.

3. The deputy **should not consider** the following factors in making the arrest decision:
 - a. The marital status of the parties;
 - b. The ownership or tenancy rights of either party;
 - c. Verbal assurances that the violence will stop;
 - d. A claim by the accused that the victim provoked or perpetuated the violence;
 - e. Denial by either party that the abuse occurred when there is evidence of domestic violence;
 - f. Speculations that the victim will not follow through or cooperate with criminal prosecution;
 - g. The disposition of any previous law enforcement calls involving the same victim or accused;
 - h. Speculation that the arrest may not lead to prosecution;
 - i. The existence or not of a protection abuse order (except that the violation of such order might justify an arrest);
 - j. The victim's emotional state;
 - k. Concern about reprisals against the victim;
 - l. Adverse financial consequences that might result from the arrest;
 - m. That the incident occurred in a private place; and
 - n. The racial, social, cultural, political, or professional position, or the sexual orientation, of either the victim or the accused.
4. It is the deputy's responsibility to decide whether an arrest should be made. The deputy, therefore, should not consider the victim's opposition to arrest and should emphasize to the victim, and to the accused as well, that the criminal action thus initiated is the action of the State of Georgia, not the action of the victim.
5. If the deputy arrests for the commission of a crime, the deputy should confiscate all weapons used or threatened to be used in the commission of the crime, and such weapons should be held as evidence for prosecution.
6. Essentially, Section 17-4-20 gives a law enforcement deputy the authority to make an arrest for a misdemeanor based on probable cause. However, this option is limited to

incidents involving acts of family violence and should be used only as a last resort when a victim declines prosecution.

D. EFFECTING THE ARREST

1. The investigating deputy should take the accused into custody as soon as he/she determines that a warrantless arrest is appropriate.
2. If the suspect has fled the scene, the deputy should initiate procedures to pursue and apprehend the accused as promptly as possible, since the risk is high in domestic violence cases that the accused will return to the victim's residence or the scene of violence. If a warrant is necessary, then the deputy should obtain a warrant and attempt to serve it as soon as practical.
3. When the accused is a juvenile (under the age of 17), the provisions of this policy will be fully applicable, except that the arrest should be made and the juvenile processed pursuant to the Juvenile Code.

E. PROCEDURE WHEN ARREST IS NOT AUTHORIZED OR, IF AUTHORIZED, IS NOT MADE

1. If the arrest is not authorized because of the absence of probable cause to believe a crime has been committed, or if arrest is authorized but not made (for reasons to be detailed in an incident report), the deputy should:
 - a. Explain to the victim the reasons that an arrest is not being made;
 - b. Encourage the victim to contact the Forsyth County Victim Assistance and/or the Sheriff's Office Victim Advocate for information regarding counseling and other services available to victims of domestic violence by providing Victim Advocate pamphlet.
2. The deputy should not become involved in the disposition of personal property, ownership of which is in dispute.
3. In the absence of a warrant or probable cause to believe a crime has occurred, the deputy should remain neutral and be concerned primarily with maintaining the peace and safety of those present.

F. ASSISTANCE TO VICTIMS AND DEPENDENTS

1. Whether or not an arrest is made, the responding deputy should not leave the scene of the incident until the situation is under control and the likelihood of further violence has been addressed. The deputy should stand by while victims gather necessities for short term absences from home, such as clothing, medication and necessary documents.
2. Whether or not an arrest is made, the deputy should notify the victim of the availability of the Forsyth County Victim Assistance and/or the Sheriff's Office Victim Advocate.

3. If an arrest is made or an arrest warrant obtained, the deputy should:
 - a. Advise the victim of what will happen next, including the probability that the accused will only be in custody for a short period of time;
 - b. Obtain the address and telephone number where the victim can be contacted if the victim decides to leave the residence (being careful that the accused cannot overhear); include this information in the incident report.
 - c. Advise his immediate supervisor if the arrest will be under the Family Violence Act and the circumstances constituting probable cause.
 - d. Provide the victim with the law enforcement incident report number and Victim Advocate pamphlet.
 - e. If the victim does not speak English, the deputy should try to arrange for translation of the foregoing notices and advice.
 - f. In circumstances in which it is necessary for the victim to temporarily leave the residence, the deputy should offer the victim assistance in locating lodging with family, friends, in public accommodations or at a domestic violence shelter.
 - g. The deputy, upon request of the victim, should help arrange transportation to emergency housing or a medical facility.
7. Elder victims and dependents
 - a. When a victim of domestic violence is elderly (60 or over) and the accused is the sole caretaker, and an arrest is indicated, or when the victim of domestic violence is the sole caretaker of a physically dependent elder and the victim can no longer provide care (for example, when the victim is hospitalized), the responding deputy should determine whether the elder is physically endangered, either as a result of the abuse, a pre-existing medical condition or the removal of a caretaker. If the elder is physically endangered and mentally alert, the deputy should ask the elder for the name of a relative or friend who can be contacted immediately to assist the elder.
 - b. If there is no one available to assist the elder, or if the elder appears not to be mentally alert, the deputy should make an emergency referral to Forsyth County Department of Family and Children Services.
8. Child victims and dependents
 - a. When the victim of abuse is a minor child, the investigating deputy should arrest the assailant upon probable cause to believe that a crime has been committed. The deputy's immediate supervisor will be contacted. If the child is physically injured, arrangements should be made for transportation to a medical facility and the deputy should escort the child. The deputy should provide victim notification, as described in this protocol, to an adult caretaker of the child who is not the perpetrator of the abuse.

- b. If the accused is arrested and is the sole caretaker of a child, or if the victim is the sole caretaker of a child and can no longer provide care (for example the victim is hospitalized), the deputy should determine whether there is a responsible relative who can care for the child and, if so, that relative should be contacted and the deputy should wait for the relative's arrival. If no responsible relative can be located, the deputy will contact the immediate supervisor to contact DFACS for assistance.

G. PROCESSING THE ACCUSED

1. A person arrested without a warrant should be properly charged (i.e., simple assault, battery, aggravated assault, etc.). If a person violates a Temporary Protective Order, then he should be charged with aggravated stalking and a warrant be obtained for violation of the Temporary Protective Order.
2. The deputy responsible for presenting the accused for the preliminary hearing should bring to the attention of the magistrate judge any recommendations for special conditions of bond. If special conditions are granted by the issuing magistrate, the deputy will inform jail personnel of those conditions immediately. All special conditions shall be documented in writing.

H. WRITTEN REPORT AND PHOTOGRAPHS

1. An Incident Report must be completed by the responding deputy(s). The report should include the following information:
 - a. Names, addresses and telephone numbers of the victim, the accused, any witnesses and the caller.
 - b. A statement of the relationship between the victim and the accused.
 - c. A narrative of the incident (including the date, time and whether the accused appeared intoxicated or under the influence of a controlled substance).
 - d. What, if any, weapons were used or threatened to be used.
 - e. A description of any injuries observed by the deputy or any injuries described by the victim but not observed by the deputy and an indication that the injury was not observed.
 - f. Documentation of any evidence that would tend to establish that a crime has been committed.
 - g. An indication of what arrest decision was made; a warrantless arrest; an arrest with a warrant; or no arrest.
 - h. Whether the accused has actually been arrested or whether there is an outstanding arrest warrant issued.

- i. The crimes with which the accused was charged.
 - j. If the deputy did not arrest or seek an arrest warrant even though arrest was authorized, a detailed explanation of the reasons for the deputy's decision not to arrest.
 - k. The names and ages of any children present in the household; their address and phone number if the children were relocated.
 - l. Notation of any previous incidents of which the deputy is aware.
 - m. If a deputy was injured in the incident, the nature and circumstances of the injury.
2. Photographs
- a. Photographs shall be taken to ensure documentation of any physical evidence.

II Domestic Violence Incidents Involving Employees of the Forsyth County Sheriff's Office and Any P.O.S.T. Certified Peace Officer.

Domestic violence incidents involving employees (sworn and civilian) of the Forsyth County Sheriff's Office or any P.O.S.T. Certified Peace Officer require additional actions and/or investigative measures.

- 1. Deputies along with a supervisor shall respond immediately to the incident location and:
 - a. Secure the scene;
 - b. Administer first aid, if applicable;
 - c. Separate involved parties
 - d. Assist the Watch Commander as needed in the preliminary investigation.
- 2. Watch Commander Responsibilities:
 - a. Respond to the incident location and conduct a preliminary investigation;
 - b. Notify Criminal Investigations Unit to respond;
 - i. The Investigator shall make an arrest decision based on probable cause;
 - c. Notify the Bureau Commander (via chain of command if possible).
 - i. The Bureau Commander or Deputy Chief shall notify a member of the Internal Affairs Investigations Unit to respond, if applicable.
 - ii. Place arrested agency employee on administrative leave and take possession of the employee's agency I.D., all weapons and agency vehicle.

- d. Notify the Jail Watch Commander prior to arrestee being transported to jail;
- e. Verify that notification has been made to the Sheriff;
- f. Notify the employee's direct supervisor
 - i. If the person being arrested is a P.O.S.T. Certified Officer currently employed by a law enforcement agency, the Watch Commander shall cause the proper employing agency commander to be notified of the arrest;
- g. Notify the Training Unit Commander when a certified peace officer is arrested in accordance with Georgia P.O.S.T. Council Rule 464-3-5 and 464-3-10:
 - i. An arrest of either POST certified peace officers or applicant/candidates for anything other than minor traffic violations shall be forwarded to POST within 15 days of the incident and the arrest records shall be made available to a POST investigator. This includes arrests by local, state or federal authorities, or indictments in any state or federal court. These notifications shall be in compliance with Georgia P.O.S.T. rules 464-3-.05, 464-3-.10 and any other applicable P.O.S.T. rule.
 - ii. The Training Unit Commander shall notify P.O.S.T. of a certified peace officer's arrest within the time allotted by council rules.

GENERAL ORDER: GO 3-3.17 License Plate Readers (LPR)

Effective Date: June 29, 2021

Committee Review - Date: June 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I LICENSE PLATE READERS (LPR)

License Plate Readers (LPRs) utilize technology to scan, detect, and identify license plate numbers that appear on selected Hot Lists. Deputies selected to use the License Plate Reader shall receive approved training prior to being authorized to use the devices or information contained therein. LPR devices and information contained within LPR databases shall be utilized for law enforcement purposes only. All License Plate Readers shall be used and maintained in accordance with manufacturer recommendations and this policy.

A. DEFINITIONS:

1. HOT LISTS: Lists of stolen plates and vehicles entered into the National Crime Information Center (NCIC) database and the Georgia Crime Information Center (GCIC) database, as well as any information that is entered manually by the operating deputy.
2. **HOT LIST DOWNLOAD** – The method by which the Hot List data is transferred to a computer within the patrol vehicle.
3. **LICENSE PLATE READER (LPR)** – A specialized system consisting of equipment designed to read, store and check license plates. The LPR is commonly mounted to a patrol vehicle and connected to a computer within the vehicle. However, there are other device configurations available. (Hand-held, Stationary/Fixed)

B. RESPONSIBILITIES:

1. The Uniform Patrol Commander has the authority to issue or approve LPR Devices.
2. Only deputies authorized by the Uniform Patrol Commander shall be authorized to use a LPR device.

3. Only devices authorized by this agency shall be approved for use.
4. The Uniform Patrol Commander shall be responsible for overseeing the development and administration of the training process for assuring proficiency of instructors and operators with the LPR. This shall include but not be limited to:
 - a) Ensuring lesson plans and any necessary forms are developed based on manufacturer's recommendations, NCIC/GCIC regulations and appropriate legal mandates.
 - b) Ensuring proficiency training is received by each user and forwarding training documentation to the Training Unit.
 - c) Reviewing and revising all applicable training criteria on an as needed basis.

C. The operator's immediate supervisor shall ensure:

- (1) Operators follow established guidelines and procedures for the use and maintenance of the LPR; and
- (2) Repairs and replacement of damaged or non-functional LPRs are documented and performed as directed by the Uniform Patrol Commander.

D. The Law Enforcement Bureau Commander, or designee, shall be responsible for overseeing the technology portion of the LPR Program.

All LPR Devices purchased by the agency shall be approved, inspected and installed as determined by the Law Enforcement Bureau Commander, or designee.

E. Repair and Replacement of Devices

LPR Devices in need of repair or replacement shall be brought to the attention, via the chain of command, of the Law Enforcement Bureau Commander, or designee.

II. LPR ISSUANCE, TRAINING, AND OPERATION

A. Issuance of the LPR:

A LPR Device shall only be issued and/or operated by deputies who have received training on the operation of the device. Training shall include considerations and requirements for use of the device under various circumstances.

B. Training

Prior to using an LPR Device or information in LPR Databases, deputies shall complete an agency approved LPR course and demonstrate proficiency on the device's capabilities.

Training shall be based on the manufacturer's recommendations and suggestions from the Director of Training.

Training shall include at a minimum:

1. Setup and maintenance procedures;
2. Proper use guidelines;
3. Legal issues involved with the use of the LPR Device;
4. Reporting requirements; and
5. Other issues as deemed necessary and established by the Law Enforcement Bureau Commander, or designee.

C. Guidelines for Use:

All LPR Devices shall be properly maintained in accordance with the manufacturer's recommendations as detailed in the training provided prior to use.

1. Inspection

Prior to operating a LPR device, deputies shall perform an inspection of the equipment. The inspection shall include, but not be limited to:

- a. Ensuring cameras are positioned properly and securely, the system is working properly, and there is no damage to components.
 - 1) If damage is discovered or a system malfunction is evident, a supervisor shall be notified and the device shall not be utilized until repairs can be made.
 - 2) If loose components cannot be secured/removed, the vehicle shall not be used until repairs can be made.
 - 3) Only authorized personnel may conduct repairs to malfunctioning/damaged components. Operators may use the software to reposition cameras if they should come out of alignment.
 - 4) Personnel shall exercise due care and caution when utilizing an LPR device and operating a vehicle.

D. Deputy User Name and Password

Deputies shall ensure they are logged into the LPR system under the username assigned to them.

E. LPR Device Operation

1. Hot Lists

The LPR Device passively reads license plates of moving or parked motor vehicles using LPR optical character recognition technology comparing them against a Hot List.

The LPR Devices automatically download a Hot List with the most current wanted vehicle information available from NCIC/GCIC each time a user logs in.

Manual additions, which further the deputy's or agency's legitimate investigative needs, may be entered into the Hot List by a supervisor, the Criminal Intelligence Unit, or authorized personnel. All entries must be accompanied by a Forsyth County Sheriff's Office case number. Examples of possible scenarios where manual entry of a license plate number include but are not limited to:

- a. Be On Look Out (BOLO);
- b. Attempt to Locate;
- c. Motorist overdue to destination;
- d. AMBER Alert;
- e. Child Abduction;
- f. Wanted Person;
- g. Missing Person.

F. LPR Database

License plate reader data is transmitted from the LPR device to a centralized server via a secured network connection. The centralized server stores the license plate data, location where the data was captured, date and time, and the image captured.

All data captured by a LPR device shall be destroyed no later than ninety (90) days from the date it was collected, unless such data is justifiably needed for law enforcement purposes.

G. Hot List Alerts

During operation, LPR "hits" are indicated by an audible and visual alarm. An LPR "hit" shall not be used as the sole reason for a traffic stop or enforcement contact until the deputy receiving the notification has verified that the Hot List entry matches the digital image displayed by the LPR.

If, for any reason the information does not match, the "hit" shall be rejected. If, however, the information does match, the "hit" shall be accepted and the deputy shall verify the "hit" through NCIC/GCIC.

1. Hit response procedures

Watch commanders and supervisors should monitor emails generated by Flock and forward information to deputies for an appropriate response. Deputies must view the picture of the tag produced by Flock to verify accuracy, then run the vehicle tag via MCT/GCIC to confirm the entry is still valid. Deputies responding to investigate the hit should advise the dispatcher of the call type they are responding to and the location.

Supervisors shall manage and coordinate the appropriate number of resources responding the alert. If contact is made with individuals due to a Flock Alert, the deputy(s) should follow established policy/procedures related to the type of incident they are handling.

- a. When responding to alerts for *Sex Offender, Gang/Terrorist or Violent Person*, deputies must have independent reasonable articulable suspicion or probable cause to make contact.
- b. When responding to *Sex Offender, Wanted Persons, Gang/Terrorist, Violent Person, Missing Person Alerts*; deputies should keep in mind the person linked to the alert/vehicle may not be the occupants of the vehicle at the time of the encounter. These encounters must be handled respectfully and professionally. **BEFORE** making contact with a *Sex Offender*, (if the Sex Offender resides in Forsyth County) deputies must utilize Odyssey software to obtain the Sex Offender's probation restrictions. If RAS or PC exists, if the Sex Offender is in violation of the probation restrictions, deputies must complete an Incident Report titled "Probation Violation", leave the report "Active" with a "NOTR" status, and the Investigative Unit steered to MCU. If in violation of probation restrictions, and no other arrestable violations of law have occurred, the Sex Offender must leave the area immediately.
- c. If the Sex Offender resides outside of Forsyth County, all attempts to contact the Sex Offender's probation officer should be made to obtain the offenders probation restrictions. If you are unable to make contact with the probation officer and/or the Sex Offender is in violation of the probation restrictions, deputies must complete an Incident Report titled "Probation Violation", leave the report "Active" with a "NOTR" status, and the Investigative Unit steered to MCU. If in violation of probation restrictions, and no other arrestable violations of law have occurred, the Sex Offender must leave the area immediately.

- d. When responding to FCSO custom "Hot List" alerts, typically this is info/intel developed by CID or Criminal Intelligence and intended to be Intel only. **Independent RAS/probable cause is needed to make contact.**
- e. **Due to the potential for large numbers of pedestrians and children in the parks and other congested areas, supervisors must manage the tactics, take-down locations, and timing of encounters with stolen vehicles, stolen plates, and wanted persons to minimize danger and potential for fleeing. Well planned "box-in" tactics should be considered, following all FCSO policy/procedures.**
- f. To standardize and correctly track call types related to Flock Alerts, please use the following Signals:
 - a. **39SO** – Sex Offender (must verify probation restrictions before encounter, need RAS or PC)
 - b. **45** – Stolen Plate
 - c. **54P** – Gang/Terrorist (requires independent RAS or PC to make contact)
 - d. **54P** – Violent Person (requires independent RAS or PC to make contact)
 - a. **56** – Missing Person
 - b. **79** – Stolen Auto
 - c. **83** – Wanted Person (occupants may not be the wanted person associated with the tag alert)

H. DATA SECURITY AND ACCESS

A. Security

LPR devices/databases shall be utilized/accessed for law enforcement purposes only.

Personnel granted access to LPR devices and/or databases shall be issued a username and password specific to each individual. Personnel authorized to access the database shall be limited to the crime analyst, CID supervisor, narcotic supervisor, warrant unit supervisor, patrol commander and other designee of the Enforcement Bureau Commander.

The intent of this policy is to grant access to the LEARN and related databases to the fewest number of supervisory personnel as possible while accomplishing the law enforcement mission.

I. LPR Database Inquiries

Investigative queries into the National Vehicle Locator System (NVLS) or the Law Enforcement Archival and Reporting Network (LEARN), shall require a requestor name, case number and reason for the inquiry, which

shall be entered with the search. All queries should only be made through the Forsyth County Network.

J. Maintenance

The Law Enforcement Bureau Commander, or designee, shall be responsible for overseeing the installation, implementation, and maintenance of the LPR. In the event the LPR needs repair, the deputy should immediately contact the Law Enforcement Bureau Commander, or designee, and make arrangements for repair.

The LPR shall not be disconnected for repairs by anyone, except a technician authorized by the Law Enforcement Bureau Commander, or designee.

The LPR camera lenses should be cleaned as recommended in training, at the beginning and ending of the deputy's shift. Any damage observed shall be immediately reported to a supervisor.

To prevent damage to LPR cameras, vehicles equipped with LPR devices shall be hand washed.

K. Use/Release of LPR Device Database

Personnel shall not release any information obtained by the LPR devices to non-law enforcement personnel unless required by law. Utilization or dissemination of information from the LPR databases for personal reasons or non-law enforcement purposes shall be cause for severe disciplinary action, including termination.

GENERAL ORDER: GO 3-3.19 Crisis Intervention Response Team

Effective Date: May 3, 2023

Committee Review - Date: March 2023

Related Procedure(s): SOP 3-3.103

Authorized by: Sheriff Ron H. Freeman

**I. PURPOSE**

The purpose of the Crisis Intervention Response Team is to provide a more effective response to persons in mental health crises, reduce overutilization of emergency services for non-emergency concerns through proactive response, intervention, and referral strategies, and to conduct behavioral health threat assessments.

II. POLICY

It is the policy of the Forsyth County Sheriff's Office to treat persons who may be mentally ill or who may be displaying characteristics indicative of mental illness in a safe and ethical manner. Responding to situations involving individuals who deputies reasonably believe to be affected by mental illness or in crisis may necessitate the use of special knowledge, techniques, and abilities to resolve the situation effectively and appropriately, while avoiding unnecessary violence and potential civil liability. The goal shall be to introduce a certified mental health clinician into the situation in an attempt to effectively and safely de-escalate the situation when reasonable, practical, and consistent with established safety priorities. The Crisis Intervention Response Team should be utilized, when practical, to respond to such situations in attempts to produce an outcome best suited for all parties involved.

III. AUTHORITY

[O.C.G.A. 37-3-41](#) states, in part,

(a) "Any physician within this state may execute a certificate stating that he has personally examined a person within the preceding 48 hours and found that, based upon observations set forth in the certificate, the person appears to be in crisis requiring involuntary treatment. A physician's certificate shall expire seven days after it is executed. Any peace officer, within 72 hours after receiving such certificate, shall make diligent efforts to take into custody the person named in the certificate and to deliver him/her forthwith to the nearest available emergency receiving facility

serving the county in which the patient is found, where he shall be received for examination.

(b) "The appropriate court of the county in which a person may be found may issue an order commanding any peace deputy to take such person into custody and deliver him/her forthwith for examination, either to the nearest available emergency receiving facility serving the county in which the patient is found, where such person shall be received an examination, or to a physician who has agreed to examine such patient and who shall provide, where appropriate, a certificate pursuant to subsection (a) of this Code section. Such order may only be issued if based either upon an unexpired physician's certificate, as provided in subsection (a) of this Code section, or upon the affidavits of at least two persons who attest that, within the preceding 48 hours, they have seen the person to be taken into custody and that, based upon observations contained in their affidavit, they have reason to believe such person is in crisis requiring involuntary treatment. The court order shall expire seven days after it is executed.

(c) "Any peace officer taking into custody and delivering for examination a person, as authorized by subsection (a) or (b) of this Code section, shall execute a written report detailing the circumstances under which such person was taken into custody. The report and either the physician's certificate or court order authorizing such taking into custody shall be made a part of the patient's clinical record.

(d) Any psychologist, clinical social worker, licensed professional counselor, marriage and family therapist, or clinical nurse specialist in psychiatric/mental health may perform any act specified by this Code section to be performed by a physician. Any reference in any part of this chapter to a physician acting under this Code section shall be deemed to refer equally to a psychologist, a clinical social worker, a licensed professional counselor, a marriage and family therapist, or a clinical nurse specialist in psychiatric/mental health acting under this Code section. For purposes of this Code section, the term "psychologist" means any person authorized under the laws of this state to practice as a licensed psychologist; the term "clinical social worker" means any person authorized under the laws of this state to practice as a licensed clinical social worker; the term "licensed professional counselor" means any person authorized under the laws of this state to practice as a licensed professional counselor; the term "marriage and family therapist" means any person authorized under the laws of this state to practice as a licensed marriage and family therapist; and the term "clinical nurse specialist in psychiatric/mental health" means any person authorized under the laws of this state to practice as a registered professional nurse and who is recognized by the Georgia Board of Nursing to be engaged in advanced nursing practice as a clinical nurse specialist in psychiatric/mental health.

[O.C.G.A. 37-3-42](#) states, in part,

(a)

(1) A peace officer may take any person to a physician within the county or an adjoining county for emergency examination by the physician, as provided in Code Section 37-3-41, or directly to an emergency receiving facility if (i) the person is committing a penal offense, and (ii) the peace officer has probable cause for believing that the person is a mentally ill person requiring involuntary treatment. The peace officer need not formally tender charges against the individual prior to taking the individual to a physician or an emergency receiving facility under this Code section. The peace officer shall execute a written report detailing the circumstances under which the person was taken into custody; and this report shall be made a part of the patient's clinical record.

(2) A peace officer may take any person to an emergency receiving facility if: (i) the peace officer has probable cause to believe that the person is a mentally ill person requiring involuntary treatment; and (ii) the peace officer has consulted either in-person or via telephone or telehealth with a physician, as provided in Code Section 37-3-41, and the physician authorizes the peace officer to transport the individual for an evaluation. To authorize transport for evaluation, the physician shall determine, based on facts available regarding the person's condition, including the report of the peace officer and the physician's communications with the person or witnesses, that there is probable cause to believe that the person needs an examination to determine if the person requires involuntary treatment. The peace officer shall execute a written report detailing the circumstances under which the person is detained; and this report shall be made a part of the patient's clinical record

(b) "Any psychologist may perform any act specified by this Code section to be performed by a physician. Any reference in any part of this chapter to a physician acting under this Code section shall be deemed to refer equally to a psychologist acting under this Code section. For purposes of this subsection, the term "psychologist" means any person authorized under the laws of this state to practice as a licensed psychologist."

[O.C.G.A. 37-3-43](#) states, in part,

(a) "A patient who is admitted to an emergency receiving facility shall be examined by a physician as soon as thereafter as possible but in any event within 48 hours and may be given such emergency treatment as is indicated by good medical practice. The patient must be discharged within 48 hours of his admission unless:

(1) An examining physician or psychologist concludes that there is reason to believe that the patient may be a mentally ill person requiring involuntary treatment and executes a certificate to that effect within such time; or

(2) The patient is under criminal charges, notice of which has been given in writing to the facility, in which case the provisions of Code Section 37-3-95 shall apply.

Nothing in this chapter shall be construed to prohibit a physician or psychologist who previously executed a certificate authorized by the provisions of this chapter from executing any other certificate provided for in this chapter for the same or any other patient.

(b) Within 24 hours of the execution of the certificate under paragraph (1) of subsection (a) of this Code section, the patient shall be transported, as provided in Code Section 37-3-101, to an evaluating facility where he shall be received pursuant to Code Section 37-3-63 unless the patient has been determined and certified to meet all of the outpatient treatment requirements of paragraphs (1) and (2) of subsection (c) of Code Section 37-3-90, in which event the patient shall be discharged under the conditions provided in Code Section 37-3-91, except that if the patient is under criminal charges, notice of which has been given in writing to the facility, the provisions of Code Section 37-3-95 shall apply.

(c) Notice of any proposed discharge shall be given to the patient and his representatives; if the patient was admitted to the facility under subsection (a) of Code Section 37-3-41, to the physician or psychologist who executed the certificate; if the patient was admitted to the facility under subsection (b) of Code Section 37-3-41, to the court which issued the order; and, if the patient was under criminal charges, written notice of which had been given to the facility, by certified mail or statutory overnight delivery to the law enforcement agency originally having custody of the patient.

IV. CRISIS INTERVENTION TEAM COMPOSITION & ORGANIZATION

A. Team Members

The Forsyth County Sheriff's Office has established a specialized crisis intervention response team. The team consists of a deputy who has completed Crisis Intervention Team (CIT) training and a trained professional as permitted in [O.C.G.A. 37-3-41 \(d\)](#).

B. Organization

The Crisis Intervention Team Supervisor shall keep his or her chain of command updated on team operations, schedules, personnel, and equipment. The trained professional (described in paragraph A above) shall report to his or her respective agency for administrative issues. Refer to the signed MOU agreement for additional information.

The Crisis Intervention Supervisor shall be responsible for determining what hours and areas of operation constitute the highest need and demand for the team's services and shall schedule the teams as appropriate to fulfill those needs and demands.

C. Equipment and Transportation

1. Uniform

Team members should normally be dressed in business casual civilian attire to better achieve rapport and de-escalation. Weapons and badges may be concealed in an effort to achieve this goal.

2. Equipment

Each member of the team shall be issued necessary job-related tools, and equipment by their respective agencies of employment. This includes but is not limited to computers, medical supplies, protective equipment, radios, etc.

3. Transportation

The Crisis Intervention Response Team shall travel to and from response locations via an unmarked vehicle.

V. PROCEDURES

When available, the Crisis Intervention Response Team shall assist other personnel when interacting with persons dealing with crisis and co-occurring disorders. This includes, but is not limited to, any incident involving suicidal ideations or threats, substance abuse, active psychosis, criminal activity, and/or violent behavior.

Based on the totality of the circumstances, the Team and/or other deputies on scene shall determine the appropriate course of action to include but not limited to criminal charges, Emergency Custody Orders, release from custody with recommended follow-up by mental health professionals, and/or other appropriate referrals to services/resources.

A. Tasks, Duties, and Responsibilities of Team

The Team has a variety of tasks, duties, and responsibilities that serve to directly support other operational components of the agency, as well as to provide continued and ongoing improvement to the agency's overall response to mental health issues in the community.

The team shall serve as a support function for other personnel who are interacting with a person in crisis, or a person suspected to be in crisis. As part of the direct support function, the team may be involved in the following:

1. May be dispatched to and/or volunteer to respond to a scene to assist with evaluation, de-escalation, or other needs concerning a person in crisis;
2. Assist other deputies interacting with a person experiencing homelessness;
3. Review incident reports for any crisis nexus;
4. Assist investigators on follow-up investigations involving persons known to experience mental health crises;
5. Connect individuals and families with mental health resources; and/or
6. Complete appropriate reports and referrals when responding to calls involving a person in crisis;
7. In the absence of an available Team, patrol deputies may call 988 for available CIRT-like services.

B. Crisis Intervention Response Team Activation

Response by the Crisis Intervention Response Team can be requested by any member of the agency so long as the on-scene unit believes that the citizen is experiencing a mental health crisis that shall require de-escalation, mediation, or an immediate threat of harm to self or others is present.

Once a response by a CIRT Team has been determined to be necessary, the on-scene deputy or supervisor shall notify dispatch. Dispatch shall notify the Crisis Intervention Response Team.

C. Co-Response Program Team Referral Procedure

When deputies encounter a citizen with a mental health concern that is not experiencing a crisis requiring immediate intervention, a referral can be made so that the Crisis Intervention Response Team can follow up with that citizen at a later time. Referrals may be submitted to the CIRT via county email socirt@forsythco.com or by calling the CIRT desk phone 678 455-9924. The Crisis Intervention Team deputy shall evaluate the referral to determine if additional follow-up is needed and wanted.

PROCEDURE: GO 3-3.20 Event NOTIFICATIONS

Rescinds/Amends:

Effective Date: May 10, 2023

Committee Review - Date: May 2023

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I. NOTIFICATIONS

A. Notification of Sheriff and Command Staff Via Command Page

The watch commander is responsible for composing a "Command Page" to notify the Sheriff and command staff via the 911 Center CAD paging system OR Central Square MCT Alpha Paging Module of the following events:

1. Deputy Injured or ill and requires transport to hospital, while on-duty (also requires telephone contact with appropriate Division Commander(s), Bureau Commander, Chief Deputy or Sheriff);
2. Deputy involved use of deadly force (also requires telephone contact with appropriate division/district commander(s) and Sheriff);
3. Death or Serious Injury of person(s) In-Custody;
4. Homicide, Suspicious Death, Traffic/Pedestrian Fatality, Drowning Death;
5. SWAT, CNT, or CTOC activation;
6. Traffic crashes or incidents involving a school bus WITH INJURIES;
7. Vehicle or Foot pursuit WITH INJURIES;
8. Natural disasters (confirmed tornado touchdowns, flooding that puts lives at risk, etc.);
9. Homeland Security incident (immediate credible threat of violence from domestic and international terrorists);
10. Civil disturbance (riot or demonstration);
11. Aircraft incidents;
12. Criminal act on County property involving death;

13. Change of departmental OPCON Levels or Tactical Alert Levels;
14. Any evacuation;
15. Notification and/or requesting GBI Bomb Squad;
16. Armed Robbery (in-progress or just occurred);
17. Significant Jail disturbance;
18. Confirmed Missing Critical Persons, to include Levi's Call or Amber Alert initiated by FCSO (before calling GBI CART Team);
19. Major Hazmat Incidents;
20. Escaped Inmate.

B. Notification of Sheriff and Command Staff Via Email

The watch commander (or designee) is responsible for composing a "Incident Notification" email to soincidentnotification@forsythco.com to notify the Sheriff and command staff of the following events:

1. Deputy injured or ill and required transport to the hospital while off-duty;
2. Serious Injury - Traffic/Pedestrian Crashes, NON-Criminal & Criminal Acts on County Property, NON-Sheriff's Office County employee;
3. Death of a NON-Sheriff's Office County employee;
4. Natural deaths when the watch commander feels the command staff should be notified;
5. Office of Homeland Security Intelligence;
6. Vehicle or Foot pursuit with NO injuries;
7. Traffic crashes involving school buses with NO injuries;
8. Armed Robberies not considered "just occurred";
9. FCSO incident or arrest involving county, city, state or federal official or high-profile individual;
10. Burglary of or damage to Church or other place of worship;
11. Incidents generating a high volume of media interest;
12. Any Aggravated Assault involving life-threatening injuries;

13. Death or serious injury Industrial Accident;
14. Weather related incidents that generate a high volume of media calls and/or closings;
15. Roadway Closures affecting traffic flow greater than 30 minutes (911 Center has an email protocol);
16. School Incidents that potentially generate media attention (social media or local/national media);
17. Arrests of high-profile wanted person(s) or wanted person(s) of interest;
18. Mutual Aid Request.

C. Individual Responsibilities

1. Watch commanders are responsible for notifying their respective division commander of any significant event(s).
2. Division Commanders are responsible for notifying the Chief Deputy/Sheriff of incidents or circumstances within their respective divisions where there may be a question of liability involving the agency or of incidents where there may be media or public concern. In those instances, where the incident/event may be a matter of media or public concern, the PIO should also be briefed.
3. The Public Information Officer is responsible for daily interaction with the media on routine events and notifying the Sheriff's Office Command Staff of routine press releases and other information or requests from the media that may attract public concern or interest. The PIO will also notify the SHERIFF and/or affected division commanders of unusual or significant incidents where the public or media has expressed specific interest or documents.

D. Notification of the Forsyth County Fire Department

Notification of the FCFD will be handled through the 911 Communications Center and is mandatory in any of the following cases:

1. All reports of fire, explosion, smoke, suspicious odors (such as natural gas);
2. Bomb threats;
3. Upon encountering any person that is seriously injured or ill, or upon receiving report of same (including auto accidents with confirmed injuries), unless it is certain that Rescue has already been notified;
4. When it becomes necessary for Fire and Rescue to be notified, whether on a "stand-by" basis or to respond to any location and stand-by at the scene in case of injury, such as impending riot, etc., notification shall be made with the approval of the watch commander.

E. Notification of Street / Highway Department

Notification will be made through the 911 Communications Center to the Forsyth County Road Department (if county street) or to the Georgia Department of Transportation (GDOT) (if a state highway), for any situation involving damage to roadways, bridges, or traffic control devices in Forsyth County.

Notification will be made at the discretion of the shift supervisor if flooding, ice or other road conditions necessitate a response from the Forsyth County Road Department or GDOT.

F. Notification of Other Law Enforcement Agencies

When accomplishing law enforcement duties in other jurisdictions such as serving warrants, notification is mandatory unless there is a valid, substantive reason for not doing so. Other agencies must also be notified in the following circumstances:

1. Whenever there is a missing person reported in Forsyth County, adjacent agencies must be notified, as well as the law enforcement department of any known or suspected destination; and
2. Whenever there is a threat of violence to a person in another jurisdiction, and there is reason to believe that the individual is in danger of physical harm.

G. Hazardous Materials Incident

Upon receiving a report of a hazardous material incident, the 911 Center dispatcher shall immediately dispatch the closest available deputy along with the shift supervisor to investigate and notify the Environmental Protection Agency Division at (800) 241-4113 or the Department of Natural Resources at (404) 656-4300.

H. Aircraft Crashes

If an aircraft crash occurs in the county, the agency will probably be notified by a private citizen report.

1. The watch commander or incident command should request the 911 center to make the following notification:
 - a. FAA Communications Control Center (404) 305-5180
 - b. Northside Forsyth Hospital
 - c. Forsyth County Emergency Management Agency
2. In the case of a military aircraft accident, watch commander or incident commanders should verify notification are made to Dobbins Air Force Base (770) 421-5000.
3. The FAA Communications Center will notify:
 - a. Airline representatives or aircraft owner; and

- b. Other federal agencies as required.
- 4. Northside Forsyth Hospital will notify:
 - a. Other hospitals within the area; and
- 5. The Forsyth County 911 Center will notify the following when requested by the watch commander or incident commander:
 - a. Appropriate utility companies as requested; and
 - b. Forsyth County Coroner; and
 - c. Other fire departments in the area if requested by Forsyth County Fire Command.
- 6. The Forsyth County Emergency Management Agency will notify:
 - a. Georgia Emergency Management Agency (GEMA)
- I. Notification of the Forsyth County Coroner's Office

Notification of the Forsyth County Coroner's Office is mandatory in the case of any death occurring within Forsyth County. Notification shall be made through the 911 Communications Center upon approval of the supervisor on the scene.

J. Notification of SWAT Unit

Notification of the Forsyth County Sheriff's Office SWAT shall be made through the 911 Communications Center upon approval of the supervisor on the scene, whenever their assistance is necessary in any of the following situations:

- a. Barricaded persons;
- b. Hostage situations;
- c. Security for VIP's;
- d. Civil disorder and demonstrations;
- e. Rescue missions, manhunts, missing person searches;
- f. Bomb calls where a suspected improvised explosive device is found.
- g. High risk situations involving subjects known to be or suspected of being armed.

K. Notification of Public Utilities Personnel

Whenever routine or emergency notification must be made of water, gas, electric, or other public utilities personnel, such notification shall be made through the 911 Communications Center.

L. Notification of News Media

Occasionally it is necessary to notify the news media of events in order to garner public information and public support for an incident (i.e., missing person, known

"armed and dangerous" suspect in the area, dangerous prisoner escapes, etc.). When necessary, the following guidelines as well as the procedures in SOP 1-7.100 of this manual will be followed:

1. The Media Relations Unit or Sheriff will determine the frequency and content of agency media releases. Information shall be released to the media as soon as it becomes available, is organized and is determined by the Media Relations Unit or the Sheriff to be of importance to the media. When the Media Relations Unit determines that information should be disseminated, he / she shall make the information available to all media on an equal basis.
2. The senior, on-duty supervisor or designee is authorized to release information in accordance with the procedures in Chapter 3-1 at the scene of an incident or other fast breaking event where an agency spokesperson is required, or at any other time that the Sheriff or Media Relations Unit is not available.

M. Non-Emergency Notifications

Routine notifications of a non-urgent nature, other than of the type listed above, may be made by law enforcement deputies or communications personnel by telephone or in person.

N. Notification of Next of Kin

The notification of next of kin will normally be the responsibility of the watch commander or incident commander. Depending on the nature of the fatality, the notification should be coordinated with Criminal Investigations Division or Traffic Unit if applicable. In the event it becomes necessary for line personnel to notify or assist in the notification of next of kin, the following guidelines should be used:

1. Use good common sense, understanding and compassion;
2. Always attempt to notify in person;
3. Make every effort to avoid unnecessary grief on the part of the family;
4. If the person being notified is elderly or has a history of illness, the deputy should seek professional help, such as an agency Chaplain, the personal physician or personal pastor of the person(s) being notified;
5. The deputy should not notify a minor, but should leave word for the parents to call the Sheriff's Office or seek other relatives;
6. If the next of kin is out of State, the deputy will attempt to have the law enforcement in that jurisdiction personally notify the next of kin;
7. Every effort should always be made to be helpful and provide as much information as possible.
8. In the event an agency employee is seriously injured or killed, the procedure outlined in SOP 2-1.400 will be followed.

GENERAL ORDER: 3-4 Jail Bureau

Rescinds/Amends: GO 3-8

Effective Date: May 14, 2018

Committee Review - Date: May 2018

Related Procedure(s): 3-4.100

Authorized by: Sheriff Ron H. Freeman



I JAIL BUREAU

The Jail Bureau is a major component of the agency. The bureau commander shall answer directly to the Chief Deputy and will hold the rank of major. The bureau shall include the following divisions, sections, units, and/or teams of personnel.

- A. Jail Operations Unit
- B. Jail A-Watch
- C. Jail B-Watch
- D. Jail C-Watch
- E. Jail D-Watch
- F. Transport Unit

**GENERAL ORDER: 3-4.2 COMMUNITY
RELATIONS UNIT**

Rescinds/Amends: GO 3-8

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s): SOP 3-4.200

Authorized by: Sheriff Ron H. Freeman



I COMMUNITY RELATIONS

The Forsyth County Sheriff's Office is committed to making Forsyth County a better and safer place for its citizens and those individuals who commute through, conduct business, or carry out personal interests. The agency and its employees will establish close ties with all segments of the community and, when possible, will respond to the community's needs.

The agency is also committed to the overall reduction in crime through active and proactive crime prevention programs. Crime prevention programs will be the responsibility of not only the Crime Prevention Unit, but all agency personnel.

The agency will not tolerate, and thus discourages, all conduct, practices and attitudes that negatively reflect on the agency and county as a whole. The agency is committed to developing and maintaining a good working relationship and rapport with the community and its representatives and therefore the appropriate division/section/unit will take corrective measures against personnel who may contribute to community tensions and grievances.

GENERAL ORDER: 3-4.3 SCHOOL RESOURCE UNIT

Rescinds/Amends: GO 3-8

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s): SOP 3-4.300

Authorized by: Sheriff Ron H. Freeman



I SCHOOL RESOURCE OFFICER PROGRAM

The purpose of this policy directive is to establish and outline guidelines and responsibilities for the agency's School Resource Program. The School Resource Program provides a forum through which students, parents, faculty and law enforcement deputies can become acquainted and, as a result, can gain mutual respect. Such programs demonstrate to the parents and faculty that this agency has a genuine interest in the community's youth.

It shall be agency policy to maintain a School Resource Program which shall act as a resource with respect to delinquency prevention, provide guidance on ethical issues, provide individual counseling to students and to explain the role of law enforcement in society to students.

Each School Resource Officer (SRO) will be on call for any significant event that may impact their assigned school (i.e., vandalism, burglary, etc.). The SRO shall also be available to respond to assist students involved in accidents or other extraordinary situations.

**GENERAL ORDER: 3-4.4 ALARMS/PERMITS/
ALCOHOL UNIT**

Rescinds/Amends: GO 3-8

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I ALARMS / PERMITS / ALCOHOL UNIT

The Alarms/Permits/Alcohol Unit oversees the enforcement of false alarms as outlined in County Ordinances. The unit handles fingerprinting of citizens when applying for County permits. Furthermore, this unit conducts criminal investigations related to unlawful sales of alcoholic beverages.

GENERAL ORDER: 3-4.6 SPECIAL ASSIGNMENTS SECTION

Rescinds/Amends: GO 3-8

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I SPECIAL ASSIGNMENTS SECTION

The Special Assignments Section also addresses several support functions for the agency which may not involve the assignment of full-time personnel. These functions include:

- Marine patrol
- Bike patrol
- C.E.R.T.
- Explorer Program

GENERAL ORDER: 3-4.8 EXPLORER/ VOLUNTEER UNIT

Rescinds/Amends:

Effective Date: May 6, 2021

Committee Review - Date: April 2018

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I EXPLORER PROGRAM

The Forsyth County Sheriff's Office Explorer Program was developed to educate and involve youth in law enforcement operations, to interest them in possible law enforcement careers and to build mutual understanding. The law enforcement explorer program will provide men and women education by providing the members with a basic knowledge of the field of law enforcement. Members must receive instruction in all phases of law enforcement, including criminal law, criminal investigation, traffic law, traffic control and direction, accident investigation, crime prevention, juvenile delinquency, and other related fields, which are an integral part of law enforcement.

The Explorer Program is affiliated with the Explorer Division of the Boy Scouts of America. Law Enforcement Explorers are required to maintain membership in the Boy Scouts of America and are responsible for the annual registration fee. The Explorer Program shall be known as Law Enforcement Post 58 for Boy Scouts of America purposes.

A. Educational Opportunities

The Law Enforcement Explorer program has three main themes:

1. To further the Explorer's education
2. To encourage the Explorer's participation in rewarding and productive service activity; and
3. To enhance the Explorer's preparation for future roles as citizens, community members, leaders and future law enforcement careers.

Explorer Post 58 is a cadet program designed for students who are interested in any aspect of law enforcement. This program is designed to develop self-esteem, discipline, good citizenship and leadership while creating a better understanding between the Sheriff's Office and the youth of our community. This post shall remain in good standing and adhere to policies and procedures set by the Boy Scouts of America.

Explorers are not commissioned (sworn) law enforcement officers. Explorers may be assigned to law enforcement-related community service functions and may also be used as a resource in

emergencies and large-scale special events. Explorers will not act in a law enforcement capacity or be used in regular law enforcement duties.

The law enforcement explorer program brings the explorer meetings, details, special functions, and ride-along programs. Explorers are given the responsibility and respect they demand. In turn, they can make their public service felt among members of the community, especially members in their age bracket. This provides a link between law enforcement and the youth and between the youth and the community.

B. EXPLORER COMMITTEE

The committee shall be composed of at least five persons who will serve in the following capacities via appointment by and at the discretion of the Sheriff: Charter Representative, Committee Chairman, and Committee Members. The chairperson of the Explorer Committee shall be appointed by the Sheriff or Chief Deputy. The chairperson shall be a certified peace officer in good standing within the Forsyth County Sheriff's Office. The Charter Representative will be held by the Chief Deputy. The chairperson shall appoint or recommend other members for appointment to the committee with the approval of the Sheriff or Chief Deputy. The Sheriff shall serve in an ex-officio capacity on the Explorer Committee.

The Explorer Committee shall oversee all Post activity and set guidelines for explorer members. It shall be the responsibility of the Explorer Committee to make any necessary changes to the Explorer Manual. The Explorer Committee shall appoint an advisor and associate advisors to oversee the daily operations of the Post. The committee shall meet on a regular basis to review and discuss the quality, progress, and goals of the Explorer Program. The committee will be responsible for selection and dismissal of explorers. Annually, the Committee chairperson shall conduct an inspection to ensure compliance to agency standards and equipment.

C. MEMBERSHIP REQUIREMENTS

All applicants shall complete an Explorer Post 740 application along with a Background Information Packet. Explorer applicants must possess the following:

1. At least a 2.0 grade average in school;
2. No prior arrest record or serious traffic violations;
3. Good moral character;
4. At least 14 years of age;
5. Under 21 years of age;
6. A good discipline record in school;
7. Pass a background check and oral review board.

It shall be the responsibility of the advisor to conduct background checks and review boards. The advisor shall maintain personnel files on all applicants, current explorers, and former explorers.

D. POST MEETING AND TRAINING

Explorer post meetings shall be conducted at least bi-monthly. Meetings shall consist of structured training to facilitate explorers' interest in law enforcement. The Sheriff's Office shall conduct a basic explorer academy as needed. The curriculum shall be established by the advisor and approved by the Explorer Committee. All explorers shall attend this academy.

E. EXPLORER UNIFORM

The Forsyth County Sheriff's Explorer's uniform is notably different in appearance from the Forsyth County Sheriff's deputies uniform. This difference is necessary to safeguard against the possibility of mistaken identity between a deputy sheriff and an explorer. Uniforms shall be provided by the Post. Explorers shall wear the uniform at all explorer meetings and functions for the Sheriff's Office.

F. EXPLORER POLICY MANUAL

Explorer Post 740 shall be governed by the Explorer Manual set by the Explorer Committee. Each explorer shall be furnished a copy of the Explorer Manual. All explorer members shall adhere to the Explorer Manual.

G. EXPLORER FUNDING

The explorer post may be funded by the Sheriff's Office, at the discretion of the Sheriff, and/or by special fund-raising projects. Donations may be received from the community and shall be deposited in the Post's bank account. The Explorer Committee chairperson shall be responsible for maintaining the fiscal records of the Post. All transactions must be approved by both the committee chairperson and an advisor.

Audits of Explorer Post 740 shall be completed by the Sheriff's Services Bureau Commander or designee when requested by the Sheriff, Chief Deputy, or Boy Scouts of America.

H. ADVISOR/COMMITTEE MEMBER COMPENSATION

Sheriff's Office Employees who serve as advisors and committee members will be paid for attending any approved Explorer function.

II VOLUNTEER PROGRAM

The Volunteer Program is open to qualified individuals who wish to volunteer their time to the Forsyth County Sheriff's Office. Individuals wishing to volunteer will complete a Volunteer Program application. Background checks will be completed. Volunteers will not have employment rights with the Sheriff's Office.

A. SELECTION

Individuals applying for a Volunteer Coordinator position must complete a Forsyth County Sheriff's Office employment application, successfully pass a background investigation, a polygraph exam, and drug screen before being selected

B. ORGANIZATION

1. The Sheriff shall appoint a fulltime employee to oversee all activities of the Volunteer Unit.
2. Under the Sheriff's designee are the Volunteer Coordinators. Volunteer Coordinators oversee the day to day operations of the unit. Volunteer Coordinators will receive requests for tasks that need to be completed and assign volunteers to tasks. Volunteer Coordinators are permitted to drive unmarked Sheriff's Office vehicles in the course of their duties.
3. Volunteers will report to the Volunteer Coordinators.

C. DRESS CODE

Volunteers will be provided with an agency volunteer shirt. Volunteer dress code will be business casual.

D. Duties

Volunteers may perform administrative tasks as deemed appropriate by their supervisor. These duties are usually limited to tasks such as distributing inter-office mail to various divisions within the Sheriff's Office.

E. CONDITIONS OF SERVICE

Volunteers possess no employment rights.

F. Training

Individual training will be commensurate with the duties assigned to each volunteer.

G. LIMITS OF AUTHORITY

An appropriate identification card will be issued to a volunteer. The card shall not be displayed for unofficial purposes.

Volunteers are not to hold themselves out as law enforcement officials. They are not sworn officers and do not possess the powers of arrest.

**GENERAL ORDER: 3-5 LEGAL PROCESS/
LAWFUL AUTHORITY**

Rescinds/Amends: GO 3-2

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Procedure(s): SOP 3-5.100 – 3-5.500

Authorized by: Sheriff Ron H. Freeman



I LEGAL PROCESS

The Forsyth County Sheriff's Office is mandated by the Federal and State Constitutions and State statutes to serve and/or execute certain legal processes in support of the judicial function. The functioning of the courts is affected by the prompt service of court documents. Thus, the effectiveness and image of the judicial system are dependent, in part, upon the effective and timely service of court documents. Whenever a law enforcement deputy executes any phase of the legal process function, that deputy will do so in good faith and pursuant to all federal, state and local laws, and in accordance with agency procedures and policies. Inadequate record keeping and/or inappropriate procedures regarding the service of legal processes may subject the agency to litigation and civil liability.

II TYPES OF LEGAL PROCESS

A. CRIMINAL PROCESS

Criminal process is defined as those services performed by law enforcement deputies that are sanctioned by the courts and by the law which supports the judicial function relating to criminal matters. These services may include executing arrest warrants, search warrants and affidavits, administrative warrants, or any other type of service ordered by the courts which directly results from a criminal matter. Only sworn deputies who have complied with the Georgia Peace Officer Standards and Training (POST) Act of O.C.G.A. § 35-8-17, shall execute arrest or search warrants (O.C.G.A § 35-8-1, *et seq.*).

B. CIVIL PROCESS

Civil Process shall be served by the Sheriff or his deputy of the county where the civil action is brought or where the defendant is found or a court appointed Special Agent to Serve Process as outlined in 5-1.2(C). (O.C.G.A. § 9-11-4(c)). The execution of orders for civil arrest or writs requiring the seizure of real or personal property will be performed by sworn and Georgia POST-certified deputy sheriffs. Service must be made by deputies who are disinterested parties in the suit and must be made in writing to the defendant. Verbal service is not allowed. Service of civil process shall be made as prescribed by the appropriate Georgia statute. In any situation where the requirements or procedures for service are not prescribed by law, or in situations where the legal provisions are not clear, or when problems in service arise, the issuing court shall be contacted in order to prescribe the method of service.

When specified in the civil process, deputies or court appointed Special Agents to Serve Process shall make proof of service within the time during which the person served must respond to the process by completing the affidavit or certificate (O.C.G.A. § 9-11-4(h)).

III PROPERTY RECEIVED THROUGH LEGAL PROCESS

Any time property comes into the possession of a law enforcement deputy who has executed an arrest or search warrant, or through orders by the courts; the deputy will be responsible for that property and will immediately place the property in the Evidence Room when applicable. For further information concerning agency procedures for receiving, handling, storing, releasing and disposing of property, refer to **SOP 3-5.101-102**.

IV CRIMINAL ARRESTS

It shall be the policy of the agency to serve criminal arrest warrants and to arrest the defendants listed on those warrants as well as to arrest perpetrators of crime within the agency's jurisdiction, while insuring that the rights of the accused are observed.

Sworn deputies, who have complied with the Georgia Peace Officer Standards and Training Act shall have the authority to arrest for violations of state law occurring within the state. O.C.G.A. § 17-4-25; O.C.G.A. § 35-8-18; Watkins v. State, 207 Ga.App. 766.

A. ARREST WARRANTS WITHIN FORSYTH COUNTY

Whenever a law enforcement deputy attempts to serve a criminal arrest warrant at any location within Forsyth County, the deputy should have uniformed deputies present during the warrant execution.

B. ARREST WARRANTS OUTSIDE OF THE COUNTY

Whenever a law enforcement deputy attempts to serve a criminal arrest warrant at any location outside of the county, the deputy will have uniform deputies from the agency responsible for law enforcement within that location present during warrant service. If a uniform deputy is unavailable to assist, the warrant shall be served only after approval from a supervisor.

C. ARREST WARRANTS WITHIN FORSYTH COUNTY BY AN OUTSIDE LAW ENFORCEMENT AGENCY

Whenever an outside law enforcement agency requests the assistance of the Forsyth County Sheriff's Office to serve a criminal arrest warrant, an agency supervisor must be present and must validate the warrant prior to the warrant's execution. Validation shall include verification of the warrant's name, date, judicial officer signature and warrant's address.

D. FORCE USED TO EXECUTE AN ARREST

Deputies are authorized to use reasonable force when making a physical arrest. The agency's Use of Force policy is contained in GO-3-10.

E. OFF-DUTY ARRESTS

When off-duty, deputies may make an arrest only when:

1. The off-duty deputy is either a "third party" witness to the situation OR actually becomes a victim of a crime; AND
2. There is an immediate need for the prevention of a serious crime, preventing physical harm of another; AND
 - a. The crime is an offense requiring a full custodial arrest; OR
 - b. When requested by an on-duty law enforcement officer to provide assistance.

NOTE: IN ALL INSTANCES, ON-DUTY OFFICERS WILL BE NOTIFIED AS SOON AS POSSIBLE FOLLOWING THE ARREST AND THE ARRESTING OFFICER WILL COMPLETE A FULL OFFENSE REPORT OR SUPPLEMENT AS DIRECTED BY THE ON DUTY SUPERVISOR RESPONDING TO THE SCENE.

3. Prohibited Off-duty Arrests: Deputies will **NOT MAKE AN ARREST** while off-duty:
 - a. When engaged in off-duty employment of a not-law enforcement nature and the actions are only to further the interest of the private employer, such as when employed as a theater usher or food server and the manager requests that a disorderly person be arrested; OR
 - b. When the situation involves a traffic violation; OR
 - c. When the arresting deputy is personally involved in the incident underlying the arrest in a manner that furthers the officer's own interests. This includes situations where the off-duty deputy, a family member, or a friend becomes engaged in a dispute or incident with the person to be arrested. (However attacks and assaults on the deputy or family members /friends will be addressed on a case by case basis)
 - d. Deputies working approved law enforcement off-duty jobs will follow the same arrest guidelines as on duty personnel.

V IMMUNITY FROM ARREST

Certain individuals present in the United States as representatives of a foreign government are afforded a degree of immunity based on existing treaties/agreements. Agency personnel shall abide by established immunity standards. Procedures for dealing with these individuals are contained in **SOP 3-5.108**.

GENERAL ORDER: 3-6 VEHICLE OPERATION

Rescinds/Amends:

Effective Date: May 10, 2023

Committee Review - Date: August 2020

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I USE OF VEHICLES FOR SHERIFF'S OFFICE BUSINESS

Vehicles owned by, titled to, or otherwise under the control of the Forsyth County Sheriff's Office or Forsyth County Government are authorized for use in the performance of official duties, essential travel and transportation duties consistent with the assignment of any such vehicle to an employee by the Sheriff. Unless specifically excepted by the Sheriff or designee, use of a Sheriff's Office or County Government vehicle is not authorized for unofficial travel duties or tasks or the transportation of unauthorized persons or items. Consistent with the Forsyth County Sheriff's Office commitment to safety, there is established a Safety and Accident Review Committee that reviews all accidents and injuries on a monthly basis. All employees are subject to the jurisdiction, rules, and procedures of the Safety and Accident Review Committee, which rules and procedures are incorporated herein by reference, including, but not limited to, the Forsyth County Loss Prevention Program. To the extent that there is a conflict between the above-referenced rules, procedures, and the Loss Prevention Program and this policy, the most strenuous provision shall govern.

A. DRIVER RESPONSIBILITIES

All drivers who operate a vehicle owned by, titled to, or otherwise controlled by the Forsyth County Sheriff's Office or Forsyth County Government are responsible for the proper care, use, and safety of the vehicle. Moreover, all such drivers are required to meet the standards set forth in the Motor Vehicle Record ("MVR") requirements as detailed below in subparagraph (1). To the extent that there is a conflict between this policy and the MVR requirements, the most strenuous provision shall govern.

1. Motor Vehicle Record

It is the policy of the Forsyth County Sheriff's Office and a requirement of employment that every employee filling a position that requires a valid driver's license have a motor vehicle record (MVR) meeting the grading requirements as stated below. The MVR policy applies both to drivers of Sheriff's Office or County-owned vehicles, and employees approved to use personal vehicles in the course of their employment.

Employee MVRs shall be examined prior to the date of employment and at a minimum of every two (2) years thereafter based on the date of employment. Employees must submit their driver's license on their employment anniversary date every two years and authorize the Forsyth County Sheriff's Office and/or Forsyth County Government to obtain MVR information pertinent to verification of their driving history. Any job offers made requiring a valid driver's license, shall be contingent upon the MVR meeting the required standards. Continued employment with the Forsyth County Sheriff's Office in a position requiring a valid driver's license shall require an MVR meeting the standards outlined below.

The standards for motor vehicle records are as follows:

- a. All operators must have a valid driver's license issued by the State of Georgia. Newly hired out-of-state employees must obtain a Georgia license within thirty (30) days of employment. A copy of the new license must be submitted to the Forsyth County Risk Management Department.
- b. No new employee whose job requires a valid driver's license shall be hired with more than 10 points.
- c. MVRs shall be evaluated based on the Georgia Department of Driver's Services Point System detailed below and as may be amended from time to time by law or regulation and is the basis for the administration of this policy. The Department shall suspend your license if the records or other evidence show that you have accumulated 15 points within 24 months under the point system, including violations committed out of state.
- d. Point system:

Points Are Accumulated For:	Points:
Reckless Driving	4
Unlawful passing school bus	6
Improper passing on hill or curve	4
Speeding 15 mph < 19 mph	2
19 mph < 24 mph	3
24 mph < 34 mph	4
34 mph or more	6
Disobedience of any traffic-control device or police officer	3
Possessing an open container of an alcoholic beverage while driving	2
Failure to adequately secure a load	2
All other moving violations	3
Child restraint 1 st offense	1
Child restraint 2 nd and subsequent offense	

	2
Aggressive Driving – Under 21 Suspension of license	6
HOV lane violation – 4 th and subsequent offense	1
Operating a Vehicle while Text Messaging	1
Violation of usage of wireless telecommunication device requirements	1

- e. Points shall be cumulative over the most current two-year time period.

Grading:

Points	Action
10 or Less	No Action – Acceptable for Employment
Greater than 10	Warning Letter from Forsyth County Sheriff's Office Human Resources Department
15 or more	Termination of driving privileges – The employee shall not be allowed to drive a Forsyth County Sheriff's Office or Forsyth County Government vehicle. An employee whose job is dependent upon driving such a vehicle shall be subject to dismissal.

2. Additional Requirements:

Drivers must also adhere to the following minimum responsibilities:

- a. Possess and maintain a valid State of Georgia driver's license approved by the class appropriate for the vehicle;
- b. Obey all traffic laws and practice safe and courteous driving in accordance with this policy;
- c. Ensure that vehicles are used for authorized purposes only;
- d. Follow accident reporting procedures;
- e. Accept legal responsibility for violations and fines resulting from actions of the driver. This includes personal responsibility for speeding and illegal parking tickets;
- f. Follow drug and alcohol arrests and conviction reporting procedures.
- g. Tobacco use in any form is prohibited inside a Sheriff's Office or County Government vehicle by driver or passengers.

Office or County Government vehicle for other than approved purposes, transporting non-County employees except as expressly permitted by the Sheriff, or taking a vehicle home when not approved by the Sheriff shall be subject to appropriate disciplinary action, including dismissal, as deemed appropriate.

B. PERSONAL VEHICLE

Each employee is to make every effort to use a Forsyth County Sheriff's Office vehicle whenever possible. An employee's use of his/her personal vehicle in the performance of Sheriff's Office business may be necessary. To that extent, the following rules are in effect:

1. Approved employees who use their personal vehicles for Sheriff's Office business may be reimbursed on a per mile driven basis at the rate determined by the IRS for that current period. Mileage for transit between home and work does not qualify for reimbursement.
2. Reimbursement travel should only be done with the advance knowledge and consent of the Sheriff or his designee. Accurate and substantiated mileage records must be maintained and submitted by the employee to the Finance Department for reimbursement. Such reporting to the Finance Department must include written authorization from the Sheriff or his designee for reimbursement travel prior to the Finance Department remitting any funds for reimbursement to the employee.
3. The rate of reimbursement shall be that set in each budget year in accordance with the mileage rate used by the Internal Revenue Service.

C. AUTHORIZED USE OF COUNTY VEHICLE

Employees should take reasonable precautions to not undertake law enforcement actions when their vehicles are occupied by non-Forsyth County Sheriff's Office personnel unless life-threatening or exigent circumstances exist.

The following constitutes authorized use of County vehicles:

1. Law enforcement omnipresence is a deterrent to acts of violence as recently experienced nationwide at Churches and Schools. Therefore, employees in good standing, not on restricted duty or administrative leave, who are assigned a **MARKED** take home vehicle may, at their discretion, utilize their assigned vehicle for travel to Church and School functions within Forsyth County or within a 30-mile radius (from the Forsyth County line).
 - a. Deputies must monitor the radio, be armed within agency policy, have body

- armor available, be professionally dressed and have immediate access to identification as a Sheriff's Deputy.
- b. Non-agency family members are not allowed to ride in FCSO vehicles unless approved by the Sheriff or Chief Deputy for specific purposes.
 - c. Deputies should not take minor enforcement action out of uniform but should call for an on-duty Deputy or out of county law enforcement agency.
 - d. Deputies who encounter life threatening situations should respond as per existing FCSO policy.
 - e. As this use of an assigned county vehicle is discretionary, travel time is not compensable unless the Deputy is required to take official law enforcement action.
2. Transport of officials, employees, clients, or guests of the Forsyth County Sheriff's office or Forsyth County Government;
 3. The performance of law enforcement duties;
 4. When on official travel status, between places of official business, and temporary place of lodging;
 5. When on official travel status, between places of official business, or temporary place of lodging and places to obtain meals or medical assistance;
 6. Transport of consultants, contractors, or commercial representatives when in direct interest of the Sheriff's Office or County;
 7. Transport of representatives from Federal, State, or local government when in the direct interest of the Forsyth County Sheriff's Office or Forsyth County;
 8. Transport of any person or item in an emergency situation;
 9. Commute between place of dispatch or place of performance of official business to a personal residence when specifically authorized by the Sheriff to do so;
 11. While on active service call, or on active Sheriff's Office business use for lunch or while on break from Sheriff's Office business;
 12. Transport of family members specifically invited to an official Forsyth County Sheriff's Office or Forsyth County Government function or meeting of the Sheriff's Office or County.
 13. The presence of non-Forsyth County Sheriff's Office personnel in Sheriff's Office vehicles unless related to official duties or functions required of an employee is generally prohibited. Exceptions may be made for short-distance transportation of immediate

family members in the course of an employee's normal commute to and from work, such as picking up or dropping off a child at school. Such exceptions must be requested and approved in writing by a Division Commander, Bureau Commander, the Chief Deputy or the Sheriff.

D. SENIOR COMMANDER USE OF AGENCY VEHICLES

1. Senior Command Staff of the Forsyth County Sheriff's Office are routinely and regularly required to respond to a variety of incidents both within their respective commands and more broadly to any emergency affecting Forsyth County or requiring them to act in an official capacity for the Forsyth County Sheriff's Office. Due to the permanent on call status of Senior Command Staff, those designated in writing by the Sheriff of Forsyth County are authorized to utilize their Forsyth County Sheriff's Office assigned vehicles to perform non-routine FCSO business and to transport adult immediate family members in their vehicle so as to remain in an immediate state of readiness to respond to emergency situations required of their positions within Forsyth County.
2. Senior Commanders are expected to exercise sound judgment in the use of agency vehicles, and to comply with all other applicable policies, such as no alcohol usage by any person occupying the vehicle, staying within reasonable response distance of Forsyth County if utilizing the assigned vehicle (commanders should be able to respond to an emergency within 1 hour to Forsyth County), obeying all traffic laws, refraining from driving a government vehicle to any location that could cause the public to lose confidence in the agency.

E. COURTESY TRANSPORTATION SITUATIONS

1. When transporting a non-prisoner, the individual shall be subject to standard searching procedures before being allowed to enter the transport vehicle. The subject may refuse the search; however, the courtesy transport shall not take place unless the individual submits to searching procedures.
2. The 911 Communications Center shall be advised of the starting location, the final destination, reason for transport, the number and sex of those being transported and if any are juveniles at the beginning of the transport.
3. If anyone being transported is a juvenile or of the opposite sex of the transporting deputy, the odometer reading shall be given at the beginning and at the end of the courtesy transport. The 911 Communications Center should respond with the time in both instances.
4. It is emphasized that all due care shall be taken in the operation of the transport vehicle and the safest, most direct route shall be taken.

F. TRANSPORTING INJURED NON-PRISONERS

In most circumstances, a deputy shall summon Emergency Medical Services to transport any injured person that may be encountered. If a situation arises in which it becomes necessary for a deputy to transport an injured person, the patient shall be stabilized as much as possible. If possible, the patient shall be placed in the rear of the vehicle with another party to tend the patient.

G. UNAUTHORIZED USE OF COUNTY VEHICLE

The following are unauthorized uses of County vehicles:

1. Travel or performance of a task of a personal nature, not connected with the accomplishment of official business;
2. Agency vehicles are not to be used for vacation, towing non-agency equipment, or for the private benefit of any person or entity unless approved in policy or by the Sheriff.
3. Transport of family members other than as specified above;
4. Transport of friends, associates, or other persons who are not employees of the Forsyth County Sheriff's Office serving the interest of the Sheriff's Office;
5. Transport of hitchhikers, unless required in the course of law enforcement duties;
6. Transport of items of cargo having no relationship to the conduct of official business;
7. Loan of vehicle for use in non-authorized functions, to persons that are not employed by the Sheriff's Office, or to persons not authorized by the Sheriff's Office to operate the vehicle;
8. Transport of acids, explosives, weapons, ammunition or highly flammable material, except in the performance of an authorized task in the normal performance of duties;
9. Transport of an item, equipment, or cargo projecting from the side, front, or rear of the vehicle in such a manner as to constitute an unsafe delivery unless such is done in the performance of emergency law enforcement duties.
10. Operating a county vehicle while or after consuming alcoholic beverages or the ingestion of other intoxicants. A blood alcohol level of .001 or higher shall be prima facie evidence of alcohol consumption/possession.

II AGENCY VEHICLES

Agency vehicles are designed and equipped to provide a safe and modern environment for employees to accomplish their assigned tasks. Employees wishing to add, change, alter or remove any equipment or markings from a Sheriff's Office vehicle shall first obtain approval from the Sheriff's Services Bureau Commander.

A. PATROL VEHICLE MARKINGS

Agency marked vehicles will include:

1. Exterior or interior mounted emergency lights;
2. The "Forsyth County Sheriff" name on each side and back of the vehicle in letters not less than four inches in height;
3. The emergency phone number: "911"; and
4. The Sheriff's Star.

All patrol vehicles will be equipped with the following equipment in operational condition:

1. Blue emergency light bar with take-down and alley lights, or blue emergency lights if no light bar;
2. Siren with a public address system;
3. Interior protective barrier to separate prisoners from deputies and inoperable rear door latches and windows from the interior side of the vehicle;
4. Mobile transceiver radios; and
5. Mobile KDT Computer terminals

NOTE: Some vehicles will also be equipped with radar units, video cameras, tire deflation device and recorders and/or Lo-Jack stolen vehicle locators.

Additionally, all patrol vehicles shall have the following equipment to be kept in the vehicle:

1. A sufficient supply of forms necessary in completing traffic accident and incident reports and investigations, and an adequate supply of writing materials;
2. A fire extinguisher;
3. A Sharpies Container; and,
4. A sealed emergency medical kit, to include all contents specified on the list enclosed in the kit;

Vehicles used primarily by investigators or administrative personnel in plain clothes are not required to be marked.

B. GENERAL CARE OF AGENCY VEHICLES

All personnel either issued or assigned a Sheriff's Office or county vehicle are responsible for maintaining the cleanliness of the interior and exterior of the vehicle.

C. GENERAL/PREVENTATIVE MAINTENANCE OF AGENCY VEHICLES

Examples of this preventative maintenance would include:

1. Checking the engine oil level by dipstick;
2. Checking the coolant level;
3. Checking the water in the battery (unless it is a sealed maintenance-free battery);
4. Checking the tire air pressure;
5. Checking the power steering fluid level;
6. Checking the automatic transmission fluid level (engine must be running);
7. Checking the brake fluid level; and
8. Checking the windshield washer solution.

D. VEHICLE MAINTENANCE REQUEST FORM

All requests for maintenance will be written on a "Vehicle Maintenance Request Form". The form includes spaces for general maintenance to be checked and also space for specific requests to be detailed. The operator will describe the problem clearly and, if it is intermittent, describe under what circumstances the problem surfaces. The form will be placed in the "Vehicle Maintenance" mail basket located in the Uniform Patrol Section copy room. Once a vehicle has been repaired or the service work completed, the vehicle must be released by Fleet Maintenance personnel. This is especially important if the vehicle is repaired at an outside vendor.

E. TOWING OF AGENCY VEHICLES

In the event an agency vehicle becomes disabled and must be towed, the following procedure will be followed:

1. During business hours of (07:30 – 15:30), Forsyth County Fleet Services should be contacted for a tow if the county vehicle is located in Forsyth County, has not been involved in accident and fleet has available manpower. Otherwise, contact the wrecker/towing service that is under contract with the Sheriff's Office or Forsyth County.
2. If the contract wrecker service cannot respond within a reasonable amount of time and/or the urgency or need for the employee to return to the County or reach his/her destination requires that the employee not wait for the contract wrecker, a supervisor will be notified. The supervisor will determine if the vehicle may be towed by a closer wrecker service.
3. If the vehicle is out of state, it will be towed to the nearest repair facility or car dealership repair center and the employee will notify the on-duty supervisor.

F. REFUELING OF LAW ENFORCEMENT VEHICLES

All agency vehicles will be refueled at the Forsyth County gasoline pumps located throughout the county. In the event of a gas pump malfunction, the operator will contact his/her immediate supervisor for instructions.

If the vehicle is being used for out of town travel, the operator will first try to secure an advance for fuel purchases.

If the operator is unable to secure an advance and fuel must be purchased, he/she will bring a receipt for the purchase to the Finance Section for reimbursement from petty cash.

If the operator cannot secure a Sheriff's Office vehicle or a Forsyth County vehicle first, and must use his/her personal vehicle for the County business, the operator will record the mileage and will be reimbursed for the actual used mileage at the current mileage reimbursement rate paid by the Forsyth County Sheriff's Office.

G. ASSIGNED VEHICLES

The Forsyth County Sheriff's Office shall establish procedures for the issuance and usage of agency vehicles by agency personnel. All issued vehicles shall be operated in accordance with state law and applicable agency policies.

Any employee that is issued a vehicle will have the vehicle ready for immediate duty at all times unless the vehicle is out of service for repairs.

Any employee that is assigned a vehicle will be expected to operate only that assigned vehicle, unless the vehicle is out of service for repairs. In the event the assigned vehicle is out of service or incapacitated, the employee will be assigned a spare vehicle by his/her supervisor. The employee will still be responsible for treating the spare vehicle as if it were his/her assigned vehicle. This would include the daily preventative maintenance that is required of all vehicles and the completion of the daily inspection.

Agency vehicles shall be assigned to deputies in order to ensure a rapid response to duty as may be necessary. Vehicle assignments will be made based on vehicle availability and the guidelines listed below. The issuance of a take-home vehicle shall be considered as a convenience to the agency and not a fringe benefit or right of employment to the employee. Any violation of agency policy may result in the revocation of the take-home privilege.

Agency employees that are issued an agency vehicle shall meet the following guidelines:

1. The employee shall reside in Forsyth County or within Thirty (30) miles of the Forsyth County line. This distance shall be measured based on actual

roadway distance. To determine the distance, a tool such as "Google Maps" may be used calculating the shortest route feature.

2. The following employees may be exempted from the Thirty (30) mile rule:
 - a. Members of the SWAT Team and other specialized assignments.
 - b. On-call employees will be allowed to take their vehicle home during the time period that they are in the on-call status.
 - c. Command level deputies (captain and above);
 - d. Other individual exceptions as may be authorized by a division commander.
 - e. Assigned vehicle usage shall be limited to the following activities:
 - i. Transportation to and from duty assignment
 - ii. On-duty activities
 - iii. Transportation to and from approved extra-duty activities (court/depositions/extra duty details)
 - iv. Uses specified in Section I, C, 1 of this policy.
 - f. All take-home vehicles shall be kept in a state of readiness; this includes:
 - i. All maintenance requirements are current
 - ii. Vehicle has a minimum of $\frac{3}{4}$ tank of fuel
 - iii. Vehicle is fully equipped with necessary duty items
 - g. Restrictions:
 - i. Assigned vehicles shall not be used for unapproved activities
 - ii. Assigned vehicles may not be operated by family members or non-agency personnel.

H USE OF OCCUPANT RESTRAINT SYSTEMS

The driver of and each occupant of a Sheriff's Office owned or leased vehicle or a Forsyth County owned or leased vehicle shall be secured with the equipped safety seat belt at all times while the vehicle is in motion and/or being operated on a public road, street or highway. Further, the driver of an agency or county owned or leased vehicle shall provide for the proper restraint of a child under the age of eight (8) years in accordance with O.C.G.A. 40-8-76 while the vehicle is in motion and/or being operated on a public road, street or highway.

Fleet Maintenance personnel will ensure that all applicable agency vehicles are equipped with safety belts and that they remain in operational condition.

Many agency owned vehicles now have, and each new vehicle ordered will have, supplemental restraint systems (air bags), to further protect the operators of these vehicles. It is the responsibility of each employee that operates an agency vehicle to report any missing or inoperable safety belt or supplemental restraint systems immediately to Fleet Maintenance personnel.

- I. NEGLIGENT USE OF SHERIFF'S OFFICE OR COUNTY OWNED/LEASED VEHICLES IS PROHIBITED. ALL DAMAGE TO AND LOSS OF PROPERTY MUST BE REPORTED IMMEDIATELY.

- J DAILY INSPECTION DOCUMENTATION OF ASSIGNED UNIFORM PATROL SECTION VEHICLES

All fleet vehicles assigned to personnel in the Uniform Patrol Section will be inspected prior to use and on a daily basis. The vehicle inspection will be documented via agency approved software on the in-car MDT Daily inspection ensures that all readily accessible components are checked to provide safe and efficient operation.

III VEHICLE OPERATION

This section shall establish the agency's policy regarding routine and emergency vehicle operations. Each operator shall be responsible for general maintenance and the cleanliness (interior/exterior) of the vehicle they are driving or any vehicle that is issued or assigned to them.

These regulations and guidelines apply to all agency personnel, sworn or civilian, who operate vehicles belonging to, leased to or loaned to the agency or Forsyth County. For the purposes of this policy, "vehicles" shall be defined as any form of transportation. All vehicles used by the Forsyth County Sheriff's Office for routine patrol service shall be conspicuously marked as per O.C.G.A. § 40-8-90 and § 40-8-91.

This policy is intended for internal use only. Any violation of the rules set forth in this policy shall result in administrative and/or disciplinary action. This policy and its rules are not intended to create a higher standard of safety or care with respect to third-party claims. A violation of the law, as opposed to a violation of this policy, shall be the only basis for civil or criminal penalties.

All vehicle operations by agency employees shall be in one of three modes, described below.

A. ROUTINE PATROL AND NORMAL OPERATIONS

While on patrol or conducting routine operations, the posted speed limit shall be observed and all traffic control signs and/or signals shall be observed and obeyed.

Defensive driving and courtesy toward other drivers and pedestrians shall be practiced at all times.

B. EMERGENCY RESPONSE DRIVING

An emergency response, using blue lights and siren, shall only be allowed in accordance with the policies enumerated below.

The operator of a vehicle responding in an emergency mode may violate traffic laws as provided in O.C.G.A. § 40-6-6, as long as he does not needlessly endanger life or property.

The following calls are classified as emergency calls and these calls shall authorize emergency response driving. These calls are merely examples and are not intended to be all inclusive:

- | | | |
|----|-----------------------|--|
| a. | Signal 12 | Chase in progress |
| b. | Signal 29-25 | Fight involving shots fired |
| c. | Signal 29-69 | Fight involving person armed |
| d. | Signal 33 (structure) | Structure fire only; only the dispatched car |
| e. | Signal 411 | Auto accident with injuries |
| f. | Signal 44-P | Armed robbery in progress |
| g. | Signal 46 | Person hit by auto (dispatched car only) |
| h. | Signal 50 | Person shot |
| i. | Signal 51 | Person stabbed |
| j. | Signal 63 | Deputy Needs Help |

This is not to be considered an exhaustive list but examples of the types of life threatening crimes that if in progress, may require an enhanced response by a deputy.

IV EMERGENCY Vehicle Operations

A. AUTHORIZED EMERGENCY VEHICLES

1. The driver of an authorized emergency vehicle or law enforcement vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in O.C.G.A. § 40-6-6.
2. The driver of an authorized emergency vehicle or law enforcement vehicle may:
 - a. park or stand, irrespective of the provisions of this chapter; (§ 40-6-6)
 - b. *proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;*
 - c. *exceed the maximum speed limits so long as he does not endanger life or property;*
 - d. *disregard regulations governing direction of movement or turning in specified directions.*
3. The exceptions granted by O.C.G.A. §40-6-6 to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signal and use of a flashing or revolving red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that a vehicle belonging to a federal, state, or local law enforcement agency and operated as such shall be making use of a flashing or revolving blue light with the same visibility to the front of the vehicle.

- a. The foregoing provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.
- b. When a law enforcement officer in a law enforcement vehicle is pursuing a fleeing suspect in another vehicle and the fleeing suspect damages any property or injures or kills any person during the pursuit, the law enforcement officer's pursuit shall not be the proximate cause or a contributing proximate cause of the damage, injury, or death caused by the fleeing suspect unless the law enforcement officer acted with reckless disregard for proper law enforcement procedures in the officer's decision to initiate or continue the pursuit. Where such reckless disregard exists, the pursuit may be found to constitute a proximate cause of the damage, injury, or death caused by the fleeing suspect, but the existence of such reckless disregard shall not in and of itself establish causation.
- c. It shall be unlawful for any person to operate an authorized emergency vehicle with lights other than as authorized by subsection (c) of O.C.G.A. §40-6-6.

O.C.G.A. § 40-6-6 governs authorized emergency vehicles and their operation. All personnel are required to comply with the provisions of § 40-6-6. It is agency policy not to restrict the latitude of operation granted by state law.

The law permits deputies who are engaged in hot pursuit or an emergency response to exceed the speed limit and to violate other traffic regulations as necessary, but only:

1. If the emergency lights and siren are employed (designating an emergency vehicle); and;
2. If the utmost safety is insured for self and others.

Even though the deputy is legally engaged in an emergency operation and complying with the conditions above, they are neither relieved of his duty to drive with "due regard" for the safety of all persons nor protected from the consequences of any reckless disregard for their safety. They must exercise that degree of care that a reasonably prudent officer in the discharge of similar duties and under like circumstances would use. It is understood that the deputy's ability to supervise control over other motorists is limited, but it is their duty to avoid contributing to the danger already created by the violating motorist. Vehicle operation restrictions are as follows:

1. The driver of a unit shall **not** pass another vehicle in a curve or at a hill crest.
2. No law enforcement unit shall proceed through a stop sign or red traffic signal without slowing down as may be necessary for safe operation;
3. No deputy shall, at any time, operate a vehicle above the maximum speeds or at a rate of speed that may cause them to lose control over the operation and / or direction of the vehicle.
4. No deputy shall operate a vehicle on the wrong side of the road except with extreme caution.

V Maximum Speeds**Maximum Speeds General:**

Deputies shall not exceed 35mph over the posted speed limit (with mandatory use of both siren and emergency lights) of any roadway while responding to emergency calls for service (exceptions to maximum speeds indicated below). This is the maximum speed approved and must be considered as such, not a blanket approval to travel at such speed. Deputies must use prudent care and consider totality of the circumstances while the maintaining due regard as defined below.

Exceptions to Maximum Speeds:

Deputies may have a legitimate need to travel in excess of maximum limits listed. Only in conditions indicated below are deputies allowed to exceed such maximums. It is incumbent on Deputies to realize that this exception is not a blanket approval to exceed the maximum limits or to travel at speeds that would violate Due Regard which always remains intact.

1. **Traffic Enforcement:** It is expected and reasonable to conclude that a Deputy Sheriff may need to exceed 35mph over the posted speed limit to overtake and stop a violator exceeding that speed. Deputies are approved to travel in excess of this limit only when actively serving as the primary unit in attempting to stop a violator. In doing so, the Deputy must consider all available factors and maintains the duty to exercise due regard.
2. **Vehicle Pursuits:** It is anticipated that an approved vehicle pursuit may result in the need to travel in excess of the maximum approved limits if the violator is travelling at such speeds. Deputies and Supervisors must consider the severity of the offense, totality of the circumstances and the requirement for due regard in choosing to exceed the maximum limits. Only deputies serving as the primary, secondary, and supervisory roles may exceed these maximum limits unless exigent circumstances exist and a supervisory officer approves additional units to engage actively in the pursuit. This section serves in conjunction with the current pursuit policy in SOP 3-6.101.
3. **Violent Felony or extreme emergency in Progress or Just Occurred:** Deputies responding a violent felony that is in progress or just occurred may exceed the maximum limits if necessary while maintaining all responsibilities to exercise due regard at all times. Examples of such may include such crimes.

VI VEHICLE PURSUITS**A. "HOT" PURSUIT DRIVING**

"Hot" Pursuit is the immediate pursuit of an actual or suspected violator of the law where the violator is aware of the pursuit and increases his speed or takes evasive actions to avoid apprehension or refuses to stop while maintaining a legal speed.

When engaged in "hot pursuit", the pursuing deputy should remember that the sooner the subject is stopped or apprehended the less the opportunity for an accident. Of utmost importance, the deputy should not endanger the public or themselves as a result of his driving techniques. When evaluation of the circumstances establishes a pursuit is warranted, the focus becomes stopping the fleeing vehicle(s) as soon as possible. This shall normally be accomplished by using established techniques such as the deployment of spike sticks, rolling or stationary roadblocks or the PIT maneuver. Properly trained deputies may employ the appropriate method to terminate the pursuit based on their training and abilities. In circumstances where established techniques are either unsuccessful or unable to be used, other reasonable methods of stopping the fleeing vehicle(s) as soon as possible may be used. Any methods used to attempt to terminate a pursuit must be objectively reasonable based on the totality of circumstances surrounding the pursuit.

B. Pursuit of Motorcycles Restricted

All MOTORCYCLE PURSUITS ARE PROHIBITED unless the operator has committed a known forcible felony prior to the initiation of the pursuit.

C. LIMITING FACTORS AND RESPONSIBILITIES OF ENGAGING IN EMERGENCY RESPONSE OR PURSUIT DRIVING

The decision to operate a law enforcement vehicle in a manner that violates state traffic laws must be carefully considered. Even at those times when the law and agency policy clearly give the deputy the authority to violate traffic laws, some limiting factors must be considered:

1. Every vehicle has a maximum speed at which it may be operated safely. Some of the limiting factors include:
 - a. The type and condition of the tires and ambient temperature.
 - b. The brakes related to the known characteristic of pulling or fading under severe use.
 - c. The limit of the suspension system to support the vehicle at maximum side thrust.
2. Every driver has a limit to his ability to safely operate a high-speed vehicle on a given roadway. Some of the limiting factors include:
 - a. Experience and training in high speed operation.
 - b. The degree of familiarity with the roadway being traveled.
 - c. The degree of understanding of the limiting factors (see #1 above) and the handling characteristics of the vehicle being operated.
 - d. The visibility and illumination available to the operator in the area being traveled.
 - e. The obstacles, both present and potential, that must be avoided.
3. Every roadway has a maximum speed at which a particular vehicle may be operated safely. Some of the limiting factors include:

- a. Lack of straight and level surface.
- b. Condition and type of road surface.
- c. The presence of rain, snow, ice, loose gravel or other foreign substance on the road surface.
- d. The presence of intersections that could allow other vehicles to suddenly and unexpectedly obstruct the roadway.
- e. The level of vehicular and pedestrian traffic in the area traveled.

When the speed of a patrol car nears 100% of the maximum of any one of the above limits or conditions, that speed is defined as HIGH SPEED regardless of the actual indicated miles-per-hour. There is little or no margin for error when a driver approaches 100% of an absolute maximum. A driver's lack of knowledge and understanding of these maximums is of itself a limiting factor.

The responsibility for the decision to engage in pursuit or emergency response driving, and the methods to be employed, rests with the individual deputy. In arriving at his decision, he must carefully consider all factors involved, including the seriousness of the offense, all possible consequences, and most importantly the safety of citizens, whose protection is his major objective.

D. RESPONSIBILITIES OF ALL AGENCY PERSONNEL INVOLVED IN PURSUIT

1. PRIMARY UNIT

It is the responsibility of the primary unit to reach a rational conclusion whether or not to pursue a fleeing vehicle. If a pursuit is underway, the initiating deputy is to advise the 911 Communications Center, restate the radio frequency change if assigned to a pursuit, mention monitoring the pursuit as it occurs, and provide the required information below:

- a. Law enforcement unit identification;
- b. Location, speed and direction of travel;
- c. The specific reason for the pursuit, including known laws violated;
- d. Vehicle description, including license / tag number, if known; and
- e. Number of occupants.

The initiating or primary unit shall be in field command and bears operational responsibility for the pursuit unless relieved by a supervisor. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the field supervisor and commanding deputy.

2. SECONDARY UNIT

It is the responsibility of the secondary unit to provide immediate and close support to the primary unit.

All units in the vicinity of the pursuit and able to assist, shall make the dispatcher aware of their availability. Assistance shall be coordinated by the 911 Communications Center under the direction of the supervisor or watch commander. Any deputy assigned to assist in a pursuit shall:

- a. Respond under emergency conditions; and
- b. Advise the dispatcher and pursuing deputy where he/she intends to intercept the pursuit.

3. SUPERVISOR/WATCH COMMANDER

The watch commander or supervisor shall assume overall command and exercise control of the pursuit. The watch commander or supervisor shall monitor all radio transmissions and evaluate the need to continue the pursuit. The pursuing deputy/deputies shall immediately terminate the pursuit upon a direct order by the supervisor, watch commander, or other higher-ranking superior. Upon being notified of the pursuit, the supervisor or watch commander shall:

- a. Ascertain the location and direction of travel;
- b. Ascertain the reason for pursuit;
- c. Monitor the pursuit and proceed in the direction of its progress in a non-emergency mode;
- d. Ensure no more than the required or necessary units are involved in the pursuit;
- e. Ensure aerial assistance has been requested (if available);
- f. Ensure the affected allied agencies are being notified if pursuit appears to be entering another jurisdiction
- g. Ensure the pursuit is terminated if adequate information is not provided by the pursuing units or the risk factor is too great to the deputy(s) or the general public to continue the pursuit.
- h. Be responsible for forcible stops;
- i. Not join in a pursuit unless they are the initiating unit or close enough to become the secondary unit. If the supervisor engages in the pursuit, he/she shall relinquish field command to the watch commander or in the absence of the Watch Commander, another supervisor.
- j. Go to the scene of a concluded pursuit any time a suspect is apprehended or when injuries, death, or property damage has occurred;

In the event of a pursuit the affected supervisor or watch commander shall acknowledge the pursuit by radio and exert supervisory control of the pursuit. (This may be a supervisor from another division or unit). The supervisor assuming supervisory control shall remain in charge of the pursuit regardless of whether the pursuit crosses jurisdictional boundaries. Supervisory control can be relinquished if another ranking deputy properly relieves the supervisor.

4. BACK-UP UNITS

- a. Additional back-up units may be assigned by the watch commander and shall only be assigned as needed. Deputies shall acknowledge upon arrival at their assignment via their primary frequency and then acknowledge they are transferring to the pursuit frequency to monitor the pursuit and communicate directly with the pursuing officers and supervisor only when necessary to assist in the pursuit.

- b. Support vehicles may be assigned active roles including, but not limited to, being assigned to potential termination locations and transferring equipment or personnel.
- c. Deputies not directly involved in the pursuit shall not leave their assigned work areas to engage in a motor vehicle pursuit unless assigned by the watch commander.

5. AERIAL SUPPORT

If an aircraft is available to assist, the following guidelines shall be used:

- a. When the aircraft has advised that the suspect vehicle is in view, deputies in secondary vehicles shall, and deputies in primary vehicles may, be ordered by the supervisor to turn off their emergency lights and siren and slow to a safe operating speed and attempt to be in position to apprehend the suspect when the vehicle stops;
- b. The aircraft shall continue to advise of the suspect's vehicle location and approximate speed and direction of travel; and
- c. If at all possible, the aircraft should be operated so the suspect does not know he is being observed and shall maintain a safe altitude to allow the pilot to observe the suspect vehicle.

The pursuing units may maintain close pursuit if the offense involved is a serious felony and/or the supervisor approves close pursuit.

6. DISPATCHER/911 COMMUNICATIONS CENTER

Upon notice of a pursuit, the 911 Communications Center shall immediately 10-3/10-33 the affected primary channel. Immediately notify the affected supervisor or watch commander of the pursuit and all known circumstances. Additionally, the 911 Communications Center shall:

- a. Receive and record all incoming information on the pursuit;
- b. Clear the radio channel of unnecessary radio traffic or assign the pursuit to a tactical channel;
- c. Immediately notify the commanding deputy or the supervisor when a pursuit is initiated;
- d. Coordinate assistance under the direction of the supervisor;
- e. Perform relevant record and motor vehicle checks;
- f. Notify other agency's air support unit to seek assistance if possible and obtain an estimated time of arrival;
- g. Advise pursuing deputies of any known or potential hazards in the path of the pursuit (accidents, street closures, repairs, etc.);
- h. Attempt to determine the reason(s) for which the vehicle is fleeing (e.g., a robbery that may have occurred near the chase origin, etc.);
- i. Advise other jurisdiction communication centers that may be affected by the pursuit.
- j. Maintain the pursuit on the primary pursuit channel regardless of whether the pursuit crosses or jurisdictional boundaries. Deputies that initiated the pursuit shall remain on their primary channel unless in the opinion of the 911

Communications Center supervisor or the agency supervisor opts to move non-involved deputies to a separate channel due to the severity of calls for service pending during the pursuit. Should this transfer of radio frequency be necessary, the 911 Communications Center supervisor or their appointee shall assume the responsibility of monitoring the newly assigned channel and dispatching calls for service until the pursuit is terminated.

VII PURSUITS INTO OTHER JURISDICTIONS

When a pursuit is initiated by a Forsyth County Sheriff's Office Deputy, the Forsyth County Sheriff's Office shall retain control of and be responsible for the pursuit. The on-duty watch commander shall ensure that no more units than necessary are involved in the pursuit. Once a pursuit leaves the geographical boundaries of Forsyth County, a unit from the assisting agency should be requested to join the pursuit behind the secondary Sheriff's Office unit. Should the assisting agency insist on becoming the primary unit, Sheriff's Office deputies should comply and relinquish control of the pursuit.

The assisting unit(s) may be requested to remain with the pursuit, if necessary, until replaced by the next assisting agency. A supervisor where the pursuit terminates should be asked to respond to the location and assist the pursuit deputies.

When a pursuit is initiated by a law enforcement officer not affiliated with the Forsyth County Sheriff's Office, the watch commander shall designate which agency unit(s) are to assist in the pursuit, if any. The FCSO unit shall join behind the secondary pursuit unit (or primary if applicable) and shall follow at a safe distance until the pursuit is terminated or leaves Forsyth County. The FCSO unit shall terminate the pursuit once the pursuit leaves Forsyth County or may continue to render appropriate assistance when requested and approved by the Watch Commander. If the pursuit terminates in Forsyth County, a supervisor of the Sheriff's Office shall respond to the location to supervise and assist the pursuit deputies.

VIII USE OF FORCE IN PURSUITS

- A. Deputies may use reasonable force, including deadly force, to prevent deadly force from being used against the deputy or others. The actions of the suspect dictate the use of force which may be used by the deputy. In deadly force situations, this may include intentional contact by the deputy's vehicle.
- B. As with all use of force decisions, the decision to use force in a pursuit should be made by the deputies directly involved in the pursuit. Based on the tense, uncertain and rapidly evolving circumstances, there may not be time for the primary deputy to gain supervisor approval in the use of deadly force. However, if feasible, supervisory approval should be obtained.

IX SPECIALIZED VEHICLES IN PURSUIT**A. MOTORCYCLE UNITS**

If a law enforcement motorcycle initiates a pursuit, the deputy may continue that pursuit until a four wheel marked patrol vehicle joins the pursuit, at which time, the motorcycle deputy must abandon the pursuit. After abandoning the pursuit, the motorcycle deputy shall proceed to the termination point, in a non-emergency mode, if a suspect is apprehended. Motorcycle units are **not** authorized to join a pursuit as a secondary unit.

B. SPECIAL CONSIDERATION VEHICLES

Vehicles that are transporting prisoners, witnesses, suspects, complainants, or passengers other than on-duty law enforcement deputies shall **not** engage in pursuits.

Agency transport vans shall **not** engage in pursuits.

Unmarked units shall become secondary units when a marked unit joins the pursuit. When at least two marked units join the pursuit, unmarked units shall abandon the primary and secondary unit position. Unmarked units that initiated the pursuit shall then proceed in non-emergency mode to the termination point if a suspect is apprehended. Unmarked units may remain behind the secondary unit when needed for safety of the public and the deputies involved. Any unmarked unit without both blue lights and siren shall **not** become involved in pursuits.

X METHODS AVAILABLE DURING PURSUIT DRIVING**A. USE OF STATIONARY ROADBLOCKS**

1. Because of the extreme and obvious dangers inherent in the use of roadblocks in pursuit situations, it is the policy of the Forsyth County Sheriff's Office that the use of roadblocks for the purpose of apprehending wanted suspects should not be employed when it is apparent that innocent persons would be endangered.
2. Stationary roadblocks can be utilized by agency employees during a hot pursuit only on the order of a supervisor and then only as a last resort when the person being pursued has proved, by his/her method of flight, total disregard for the lives and safety of the public. A roadway cannot be completely blocked and an opening must be left for a fleeing vehicle if supervisor authorization has been given for the use of a stationary roadblock.
3. Once a decision has been made to utilize a roadblock, the 911 Communications Center shall announce on the radio frequency(s) the location of the roadblock and the situation requiring the roadblock. The dispatcher shall also ensure that the principal pursuit patrol cars acknowledge the location of the roadblock. If the

pursuing units do not acknowledge the existence of the roadblock, the roadblock shall be immediately abandoned.

4. Under no circumstances shall vehicles other than agency vehicles be used as roadblocks. Once a stationary roadblock has been ordered and a law enforcement vehicle has been stationed as part of a roadblock, no one shall remain in the vehicle.
5. A stationary roadblock may only be utilized by deputies who have received agency approved training in the maneuver.

B. ROLLING ROADBLOCKS

1. Under certain circumstances the use of the rolling roadblock is effective and the chance of injury and vehicle damage is greatly reduced.
 - a. Blocking: In a pursuit of moderate speed, blocking can be accomplished by positioning a patrol vehicle in front of the violator and another patrol vehicle beside the violator. (A third vehicle may be authorized as necessary by the watch commander). Speed should be reduced gradually until the violator is stopped. Every effort should be made to avoid actual contact with the violator vehicle.
2. A rolling roadblock may only be utilized by deputies who have received agency approved training in the maneuver.

C. PRECISION IMMOBILIZATION TECHNIQUE (PIT)

1. The PIT maneuver is defined as a forced stop by a pursuing deputy in which the side of a pursued vehicle is pushed by the deputy's vehicle causing the suspect's vehicle to rotate into a position where it can be trapped by law enforcement deputies.
2. A PIT maneuver shall only be performed by deputies who have received agency approved PIT training.
3. The PIT maneuver should only be performed at reasonable speeds and in locations where it is reasonable to expect that the maneuver can be safely accomplished.
4. Each performance of the PIT maneuver is considered a use of force and shall be properly documented in the Pursuit Report.

D. TIRE DEFLATION DEVICE

1. Tire deflation device may only be authorized for deployment by supervisors holding the rank of sergeant or above. Deputies who have received the appropriate training as determined by the Training Unit are the only ones authorized to deploy the deflation device.

- a. Tire deflation devices should be deployed in the roadway in advance of the vehicle pursuit. Deputies, other than the primary and secondary pursuit vehicles, shall be responsible for deployment. Tire deflation devices should only be used in a safe manner without jeopardizing the safety of the deputies' involved or other persons. The deploying deputy should advise other units where the spike strips are located.
 - b. Deputies involved in the deployment of tire deflation devices shall redirect civilian vehicle traffic away from the deployment area. Tire deflation devices shall **not** be used to apprehend motorcycles or other two-wheeled vehicles. **Only when the use of deadly force can be legally justified should the device be deployed for these vehicles.**
 - c. The deploying deputy should be in a position at a predetermined location with sufficient time for proper deployment. Do not overtake a fleeing vehicle being pursued at a high rate of speed in an attempt to set up a tire deflation device deployment. A rushed deployment is often ineffective and dangerous. Caution should be used at all times.
 - d. Curbside deployment shall be used when traffic is heavy or time is limited. Curbside deployment requires a position of extra visibility for a prompt deployment, and time to reach cover and retrieve unit.
 - e. When time permits, a tire deflation device can be pulled across a lane of traffic by use of the attached rope. Pull deployments involve the deploying deputy dropping the unit on one side of the road and safely walking to the other side while spooling out rope from the handle.
 - f. The deploying deputy shall be responsible for the tire deflation device after its use. The unit should be immediately pulled off of the roadway, folded up and returned to the carrying case. Any damaged sections and missing spikes must be replaced before any future use.
2. The use of the deflation device is not considered a use of force and is encouraged as a means of terminating vehicle pursuits.

XI WHEN TO ABANDON PURSUIT

The pursuing deputy must, at all times, use their best judgment in evaluating and re-evaluating the chase and make a continuous appraisal of it in deciding whether to continue the pursuit. Deputies should discontinue any chase when:

1. The hazards of exposing the deputy/public to unnecessary dangers are high;
or
2. The environmental conditions indicate the futility of continued pursuit; or

3. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension; or
4. The pursuing deputy knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a felony that did not involve an actual or threatened attack or a further risk to other vehicles on the roadway, such as DUI or reckless driving, and the safety factors involved are obviously greater than a juvenile can cope with;
5. Any Deputy advises to discontinue the chase due to indicators they see and conduct that puts the public at an unnecessary risk.
6. When directed to do so by a superior deputy

If the deputy feels certain that the pursuit is justified according to the established criteria and it can be performed safely, he should continue with the intent to apprehend the suspect, but only while exercising maximum safety to all concerned.

When deciding whether to abandon a pursuit, deputies should also consider the escalation of offenses as stated in OCGA 40-6-395 (5)(A). "While fleeing or attempting to elude a pursuing police vehicle or police officer in an attempt to escape arrest for any offense other than a violation of this chapter, operates his or her vehicle in excess of 30 miles an hour above the posted speed limit, strikes or collides with another vehicle or a pedestrian, flees in traffic conditions which place the general public at risk of receiving serious injuries, or leaves the state shall be guilty of a felony ...".

XII PURSUIT REPORTING

All deputies involved in an actual pursuit shall file an incident/supplemental report.

A supervisor, not involved in the Pursuit, shall complete a Pursuit Report packet complete with all incident reports, accident reports, supplemental reports, statements, photos, and any other relevant information. The supervisor shall document his/her findings on the Pursuit Report regarding compliance with applicable agency policies and state law. The completed packet shall be forwarded to the next supervisor/commander in the chain of command, then to the Division Commander. Next, the packet shall be forwarded to the Training Unit, Bureau Commander and the Office of the Chief Deputy.

All completed Pursuit Report Packets will be filed in the Office of Professional Standards.

Watch/unit commanders shall also review each case for identification of safety and training issues. An informal line level critique of each pursuit shall be held by the supervisor and the participants involved, with emphasis on tactics and safety.

The Special Enforcement Division Commander, or designee, shall submit via the chain-of-command an annual documented analysis of all pursuit reports, including a

review of policy and reporting procedures, and patterns or trends that could indicate additional training needs and/or policy modifications to the Sheriff for approval each year.

The Special Enforcement Division Commander, or designee, shall complete a GACP (Georgia Association of Chiefs of Police) Pursuit Data Collection Form and submit it to the Accreditation Manager annually. The Accreditation Manager shall be responsible for submitting the form to the GACP.

XIII PURSUIT TRAINING

All Sworn Peace Officers shall receive initial training on the agency's pursuit policy and shall attend in-service vehicular pursuit training once annually thereafter. Vehicular pursuit training shall consist of knowledge of applicable statutes, familiarization with agency pursuit policy and agency procedures relating to pursuits.

All Sworn Peace Officers shall complete a documented review of the agency's Pursuit Policy annually.

XIV RIDE-ALONG PROGRAM

A ride-a-long program is established to allow citizens the opportunity to accompany deputies in the field under limited circumstances. Recognizing that allowing non law enforcement personnel to accompany deputies in the field restricts their ability to perform certain functions, participation is limited to purposes of education, employment, media or departmentally endorsed programs.

A. QUALIFICATIONS FOR PARTICIPATION IN THE RIDE ALONG PROGRAM

1. The following information and forms must be submitted to and approved by a Bureau Commander, the Chief Deputy or the Sheriff prior to participation in the ride-along program:
 - a. Complete a Civilian Ride Along Waiver & Liability Release Form;
 - b. Complete and sign a GCIC Criminal History Waiver;
 - c. Complete and sign a GCIC Awareness Statement;

B. DISQUALIFICATIONS FOR RIDE ALONG

1. No persons with history of a felony crime, a crime of moral turpitude or multiple offenses indicating a propensity for criminal behavior may participate in the ride along program.
2. Likewise, no person known or suspected to be involved in criminal behavior or associated with such shall be allowed to participate.

C. PERSONS EXEMPTED FROM CERTAIN REQUIREMENTS

1. Forsyth County Government Employees are exempted from the GCIC criminal history requirement.
2. Citizens Law Enforcement Academy graduates and attendees are exempted from the GCIC criminal history requirement for a period of 12 months from their graduation date but shall be required to submit to all requirements for all years forward.
3. Citizens Emergency Response Team active members shall be exempt from the GCIC criminal history requirement.
4. FCSO Public Safety Cadets are exempted from the GCIC criminal history requirement and shall have on file a GCIC waiver with the Cadet advisor.
5. Approved college Interns coordinated through the Training Unit shall have the necessary forms already on file and shall be exempted from all requirements during their internship assignment.
6. Sworn law enforcement personnel and immediate family members of agency personnel are exempted from the GCIC criminal history requirement.
 - a. Immediate family is defined as the spouse, parent, in-law, sibling, aunt, uncle or child of the agency employee.
7. Members of the media are exempt from the GCIC criminal history requirement.

D. DEPUTIES AUTHORITY

1. Deputies have the authority to terminate the ride along at any time due to improper actions of the civilian party. Those actions may include failure to follow directions, placing the deputy or themselves in peril or other actions that will likely lead to the detriment of the character or reputation of the agency.
2. Should a deputy find the need to terminate a ride along, they shall immediately notify their supervisor and provide an accurate account of the reasons for their actions.
3. If in the opinion of the deputy, an impending call for service or law enforcement action being undertaken by the deputy is likely to place the citizen ride along in excessive danger or is likely to endanger or limit the necessary action of the deputy, the deputy may leave the citizen in a safe location until they can complete their call for service. Acceptable locations would include, open businesses with public access such as convenience stores, retailers etc. In all cases the deputy shall ensure that either they or another unit retrieves the citizen as soon as practical.

XV ACCIDENT REVIEW BOARD**A. DEFINITIONS**

1. Vehicle Accident: An unintended event that produces injury or damage through the operation of a vehicle, conveyance or vessel. Vehicle accidents include accidents that occur between a vehicle which is owned, leased or loaned to the agency and is operated by a member of the agency and another vehicle or any other non-vehicular object or person (i.e., striking an object or a pedestrian).
2. Preventable or "at fault vehicle accident": A vehicle accident involving an agency employee, during his/her employment, which was determined by the accident review board to be preventable.
3. Non-preventable or "not at fault vehicle accident": A vehicle accident involving an agency employee, during his/her employment, which was determined by the accident review board to be non-preventable.

B. ACCIDENT REPORTING AND INVESTIGATION PROCEDURES**1. Duty to Notify Supervisor of Vehicle Accident**

Employees involved in a vehicle accident shall notify their immediate supervisor of the facts and circumstances of a vehicle accident as soon as reasonably practicable.

2. Accident Reporting and Investigation Procedures

Vehicle accidents involving employees of the Forsyth County Sheriff's Office shall be investigated and analyzed to determine the cause of the accident.

- a. Vehicle accident investigations and reporting should normally be completed by the Georgia State Patrol.
- b. The watch commander on duty shall have the discretion to direct the accident report be completed by an agency unit when the accident is a single vehicle accident involving only a Sheriff's Office vehicle.
- c. A supervisor shall respond to the accident location and:
 - i. Ensure medical aid is provided to all injured parties
 - ii. Complete an Incident Report
 - iii. Complete an Accident Report (if applicable to section b above)
 - iv. Ensure a Drug Screen Report is completed (if applicable)
 - v. Take photographs of the scene
 - vi. Obtain witness statements (if applicable)
 - vii. The supervisor shall complete a preliminary report, including all of the forms previously listed and those listed in the Document Check-Off Sheet.

- c. The supervisor shall forward the packet to the respective Bureau Commander, via the chain of command.
- d. The supervisor shall forward a copy of the packet to Forsyth County Risk Management.
- e. The Bureau Commander shall forward the packet to the Chairman of the Vehicle Accident Review Board.
- g. All vehicle accidents shall be analyzed by the Accident Review Board in accordance with the procedures outlined in this policy.
- h. Some vehicle accidents involving allegations of misconduct may also require investigation as prescribed by policy when directed or by the Sheriff or Chief Deputy.

C. ACCIDENT REVIEW BOARD COMPOSITION

The Accident Review Board shall be composed of the following ranking members:

- 1. Sheriff's Services Bureau Commander (Chairperson)
- 2. Law Enforcement Bureau Commander (Alternate Chairperson)
- 3. Support Services Division Commander
- 4. Jail Bureau Commander
- 5. Sheriff's Office Fleet Manager

At the discretion of the chairman, and in the case of vehicle accidents involving unusual or unique circumstances, an advisory member may serve on the board in an advisory capacity only. An advisory member shall have no voting authority. An example of an advisory member would be a traffic accident specialist.

The Accident Review Board should meet once a month to review cases, if any are pending.

D. RESPONSIBILITIES OF THE CHAIRMAN OF THE BOARD

The Accident Review Board chairman shall be responsible for the following:

- 1. The chairman shall make written notification to board members and the involved employee of the date, time and location of the Accident Review Board meeting.
- 2. The chairman shall provide copies of all reports and pertinent documents to the board members.
- 3. The chairman may delay an Accident Review Board hearing until civil or criminal proceedings are complete in a particular incident.

4. If there is a recommendation for disciplinary action, the chairman shall complete a Disciplinary Action Review (DAR) form with the recommended action and forward it to the Chief Deputy.
5. The Chief Deputy shall approve or disapprove the DAR and return it to the board chairman.
6. The chairman shall provide the involved employee with a written notice of the findings of the board and any disciplinary action to be taken through the employee's chain of command.

E. RESPONSIBILITIES OF THE MEMBERS OF THE BOARD

The members of the Accident Review Board are responsible for the following:

1. The board shall determine if an accident is preventable or non-preventable based on examination and review of all items of evidence, documents and other information provided.
2. Board members shall assess a point rating to the accident under review based on guidelines set forth in the "Accident Review Board Hearing Summary form".
3. Findings as to fault shall be binding.

F. RIGHTS AND RESPONSIBILITIES OF THE EMPLOYEE

An employee has the right to secure and have present any witness or representatives that he or she deems appropriate. It shall be the employee's responsibility to ensure that his or her representatives are present at the time of the meeting.

The employee subject to the review may petition the chairman of the board to replace a member of the board with the alternate for just cause. This request must be made in writing and be submitted to the chairman at least ten (10) working days prior to the date of the meeting.

The employee shall have the right to appeal any disciplinary action taken as specified in this Standard Operating Procedure or Civil Service Policy.

XVI SPECIAL PURPOSE VEHICLES

The Forsyth County Sheriff's Office performs many special functions that often require officer transportation needs that go beyond the traditional patrol car. Some of these special functions include:

1. Traffic enforcement;
2. Prisoner transportation;
3. Community Oriented Policing;
4. Special operations response (i.e., SWAT and Crisis Negotiators);
5. Response in times of severe weather events and natural or man-made disasters

The purpose of this directive is to outline the requirements and procedures used in operating special purpose vehicles.

A. LAW ENFORCEMENT MOTORCYCLE

1. The law enforcement motorcycle is a special purpose vehicle utilized by Motors Unit personnel. This vehicle allows the following:

- a. a means of maneuvering through heavy traffic in emergency situations;
- b. a more professional public image during special events, such as funerals, parades, and VIP escorts; and
- c. the most efficient means of traffic enforcement; getting into and out of traffic most expediently.

2. Duties

Agency deputies authorized to operate law enforcement motorcycles shall do so within the scope of their employment and strictly per their assigned duties. These duties shall include, but not be limited to:

- a. Routine traffic patrol and enforcement;
- b. Response to emergency calls for service;
- c. Response to routine calls for service;
- d. Funeral escorts and other approved escorts;
- e. Parades.

3. Pursuits

If a law enforcement motorcycle initiates a pursuit, the officer may continue that pursuit until a four-wheel marked patrol vehicle joins the pursuit, at which time, the motorcycle deputy must abandon the pursuit. After abandoning the pursuit, the motorcycle deputy shall proceed to the termination point, in a non-emergency mode, if a suspect is apprehended. Motorcycle units are not authorized to join a pursuit as a secondary unit without the approval of the on-duty watch commander or watch supervisor.

4. Authorization

Law enforcement motorcycles shall be authorized for use in the performance of duties of Motor Unit personnel, or by direction of the Special Enforcement Division Commander.

5. Special Skills and Requirements

All persons authorized to operate agency motorcycles shall be required to possess a valid state of Georgia motorcycle operator's license, and to have completed a course of operation of law enforcement motorcycles as approved by the Georgia P.O.S.T.

A list of persons authorized to operate law enforcement motorcycles shall be kept on file by the Training Section.

6. Maintenance Responsibility and Equipment

The assigned deputy shall be responsible for the condition and maintenance of the agency motorcycle. Maintenance and repairs shall be performed only by persons authorized by the Fleet Maintenance Unit and the Special Enforcement Division Commander.

Each law enforcement motorcycle shall be equipped with emergency lights, siren equipment, and a mobile radio.

B. LAW ENFORCEMENT BICYCLES

The Forsyth County Sheriff's Office shall utilize bicycles for patrolling business districts, parks, residential areas, and apartment complexes. Personnel assigned shall be utilized for special details and events which call for increased mobility in confined areas and as an aid in promoting and improving relations between the community and the agency.

1. Duties

Personnel assigned bicycle patrol duties shall be required to:

- a. Work unscheduled hours on any day of the week depending on the workload;
- b. Work closely with merchants and the general public as the primary function;
- c. When possible, ride in pairs for safety, visibility and protection of the officers and their equipment; and
- d. Ride their assigned bicycles except during inclement weather.

2. Special Assignments

Bicycle patrol personnel shall be deployed in areas requiring mobility, during special assignments or events. These areas include:

- a. parks and recreational areas for protection of joggers, game participants and spectators;
- b. shopping centers during Christmas season or any other time designated by the Operations Division director;
- c. parades or other city or county high profile functions; and
- d. areas targeted for certain crimes as designated in crime analysis reports.

3. Authorization

Only those sworn personnel who have completed GA POST training in the operation of a law enforcement bicycle shall be permitted to operate the agency bicycles.

4. Special Skills and Requirements

Deputies wishing to be assigned to bicycle patrol duties must:

- a. File a written request for assignment;
- b. Complete a probationary period;
- c. Complete the P.O.S.T. Basic Law Enforcement Bicyclist Course.

5. Maintenance Responsibility and Equipment

Bicycle patrol deputies shall be responsible for the routine maintenance and upkeep of the bicycle and other equipment issued to them. Each bicycle shall be equipped with a saddle bag and water bottle

C. PRISONER TRANSPORT VAN

The Sheriff's Office operates a van specially designed to transport agency prisoners. The van is used to transport inmates/prisoners:

- a. to and from Bell Forsyth Judicial Circuit Courts;
- b. to and from various jails and prisons;
- c. to and from Northside Forsyth hospital;
- d. to and from other medical facilities;
- e. to the Detention Center; and
- f. as may be necessary by the various divisions. (Example: mass arrests)

Other uses of the prisoner transport van include:

- a. transporting agency personnel for emergency deployment;
- b. other authorized uses approved by the Jail Bureau Commander, division commanders, or the Sheriff.

1. Special Requirements

Normally, the prisoner transport van is operated by Transport Unit personnel. On occasion, it may become necessary for personnel of other assignments to operate the vehicle. All drivers of the prisoner transport van are required to:

- a. possess a valid state of Georgia driver's license;
- b. adhere to all Forsyth County Sheriff's Office policies and operational procedures; and
- c. be a Forsyth County Sheriff's Office employee.

2. Maintenance Responsibility and Equipment

The individual operating the prisoner transport van shall be responsible for the cleanliness and the reporting of any condition that requires mechanical attention. Maintenance and repairs shall be performed only by persons authorized by the Fleet Maintenance Unit and the Jail Bureau Commander.

The prisoner transport van is equipped with a mobile radio, emergency lights and a siren.

D. SWAT VEHICLE

The Sheriff's Office SWAT vehicle is used to transport equipment when responding to various tactical or unusual occurrence incidents. Use of this vehicle allows the following:

- a. limited response to actual incidents or training;
- b. use in other situations (e.g., snow because of 4-wheel drive capabilities); and
- c. other uses as designated by the SWAT commander, assistant commander, or the Sheriff.

1. Special Skills and Requirements

Although the SWAT vehicle requires no special training or licensing other than possession of a valid state of Georgia operator's license, there are some aspects of operating the vehicle which require special instruction. For this reason, operation is limited to SWAT personnel.

2. Maintenance Responsibility and Equipment

It shall be the responsibility of the SWAT commander to ensure the vehicle is maintained in a state of readiness. The necessary equipment shall be loaded according to the needs of the incident and shall be maintained in a secure area of the SWAT vehicle.

E. SWAT ARMORED VEHICLE (BEARCAT)

The SWAT Team's "Bearcat" is intended for use in those high-risk situations where it can provide additional protection for team members. The armored vehicle shall be used for the following situations:

- a. To deliver a SWAT element to a location.
- b. For citizen rescues.
- c. For officer rescues.
- d. For possible breaching of doors and windows during warrant service or during exigent circumstances. Any use of the Bearcat ram for destruction or breaching must be approved by the SWAT commander, assistant commander or team leader.

1. Special Skills and Requirements

The vehicle shall be assigned to the SWAT commander or his designee. Operators shall attend an eight-hour familiarization course and be instructed in proper maintenance and operation of the vehicle and systems. Training shall be documented on an approved state form as armored vehicle training.

2. Maintenance Responsibility and Equipment

The vehicle shall be checked during each SWAT training day by the assigned operator for the following:

- a. Tire pressure @ 130psi
- b. Fuel topped off.
- c. Gun ports and seals checked closed.
- d. Top turret indexed forward and locked.
- e. Spotlights facing to the rear.
- f. Emergency lights and siren checked for function.
- g. Body and interior check for damage.

A vehicle inspection/check off log shall be kept in the vehicle and inspected quarterly by the SWAT commander.

Because of the various functions of the vehicle, equipment for response to the various situations shall be maintained in a secure area of the SWAT vehicle. The necessary equipment shall be loaded into the vehicle according to the needs of the incident.

3. Procedures for Deployment

- a. During any use of the armored vehicle a vehicle protection deputy shall be assigned to man the turret with a long gun if needed to defend the vehicle or its occupants. This deputy shall be assigned in the operational order and shall take direction from the command element within the vehicle.
- b. During deployment, the command element shall be in the front passenger seat of the vehicle and shall be either a SWAT commander/assistant commander or team leader.
- c. On occasion the running boards of the vehicle may be used to transport SWAT team members a short distance for a rescue or delivery to a location. This shall be done at a safe speed and the personnel shall be trained in the proper and safe deployment from the running boards.
- d. The Bearcat may also be used as a forward location for a CNT member to negotiate with a suspect. The communication may be done through the public address/intercom system.
- e. During any operational use of the Bearcat, a debriefing shall occur with all personnel involved to ensure that proper procedures have been followed and policy can be modified if needed.
- f. The SWAT commander shall complete the after-action report.

4. Special Considerations

- a. While the vehicle is armored, any shots directed at the vehicle shall be considered a deadly force situation. The SWAT team may use aimed or directed fire from the vehicle to stop a deadly threat.
- b. The armored vehicle has a GVWR of 9 tons and as a result care must be used when driving over soft surfaces to include areas where septic fields or tanks may be buried.

F. INCIDENT COMMAND VEHICLE (Unit 700)

The Incident Command Vehicle (Unit 700) shall serve as the agency Mobile Command Center. The Mobile Command Center shall provide an on-site command and control facility which shall be authorized for unusual circumstances, special operational events, training, public displays or other agency functions authorized by the Sheriff, Chief Deputy, or designee. The Mobile Command Center shall be a totally self-contained vehicle for remote operations.

1. Special Skills and Requirements

While Unit 700 can be driven by anyone possessing a valid Georgia driver's license, there are some aspects of operating the vehicle which require special instruction. For this reason, operation is limited to personnel assigned by the Sheriff's Services Bureau Commander.

2. Maintenance Responsibility

The Sheriff's Services Bureau Commander shall oversee the condition and maintenance of the Incident Command Vehicle. All on-call personnel shall be tasked with ensuring all mechanical maintenance and operational readiness is at peak performance at all times.

3. Authorization

Unit 700 shall be authorized for use in the performance of official duties at the direction of:

- a. the Sheriff,
- b. Chief Deputy,
- c. Bureau Commanders,
- d. Division Commanders,
- e. Incident Commander or
- f. Watch Commander.

4. Equipment

All equipment that is to be permanently assigned to the vehicle shall be listed on the vehicle inventory sheet. This inventory shall be updated whenever new equipment is permanently assigned to the vehicle. Other items which may be housed in the vehicle on a more temporary basis shall be subject to a quarterly inventory. The Sheriff's Services Bureau Commander or his designee shall be responsible for the completion of this inventory.

G. CRISIS NEGOTIATIONS VEHICLE

The Crisis Negotiations Team (CNT) shall have a specialized vehicle, which is authorized to be used as the point of negotiations during a major crisis situation involving a barricaded subject, a hostage situation, or any other situation that negotiators are used.

1. Special Skills and Requirements

Although the Crisis Negotiations Vehicle can be driven by anyone possessing a valid Georgia Driver's License, there are some aspects of operating the vehicle which require special instruction. For this reason, operation is limited to personnel as authorized by the CNT Chief Negotiator.

2. Maintenance Responsibility

The CNT Chief Negotiator shall oversee the condition and maintenance of the Crisis Negotiations Vehicle. Assigned personnel shall be tasked with ensuring all mechanical maintenance and operational readiness is at peak performance at all times.

3. Authorizations

The Crisis Negotiations Vehicle shall be authorized for use in the performance of official duties at the direction of the Sheriff, Chief Deputy, division directors, or the CNT chief negotiator. Sensitive equipment shall be secured whenever there is a public display of this unit.

4. Equipment

All equipment that is to be permanently assigned to the vehicle shall be listed on the vehicle inventory sheet. This inventory shall be updated whenever new equipment is permanently assigned to the vehicle. Other items which may be housed in the vehicle on a more temporary basis shall be subject to a quarterly inventory. The vehicle shall be equipped with hostage/barricaded throw phone and other equipment designated by the CNT Chief Negotiator to be necessary for the team to carry out its mission. Assigned personnel shall be responsible for the completion of this inventory.

H. ALL TERRAIN VEHICLES (ATV's)

Trained deputies are authorized to utilize unmarked four-wheel all-terrain vehicles (ATV's). The ATV's shall be used to gain access to remote areas where other vehicles would be impractical or as authorized by the watch commander.

Agency ATV's may be operated by personnel who are authorized by a supervisor.

The Special Enforcement Commander is responsible for the condition and maintenance of all ATVs. Any deputy operating an ATV shall use a portable radio to communicate with the 911 Communications Center.

I. CRIME SCENE VEHICLE

The Crime Scene Unit shall have a forensic investigations vehicle which is used for processing all types of major crime scenes, training, public display as or other agency functions authorized by the Criminal Investigations Division commander.

1. Special Skills and Requirements

Agency personnel who have a valid Georgia driver license, have completed training in the operation of the vehicle/equipment and who have been trained in crime scene processing may be authorized by the Criminal Investigations Division commander to use the vehicle.

2. Maintenance Responsibilities and Equipment

The Criminal Investigation Division Commander shall be responsible for the condition and maintenance of the vehicle. The forensic investigations vehicle shall be equipped with a two-way radio, crime scene lights, and other specialized equipment designated by the Criminal Investigations Division commander, which are necessary for the Crime Scene Unit to process all types of major crime scenes.

J. AGENCY GOLF CART

Personnel assigned to community functions and the School Resource Officer (SRO) Unit may have access to the agency golf cart. This cart is utilized in specified areas in the county where close citizen contact is desired.

1. Special Skills and Requirements

Agency personnel selected to participate in community functions may operate the golf cart and are responsible for its operation.

2. Maintenance Responsibility and Equipment

Personnel who utilize the golf cart shall be responsible for the condition and maintenance of the golf cart. The golf cart may be equipped with a blue light and other equipment necessary to carry out the community function.

K. MARINE PATROL VESSELS

The agency uses vessels for occurrences that exceed the limitations normally imposed on field units and for specialized functions such as lake patrols or search and rescue missions. The mission of the deputies operating watercraft is to protect life and property and to enforce the boating laws on Lake Lanier.

1. Operational Guidelines

Requests for vessel support shall be directed to the Marine Unit. The deputy in command of the vessel shall have the sole authority over the mission and shall consider weather, experience and vessel capability in continuing the mission. Agency vessels shall be operated by deputies who are familiar with the specialized operating characteristics of the vessel used and shall be familiar with all boating laws and regulations.

2. Special Skills and Requirements

Deputies participating in Marine Patrol Unit functions shall be expected to meet the following requirements each year:

- a. Attend and complete a 4-hour in-service training module in reference to current boating laws
- b. Successfully complete the agency approved swim test

Once a deputy has completed both requirements, he/she shall familiarize themselves with common maritime terms, phrases and practices and shall familiarize themselves with Lake Lanier. Deputies operating/participating in any Marine Patrol function shall wear a Coast Guard approved personal flotation device.

3. Maintenance Responsibility and Equipment

The Marine Unit supervisor shall be responsible for the periodic and scheduled maintenance of agency vessels. Each vessel is equipped in accordance with US Coast Guard regulations pertaining to the specific vessel class. Additionally, each vessel shall have the following equipment:

- a. Personal Flotation device for each person on board;
- b. At least one (1) throw able flotation device;
- c. First aid kit;
- d. Fenders;
- e. All Other Emergency Equipment (i.e., lights and sirens)
- f. Two-Way Radio communications with the 911 Communications Center

GENERAL ORDER: GO 3-7 JUVENILE OPERATIONS

Rescinds/Amends:

Effective Date: October 11, 2022

Committee Review - Date: December 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. JUVENILE OFFENDERS

The Forsyth County Sheriff's Office will establish and maintain a juvenile operations function and the responsibility for supporting and / or participating in this function will be shared by all divisions, sections, units, and agency personnel.

Juvenile investigations will be a function of the Special Victims Unit and will come under the Criminal Investigation Section.

A. Juvenile Offenders

It is the policy of the Forsyth County Sheriff's Office that all personnel dealing with juvenile offenders will use the least coercive among reasonable alternatives consistent with agency procedures, state and local law. Youthful offenders who have committed status offenses or violations of law may be processed in one of but not limited to the following ways:

1. Outright release of juvenile to parents / legal guardian after detailed discussion of issues noted, admonishment, warning or friendly advice;
2. Issuance of a written citation / summons to appear in court in lieu of taking into custody; or
3. Referral of the case to the appropriate authorities by completion of Juvenile Complaint for referral to Juvenile Court.

B. Diversion Decisions

All factors to be considered in diversion decisions relating to juvenile offenders may include recommendations coming from the victim or complainant, within the framework of the Juvenile Court's organization and its juvenile processing code, Title 15, Chapter 11.

Factors to be considered in diversion decisions include:

1. The nature of the alleged offense;
2. The age and circumstances of the alleged offender;

3. The alleged offender's record, if any; and
4. The availability of community-based rehabilitation programs.

Apart from deputies diverting juveniles to Juvenile Courts or other social agencies, the deputy must realize that they have a wide range of alternative remedies that may be employed. Warnings; informal referrals; consulting with and arranging for corrective action by parents and dropping of charges are examples of such alternatives.

However, at all times, the deputy must act within the bounds of Georgia Juvenile Laws and the Juvenile Court shall have exclusive jurisdiction over all juvenile matters and shall be the sole court for initiating action concerning any child who is:

1. Allegedly delinquent;
2. Allegedly unruly;
3. Allegedly in need of treatment or commitment as a mentally ill or retarded child;
4. Allegedly a juvenile traffic offender, or
5. Placed under probation supervision.

C. Juvenile Court Jurisdiction

By Georgia Law, the Juvenile Court has jurisdiction over those individuals who have not reached their 17th birthday, who have allegedly committed delinquent or criminal acts, or who are allegedly in need of treatment or commitment to an institution. Juvenile Courts also have jurisdiction over youth allegedly dependent, if under 18 years of age, and alleged traffic offenders under 17 years of age.

The agency shall refer alleged juvenile offenders for formal legal proceedings on those cases involving serious criminal conduct or repeated criminal violations.

In general, these cases would include:

1. All delinquent acts that if committed by an adult would be felonies;
2. All delinquent acts involving weapons;
3. All serious gang-related delinquent acts;
4. All delinquent acts involving aggravated assault / aggravated battery;
5. All delinquent acts committed by juveniles on probation, parole, or case pending;
and
6. All repeated delinquent acts (within the preceding 12 months).

Additional cases may include:

1. Juveniles selected for a diversion program but who refuse to participate;
2. Cases in which it has been determined that parental supervision is not effective;
AND
3. On minor criminal and traffic offenses, the deputy should make every effort to release the juvenile to his / her parents or legal guardians and issue a completed copy of a Georgia Juvenile Traffic Citation when necessary. If the copy of charges is criminal related, a completed Juvenile Complaint form will accompany the copy. Deputies may issue a Juvenile Complaint form in lieu of taking the youth in custody. This may be required when the incident is more serious in nature; when the youth has received prior informal warnings or has engaged in previous delinquent acts; or when the youth's parents or guardian has failed to provide appropriate control or supervision.

Under such circumstances, deputies shall:

1. Call Juvenile Intake Authorities to determine if the juvenile will score high enough to be detained. Facts and opinions of the deputy should be explained to the juvenile intake personnel so an accurate determination of the severity of the situation can be concluded.
2. Transport the youth directly to his home or release them to a parent or guardian; and,
3. Initiate an Incident Report and Juvenile Complaint Report. A copy of the citation will be provided to the juvenile's parents or legal guardians. The seriousness of the offense; offender's past involvement; whether the act was violent; and whether the youth was under the influence of alcohol and / or drugs are factors that can be used as criteria.
4. A signed juvenile complaint containing factual basis for allegations charged shall be emailed via the county email server group JuvenileIntake@forsythco.com no later than Eight (8) A.M the following morning. This process will ensure the proper documentation is available for a hearing that may be held that day.
5. The deputy signing the juvenile complaint shall include their best phone number to be contacted so as to be available to attend a detention hearing if and when called.

D. Juvenile Interrogation

The arresting deputy has the responsibility to have the parents / guardians present during any arrest or custodial interrogations of juveniles with all statements of rights and waiver of rights signed by the parents or guardians or legal counsel and by the juvenile. No more than two deputies shall conduct an interrogation with a juvenile at any given time. The interrogation will normally be limited to no more than four (4) hours.

Prior to any interrogation with a juvenile in custody, the juvenile will be advised of his / her constitutional rights by being advised of the Miranda warning and will refrain from any action that would abridge or deny those rights. Also, the Juvenile Justice System and agency policies regarding juveniles will be explained.

E. Juvenile Informants

The Criminal Investigations Section commander may only authorize the use of juveniles as informants in an undercover role when there are no other means available to obtain the necessary information for a particular matter under investigation.

1. Deputies must obtain written approval from a parent or guardian before using a juvenile to assist in an investigation. This permission shall specify what type of assistance will be performed (i.e., use undercover to purchase alcohol, pornography, or controlled substances).
2. In circumstances when the juvenile is under the custody of the Juvenile Court, permission to use the child in an undercover capacity must be obtained from the Court Judge.
3. Under no circumstances will juveniles be used as informants or to perform undercover work in a manner that encourages or requires the child to use illegal substances or alcohol or that places the child in a hazardous situation that may result in bodily injury.

II. JUVENILE PROCEDURES

A. Juvenile Reporting Responsibilities

The following procedures will apply whether a juvenile is taken into custody or released.

1. The name of juvenile victims, offenders or witnesses will be included in incident reports per standard operations. The "Juvenile" block on the report must be checked before the report is turned in for processing.
2. The name of juvenile victims, offenders, or witnesses will not be annotated on a family violence incident report. If it is necessary to identify the juvenile, a supplemental report containing the information will be completed. If a juvenile is the complainant, the word "Juvenile" will be placed on the initial incident report.
3. On juvenile complaint forms the identity of juvenile victims, offenders, and witnesses will be annotated.
4. Juvenile traffic offenses shall be recorded on a juvenile traffic citation.

5. Juvenile fingerprinting and photographs:
 - a. Fingerprints and photographs shall be taken of every child being taken into custody who is charged with an act which would be a felony if committed by an adult, other than status offender crimes. Status offender crimes include, but are not limited to, truancy, running away from home, incorrigibility, and unruly behavior. Except as provided in O.C.G.A. 15-11-702 a juvenile may not be photographed until they are taken into custody for an offense that if committed by an adult would be a felony, unless the case is transferred to another court for prosecution or ordered by a Court Judge.
 - b. Whenever a juvenile is charged with an act which would be a felony if committed by an adult. The arresting deputy will complete:
 - 1) Incident report;
 - 2) Live scan of OBTS information, photograph and prints to GCIC;
 - 3) Juvenile complaint form.
 - c. During normal operating hours the juvenile will be taken to the Ordinance and Permits Unit where the on-duty deputy will Live Scan the Juveniles fingerprints and photograph into the GCIC juvenile database. After normal business hours the arresting officer will contact the Detention Center watch commander who will have a Live Scan trained deputy meet with the arresting officer and juvenile in the Ordinance and Permits Unit where the fingerprints and photograph will be processed online to GCIC. The processing deputy will print one hard copy of the prints for the Crimes Scene unit for scanning into the AFIX tracker database. These cards will be picked up by crime scene unit technicians on a weekly basis and shall be shredded after being scanned into the AFIX tracker database.
 - d. Once the live scan process is completed a Juvenile Offender sheet will be printed out containing a photograph of the juvenile for the arresting officer to include with his JUVENILE report.
 - e. Fingerprints and photographs of a child shall be removed from the file and destroyed if a petition alleging delinquency is not filed or the proceedings are dismissed after either a petition is filed or the case is transferred to the juvenile court or the child is adjudicated not to be a delinquent child.

B. Juvenile Records

The Records Section shall be responsible for maintaining the juvenile's file to include fingerprint cards and pictures. These records will be retained separately from adult files and become permanent records of the juvenile being processed by this agency. The Records Section shall also be responsible for the collection, dissemination and retention of all juvenile records.

Inspection of records shall be in accordance with O.C.G.A.15-11-701. Juvenile records shall not be open to public inspection nor shall their contents be disclosed to the public. Inspection of the records and files is permitted by:

1. Juvenile court having the child before it in any proceedings;
2. Counsel for a party to the proceeding, with the consent of the court;
3. The officers of public institutions or agencies to whom the child is committed;
4. Law enforcement officers of other jurisdictions when necessary for the discharge of their official duties;
5. Officials of penal institutions to which the child is committed; and,
6. Any school superintendent, principal, assistant principal, school guidance counselor, school social worker or school psychologist when necessary for the discharge of his or her official duties

C. Social Services Agencies

A listing of social service agencies related to juveniles is available through the 911 Center. The list is updated on an annual basis.

D. Runaway Juveniles

Per O.C.G.A. 15-11-381, a runaway is considered to be a child under the age of 18 years who has left home without the consent of their parent or legal guardian. The circumstances of the child leaving the home, as well as the length of time that the child has been gone are both factors to be considered by the parent / legal guardian of the child in determining whether or not the child is a runaway. Once a call is made to the agency by a child's parent or legal guardian for assistance, the following procedure shall be used:

1. The deputy shall complete a juvenile complaint form;
2. The deputy shall complete an incident report; and,
3. The deputy shall complete a NCIC/GCIC entry request.

All completed forms shall then be forwarded to CIS in accordance with established procedures.

E. Taking a Juvenile Into Custody

When a deputy has reason to take a juvenile into custody for alleged non-criminal behavior (a status offense), every effort will be made to release said youth to their parents or guardian and issue a copy of charges when necessary. When the juvenile is alleged to have been harmed or to be in danger of harm and the injury is not life threatening, he / she will be taken to medical facility for proper treatment by ambulance and the correct offense report completed and assigned to an investigator for follow-up. If the injury is life threatening, he / she will be transported to the closest available emergency / trauma center. If the youth is in danger of harm, the child may be taken into protective custody. Before a child is taken into protective custody, the Department Family and Children Services (DFACS), Protective Services Division

shall be notified for instructions. The DFACS agent's name and any instructions given to the deputy must be documented in the incident report narrative.

Periodically, a deputy may be dispatched to a school / residence, etc., to meet with a caseworker from DFACS. This call for service may be for the purpose of taking a child into safekeeping. The caseworker will explain the circumstances that led to their being there and the reason for taking the child. The caseworker will have a safekeeping form that will need the signature of the deputy. The signing of the form ONLY attests to the fact that the physical custody of the child is being transferred. The probable cause is not substantiated by the agency, but by the DFACS.

NOTE: Remember that probable cause has to exist (that the child may be at risk) to take the child into safekeeping.

F. In-Custody Procedures

Juveniles placed in custody require special considerations and cannot be dealt with in the same manner as law enforcement personnel handle adults. Therefore, the following juvenile handling procedures will be followed:

1. According to O.C.G.A. 15-11-47 the following actions should be taken with reasonable speed:
 - a. Promptly contact the Juvenile Court intake officer who will be informed of the circumstances of the custody and who will make a decision as to the disposition of the child;
 - b. Arrange for emergency medical treatment when required by contacting EMS personnel or by transporting the juvenile directly to the nearest medical facility;
 - c. Notify the child's parent or guardian as soon as is practicable;
 - d. Prior to transport, search and handcuff or otherwise restrain the offender as necessary for officer safety;
 - e. Determine whether the juvenile is alleged to have engaged in other non-criminal or status offenses; and,
 - f. Keep separated from any incarcerated adults and maintain under constant supervision until their release.

2. Juvenile Processing

Juveniles shall be processed in accordance with the guidelines established in this directive. The processing shall include the taking of photographs and fingerprints. During processing, the following officer safety guidelines will be followed:

- a. The arresting deputy shall ensure that constant contact is maintained with the arrestee.

- b. All personnel within the extended reach of the arrestee will maintain constant command and control of all weapons. The arrestee will not be put in a position where he/she has access to any weapon.
- c. In order to deal with any type of emergency that might arise, the arresting deputy shall continually have access to their portable radio. In a case where they are not able to communicate verbally, the emergency button shall be used to summon assistance.
- d. As with all cases involving detainees, due care shall be used at all times in order to prevent an escape attempt. Any shortcomings in the security of the juvenile processing area shall be reported immediately via the chain of command to the division commander.
- e. All adults shall be processed at the Adult Detention Center.

3. Juvenile Detention

Under no circumstances will a juvenile be held in custody longer than 12 hours without the permission of the in-take officer. All processing and questioning must stop if not completed during the 12-hour period. At that time, or if the processing has been completed, the juvenile in-take officer will be contacted to determine if the release of the juvenile should be to the:

- a. Parent or guardian;
- b. Juvenile court officer; or
- c. Gainesville Regional Youth Development Center (RYDC) or other appropriate facility.

4. Transport to RYDC

Juveniles will only be brought to the RYDC facility after receiving permission from the Juvenile Court in-take officer or court order. When directed to transport a juvenile to the Regional Youth Detention Facility, deputies will follow the procedures outlined in the Prisoner transports policy.

G. Department of Family and Children Services (DFACS) Notifications

When deputies suspect that a juvenile is the victim of some form of abuse, the following procedures will be followed:

- 1. Immediately take the child into protective custody;
- 2. Obtain medical assistance if necessary;
- 3. Notify Criminal Investigations Section (CIS);

4. Contact the DFACS in-take officer during normal business hours (Monday-Friday, 8:00 AM to 5:00 PM) or the Forsyth County dispatcher during non-business hours and request the on-call DFACS representative be notified in order to obtain assistance in securing the appropriate care and protection for the child; and
5. Initiate an Incident Report.

**GENERAL ORDER: 3-9 IMPOUNDING/TOWING
VEHICLES**

Rescinds/Amends:

Effective Date: February 17, 2020

Committee Review Date: November 2019

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I IMPOUNDING VEHICLES

The purpose of this directive is to establish policy that determines when a deputy is authorized by law to remove motor vehicles from public and private roadways and property.

Impounding a vehicle occurs when a deputy takes custody of a vehicle, without the owner's/driver's permission and the vehicle is taken to the impounding towing service's storage lot or the Sheriff's Office Evidence Lot. An impound is distinguished as being either a law enforcement impound or a private impound. A law enforcement impound occurs when a law enforcement deputy takes custody of a vehicle and causes it to be removed by one of the County's listed towing services.

Law enforcement impounds most frequently occur for abandoned vehicles, after the arrest of the driver of a vehicle or the vehicle is evidence in a criminal investigation. Vehicles that are removed at the owner's/driver's request or are removed because they are not drivable due to a traffic crash are not considered impounds even though they may be removed by one of the County's listed towing services.

Private impounds occur when any towing service contracts with a private or public enterprise to remove vehicles from private property at the property owner's request. There is no law enforcement involvement with private impounds unless there is also criminal activity involved. Examples of private impounds include a towing service impounding a vehicle from a shopping center or an apartment complex at the request of the parking area owner.

Pursuant to O.C.G.A. 40-11-3, whenever a deputy finds a motor vehicle which has been abandoned or left unattended on a public street, road, highway, controlled access highway or other public property, they shall be authorized immediately to cause that motor vehicle to be impounded when such motor vehicle poses a threat to public health or safety or to mitigate traffic congestion.

Pursuant to O.C.G.A. 40-6-206, whenever a deputy finds a motor vehicle which has been abandoned or left unattended on a controlled access highway (GA 400) and such vehicle is not a threat to public health or safety, the vehicle may only be impounded after a period of 24 hours has passed.

Pursuant to O.C.G.A. 40-11-3, whenever a deputy finds a motor vehicle which has been abandoned or left unattended on any public street, road, highway or other public property (other than GA 400) and the motor vehicle does not pose a threat to public health or safety, the deputy must allow a period of five (5) days to pass before impounding the vehicle.

In all cases of impounding vehicles, the deputy must reasonably believe that the person who left the motor vehicle unattended does not intend to return and remove the vehicle.

Abandoned vehicles shall not be impounded from private property unless:

1. The vehicle is seized as evidence of a crime
2. The vehicle constitutes an immediate danger to life and/or property
3. The vehicle is a derelict vehicle as defined in O.C.G.A. 40-11-9

Vehicles should be impounded for safe keeping on all arrests when:

1. The driver refuses to release the vehicle to a person of their choosing who is present, possesses a valid driver's license, is physically capable of operating the vehicle and has agreed to do so; **or**
2. The vehicle has no insurance; **or**
3. The vehicle's mechanical condition is not safe to be driven on the roadway and would be in violation of county ordinance or state law; **or**
4. Any vehicle is left on the roadway and presents a traffic hazard; **or**
5. The driver or owner of a vehicle is arrested and has parked the vehicle on private property, other than his own, without permission to leave the vehicle and no qualified driver (as described in #1 above) is available.

Vehicles involved in crashes may be impounded when they pose a safety hazard or traffic obstruction.

Vehicles may also be seized as evidence in the investigation of a crime.

II TOWING SERVICE ROTATION LIST

The Sheriff's Office Tow Service Rotation System is established to provide deputies with reliable and professional towing assistance for the removal and storage of vehicles as permitted by law. Participation is a privilege and not for the benefit of a particular tow service provider.

The Sheriff's Office Tow Service Coordinator will review applications and maintain a list of qualified providers. The Sheriff or his designee shall have final authority regarding the number and designation of those tow service providers placed on the rotation list. The equal rotation of the list will be administered by the 911 Center.

The acceptance of a tow service's application shall not be construed as a contract or other form of agreement. All liability and responsibility for payment for the services of the tow service shall lie with the owner/operator of the vehicle being towed. Neither the Forsyth County Sheriff's Office nor any member of the Sheriff's Office bear any responsibility for payment

A. TOW SERVICE LIST

1. The Forsyth County Sheriff's Office shall maintain an agreement with specific area towing services to provide tow services to accident, inoperable or abandoned vehicles and vehicle impounds due to criminal action.
2. The composition and qualification of the tow services selected by the agency shall be approved by the Sheriff or his designee.
3. Tow services may be added or removed at the discretion of the Sheriff or his designee.
4. List tow services shall be maintained on a rotating basis, the equal rotation thereof being administered by the Forsyth County 911 Center.
5. List tow services have no vested rights to incur upon any motor vehicle operator to utilize their services unless instructed by a deputy in the performance of their duties, to remove a safety hazard or road obstruction or to impound a vehicle pursuant to the deputy's lawful authority.

III TOW COMPANY RESPONSIBILITIES

O.C.G.A. § 40-11-2, relating to the impoundment of vehicles sets out a procedure for wrecker services to contact local law enforcement agencies within seventy-two (72) hours after an impound to seek the identity and address of the last known registered owner of the impounded vehicle. Impounds occur only when someone takes custody of a vehicle, without the owner's/driver's permission and said vehicle is taken to the impounding wrecker service's storage lot. An impound is classified as either a law enforcement impound or a private impound. A law enforcement impound occurs when a law enforcement deputy takes custody of a vehicle and causes it to be removed by one of the Sheriff's Office listed wrecker services. Reasons for law enforcement impounds may be for abandoned vehicles, the arrest of the driver of a vehicle, or the vehicle is evidence in a criminal investigation. Vehicles that are removed at the owner's/driver's request or are removed because they are not drivable due to an accident are not considered impounds even though they may be removed by one of the Sheriff's Office listed wrecker services. Private impounds occur whenever any wrecker service contracts with a private or public enterprise to remove vehicles from private property at the property owner's request. There is no law enforcement involvement with private impounds unless there is the occurrence of criminal activity. Examples of private impounds would be a wrecker service company impounding a vehicle from a shopping center or an apartment complex at the request of the owner of the parking area where the vehicle was impounded.

1. In order to comply with O.C.G.A. §40-11-2, the following policy is hereby established:

- a. Whenever a law enforcement impound occurs, the deputy in charge of the impound may release registration information concerning the impounded vehicle to the wrecker driver, if requested, and if the time and circumstances allow.
- b. Whenever a private impound occurs, O.C.G.A. §40-11-2(b) requires the wrecker service removing the vehicle to contact the local law enforcement agency to determine the registered owner of the vehicle. The wrecker service shall, within 72 hours of impoundment, provide in writing the location of the vehicle, license number, model, year, and make to the Sheriff's Office.

Under O.C.G.A. §40-6-276, the wrecker driver is responsible for removal of all parts belonging to the vehicles being towed, or if the parts consist of small particles or broken glass, he shall clear the streets of the parts unless ordered not to do so by the deputy due to circumstances at the accident scene. Failure to comply may result in misdemeanor charges being made against the driver by the deputy.

IV PROCEDURES FOR IMPOUNDING/TOWING VEHICLES

A. ARRESTS

Vehicles will be impounded on all misdemeanor and felony arrests when:

1. The operator is physically or mentally incapable of operating the vehicle; **AND**,
2. The operator refuses to release the vehicle to a person of his own choosing who is present and who is properly qualified and physically capable of operating the vehicle and the person has agreed to do so; **or**,
3. The vehicle's condition would not permit it to be operated without being in violation of County ordinance or State law; **or**,
4. The driver or owner of a vehicle is arrested and has parked the vehicle on non-commercial private property other than his own, is without permission to leave the vehicle, and no qualified person, as described in #2 above, is available; the arresting deputy has the authority to remove said vehicle for impoundment and safe keeping, **or**,
5. Any vehicle is left on the roadway and presents a traffic hazard.
6. Upon release from the detention center, a copy of the vehicle impound form will be provided to the arrestee.

B. ACCIDENT SCENES

When a deputy arrives on the scene of an automobile accident requiring tow services, the deputy will:

1. Render necessary first aid,

2. Determine immediately if the driver has a particular tow service request, drivers will be granted the ability to summon the tow service of their choice.
3. If the vehicle location poses a safety hazard or traffic obstruction in which a delay of the tow service of the driver's choice would cause additional danger or congestion, the deputy will request a list tow service and explain to the driver the reason for being unable to honor their request.
4. If the driver does not have a specific tow service request, the deputy will briefly explain our list towing agreement and then request a list tow service via the 911 Center. Should the driver later request a specific tow service, the deputy will advise the 911 Center to cancel the list tow service and place them back into the rotation of tow services at their prior placement on the list.
5. Deputies have no authority to require any motorist to utilize a specific tow service as long as the motor vehicle is not a safety hazard or causing a road obstruction. If such conditions exist, the deputy will consider the time frame likely needed for a specific requested tow service to arrive and shall request a list tow service if needed to cause the hazard or traffic obstruction to be removed as soon as possible.
6. Deputies arriving at the scene of an automobile accident who find that an emergency situation exists and involves the need for a tow service to be expedited to the scene may request that the Forsyth County 911 Center call upon the closest list tow service to the accident scene. This should be limited to the need for a tow service to be used in a rescue of injured parties or in those occurrences that a major traffic obstruction will likely occur if the roadway is not immediately cleared. The Forsyth County 911 Center will call the closest list tow service to the actual motor vehicle accident and will ensure that a tow truck is available to immediately respond from the tow service operational address. Should a tow truck not be immediately available from the tow service, the Forsyth County 911 Center will advise the on-duty sergeant or watch commander who will direct the needed tow service response.
7. If the person in charge of the vehicle prefers, he may leave the vehicle at the scene providing it can be parked off the roadway in a manner not creating a traffic hazard. In the event such owner or operator is incapacitated, or not available to designate a wrecker, the contract wrecker service will be used. Vehicles towed from the scene of an accident are to be stored on the premises of the contract wrecker firm unless otherwise designated by the operator, or deputy.
8. If a death has resulted, or a person has been injured to the extent that he may die, the involved vehicle should be stored in such a manner that it would not be disturbed until it is processed by the Traffic Unit. If the vehicle is deemed to have evidentiary value, the investigating deputy shall request a "hold" be placed on the vehicle. The wrecker firm will be instructed not to permit anyone other than the Sheriff's Office to photograph, touch or remove any contents or parts, or touch or remove the vehicle while under their care, if a hold has been placed on the vehicle. If requested, the vehicle may be stored at the Sheriff's Office Impound Lot.

Vehicles and other equipment seized and stored shall be released or disposed of as soon as practicable and pursuant to law. In order to facilitate this, the following shall apply: The deputy responsible for the investigation shall make every effort to promptly and efficiently complete or arrange for the completion or processing, testing, analysis or other investigative work specifically involving the vehicle seized as evidence. Upon completion of the required work for processing, the deputy in charge of the investigation shall complete a Property Release form and forward this to the Property and Evidence Unit.

C. VEHICLE IMPOUND INVENTORY AND RECORD

Whenever a vehicle or other equipment is to be released to a towing company for storage, the seizing or impounding deputy shall provide pertinent data concerning the impounded item and complete the necessary paperwork (i.e., vehicle impound record form and evidence/property form). After completing the necessary paperwork, the wrecker service shall take possession of the vehicle, keys, and a copy of the vehicle impound record.

1. Items of Exceptional Value Located in Vehicles

- a. In cases where items of exceptional value are present at the scene of an arrest or impound (which are not contraband or of evidential value), the arresting deputy shall make every effort to turn those items over to a person of the arrestee's choosing. This exchange shall be detailed in the incident report documenting the arrest. It is the arresting deputy's responsibility to minimize the Sheriff's Office's involvement in matters which have no bearing on a criminal proceeding.
- b. In cases where the vehicle is being impounded and no arrangement can be made to secure their property, the property will be documented in the inventory section of the vehicle impound/release record and secured in the arrestee's vehicle prior to the wrecker company taking possession of the vehicle.
- c. In cases where there is no vehicle to leave an arrestee's property in or no person to turn the property over to, the property will be documented on a Property Receipt Form and turned into the Property/Evidence section.

2. Release of Vehicles or Other Equipment

Vehicles and other equipment seized and stored shall be released or disposed of as soon as practicable and pursuant to law. In order to facilitate this, the following shall apply:

- a. The deputy responsible for the investigation shall make every effort to promptly and efficiently complete or arrange for the completion or processing, testing, analysis or other investigative work specifically involving the vehicle seized as evidence.

- b. Upon completion of the required work for processing, the deputy in charge of the investigation shall contact the Property and Evidence Unit and release the "hold". The Property and Evidence Unit will document on the original Vehicle Impound/Release Record the date, time, and authorizing deputy. The deputy will then make contact with the vehicle's owner informing them the vehicle hold has been removed.
 - c. The wrecker service shall release the vehicle only after receiving the Vehicle Release Form from the owner.
 3. Private request wrecker service(s) do not require an impound slip be completed by the deputy.

D. GCIC REQUIREMENTS

Procedures to initiate entry and removal of GCIC entries, when appropriate, include the following:

1. In cases involving the recovery of a stolen vehicle originally reported to the agency, the recovering deputy shall contact the GCIC Unit and request the cancellation of any computer entry which reflects the vehicle at large. The deputy shall note the name of the GCIC Unit operator who enters and/or cancels the computer entry onto the incident report.
2. The impounding deputy shall make a reasonable effort to notify the registered owner prior to towing. This notification shall be noted on the deputy's report.

GENERAL ORDER: 3-10 USE OF FORCE

Rescinds/Amends:

Effective Date: April 25, 2023

Committee Review - Date: March 2023

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I USE OF FORCE

The purpose of this policy is to structure the use of firearms and the Use of Force by agency employees and to provide a framework within which law enforcement duties can be properly and lawfully discharged by deputies. Since deputies have 24-hour-a-day / 7-day-a-week law enforcement powers, this policy shall be adhered to concerning off-duty conduct as well as on-duty conduct.

Authorized deputies shall be trained in approved methods of self-defense, defense of others and the agency's Use of Force policy and procedures. Deputies acting within their official capacity may use only that amount of force which is reasonably objective to effect lawful objectives.

Deputies shall never use a greater degree of force than that which is lawful and objectively reasonable for the specific situation. Objective reasonable force may be used:

1. to effect an arrest,
2. to overcome unlawful resistance,
3. to prevent an escape from custody or investigative detention,
4. to prevent an unlawful assault upon the deputy or another person, or
5. to prevent the commission of a forcible felony

The use of force will end when resistance ceases, when resistance has been overcome, or when the arrest has been accomplished. If the subject's resistance reoccurs, objectively reasonable force to regain compliance should be used.

Justification for the Use of Force is limited to what facts were known or perceived by the deputy at the time he/she decided to use such force. Facts unknown to the deputy, no matter how compelling, cannot be considered in later determining whether the force was justified.

Deputies using force must be able to articulate the need and justification for the Use of Force and the reasons why the Use of Force was selected. Full disclosure of the circumstances requiring the Use of Force, and the type and extent of force, shall be thoroughly documented in the Use of Force report completed in conjunction with the Incident Report.

II LEGAL JUSTIFICATION

All force shall be used in accordance with United States Supreme Court decisions and applicable Georgia statutes as described in this policy.

All force, including deadly force, must be objectively reasonable. The objective standard shall be viewed from the perspective of a reasonable officer on the scene under the same conditions and not in 20/20 hindsight. The factors that can assist in determining reasonableness are:

1. The severity of the crime at issue;
2. Whether the suspect poses an immediate threat to the safety of the officers or others;
3. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight

“Allowances must be made for the fact that officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving.” **Graham v. Connor**, 490 U.S., at 386 (1989).

A. JUSTIFICATION FOR USE OF NON-DEADLY FORCE

A deputy is justified in threatening or using force against another:

1. When and to the extent that he/she reasonably believes that such threat of force is objectively reasonable to defend himself/herself or a third person against such other's imminent use of unlawful force (O.C.G.A. 16-3-21)
2. When objectively reasonable to preserve the peace, prevent commission of offenses, prevent suicide or self-inflicted injury; OR
3. When making lawful arrests and searches, overcoming resistance to such arrests and searches or preventing escapes from custody or investigative detention

Deputies shall use empty hand techniques and agency approved intermediate weapons with which they are trained, qualified, and certified by agency training procedures. A deputy may use preemptive physical force before any overt moves are made by a subject if the nonverbal resistance given by a subject indicates an immediate potential for violence and/or a deputy believes that physical force is objectively reasonable to prevent a subject from fleeing or injuring themselves, others, or another deputy.

B. JUSTIFICATION FOR THE USE OF DEADLY FORCE

Deputies may use deadly force when they reasonably believe that the force is to defend human life, including their own, or to defend any person in imminent danger of receiving great physical injury.

It would be objectively reasonable for a law enforcement officer to use deadly force when faced with imminent danger of serious physical harm or death to the officer or a third party who is present at the scene or to prevent escape in cases where the officer has probable cause to believe that the fleeing suspect had been involved in a violent felony involving the infliction or threatened infliction of serious physical harm or death if the officer reasonably believes that the suspect's escape would create a continuing danger of serious physical injury or death to another person. Circumstances permitting and when reasonably practical, deputies should identify themselves as law enforcement officers and give a verbal warning before using deadly force. Tennessee v. Garner, 471 U.S. 1 (1985)

A deputy is justified in using force which is intended or likely to cause death or great physical harm only if he reasonably believes that such force is to prevent death or great physical injury to himself or a third person or to prevent the commission of a forcible felony. (O.C.G.A. 16-3-21)

Deputies may use deadly force to apprehend a suspected felon only if one or more of the following conditions exists:

1. When the officer reasonably believes that the suspect possesses a deadly weapon or any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious physical injury;
2. When the officer reasonably believes that the suspect poses an immediate threat of physical violence to the officer or others; OR
3. When there is probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm if the officer reasonably believes that the suspect's escape would create a continuing danger of serious physical injury to any person. (O.C.G.A. 17-4-20)

C. CHOKEHOLDS & VASCULAR NECK RESTRICTION TECHNIQUES:

Chokeholds or vascular neck restriction techniques are prohibited, **unless the deputy reasonably believes deadly force is justified.**

Chokehold: application of direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of oxygen for the purpose of gaining control of a subject. "Chokehold" does not include contact with the neck that is not intended to reduce the intake of air.

Vascular Neck Restriction Technique: A method of rendering a person unconscious by restricting the flow of blood to the brain by compressing the sides of the neck where the carotid arteries are located.

D. Additional Firearm Usage

1. **In the presence of exigent circumstances where no danger exists to innocent persons**, agency deputies are **authorized** to use a firearm to:
 - a. Attempt to disable an occupied motor vehicle or other occupied conveyance;
 - b. Shoot at or from a moving vehicle; or
 - c. Apply directed fire

E. Duty to Intervene

All employees of the Forsyth County Sheriff's Office have a responsibility and an obligation to protect the public and other employees from acts of misconduct and/or objectively unreasonable uses of force.

An employee who observes or becomes aware of a violation of agency policy, state law, federal law or local ordinance committed by another employee or a member of any public safety organization shall intervene and make every possible attempt to stop the violation and shall notify an appropriate supervisory authority.

It shall be the duty of every employee, regardless of rank and/or assignment, present at any scene where physical force is being applied to either stop or make every possible attempt within the scope of their authority and training to stop another employee or a member of another public safety organization from using or continuing to use force that is beyond that which is objectively reasonable under the current circumstances.

Every employee has a responsibility to report any incident where an employee of the Forsyth County Sheriff's Office or a member of a public safety organization is suspected of using force or continuing to use force that was beyond that which was objectively reasonable under the circumstances.

Any employee failing to comply with the directive of "Duty to Intervene" shall be held accountable in the same manner as the employee or public safety organization member violating agency policy, state law, federal law or local ordinance and/or applying objectively unreasonable force.

F. Firearm Restrictions

The use of warning shots is prohibited by the Forsyth County Sheriff's Office.

III USE OF FORCE FACTORS

In properly determining the reasonable response to a subject's resistance, several factors must be evaluated by a deputy. A deputy does not need to retreat in their effort to lawfully control a subject but may utilize the amount of force objectively reasonable to accomplish his lawful objective.

In most encounters, the mere presence of a deputy and proper verbal direction will be sufficient to resolve potential problems and allow a deputy to perform their duties.

De-escalation Techniques are defined as the use of non-confrontational verbal skills and body language in an attempt to achieve the best possible outcome. When endeavoring to gain compliance to lawful objectives, de-escalation techniques should be utilized to avoid a use of force encounter, if safely possible. There are situations in which de-escalation techniques cannot be utilized such as but not limited to an immediate physical threat to deputies or third parties.

Factors to consider when using force include the following:

1. Subject Factors

- a. Severity of the crime committed by the subject
- b. Size, age, and/or weight of the subject
- c. Apparent physical ability of the subject
- d. Number of subjects present who are involved, or who may become involved
- e. Weapons possessed by or available to the subject
- f. Subject's apparent state of intoxication via alcohol or other drugs

2. Deputy Factors

- a. Size, age, and/or weight of the deputy
- b. Physical ability and empty hands skill level of a deputy
- c. Number of deputies present or immediately available
- d. The necessity for immediate reaction in the case of sudden attack
- e. Weapons or restraint devices immediately available to the deputy
- f. Prior knowledge of subject's history of violence
- g. Presence of innocent individuals or potential victims in the area
- h. Whether a subject can be recaptured at a later time
- i. Whether evidence is likely to be destroyed
- j. Legal requirements
- k. Agency policy

A deputy's reaction to verbal threats should be based on a reasonable perception of the validity of the threat, a subject's ability to carry out the threat and a deputy's own physical ability to manage the threat. If a subject's body language during a threat indicates their intention to increase their resistance, a deputy should prepare to respond with intermediate weapons. If a subject has a weapon and/or a combination of other subject/deputy factors are present that the threat of death or great physical harm exists, a deputy should respond with deadly force.

IV MEDICAL ATTENTION REQUIRED

Deputies shall render medical aid based on their training and ability, as quickly as reasonably possible and tactically safe to do so, following any law enforcement action in which injuries have been sustained, medical distress is apparent or the individual is unconscious. If chemical agents are used, subjects should be decontaminated as trained based on the chemical agent.

Medical treatment may consist of but not be limited to first aid by deputies on the scene, treatment by emergency medical personnel on scene, by medical staff at the Jail or by hospital personnel.

Emergency medical assistance may be requested by deputies via radio or phone notification to dispatch.

Deputies shall arrange for the transportation of a subject to the hospital after a Use of Force incident when:

1. The suspect has suffered obvious serious injuries from the Use of Force or when symptoms of serious injury become apparent; or
2. Due to the force utilized, there is a reasonable risk of internal injuries that may not initially manifest themselves in any visible fashion.

If transported to the hospital, the subject shall be examined, treated and admitted to the medical facility or released to the deputy with a written medical release from the attending physician prior to the suspect being processed at the Detention Center. If the suspect refuses medical treatment at the medical facility, the deputy shall request that the attending physician note the refusal in the medical records made by the physician and obtain a written medical release. Additionally, the deputy shall note the medical treatment or declination of medical treatment in their report of the incident, along with the name of the attending physician.

V. USE OF FORCE REPORTING

A. USE OF FORCE REPORT REQUIRED

A USE OF FORCE report shall be submitted when:

1. A firearm is discharged, on or off-duty, EXCEPT:
 - i. During training on the firing range in conjunction with legitimate recreational activities, OR
 - ii. When a firearm is accidentally discharged (an incident report shall be completed and Internal Affairs notified for a review)

2. Force is applied through the use of any weapon;
3. An individual is placed in a restraint chair or a WRAP restraint device.
4. Force is applied through the actual use of pepper spray or other method greater than compliance escort techniques, such as compliance pain or mechanical, chemical agents, impact weapons, or less lethal munitions;
5. A deployed K-9:
 - a. grasps a person's body or clothing with its mouth to overcome resistance, neutralize an assault or capture a fleeing suspect, AND/OR
 - b. causes injury to a person's body or damage to a person's clothing (i.e., bite, rakes, abrasions or tearing of clothing)

Note: Injury incurred by a deputy resulting from contact with a K-9 shall not be considered a use of force but shall be reported via an injured employee packet.

6. An electronic immobilization system is activated during court proceedings or by personnel conducting transports, to shock an individual.
7. A BolaWrap restraint device is deployed.
8. A firearm or a Conducted Energy Weapon (taser) is pointed at or in the general direction of another person while lawful commands are being given.

B. REPORTING PROCEDURES

A Use of Force Report shall be completed and submitted according to the following procedures:

1. All deputies involved in a Use of Force shall file an incident/supplemental report, unless expressly exempted in paragraph V, B, 5 below.
2. Any visible injury sustained by a criminal subject or deputy as a result of a Use of Force shall be photographed. The photo shall be attached to the Use of Force packet. Photographs of a deputy's physical appearance substantially affected by the Use of Force should also be included.
3. Use of Force incidents involving only the display of a firearm or taser shall be documented in an incident report. A supervisor not involved in the incident shall indicate on the Use of Force / Display of Weapon administrative review form his/her findings regarding compliance with applicable agency policy and state law. The completed packet shall be forwarded to the next supervisor/commander in the chain of command, then to the Division Commander. Next, the packet shall be forwarded to the Training Unit, Bureau Commander and the Office of the Chief Deputy.

4. For all other Use of Force incidents, a supervisor, not involved in the Use of Force incident, shall complete a Use of Force Report packet complete with all incident reports, supplemental reports, statements, photos, and any other relevant information. The supervisor shall document his/her findings on the Use of Force Report regarding compliance with applicable agency policies and state law, unless expressly exempted in paragraph V, B, 5 below. The completed packet shall be forwarded to the next supervisor/commander in the chain of command, then to the Division Commander. Next, the packet shall be forwarded to the Training Unit, Bureau Commander and the Office of the Chief Deputy.
5. Incidents involving use of force or other law enforcement action(s) that resulted in death or serious physical injury and incidents involving the discharge of a firearm for self-defense and/or the defense of others where no injury occurred shall be documented in a Use of Force Information Packet and forwarded to the Internal Affairs Unit, via chain of command, for an administrative review. Directly Involved Deputies are not required to complete an Incident Report, Supplemental Report or otherwise provide a statement for the Use of Force Information Packet. Supervisors shall not determine compliance with applicable agency policies and state law as not all information will be available.

Directly Involved Deputies shall include a Deputy actively engaged in the application of force or a Deputy/Employee who takes an action (e.g., discharging a weapon, operating a vehicle, utilizing an ASP baton, etc.) which causes death or serious physical injury.

All completed Use of Force Report packets shall be filed in the Office of Professional Standards.

C. EXCEPTIONS TO REPORTING REQUIREMENTS

The mere presence of a uniformed deputy, verbal commands from a deputy to a subject, the simple escort of a subject, joint manipulation or controlled takedowns and handcuffing/restraining subjects may be considered "uses of force," however, unless extenuating circumstances exist, a Use of Force report is not required but will require documentation on an incident report. Generally, a situation involving a Use of Force which does not rise to hard, empty hand strikes (as defined in Glossary) will not require a Use of Force report. The fact that a suspect sustains an injury from the Use of Force should not be a determining factor when deciding if a Use of Force report is required.

A written Use of Force report shall not be required when lethal or non-lethal force is used on animals or livestock. An incident report with the offense of 'Dispatched Animal' should be completed' when an animal is destroyed using a firearm. Additionally, the discharge of a weapon for training or recreational purposes shall not require any documentation.

A written Use of Force report shall not be required for an accidental discharge of a deputy's firearm wherein no injury occurred. An incident report with the offense 'Discharged Firearm' shall be completed. All incidents involving an accidental discharge of a deputy's firearm will be investigated by the Office of Professional Standards.

D. Use of Force Analysis

The Training Unit shall conduct an annual analysis of all Use of Force Reports, including activities, policies and practices. The analysis should be used to make determinations on the need for future policy, practices, training, equipment and related issues. The analysis should identify:

1. Date and time of incidents;
2. Types of encounters resulting in Use of Force
3. Trends or patterns related to race, age and gender of subjects involved;
4. Trends or patterns resulting in injury to any person including employees; and
5. Impact of findings on policies, practices, equipment and training

The annual analysis shall be forwarded to the Sheriff electronically (via email or PowerDMS) or in paper form for review.

VI ANNUAL REVIEW OF ASSAULTS ON DEPUTIES

The training unit supervisor shall conduct an annual review of all assaults on deputies to determine trends or patterns, and to make recommendations which would enhance officer safety, revise policy and/or address training issues.

VIII TRAINING

Agency personnel authorized to carry lethal and less lethal weapons shall receive all use of force policies and related instruction before being authorized to carry said weapon.

Definitions of conditional terms, such as reasonable belief, great physical harm, or similar terms shall be reviewed during annual use of force in-service training.

**GENERAL ORDER: 3-10.1 DEADLY FORCE
AND SERIOUS INJURY
INVESTIGATIONS**

Effective Date: April 25, 2023

Committee Review - Date: March 2023

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. DEADLY FORCE AND SERIOUS INJURY INVESTIGATIONS

The purpose of this policy is to set forth procedures for the criminal and administrative investigations of use of force and other law enforcement actions that result in death or serious bodily injury. This policy shall also apply to incidents wherein a deputy discharges a firearm toward a person with the intent of inflicting deadly force, regardless of injury to the intended person.

II. DISCUSSION

In the performance of law enforcement duties Sworn Deputies, on duty or off duty and acting under color of law, are often required to take quick and decisive action during rapidly evolving and stressful circumstances. At times, these circumstances may result in a deputy discharging a firearm toward a person, using force in a manner that causes death or a serious physical injury, or taking some other action which causes death or serious physical injury to a person.

To ensure each case is investigated impartially, efficiently, and in a consistent manner, this policy identifies the resources called upon and the procedures followed when conducting these complex and time-consuming investigations. The simultaneous investigations shall be conducted to ensure the deputy(s)/employee(s) actions are in compliance with the Official Code of Georgia and Forsyth County Sheriff's Office Policies and Procedures.

III. CRIMINAL and ADMINISTRATIVE INVESTIGATIONS

Following an incident described above, two separate investigations shall be conducted:

- A. The Criminal Investigation – shall focus on whether the actions of the Directly Involved Deputy(s) or employee(s), during the course of the incident, violated criminal law. All information derived from the criminal investigation shall be shared with members conducting the administrative investigation.
- B. The Administrative Investigation – shall focus on whether the actions of the Directly Involved Deputy(s), or employee(s) during the course of the incident, violated Forsyth County Sheriff's Office policy. Information derived from the Directly Involved Deputies' or employee's compelled statements shall not be shared with personnel involved in the criminal investigation of the incident.

IV. DEFINITIONS

- A. Directly Involved Deputy – A Deputy actively engaged in the application of force or a deputy/employee who takes an action (e.g., discharging a weapon, operating a vehicle, utilizing an ASP baton, etc.) which causes death or serious physical injury.
- B. Responding Deputy – A Deputy responding to a scene following an incident. A responding deputy could become a law-enforcement witness at a later time.
- C. Law-enforcement Witness – A Deputy, employee, or law-enforcement volunteer who is not directly involved and did not use any form of physical force. The law-enforcement witness is not the subject of the criminal or administrative investigation.
- D. Deadly force – any use of force that is likely to or does cause death or serious bodily injury.
- E. Serious Physical Injury – Includes serious permanent disfigurement or long-term loss or impairment of the function of a body member or organ.

V. PROCEDURES

A. Scene Management

1. The scene should be secured using both an inner and outer perimeter. The inner perimeter shall contain only those personnel responsible for the investigation of the incident. The outer perimeter shall contain other personnel associated with the incident.
2. The Incident Command System shall be utilized to manage and control the scene of the incident.
3. Ensure all Directly Involved Deputy(s)/Employee(s), law-enforcement witnesses, and other witnesses are separated.
4. Every effort shall be made by Responding Deputy(s) to protect evidence at the scene. However, treating any injured persons shall take precedent.
5. Responding Deputies should not remove involved weapons from the scene or in any way disturb evidence. If a weapon must be moved – a record of the location shall be made by diagram and/or photographs. A firearm should not be unloaded or manipulated needlessly.

B. Criminal Investigation

The GBI shall be requested to investigate all incidents wherein the actions of an agency employee resulted in death or serious injury and incidents wherein a deputy has discharged a firearm toward another person regardless of injury or death.

The Georgia State Patrol may be requested to investigate all vehicle accidents involving an agency employee which result in serious injury or death.

Incidents involving the actions of an agency employee which result in serious injury or death that occur outside of Forsyth County shall be investigated by the agency having jurisdiction and Forsyth County Sheriff's Office Internal Affairs Personnel.

C. Administrative Investigation

1. The Watch Commander shall notify the Internal Affairs Supervisor of the incident, providing details as available.
2. The Internal Affairs Supervisor shall assign an Internal Affairs Investigator and both shall respond.
3. Members of Forsyth County Internal Affairs Unit (IA) shall conduct an administrative investigation jointly with the criminal investigation conducted by the G.B.I. and or any other approved investigative team and render whatever assistance requested. Normal crime scene procedures shall be utilized.
4. From the outset – the administrative investigation shall be kept separate from the criminal investigation. Major Crimes Unit personnel or the G.B.I. shall control all evidence including any weapons involved.
5. After an initial brief meeting or walk through with investigative personnel, the Directly Involved Deputy(s)/Employee(s) should be removed from the scene to provide for a psychological break. This brief meeting or walk through should determine the scope of the investigation and the size of the crime scene and the location of potential witnesses.
6. Investigators shall allow recovery time before any interview (other than initial walk through) of the Directly Involved Deputy(s)/Employee(s). Internal Affairs personnel shall be allowed to view all interviews. No more than two investigators should participate in the interview of involved personnel. Administrative Investigation Interviews shall be conducted in accordance with [GO 3-1.3 Internal Affairs Unit](#) policy. The Directly Involved Deputy(s)/Employee(s) should be interviewed in rooms such as offices or conference rooms. The interviews shall be audio recorded and whenever possible video recorded.
7. Whenever appropriate – the Directly Involved Deputy's weapon(s) utilized in the incident should be secured as evidence and a replacement provided by the I.A. Supervisor in conjunction with the Training Supervisor and the G.B.I. case agent.
8. The Directly Involved Deputy(s)/Employee(s) shall be placed on "administrative leave with pay", pending administrative review, immediately after the preliminary steps of the investigation have been completed. This leave shall be without loss of pay or benefits and shall continue until the employee is released by the Internal Affairs Unit. The

assignment to administrative leave shall not be construed to imply or indicate that the employee has acted improperly.

While on administrative leave, the Directly Involved Deputy/Employee shall be available for official agency needs regarding the incident. They shall not discuss the incident with persons not involved in the investigation other than immediate family, clergy, peer support, their representative or their attorney.

9. The Internal Affairs Supervisor shall contact the Forsyth County District Attorney's Office from the scene to make that the office is aware of the investigation. The purpose is to notify and determine if they would like to come to scene.
10. During the investigation, the Internal Affairs Supervisor or designee shall ensure the Directly Involved Deputy(s)/Employee(s) are informed of the administrative processes and shall keep them informed of the progress of the investigation. In addition, the Directly Involved Deputy(s)/Employee(s) shall be notified of the results of any investigation.
11. The Internal Affairs Commander shall ensure that the Directly Involved Deputy(s)/Employee(s) family is notified in person of the incident. The person making the notification can be of the Directly Involved Deputy(s)/Employee(s) choosing or the deputy(s)/employee(s) themselves. If a Directly Involved Deputy(s)/Employee(s) is hospitalized – the family of the deputy/employee shall be transported to the hospital by Forsyth County Sheriff's Office personnel.
12. All Directly Involved Deputy(s) shall receive a confidential debriefing with a licensed mental health professional within a reasonable time after the incident. This should be completed after the interviews with Internal Affairs and GBI and should never be done as a group debriefing prior to the interviews.
13. The Internal Affairs Commander shall keep the Command Staff of the agency informed regarding the progress of the investigation.
14. Information concerning the incident shall be approved by the Sheriff prior to being released to the public or media.
15. At the discretion of the Sheriff – information may be released to the agency to dispel any rumors.
16. The investigation shall be handled as expeditiously as possible – allowing for a thorough and sifting investigation.

17. The case file and all information managed by the Internal Affairs Unit shall be securely maintained in the Internal Affairs records management system.

18. It is the responsibility of the Internal Affairs Commander to ensure that the case file is complete and for the presentation of the case file to the District Attorney of Forsyth County.

D. Role of Prosecutor's Office

The role of the Forsyth County District Attorney's office is to respond to the scene and observe the investigation (at their discretion), review the investigative case file compiled by the GBI, conduct further investigation as they deem appropriate and determine if criminal prosecution is warranted.

E. Public Information Plan

The Forsyth County Sheriff's Office Public Information Officer shall coordinate news releases or social media posts with the Sheriff prior to releasing any information concerning the incident. The primary focus shall be to protect the integrity of the investigation while releasing as much information as possible regarding the circumstances of the incident and the status of the investigation. The GBI Investigator, the Internal Affairs Commander and the District Attorney should be consulted to ensure updated and timely information is released.

F. Firearm Requalification

In any deadly force incident where a deputy fires a firearm, the deputy shall requalify with their firearm and successfully complete multiple deadly force scenarios on the judgmental simulator. These scenarios shall include a combination of when a deputy is and is not legally justified to use deadly force on a suspect. At the conclusion of the requalification and scenario training, the Training Unit supervisor or designee shall forward in writing to the Internal Affairs Unit observations of any adverse behaviors indicative of acute stress exhibited during the training.

G. Psychological Evaluation

In all cases where any person has been seriously injured or killed as a result of the Use of Force by Deputy(s) or Employee(s), the involved employee will be required to undergo a psychological evaluation with an agency-furnished psychologist as soon as practical after the incident. The purpose of this evaluation is to educate the employee on the normal after-effects of a deadly force incident and how to appropriately deal with them. The psychologist will

forward a report to the Internal Affairs Unit within two (2) days of the evaluation with a recommendation of when the employee should return to modified or full duty.

H. Return to Full Duty

Once a deputy has successfully completed a psychological evaluation, firearms requalification and scenario assessment, the Internal Affairs Unit may release them to full duty.

I. Training for all Personnel Potentially Impacted

All personnel responsible for managing or who may be potentially impacted by these incidents shall receive process and/or awareness training related to this policy.

GENERAL ORDER: 3-11 FIREARMS/WEAPONS

Rescinds/Amends:

Effective Date: May 3, 2023

Committee Review - Date: January 2023

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. FIREARMS

Deputies are issued firearms/weapons and trained in their use for self-protection, for the protection of the public, and to be utilized in accordance with the Forsyth County Sheriff's Office Use of Force Policy.

II. TRAINING FOR AUTHORIZED WEAPONS

Prior to being authorized to carry and/or use any authorized firearm or weapon, a deputy shall successfully complete training and demonstrate proficiency in the use of the respective firearm/weapon. The training for firearms and weapons shall include a review of [GO 3-10 USE OF FORCE](#).

III. FIREARMS/WEAPONS PROFICIENCY

A. Authority to Carry Firearm / Weapon

Each deputy shall demonstrate proficiency with all approved firearms and weapons prior to being authorized to carry them on duty. Proficiency shall be demonstrated to a certified firearms/weapons instructor.

Deputies may choose to carry a different weapon off duty. In such cases the deputy shall have the option to demonstrate proficiency with that weapon, in accordance with range rules established by the Training Director.

B. Proficiency Testing

Each deputy shall demonstrate proficiency with their agency approved firearm and/or weapon on the following schedule:

1. All firearms – At a minimum, annually
 - a. Prior to returning from a leave of absence of 30 days or more;
 - b. Prior to returning from light duty status of 30 days or more;
 - c. Prior to returning to full duty after a deadly use of force incident.

2. Conducted Electrical Weapons (CEWs) - Annually
3. Less-lethal weapons – At a minimum, biennially
4. High powered rifles and/or fully automatic firearms – At a minimum, annually

Proficiency demonstration shall consist of:

1. A score of 80% or higher on the appropriate qualification course of fire is required to qualify, AND
2. Demonstration of safe and proper handling of each firearm or weapon which includes safely unholstering, re-holstering, shooting, reloading, and moving.

Deputies shall be given no more than three (3) attempts to demonstrate proficiency in one day. A brief remedial training session may be completed after the first and second failed attempt.

The Training Unit shall document all training and proficiency testing.

C. Proficiency Evaluation

Supervisors may request a proficiency evaluation at any time for a subordinate who has demonstrated questionable practices concerning the care, handling and or use of a firearm or weapon. The request shall be documented in memo form and submitted via chain of command to the Division Commander. The Division Commander should evaluate the request and if approved forward it to the Training Unit Commander for review. If approved by the Training Unit Commander, the deputy shall be notified of a date and time to report to the Training Unit for the proficiency evaluation.

Each proficiency evaluation may include instruction and testing to include requiring the deputy to demonstrate a passing score on an appropriate qualification course of fire.

IV. Firearms/Weapons Proficiency Testing Failure

A deputy who fails to demonstrate proficiency with an approved firearm or weapon shall immediately relinquish the firearm or weapon to the testing instructor if agency owned. Deputies failing to demonstrate proficiency with a personally owned firearm or weapon shall be prohibited from carrying the particular firearm or weapon on duty.

If a deputy fails to demonstrate proficiency with their primary firearm, the Training Unit Commander shall notify the deputy's Division Commander. The Division Commander shall remove the deputy from law enforcement duties and shall place the deputy on modified assignment.

V. FIREARMS/WEAPONS REMEDIAL TRAINING

Deputies may be directed to attend firearms or weapons remedial training when:

- a. They fail to demonstrate proficiency during annual or biannual testing;
- b. A supervisor recommends additional training to correct observed deficiencies which could result in unsafe handling or use of a firearm or weapon.

Remedial training sessions are conducted over a 10-day period and are designed to assist deputies in improving their firearm/weapon proficiency. During this 10-day period, the deputy shall report to the range for remedial training when instructed. During remedial training, each deputy may be permitted, at the discretion of the firearms instructor, a maximum of three attempts to demonstrate proficiency each day.

Deputies who demonstrate proficiency during the 10-day remedial training (or extended remedial training as approved by the Training Unit Commander) may be reinstated to their previous duties and may be required to report to the range as directed for the next six months for additional training. The range training staff shall maintain a log on each deputy receiving remedial training and document their progress.

If a deputy fails to demonstrate proficiency by the end of the 10-day period, the Training Unit Commander may approve an extension of remedial training; the Division Commander may recommend resignation to a position which does not require use of the firearm or weapon; or, the deputy may be recommended for termination.

Deputies shall be permitted no more than two 10-day remedial sessions in a three-year period resulting from a failure to demonstrate proficiency during a required annual or biannual testing.

VI. FIREARMS/WEAPONS INSPECTION, APPROVAL AND AUTHORIZATION

A. Inspection / Approval

The Training Director or designee shall have authority, within the guidelines of agency policy, to inspect and/or approve all firearms and ammunition carried by deputies both on and/or off duty, whether agency issued or personally owned.

All firearms/weapons, whether agency issued or personally owned, shall be inspected and approved by a qualified agency firearms/weapons instructor or armorer prior to being carried on or off duty. The following procedure shall be adhered to in order to ensure that all weapons are agency approved and functional.

- 1. All weapons are subject to the review/approval of the Training Director or designee.

2. All weapons carried by agency personnel will be inspected, at a minimum, annually by a qualified agency approved weapons instructor/armorer. This inspection will usually occur during the annual proficiency testing. The purpose of the inspection is to check for unsafe weapons (i.e., obvious defects, cleanliness and any unauthorized modifications). Any agency owned weapon found to be unsafe will immediately be removed from service and taken to the Training Director or designee until it can be repaired by a qualified agency approved weapons instructor/armorer. The Training Director or designee will be responsible for having the weapon repaired or permanently removed from service. Any personally owned weapon found to be unsafe or not in compliance will not be authorized for carry.
3. The Training Director or designee is responsible for maintaining records of annual inspections to include the condition of agency owned weapons taken out of service.
4. All agency approved less-lethal weapons shall be issued to agency personnel by the Training Unit. Records of the issuance of all less-lethal weapons shall be maintained by the Training Unit. Prior to carrying any less-lethal weapon:
 - a. the employee shall have the weapon inspected by a qualified agency weapons instructor from the Training Unit.
 - b. any weapon found to be substandard or unsafe shall be removed from service and repaired prior to being carried.
 - c. the Training Unit shall confirm that the employee has been instructed in the use of force policy and is currently qualified to carry the weapon.
5. All agency firearms shall be issued by the Training Unit. Prior to issuance:
 - a. the firearm shall be subjected to a thorough inspection by a qualified agency approved armorer.
 - b. any firearm found to be substandard or unsafe shall be removed from service and repaired prior to issuance.
 - c. the Training Unit shall confirm that the employee has been instructed in the use of force policy and is currently qualified to carry the firearm.
6. Privately owned firearms may be utilized by agency personnel under the following conditions:
 - a. the firearm meets minimum standards set by the agency;
 - b. the firearm is approved for use by the Training Director or designee;
 - c. the firearm is inspected by a qualified agency approved armorer; and the employee meets all agency requirements to carry the firearm.

7. The Training Director shall maintain a record of every firearm and weapon approved by the agency for official use. The official record of approved firearms should include at a minimum:
 - a. Employee name
 - b. The date of approval/inspection/qualification
 - c. Name of qualified agency weapons instructor/armorer
 - d. Model and Serial Number of firearm / weapons

B. Care, Use and Storage

Deputies shall carry and use firearms/weapons in a careful and prudent manner in accordance with Georgia law and agency policy. Firearms shall be clean and in good working condition.

In order to mitigate thefts and mishandling of firearms/weapons, deputies shall be responsible for their proper storage and security.

While on duty and not under the deputy's "Personal control" (defined as when the weapon is being worn as part of the uniform, or when in immediate possession of the deputy), all firearms/weapons shall be secured in the following manner:

1. All rifles shall be stored in a locked rifle rack or a locked weapons vault secured to an assigned vehicle,
2. All other firearms/weapons shall be locked in a locked weapons vault secured to an assigned vehicle or within the trunk of the vehicle, or
3. Firearms/Weapons may be stored within an appropriate locked gun box within a building.

When off duty, firearms/weapons shall not be stored in a vehicle:

1. **UNLESS** the vehicle is equipped with a locking rack (for rifles) or a locking vault secured to the vehicle and the weapons are properly secured therein.

Any lost or unaccounted-for firearm or weapon shall be reported immediately to the deputy's immediate supervisor and an Incident Report shall be completed.

C. Authorized Firearms / Weapons

1. Authorized Handguns

A. On Duty

Deputies while on duty shall carry an agency issued or approved handgun as prescribed below.

- 1) Issued 9mm Glock (Model 17, 19 and 34);
- 2) Sig P365 (9mm); as a backup weapon

- 3) In some instances, a deputy may be authorized to carry a personally owned weapon on duty by the Sheriff, Chief Deputy or Training Unit. Typically, these authorizations will be limited to deputies working in an undercover capacity and shall be restricted to calibers .38 to .45. Any personally owned weapon must be approved by the Training Unit prior to it being carried on duty.
- 4) All agency issued handguns will be retained to factory specifications. The magazine base plates may be engraved with a logo as long as the logo does not detract from the Forsyth County Sheriff's Office image. Permitted logos are American flags, Sheriff's Badge, or military branches of service. Modification to magazine base plates must be inspected and approved by an agency firearm armorer.

D. Off Duty / Backups

Secondary or back-up firearms carried by deputies, whether agency issued or personally owned, on or off duty must first be approved by the Sheriff, Chief Deputy or Training Unit and shall be restricted to calibers .32 to .45. Other calibers may only be authorized by the Sheriff, Chief Deputy or Training Unit for special details and/or special units based on justifiable circumstances. Deputies wishing to carry a secondary or backup firearm may do so only when they have demonstrated proficiency with the firearm and when the firearm is completely concealed.

Agency-authorized armorers shall complete all repairs or alterations to agency-issued firearms. Personally, owned firearms shall be maintained in factory configuration, except for minor modifications to accommodate different hand sizes and strengths such as extended slide releases, extended magazine releases or magazine wells. Any such modification must be presented to the Training Director or designee at the time of qualification or upon modification for inspection and approval. Uninspected and/or non-approved modified or altered weapons shall not be allowed. All modifications to personally owned firearms shall be at the owner's expense. The deputy will be required to demonstrate proficiency in the operation and reliability of the firearm.

E. Carry of Off-Duty Firearms

Deputies when off duty are encouraged to carry or have in their possession an agency authorized firearm but are not mandated to do so. When off-duty, deputies may carry a firearm concealed on or about their person within the geographic limits of the State of Georgia and nationally in compliance with The Law Enforcement Officers Safety Act (O.C.G.A. 16-11-130; 18 USC 926B).

Authorized personnel shall carry their agency badge and identification card in order to properly identify themselves as law enforcement officers when carrying an agency-authorized firearm prior to taking necessary law enforcement action. Authorized off-duty firearms shall conform to the requirements for authorized back-up firearms.

When worn off-duty and out of uniform, firearms shall be completely concealed from the public's view.

F. Shotguns

Shotguns shall be agency issued or agency approved. All shotguns must be 12-gauge, pump action or semi-automatic with a barrel length of no less than 14" and no more than 26" and equipped with a sling. Deputies requesting to carry agency approved shotguns must:

1. Have completed a 4-hour POST certified patrol or tactical shotgun course **or**
2. Be a POST Certified Firearms Instructor.

Shotguns shall be loaded with only agency-issued ammunition.

G. Rifles

Rifles capable of shooting high velocity ammunition shall be agency-issued or agency approved. All rifles shall be pump action or semi-automatic with a barrel length no less than 10" and no more than 26" and manufactured in .223 or 5.56 caliber with a detachable magazine and equipped with a sling. Rifles shall be loaded with only agency-issued ammunition. Personnel requesting to carry agency approved rifles must:

1. Have completed a 24-hour POST certified patrol or tactical rifle course,
2. Have former military training with this firearm platform; **or**
3. Be a POST Certified Firearms Instructor.

Patrol rifles may be equipped with an optic. Optics must be capable of reducing magnification to less than 2x. Proficiency must be demonstrated with the rifle in the condition which it will be carried.

H. Ammunition

Ammunition for all authorized firearms carried by deputies on or off duty shall be agency-issued or approved by the Training Director or designee. Ammunition shall be furnished by the agency for all agency-issued firearms. All supervisors are responsible for ensuring that deputies within their span of control carry only agency-issued or approved ammunition.

All issued ammunition shall meet the following specifications:

1. Handguns

- a. .40 S&W; 140-185 gr.
- b. .38 Special; 110-160 gr.
- c. 9 mm; 110-150 gr.
- d. 45 caliber, 180-230 gr.

2. Shotguns

- a. 00 Buck rounds
- b. "Bean Bag" rounds
- c. Frangible breaching round 12 gauge
- d. Polyshock multi-purpose rounds
- e. 1 oz. slugs

3. Rifle/Specialty Weapons

- a. .223 or 5.56 caliber; 55-75 gr.
- b. .308 caliber; 160-180 gr.
- c. .45 caliber; 180-230 gr.
- d. 9mm; 110-150 gr.

4. Less Lethal Weapons

Properly trained deputies may utilize the following ammunitions:

a. For Shotguns:

- 1. .60 rubber balls
- 2. CS barricade
- 3. Nova Distraction Rounds
- 4. Light field Super Star

b. For Throwables:

- 1. White smoke Grenades
- 2. Stingball Grenades
- 3. Flameless Explosion

c. For Pepper Ball Munitions:

- 1. VXR Inert
- 2. CS balls
- 3. Tagging balls
- 4. OC Balls

d. For 37 and 40 MM Launchers:

- 1. Supersock Rounds
- 2. Sponge Rounds
- 3. Foam Baton
- 4. Sting Balls
- 5. Riot OC Muzzle Blast

I. Approved Weapons and Munitions for Special Weapons and Tactics Teams

The following weapons are approved for use by deputies assigned to the Special Weapons and Tactics team:

1. Remington model 700 Caliber .308
2. Colt Models M-4 and M16 Caliber .223 or 5.56
3. FN SCAR Caliber .223
4. Penn Arms Launcher 40mm
5. Mossberg 500 OR 590 12 Ga shotgun
6. H&K MP5 9mm
7. Glock model 34 9mm

The following munitions are approved for use by deputies assigned to the Special Weapons and Tactics team:

1. Def-tec or CTS 40mm bean bag, OC/CS Barricade, Foam impact baton OC/CS Muzzle blast.
2. Draco Gas Deployment System
3. Winchester 64 Grain Ranger Bonded .223 OR 5.56
4. M855 Green tip 63 grain
5. Hornady 168 grain AMAX.308
6. Hornady 165 grain TAP bonded
7. Ranger 127 grain +p+ 9mm
8. Super sock 12 gauge
9. Frangible breaching round 12 gauge
10. Federal LE 127 buckshot 12 gauge.
11. Hornady 135 grain Critical Duty
12. Federal Premium LE127 RS 1 oz slug 12 Gauge

J. Less-Lethal Weapons

Less-lethal weapons are authorized for use by qualified Sheriff's Office personnel and shall be used in accordance with their respective training guidelines.

1. Sheriff's Office approved less-lethal weapons are the baton, chemical defense equipment, conducted electrical weapons (CEW's), 40 and 37 MM Launchers, less-lethal munitions and canine.
 - a. The baton or expandable baton shall be between 16" and 36" in length when extended and constructed of an alloy, polymer, or wood. Uniformed deputies may carry the expandable baton in a scabbard attached to and matching the issued belt.
 - b. Chemical defense equipment may include but is not limited to spray, foam, grenade, extinguisher, launchers or any other devices designed to disperse a chemical agent.
 - c. Less-lethal weapons may also include but are not limited to less-lethal munitions, canine and CEWs.

2. Deputies shall not utilize or carry on-duty, on their person or in an agency vehicle any less-lethal weapons that are not approved for use by the Training Unit. Deputies shall not carry or use any less-lethal weapon for which they have not received training and demonstrated proper proficiency.
3. When less-lethal weapons are utilized, the manufacturer's recommendations for target area and/or distance to target should be followed. A subject's head, neck, throat, spine, groin and clavicle shall not be intentionally targeted for less-lethal weapon strikes unless a deputy is justified in the use of deadly force. These striking points have high implications of injury resulting in death or great bodily harm.

VII. FIREARMS / WEAPONS OF LAST RESORT

The agency recognizes that in some extreme circumstances the situation may dictate using firearms, weapons, implements or techniques of which the deputy has not demonstrated proficiency. These may include but are not limited to other deputy's or person's firearms, the deputy's flashlight, clipboard, knife, radio, chokehold, neck restraint, etc. A motor vehicle may also be used as an instrument of deadly force. The use of such objects or techniques shall be examined, as in any other use of force incident, based on the degree of exigency present in the situation and the totality of the circumstances.

VIII. FIREARMS SAFETY

It is imperative that deputies always exercise safety and care, whether on or off duty, in the handling of all firearms/weapons. Holsters shall not be unsnapped or handguns removed from holsters unnecessarily. Particular attention should be paid during the drawing and holstering process.

Shotguns and rifles should be carried in the vehicle in the "patrol ready" configuration. For shotguns, "Patrol ready" means the chamber is empty, the action is released, the safety is off and rounds are loaded only into the magazine or tube. For rifles, "Patrol ready" means the chamber is empty, weapon on safe, and loaded magazine inserted into the rifle. Once removed from the vehicle, rifles and shotguns may be carried with the chamber loaded based on the officer's perception of a deadly force situation. Shotguns and rifles should be returned to the "patrol ready" configuration when the situation is stabilized and they are returned for storage in the vehicle.

IX. FIREARMS / WEAPONS RANGE

A. Agency Firearms / Weapons Range Purpose

The Forsyth County Sheriff's Office firearms/weapons range shall be utilized to train Forsyth County Sheriff's Office employees in the safe and proficient use of all agency approved weapons and firearms along with other training classes as approved by the Training Director.

Law Enforcement agencies authorized by the Training Director may utilize the range. Each Law Enforcement agency is responsible for appointing a Range Supervisor for safety, staffing and care of the range and equipment. The appointed Range Supervisor will be briefed by the Training Director, or designee, regarding range rules and procedures.

The Forsyth County Sheriff's Office may conduct citizens training classes at the range. Scheduled classes shall be authorized by the Training Director.

This Firearms/Weapons Range policy shall apply to any range being utilized by Forsyth County Sheriff's Office personnel.

B. Range Master

The Training Director shall serve as the Range Master and is responsible for coordinating and managing all aspects of firearms/weapons training at the range. The Training Director may appoint other agency certified firearms instructors to act as Range Master when he/she is absent.

The Training Director shall be responsible for the overall general maintenance and security of the firing range and coordinate any required maintenance or repair to the facility.

C. Range Safety Rules and First Aid

All certified firearms instructors shall be trained in the treatment of injuries that may potentially occur during firearms training.

Safety rules shall be posted conspicuously on the Firearms Range and reviewed with all participants prior to any firearms training session.

1. Safety rules:
 - a. Always keep muzzle pointed in a safe direction;
 - b. Treat every firearm as though it were loaded;
 - c. Never point a firearm at anything you do not intend to shoot; AND
 - d. Always be sure of your target and what is beyond.

2. The following safety equipment shall be utilized by all persons at the range as appropriate:
 - a. Firearms Training
 - i. Body Armor shall be worn by all personnel when on the firearms range
 - ii. Eye protection
 - iii. Ear protection

 - b. Non-lethal weapons training (not including less-lethal shotgun)
 - i. Protective gear designed to reduce the possibility of bodily injury when conducting training such as but not limited to:
 - ii. K-9 Bite (arm and/or body suit designed to prevent injury from K9 bite)

3. First Aid and Emergency Communication

- a. First aid supplies shall be maintained on site and readily available. Supplies shall be adequate for first aid treatment of injuries that may potentially occur.
- b. A Law Enforcement Radio, cell phone and/or land line shall be readily available to summons aid for any emergency situations that may arise.

D. Authorization and Scheduling for Use

Authorization from the Training Director, or designee, shall be obtained prior to utilizing the range training facility.

- 1. Authorization for use and scheduling shall be completed on a priority basis as follows:
 - a. Sheriff's Office in-service training programs, informational programs and other training programs;
 - b. Outside law enforcement agencies or organizations with a signed Use of Range Waiver Form;
 - c. Military organizations.

E. Range Supervisor

The Training Director, or a certified firearms/weapons instructor appointed by the Training Director, shall serve as the Range Supervisor and shall be present at all times when agency personnel are utilizing the range. The Range Supervisor shall maintain adherence to range rules and is responsible for overall safety. All personnel, regardless of rank, shall follow the directions of the range supervisor while firearms training is conducted.

F. Safety Equipment

First aid supplies shall be maintained on site and readily available. Supplies shall be adequate for first aid treatment of injuries that may potentially occur.

Appropriate safety equipment shall be utilized by all persons at the range.

1. Firearms Training

- a. Eye protection
- b. Ear protection

2. Non-lethal weapons training (not including less-lethal shotgun)

- a. Protective gear designed to reduce the possibility of bodily injury when conducting training such as but not limited to:
 - i. Defensive Tactics;
 - ii. K-9 Bite (arm and/or body suit designed to prevent injury from K9 bite)

G. Alcoholic Beverages / Prescription Drugs

No person shall utilize the training facility during or within eight (8) hours of consuming alcoholic beverages or while under the influence of any substance which would impair normal physical and/or mental facilities.

At no time shall any alcoholic beverages, narcotic drug be allowed on the premises of the training facility.

All violations of this policy directive shall be immediately reported to the Training Director or designee by the person in charge at the time the violation occurs or is discovered.

H. Weapons, Ammunition and Targets

1. Weapons

Agency authorized firearms/weapons (listed in section V above) may be used on the range. This includes semi-automatic, automatic, bolt-action, lever-action, break-action, pump-action, and revolver firearms. Authorized less-lethal munitions, CEW's, and less-lethal weapons may also be used on the range.

2. Ammunition

Agency authorized ammunition (listed in section V above) may be used on the range.

3. Targets

Only authorized and/or designated targets will be used on the range. The Training Director or designee may authorize the removal of any target deemed unsafe or that does not serve a legitimate law enforcement or firearms training purpose.

4. At no time shall any gauge or caliber firearm which is capable of complete penetration through the existing backstop be used or permitted on the range.

5. The Training Director may authorize the use of other firearms/weapons and ammunition for the purpose of testing and evaluation.

All firearms, weapons and ammunition stored at the range shall be stored in a secured enclosure designed to provide the best protection from theft, weather and deterioration.

I. Care of Firing Range

Any person, persons, or organization that use the firing range shall secure and clean the area before leaving the facility.

GENERAL ORDER: 3-11.1 Conducted Energy Weapons (CEWs)

Rescinds/Amends: GO 3-1.200

Effective Date: April 29, 2022

Committee Review - Date: February 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I CEWS

The primary purpose in the decision to deploy the CEW is to prevent the continuing escalation of a subject's resistance or violence and to minimize injury to both the deputy(s) and subject(s). A deputy's decision to deploy the CEW should involve situations where the subject is escalating from passive physical resistance towards active physical resistance or as a non-lethal response to protect someone from harming themselves. This could include the use against barricaded or suicidal subjects to prevent self-injury or to prevent possible access to weapons.

II. PRE-SHIFT TESTING AND REPAIRS

It is the responsibility of each deputy to test the CEW prior to each shift or part time job and to immediately report any improperly functioning CEW to their supervisor. Defective CEWs and cartridges should be returned to the Training Unit as soon as possible and should not be used until repaired or replaced.

III DEPLOYMENT

A. DEPLOYMENT CONSIDERATIONS

Prior to deployment of a CEW, deputies must take into consideration environmental factors which may contribute to serious injury. The CEW will cause most everyone to fall and therefore should not be used when the risk of falling would likely result in severe injury or death. Other potential injury situations include but are not limited to subjects who are:

- 1) Running
- 2) Standing on or near the edge of a roof
- 3) In stairwells
- 4) In windows
- 5) Standing or immersed in water

Prior to the deployment of the CEW, deputies shall visually and physically confirm that the use of force tool selected is in fact the CEW and not their firearm. For this reason, CEWs shall be carried in a cross draw manner and when carried with a firearm will be brightly colored to distinguish them from the firearm.

When multiple deputies are present and a CEW is to be used on a subject, only one deputy should deploy the CEW on the subject. In the event the CEW malfunctions or both probes are not in contact with the subject, an additional deputy may deploy a CEW if compliance has not been gained. Deputies should communicate with each other on which deputy will deploy the CEW and which deputies will act to take the subject into physical custody.

Care should be taken that the CEW not be aimed at the neck or above, and the point of aim for front deployment of the CEW should be lower-center of mass, when possible. The back should be considered the primary point of aim for deployment from the rear.

When possible, avoid prolonged, extended, uninterrupted discharges or extensive multiple discharges. When activating the CEW the deputy should use it for one cycle and stop to evaluate the situation and the subject. Use of the CEW should be combined with physical restraint techniques to minimize the total duration of the struggle and CEW use. Every attempt should be made to take the subject into custody as quickly as possible after the initial deployment of the CEW in order to reduce the need for subsequent cycles of the CEW. Deputies should transition to a different force option if multiple CEW deployments fail to gain compliance.

The CEW should not be used near flammable liquids and fumes. Do not deploy the CEW near suspected meth labs, or after alcohol-based OC spray has been deployed.

The CEW should not be used against handcuffed subjects, pregnant women, juveniles, frail or infirm individuals or the elderly unless exigent circumstances exist. The CEW should not be deployed on subjects in physical control of a moving motor vehicle while the engine is running, or the vehicle is in gear unless exigent circumstances exist.

The CEW is prohibited from being used, or threatened to be used, in questioning or interrogating a suspect. It is prohibited to use the CEW as a "prod," to awaken a person, to needlessly display the CEW, or to exhibit careless or haphazard muzzle control of the CEW.

If practical, the deputy should verbally warn the subject that they will be subjected to a Taser. Deputies deploying a CEW should also give verbal warnings of "TASER, TASER, TASER" to let other deputies know that the CEW is being deployed. This is to alert other deputies that the CEW is being deployed so that deputies do not mistake the sound of the CEW for a gunshot. If possible, any deputy on the scene shall notify Dispatch the CEW has been deployed.

The CEW has a built-in timer. The electrical current will continue for the full five seconds every time the trigger is depressed. Unless special circumstances dictate the cycle should never be stopped early. If needed, pressing the trigger again can extend the cycle.

Once a subject has been impacted by the probes of the CEW, the probes should be removed by a certified CEW operator and then photographed. Probes are a biohazard and first aid precautions and treatment should be taken for both the deputy and the suspect as needed. CEW probes which impact sensitive areas such as neck, facial area, groin or chest/breast area of female subjects will not be removed by the deputy and will be evaluated for removal by EMS or hospital medical staff. The investigating supervisor shall ensure that photographs are taken depicting the CEW cartridge, wires and both probes with barbs intact and if possible, the photograph will show the serial number of the cartridge used. Once

photographed, the expended cartridge and probes should be handled and disposed of as a sharps biohazard. Photographs shall be submitted into evidence.

IV REPORTING REQUIREMENTS

Often the mere display of the CEW or the activation of its laser on the subject will gain compliance. If compliance is gained by simply pointing the CEW or activating the laser, An Incident Report along with a Case Supplemental shall be completed. A probe deployment of the CEW (not including accidental discharges) or drive stun attempted or completed against a subject shall be documented in an Incident report, a CEW Use Report and a Use of Force Report. Negligent discharges and the use of the CEW on animals shall be documented in an Incident report and a CEW Use Report only.

V CEW DATA DOWNLOADS

CEW data shall be downloaded as prescribed in download protocols established by the Training Unit for each particular CEW.

If a CEW is utilized in a use of force incident or is involved in a negligent discharge, the CEW data shall be downloaded prior to the end of the shift.

VI TRAINING

Deputies who have completed the course of instruction as approved by the Training Unit on the use of the CEW may be authorized to carry it. All courses of instruction for the use of a CEW shall follow the manufacturer's requirements. Only current manufacturer certified instructors will be authorized by the Training Unit to instruct deputies in the use of a CEW. Deputies who use a CEW in their assignment and/or are issued a CEW shall attend recertification training annually.

VII APPROVED CEW, CARTRIDGE, MODIFICATIONS and REPAIRS

CEWs, CEW Cartridges and Batteries authorized for use by agency personnel must be agency owned and shall be issued by the Training Unit. No changes, alterations, modifications or substitutions shall be made to the CEW. All repairs to a CEW shall be completed by an authorized vendor or armorer.

Additional backup cartridges should be issued by the Training Unit in case of cartridge failure or the need for reapplication. The spare cartridges shall be stored and carried as instructed by the Training Unit.

Axon Taser Model 7 CEWs along with Axon twenty-five (25) foot 3.5 degree (Stand-Off) and twenty-five (25) foot 12 degree (Close Quarter) cartridges are authorized for use.

Axon Model X26P CEWs along with Axon twenty-five (25) foot Cartridges are authorized for use.

**GENERAL ORDER: 3-11.2 HANDCUFFS/
RESTRAINTS**

Rescinds/Amends:

Effective Date: April 25, 2023

Committee Review - Date: June 2020

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. HANDCUFFS/RESTRAINTS

The purpose of handcuffs, leg cuffs, flex cuffs, restraint chairs and transport cuffs is to restrain the movement of a subject in a manner that allows safe transportation for the deputy and the subject and/or controlling inmates in the jail. Restraining devices also can be used to prevent further physical resistance from a subject. Whatever the application, restraining devices should be considered temporary in nature and as a means for safely achieving other lawful objectives.

When a subject is arrested and restrained, the deputy shall document in the Incident Report that the subject was handcuffed, by whom, and if applicable that the restraints were "double locked and checked for tightness". No other documentation of handcuffing is required unless the subject makes a complaint after the initial application and checking of the restraints. If a complaint is made after initial application and checking of the restraints, it shall be documented in the report what actions were taken and by whom in response to the complaint to ensure that the restraints were "double locked", if applicable, and "checked for tightness". "Checked for tightness" means the restraints are tight enough that the subject cannot escape from them by sliding their hand or foot out of the restraint but not so tight as to restrict circulation or interfere with the nerves of the hand, wrist, ankle, or foot. This is normally determined by being able to place one finger of the deputy between the restraint and the subject's body. Documenting handcuffing in an Incident Report is only required if the subject is arrested. If the subject is only detained temporarily but not arrested and circumstances warrant, a Field Interview Card should be completed to include a notation that restraints were applied, by whom and that the restraints were "double locked and checked for tightness."

A. AUTHORIZED USE of RESTRAINTS

Deputies are authorized to use restraining devices when:

1. An offender is being arrested;
2. An inmate(s) is/are being transported;
3. An inmate has threatened or displayed violence;
4. Use may prevent an inmate from injuring themselves or others; and

5. Necessary to render medical or mental health care.
6. A woman who is in the immediate postpartum period may only be restrained using wrist handcuffs with her wrists held in front of her body and only if there are compelling grounds to believe that such woman presents:
 - 1) An immediate and serious threat of harm to herself, staff or others; or
 - 2) A substantial flight risk and cannot be reasonably contained by other means. [O.C.G.A. 42-1-11.3 (d) (2) (A) (B)]
7. If a Deputy uses wrist handcuffs on a woman who is in the immediate postpartum period under the exception provided above, the circumstances for and details of such exception shall be documented in an incident report within forty-eight (48) hours of the incident. Such information shall include the nature of the circumstances and the length of time of such use of restraints. The incident report shall be provided to the Jail Supervisor and retained by the Jail for reporting purposes. [O.C.G.A. 42-1-11.3 (d) (3)]
8. Medical restraints may be used by a licensed health care professional to ensure the medical safety of a pregnant woman.

B. RESTRICTIONS ON Use of RESTRAINTS

Restraining devices are NOT to be used in the following manner:

1. Securing an inmate to a fixed object such as a cell door or bench;
2. Securing an inmate to the escorting staff member;
3. To restrict blood circulation or to obstruct the airway; or
4. As an offensive weapon unless the type of force is justified.
5. No restraints of any kind may be placed on a pregnant woman who is in the second or third trimester of pregnancy, in labor, in delivery or on a woman during the immediate postpartum period, defined as the six-week period following childbirth. The post-partum period may be extended by a physician due to complications. [per O.C.G.A. 42.1.11.3 (d) (1)]
 - a. Should a pregnant woman become violent or potentially dangerous, handcuffs, leg chains, waist chains, and waist belts may be utilized. Handcuffs, leg chains, waist chains, and waist belts may also be used in securing violent or potentially dangerous inmates within an institution and in public and private areas such as hospitals and clinics; but in no event may handcuffs, leg chains, waist chains, and waist belts be used as punishment; provided, however, if the accused becomes violent in the courtroom, restraints may be used. [O.C.G.A. 42-5-58]

Restraining devices are never applied as punishment. All deputies shall receive the proper training in the use of the restraining devices prior to use.

C. TYPES/USE OF RESTRAINTS

1. Handcuffs – when placing handcuffs in front of a subject, the palms should be facing each other. When placing handcuffs behind the inmate, palms should be facing outward. Handcuffs should be snug against the inmate's wrist and double locked so as not to tighten with movement, but not so tight as to interfere with circulation or cause injury. Placement of handcuffs shall be at the discretion of the deputy. Consideration should be given to existing medical conditions (i.e. injury, pregnancy, etc.).
2. Shackles – when placing shackles on subjects, secure shackles to each leg and double lock to prevent from tightening. Check to ensure they are not too tight to prevent the subject from walking normal or to interfere with circulation or cause injury. Subjects transported outside the secure perimeter of the jail shall be shackled unless medical conditions exist.
3. Waist chains and/or belt – waist chains are applied around the waist and are used together with handcuffs placed in front of an inmate. Waist chains should be secure enough to prevent from falling off but not so tight as to interfere with circulation or cause injury.
4. Leather restraints – used for a specific purpose; to prevent self-infliction or injury to others and shall be used at the direction of medical staff in the jail.
5. Safety Restraint Chair (Supervisor approval is required) - for specific policy and procedure on use of the safety restraint chair see **Jail Policy**.
6. Wrap Restraint Device (Supervisor approval is required) – see policy below.

D. USE OF FORCE WHEN APPLYING RESTRAINTS

When applying restraints, only the amount of reasonable and necessary force to gain control is allowed to be used. Physical force shall not be used to punish or cause intentional discomfort. Furthermore, a sufficient number of deputies should be present to assist in applying restraints in the jail to minimize the possibility of injury to inmates or deputies.

In use of force incidents in the jail, medical staff shall be notified and shall check the application of restraints to make certain injury or circulation concerns are not present. Inmates that have received injuries shall be offered medical treatment by medical staff.

E. PRONE RESTRAINT TECHNIQUES

Prone Restraint Techniques are utilized to restrain a person in a facedown position against a floor or other surface.

Prone restraint techniques may have the POTENTIAL to contribute to positional asphyxia and may result in sudden death or serious physical injury.

- 1) Such techniques are especially dangerous when handling individuals who:
 - a) Suffer from suspected acute alcohol intoxication;
 - b) Are in a state of excited delirium and/or violent;
 - c) Are suspected to be under the influence of illegal or prescription drugs;OR
 - c) Are obese, especially with large abdomens
 - d) May be experiencing signs of Excited Delirium

Note: Persons experiencing Excited Delirium are difficult to physically restrain and often continue to struggle even once restrained

Persons exhibiting signs of Excited Delirium often require medical intervention. Deputies should summon medical assistance if they believe a subject is exhibiting signs such as:

- a) Aggression:
- b) Agitation:
- c) Anxiety:
- d) Combativeness:
- e) Delirium:
- f) Delusions:
- g) Difficult to restrain
- h) Disorientation:
- i) Endurance increase:
- j) Fever: (temperatures can spike to between 105-113°F)
- k) Hallucinations:
- l) Pain tolerance:
- m) Panic:
- n) Paranoia:
- o) Incoherent speech:
- p) Inappropriate clothing:
- q) Odd behavior:
- r) Shouting:
- s) Strength increase:
- t) Sweating:
- u) Violence:

- 2) Whenever feasible, prone restraint methods should not be used. It is understood that a Deputy may often end up with a suspect being initially restrained in a prone position by necessity of the situation. Once restrained, a suspect should be:
 - a) Kept in an upright, seated position.
 - b) if prone, rolled to a side to avoid compression of the diaphragm until they can be seated or stood.
 - c) If prone restraint methods become necessary for the protection of law enforcement or civilian personnel, the subject should be closely and continuously monitored. Prone restraint techniques should not be used for any extended period of time.

II. RESTRAINT CHAIR

The purpose of the Restraint Chair is to provide Jail staff with a safe, humane, and minimally psychologically traumatizing system for restraining inmates who display behavior which may or does result in destruction of property or who are in danger of causing physical harm to themselves or others.

A. Authorization for use of the Restraint Chair

Use of the restraint chair requires authorization of the on-duty shift supervisor. A supervisor must be present when the restraint chair is used.

The restraint chair may be used to restrain inmates in the following types of situations:

1. Whenever the behavior of an inmate(s) is such that the restraint chair may provide an option to protect the health, safety, and security of Jail staff, the inmate, and to prevent the inmate from damaging jail property.
2. Under medical advice to prevent the inmate from attempting suicide or inflicting serious physical injury on himself/herself.

B. Procedures

1. If the inmate is violent or disorderly, they should be handcuffed behind the back for safety purposes. Leg irons may also be applied if appropriate.
2. When seating the inmate in the restraint chair, Deputies should ensure that all safety measures have been met to control the inmate's head, legs, and arms and that all restraint equipment has been applied as designed.
3. If an inmate in the restraint chair propensity to or begins to spit, the supervisor may approve the use of a Spit Hood. This single use product is designed to fit loosely over the head and prevent the inmate from spitting on others. The use

of this product shall be noted in the Jail Incident Report and Use of Force Report.

C. Restraint Chair Prohibition

The restraint chair shall not be used in the following manner:

1. As a method of punishment or for amusement purposes.
2. To quiet a noisy inmate or stop an annoying one.
3. Straps are not to be placed about the head or neck of the inmate.
4. To restrict the blood circulation or breathing of any inmate.

D. Observation of Inmates

Inmates placed in the restraint chair must be monitored to ensure they are not in medical distress and that they remain properly secured.

The following observation procedures shall be followed:

1. Inmates should be placed in view of a security camera.
2. The contracted medical provider shall conduct an initial assessment of the tightness of the restraint chair straps, to ensure adequate breathing and blood circulation, and to assess the inmate's medical and mental health condition. The assessment should occur as soon as practical
3. Deputies and Medical Staff shall physically check the inmate every fifteen (15) minutes. Each check shall be documented in JMS.
4. The contracted medical provider shall check for proper blood circulation, breathing and mental health issues by doing the following:
 - a. Check for discoloration, swelling or decreased temperature of the hands and feet.
 - b. Ensure that one finger can easily fit between the wrist, ankle, and shoulder restraints.
 - c. Check Vital signs and administer required medications.
 - d. Request a mental health evaluation for inmates who required use of the restraint chair because they continue to be violent, possibly mentally ill, are experiencing suicidal ideation or continue to be out of control.
5. All special observation procedures shall be documented in JMS.

E. Time Limits for Restraint Chair Use

Inmates should be released from the restraint chair when based on observations and in the opinion of the shift supervisor their behavior has changed to indicate the inmate is no longer be a threat to jail staff or themselves.

Inmates should not be restrained in the restraint chair for no longer than two (2) hours continuously.

F. Training

Deputies must be trained in the use of the restraint chair prior to assisting with the placement of an inmate in such. Training should cover the following:

1. Arrangement of the restraint chair and all parts
2. Storage of the restraint chair when not in use
3. Forsyth County Sheriff's Office Policy on the use of the restraint chair
4. Conditions of use
5. Method of use

G. Equipment Inspection

The restraint chair will be inspected monthly for missing parts, damage, and wear and tear to the restraint chair by the Security Division Commander, on-duty supervisor or designee.

During the use of, or if during routine everyday observation of the restraint chair, anyone notices missing parts, damage, or any added devices they should notify the on-duty supervisor. The on-duty supervisor should inspect the restraint chair and determine if it needs to be taken out of service or repaired.

III. WRAP RESTRAINT DEVICE

The WRAP, manufactured by Safe Restraints Inc., is designed as a temporary restraining device. The WRAP immobilizes the body and restricts a subject's ability to kick or do harm to oneself and others. The WRAP minimizes the time required to secure a person safely, restrains the subject in an upright position, and has the subject prepared for transport or movement. The Forsyth County Sheriff's Office has approved the use of the WRAP and this policy is intended to familiarize agency personnel with the procedural guidelines for its use.

A. APPLICATION

The WRAP should be considered for use under the following situations:

1. Whenever you anticipate possible violent/combatative behavior;
2. To immobilize a violent/combatative subject;
3. To limit violent/combatative subjects from causing injury to themselves or others;

4. To prevent violent/combative subjects from causing property damage by kicking;
5. To restrain subjects after a chemical spray or CEW is used;
6. When conventional methods of restraint are not effective;
7. In transportation of violent/combative subjects; and
8. To assist with cell extraction of violent/combative subjects.

Once the subject is properly restrained in the WRAP, they can be placed on their side or in a sitting position. This should increase the oxygen recovery rate and reduce the incidence of respiratory fatigue that may be caused by a subject being restrained in the prone position.

The WRAP can be applied by one person if the subject is passive, but for violent/combative subjects, three or more deputies should be used.

B. TRANSPORTATION

Movement of the subject can be accomplished in two ways depending on their cooperation. The subject can either be carried or allowed to stand and shuffle step to the destination.

1. To carry the subject, it is recommended that between two (2) and four (4) personnel be used depending on the size and weight of the subject. Lift the subject by the arms and ankles. A "log lift" carrying technique may be used when moving the subject.
2. As an alternative to lifting the subject, he/she may be moved by means of shuffle. If the subject has calmed down and is cooperative, the lower leg band can be loosened to allow some leg movement below the knees without compromising security or safety concerns. By loosening the tether to the shoulder harness, the subject can be brought to a standing position with the help of deputies and then allowed to shuffle to or from a vehicle or holding cell. (If this method is used, appropriate support must be given to the subject to prevent possible injury).
3. Prior to vehicle transportation, re-check all belts to ensure that they are securely fastened. (The use of a seat belt is recommended to limit movement and reduce the risk of injury to the subject.) Whenever possible, one person should ride as an observer with the subject to ensure all straps remain tight and the subject has no medical problems. Rechecking the security of the WRAP and keeping the subject under constant observation should apply to any movement of the subject.

C. PRECAUTIONS

1. The shoulder harness should never be tightened to the point that it interferes with the subject's ability to breath.

2. The leg bands and shoulder harness must be checked frequently for tightness and re-tightened or loosened as necessary until the WRAP is removed.
3. If the restrained subject complains of or shows signs of breathing distress (shortness of breath or sudden calmness, a change in facial color, etc.) medical attention should be provided immediately. THE SUBJECT SHOULD BE CHECKED EVERY 15 MINUTES.
4. Subjects should be placed in an upright position or on their side as soon as possible to allow for respiratory recovery.
5. The WRAP is a temporary restraining device and is not escape proof.
6. THE WRAP is to be used by trained deputies only.
7. A subject should not be restrained in the WRAP device longer than 2 hours continuously.

D. TRAINING

Only deputies who have successfully completed agency training in the use of the WRAP are authorized to use this restraining device.

E. CARE AND MAINTENANCE

The WRAP should be inspected after each use for signs of wear and/or damage. If any damage is discovered, forward the WRAP to the appropriate personnel for repair or replacement. If cleaning is necessary after use, use mild soapy solution or disinfectant approved for use on vinyl and nylon materials. If blood is absorbed into any part of the WRAP that part should be replaced. Thoroughly rinse all disinfectant from the unit prior to drying. After cleaning the WRAP, allow it to thoroughly air dry prior to storing it in a carrying case.

F. STORAGE AND PREPARATION FOR RE-USE

It is important that the WRAP is immediately ready for use and prepared for storage in a way that prevents the loop fastening material on the bands from becoming dirty or entangled. This allows the WRAP to be quickly laid out next to the subject and applied without the confusion of having to untangle the bands. To properly prepare the WRAP for storage in the carrying bag:

1. Lay the WRAP on a flat surface with the leg band side up and detach the shoulder harness. Extend each of the leg bands out flat.

2. Individually fold each of the leg bands onto itself so that the fold of the band protrudes an inch or two from the edge of the WRAP body.
3. Be sure the retaining "D" ring on the body of the WRAP and harness is open ready for use.
4. Keeping the bands inside, roll the WRAP tightly towards the buckle and secure with the ankle strap and place in the carrying bag.
5. Fully extend the harness buckles and tether. Attach buckles to its counterpart and roll harness up and place in the carrying bag compartment.

III BolaWrap RESTRAINT DEVICE

The BolaWrap is a hand-held remote restraint device that discharges an eight-foot bola style Kevlar tether intended to entangle an individual at a range of 10-25 feet. The intended result in application of this device is to immobilize and control resistant/non-compliant persons while minimizing injuries.

A. ISSUANCE and CARRYING of a BolaWrap DEVICE

The following guidelines shall be adhered to:

1. BolaWrap devices approved by the Sheriff's Office Training Unit may be issued and utilized by Sworn personnel who have successfully completed agency approved training.
2. All BolaWrap devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
3. Deputies shall be responsible for ensuring their agency issued BolaWrap device is properly maintained and in good working order.
4. Deputies should not hold both a firearm and the BolaWrap device at the same time.

B. DEVICE READINESS

The BolaWrap device shall be maintained in a state of readiness in preparation for immediate use.

One cartridge shall remain loaded into the device. Deputies may have the option of being issued a spare cartridge as a backup, in case of cartridge failure or the need for redeployment. If a spare cartridge is issued, it shall be stored and carried in a manner consistent with training.

C. USE of the BolaWrap DEVICE

The BolaWrap device has limitations and restrictions requiring consideration before its use. The device should only be used when its operator can safely approach the subject within the operational range of the device. Although the BolaWrap device is generally effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and they should be ready with other options.

The BolaWrap device may be used when the circumstances perceived by the deputy indicate that such application is reasonably necessary to control a non-compliant person or the subject has demonstrated, by words or action, an intention to be physically resistant, and presents the potential to harm deputies, themselves, or others.

D. SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the BolaWrap device on certain individuals (as indicated below) should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the deputy, the subject, or others and the deputy reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

1. Individuals who are known to be pregnant.
2. Elderly individuals.
3. Obvious juveniles.
4. Individuals who are handcuffed or otherwise restrained.
5. Individuals detained in a patrol vehicle.
6. Individuals in danger of falling from an elevated position or who are in an unstable position (e.g., tree, roof, ladder, ledge, fence, balcony, porch, bridge, or stair), which could result in death or serious bodily injury.
7. Individuals near any body of water that may present a drowning risk.
8. Individuals whose position or activity may result in collateral injury (i.e., operating vehicles).

E. VERBAL and VISUAL WARNINGS

Because the Bola Wrap uses a partial .380 charge to deploy the Kevlar cord a loud and clear verbal warning of the intended use of this device ("Wrap Wrap Wrap") should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances.

The purpose of the warning is to:

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

F. DEVICE DEPLOYMENT

The Bola Wrap 100 device is classified as a firearm for transportation and transfer purposes only.

The device should not be used at a range closer than 10 feet. A range less than 10 feet does not allow the Kevlar cord to fully extend and doing so can cause one of the anchors to detach and the other anchor and cord to come back at the operator or strike the target directly possibly causing serious injury.

The primary wrap zones are the legs from just above the ankle to mid-thigh and the arms from just above the wrist to just below the elbow.

The device should not be aimed above the elbows. Deputies shall use all necessary precautions to avoid striking the neck, head or face.

The Bola Wrap 100 should not be used in crowded situations, (i.e.; if there is possibility of the anchor hooks hitting bystanders)

When deployed, the Bola Wrap device should be held level and slightly off center to ensure accuracy.

G. MULTIPLE APPLICATIONS of the BolaWrap

If the first application of the BolaWrap device appears to be ineffective in gaining control of an individual, the deputy should consider certain factors before additional applications of the device, including:

1. Whether the Kevlar cord or barbs are making proper contact.
2. Whether the individual has the ability and has been given a reasonable opportunity to comply.
3. Whether verbal commands, other options or tactics may be more effective.

H. ACTIONS FOLLOWING DEPLOYMENT

Following the deployment of the BolaWrap device:

1. A deputy involved in the application of a BolaWrap shall ensure that a supervisor is immediately informed of the incident. If a subject is injured during the deployment of the BolaWrap, the deputy involved shall ensure appropriate medical aid is rendered and immediately notify a supervisor.
2. If the barbs are or were embedded in skin tissue, the deputy shall request EMS personnel to examine the subject. The deputy should not attempt to remove the barbs. If the barbs are embedded in soft tissue areas such as the eyes, neck, or groin the puncture sites shall immediately be brought to the attention of EMS personnel, who may recommend transport to a medical facility.

3. BolaWrap cartridges, barbs, and Kevlar cord shall be secured into evidence if serious injury or death has occurred. All other deployed barbs with Kevlar cord shall be appropriately disposed of in a marked "Sharps Container".
4. Replacement cartridges shall be obtained from the Training Unit. A BolaWrap Replacement Cartridge Log shall be maintained by the Training Unit indicating the case number associated with the cartridge deployment.
5. Complete a Use of Force Report.

GENERAL ORDER: GO 3-12 OVERDOSE PREVENTION PROGRAM

Rescinds/Amends:

Effective Date: January 1, 2017

Committee Review - Date: December 2015

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I PURPOSE

The purpose of this policy is to establish the Overdose Prevention Program and regulations governing utilization of Naloxone (Narcan) by deputies of the Forsyth County Sheriff's Office. The objective of this policy is to establish guidelines and attempt to reduce the injury and/or fatality from subjects suspected of overdosing on opiates.

It is the policy of the Forsyth County Sheriff's Office that all deputies are required to be initially trained in the use of Naloxone by a qualified trainer approved by the training coordinator. A Naloxone coordinator shall be appointed by the Sheriff or his designee.

II TRAINING

All participating deputies will receive initial training that will include, at a minimum, an overview of O.C.G.A. 31-11-55 that permits law enforcement use of Naloxone, patient assessment (i.e. signs/symptoms of opiate overdose), universal precautions, seeking medical attention, and the use of intra-nasal and/or intra-muscular Naloxone.

Deputies participating in the Forsyth County Sheriff's Office Overdose Prevention Program will receive annual training updates on the use of Naloxone.

III DEPLOYMENT

The Forsyth County Sheriff's Office will deploy its Naloxone kits in the following primary locations:

- Desk Sergeant/Booking Area
- One in each marked car
- Detective's Vehicles

IV NALOXONE USE

When deploying the Naloxone kit deputies will:

- Maintain universal precautions;
- Perform patient assessment;
- Determine unresponsiveness, absence of breathing and/or pulselessness; and

- Update the dispatcher that the patient is in potential overdose state.

The dispatcher will then dispatch the Fire Department and EMS to arrange transport to the hospital. Deputies shall follow the protocol as outlined in the Naloxone training.

V MAINTENANCE/REPLACEMENT

1. An inspection of the Naloxone kit shall be the responsibility of the employee assigned the equipment and will be done each shift.
2. Missing or damaged Naloxone kits will be reported to the agency Naloxone Coordinator.
3. When any damage is identified during the inspection of a Naloxone kit, the Naloxone kit shall be taken off line and be submitted for replacement to the agency Naloxone Coordinator.
4. Used Naloxone kits will be returned to the agency Naloxone Coordinator for replacement.

VI DOCUMENTATION

Upon administration of a Naloxone kit, the deputy will complete an incident report detailing the nature of the incident, the care the patient received and the fact that the Naloxone was deployed. A copy of the incident report will be forwarded to the agency Naloxone Coordinator.

PROCEDURE: GO 3-13 Small Unmanned Aerial System SUAS

Rescinds/Amends:

Effective Date: November 13, 2017

Committee Review - Date: October 2017

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



A. PURPOSE:

The purpose of this policy is to establish procedures for the operations of the Small Unmanned Aerial System (SUAS) and outline the qualifications for members who operate this type of equipment.

B. SCOPE:

The agency's SUAS Team was established to respond to critical incidents throughout Forsyth County and other counties in Georgia when requested. The following procedures are intended to promote the safe, legal, and efficient operation of the SUAS; safety being the primary concern in each and every operation, regardless of the nature of the mission.

C. PROCEDURE:

1. General:

- a. Organization: The SUAS shall be assigned to the SUAS team which is a sub team of the CTOC Team.
- b. Supervision: The deployment of the SUAS will be directly supervised by the Incident, CTOC, or SWAT Commander depending on the situation the SUAS will be utilized for.

2. Use of Aircraft – Assignment of Aircraft

- A. A SUAS assigned to a mission is the responsibility of the Incident Commander, Traffic Specialist, CTOC or SWAT Commander.
- B. The Pilot in Command will decide if conditions are favorable for safe flight.
- C. The SUAS should be operated by a member of the SUAS Team who has successfully completed Remote Pilot Ground School Training that is recognized by FAA. (Pilot in Command or PIC) The PIC shall hold an FAA Part 107 Certificate.
- D. A deputy with the agency who possesses an FAA Part 107 Certificate that is not a member of the SUAS Team, may pilot the SUAS in an emergency situation. The deputy must have completed an approved FAA Ground School and the Part 107 exam. Once a PIC is able to take control of the SUAS, all

controls shall be relinquished. This is due to strict standards set forth by the FAA under Part 107.

- E. Due to the delicateness and cost of the FCSO SUAS program, no one shall have the authority to fly an FCSO SUAS, manipulate an FCSO SUAS, use the FCSO SUAS controller, and all other FCSO SUAS equipment except the FCSO SUAS team without the approval of the SUAS team leader and/or a member of the FCSO command staff.
- 3) Decisions as to whether the SUAS is to be used to complete the mission shall be based on the following scenarios:
- a) Active investigations requiring a Photo/Video flight; I.e.: TSU Scene Photos, Crime Scene Aerial Photos;
 - b) Traffic control operations;
 - c) In progress calls where a short term aerial presence would be beneficial;
 - d) Searches for fleeing criminal suspects;
 - e) Search and rescue of innocent victims; I.e.: Missing Person Critical;
 - f) SWAT support calls including but not limited to barricaded suspects;
 - g) Active shooter scenarios;
 - h) Support to other Public Safety Agencies when requested.
 - i) Public Relations Events (Approval from PIC Only)
 - j) Other operational needs authorized by command staff
- 4) The SUAS shall adhere to the following code of conduct:
- a) Safety
 - 1. The SUAS shall not be operated in a manner that presents undue risk to persons or property on the surface or in the air;
 - 2. The SUAS will be piloted by individuals who are properly trained and competent to operate the vehicle or its systems;
 - 3. All FCSO pilots will complete an approved FAA ground school for remote aircraft.
 - 4. All FCSO pilots must pass the FAA part 107 knowledge exam and have a certificate in his or her possession.
- (3) SUAS flights will be conducted only after a thorough assessment of risks associated with the activity. This risk assessment will include, but not be limited to:
- A. Weather conditions relative to the performance capability of the system;
 - B. Identification of normally anticipated failure modes (lost link, power plant failures, loss of control, etc.) and consequences of the failures;
 - C. Crew fitness for flight operations;
 - D. Overlying airspace, compliance with aviation regulations as appropriate to the operation, and off-nominal procedures. All SUAS flights will be conducted within class G airspace unless a waiver from the FAA authorizes additional airspace.
 - E. Communication, command, control, and payload frequency spectrum requirements; and

F. Reliability, performance, and airworthiness to established standards.

- (4) SUAS flights at night will only be conducted with approval from the FAA (Daylight Waiver) Night flights must be conducted with a strobe light visible for 3 statute miles. All Night flights will require a visual observer to assist with spotting other aircraft and hazards in the air.
- (5) Manned aircraft will always have the right away no matter what the circumstance is. A drone can cause catastrophic damage if it collides with a manned aircraft.
- (6) SUAS will always be operated within FAA rules as described in part 107 other than in exigency or waived by certificate of operations.

D. Professionalism

All federal, state, and local laws, ordinances, covenants, and restrictions as they relate to SUAS operations shall be adhered to as outlined in The Forsyth County Sheriff's Office FAA approved COA;

- 1. The SUAS shall be operated as a responsible member of the remote aviation community;
- 2. The SUAS program shall be responsive to the needs of the public;
- 3. The SUAS program shall cooperate with all federal, state, and local authorities in response to emergency deployments, mishap investigations, and media relations; and
- 4. Contingency plans shall be created for all anticipated off-nominal events and share them openly with all appropriate authorities.

E. Privacy

The rights of other users of the airspace shall be respected. Individual privacy shall be adhered to by both federal and state laws. The SUAS program shall respect the concerns of the public as they relate to unmanned aircraft operations. Improving public awareness and education on the operation of SUAS shall be of the utmost importance.

F. Position Responsibilities and Duties

- 1. Pilot-in-Command
 - A. The Pilot-in-Command is authorized to refuse any flight request based on current meteorological conditions, physiological conditions, or for any other reason that Pilot-in-Command believes will affect the safety of the flight. Should the Pilot-in-Command refuse a flight for any reason, they shall inform the Incident, Traffic Specialist, CTOC or SWAT Commander as soon as possible of such refusal and the reason for refusal.
 - B. While the SUAS is in flight, the Pilot-in-Command is authorized and responsible for making all decisions regarding use of the aircraft including, but not limited to, direction of aircraft, duration of flight time, capabilities of the aircraft, maximum load allowance, use of affixed certified equipment,

- allowance or advisability of affixing additional equipment, the determination of allowance of personal or agency equipment, and configurations.
- C. Pilot-in-Command/Observer: Pilot and Observer duties shall include, but not be limited to:
 - D. Performing assignments assigned by Pilot in Charge, Incident Commander, Traffic Specialist CTOC or SWAT Commander;
 - E. Maintaining current awareness of all pertinent agency requirements, FAA regulations, and other regulatory data bearing on the performance of their duties;
 - F. There will only be one (1) Pilot-in-Command at any given time and they shall exercise final responsibility and authority for the safety of the aircraft, personnel, and equipment during flight operations;
 - G. Exercising responsibility for the safe conduct of all flights, including but not limited to:
2. Flight planning and preparation, including preflight inspections of aircraft and equipment;
- A. Weather briefing;
 - B. Flight operations, including course, air speed, altitude, and duration;
 - C. Landing zone selection;
 - D. Go/no-go and landing judgments with regard to weather minimum or other criteria;
 - E. All Very High Frequency (VHF) air-to-air, air-to-ground, Air Traffic Control (ATC) communications, and any other radio communications;
 - F. Timely reporting of new or previously unknown hazards to safe flight encountered;
 - G. Post-flight inspection, to include assuring batteries are recharged, to ensure the duty aircraft is ready for the next mission;
 - H. Making appropriate entries in aircraft logbooks;
 - I. Maintaining required training hours
 - J. Maintaining a current Remote PIC license recognized by the FAA
3. Flight Operations – Operational Control:

Pilot-in-Command Authority:

- A. The Pilot-in-Command shall initiate the flight only when confident the flight can be conducted safely;
- B. The Pilot-in-Command shall ensure an FAA Notice to Airmen (NOTAM) is released for every flight involving the SUAS in the national airspace;
- C. The Pilot-in-Command shall ensure, once a Certificate of Authorization is granted by the FAA, there is a copy of the Certificate of Authorization (COA) from the FAA to conduct flights in the national airspace with each SUAS. If an emergency COA is required by the FAA for a particular flight, the Pilot-in-Command shall forward the requested documents to the FAA upon request; and
- D. If a search warrant is required to fly the SUAS during a deployment, the case agent shall be responsible for writing and having the warrant signed by a judge.

4. Observer Authority:

- A. The Observer shall be responsible for see-and-avoid operations of the aircraft. The Observer shall remain in voice contact with the Pilot-in-Command and communicate any obstacles the aircraft might encounter;
- B. When the flight becomes a hazard to ground personnel or other aircraft, the Observer shall immediately notify the Pilot-in-Command;
- C. During any phase of flight, if the Observer notices a malfunction with the aircraft, the Pilot-in-Command should immediately terminate the flight;
- D. The Observer shall be responsible for all radio communication with Air Traffic Control (ATC) when necessary, and dispatch;
- E. Observers are responsible for the law enforcement aspect of the deployment; and
- F. Observers shall operate any attachments to the SUAS, allowing the operator to maintain complete focus on the operation of the UAS.

5. Aircraft Inspections:

- A. Before any flight, the Pilot-in-Command is responsible for pre-flight inspections of the aircraft according to the pre-flight checklist;
- B. Any anomalies found by the Pilot-in-Command shall be fixed before any flight is conducted; and
- C. After every flight, a post-flight inspection shall be conducted by the Pilot-in-Command according to the post-flight checklist.

6. Aircraft Checklist:

- A. There shall be a checklist generated for each phase of flight: Pre-flight, Run-up, Take-off, Emergency, Landing and Post-flight;
- B. The Pilot-in-Command shall not deviate from a checklist unless otherwise instructed to by a supervisor; and
- C. The SUAS Supervisor is responsible for making sure all checklists are up-to-date and current for each aircraft make and model.

7. Emergency Procedures:

- A. All flight personnel shall be thoroughly familiar with all emergency procedures and their specific duty assignments;
- B. No member, regardless of involvement in an emergency situation, shall make any statements to the general public or to news-gathering agencies without the knowledge and approval of competent authority;
- C. In the event of an emergency involving the safety of persons or property, the Pilot-in-Command may deviate from the procedures of this directive relating to aircraft, equipment, and weather minimums to the extent required to meet the emergency.

- D. In the event of an emergency which requires reporting to the FAA, the Pilot-in-Command shall make sure all appropriate information is forwarded to the Orlando Flight Standards Office (FSDO).
- E. Per FAA part 107 guidelines; if a SUAS experiences a failure causing overnight hospitalization to a victim, the FAA must be contacted immediately. Minor injuries are not required to be reported to the FAA however; must be reported with an incident report and notification of the on duty watch commander.

8. Training:

Initial and recurrent training for all Pilots-in-Command and Observers are essential to safety and efficiency of the SUAS.

1. Training and Standardization:

- A. Flight Check Standardization: The SUAS Supervisor is responsible for the standardization of flight crews and aircraft operations. The primary means for accomplishing a standardization program shall be through the use of initial and recurrent training and proficiency flight checks. These flight checks are essential to ensure that a high level of competency and uniformity exists in flight inspection operations.

2. Training Requirements:

- A. Proficiency and Annual Check Performance shall be evaluated in accordance with the maneuvers and procedures listed in the FAA Remote Pilot Training Standards (PTS) SUAS operations.
- B. If required, an FAA designated flight examiner will conduct a proficiency flight as often as the FAA deems necessary for safe flights of the UAS.
- C. Observers must have completed sufficient training to communicate to the pilot any instructions required to remain clear of conflicting traffic. This training, at a minimum, shall include a briefing from the Pilot in Command.
- D. All members within the SUAS Team shall maintain proficiency in their Pilot-in-Command/Observer abilities. Members who do not have any documented training or flight time within a span of 90 days will have to show proficiency before being a Pilot-in-Command/Observer during a deployment or exercise.
- E. Recurrent training is not limited to actual Pilot-in-Command/Observer skills but includes knowledge of all pertinent UAS/aviation matters.
- F. All FCSO pilots must complete an approved Remote Pilot Ground School Class along with an FAA Part 107 exam.
- G. All flight hours will be logged in a personal log book.

G. MOBILIZATION PROCEDURES:

1. AUTHORIZATION:

- A. ON-GOING SITUATION: The order to mobilize the SUAS Team to respond to a critical incident within Forsyth County can only be issued by an individual in the grade of Lieutenant or above. Under such circumstances, the individual issuing the mobilization order will respond to the incident or scene and assume duties as the Incident Commander, unless otherwise directed by the Sheriff or his designee.
- B. STAND-BY SITUATION: The order to place the SUAS Team on stand-by when it is anticipated that a critical incident may develop may only be issued by an individual in the grade of Lieutenant or above. Under such circumstances, an Incident Commander in the grade of Lieutenant or above will be designated by the senior commander who issues the stand-by order.
- C. MUTUAL AID:
 - a. Only Majors or above can issue a mobilization order in response to requests received from an agency inside or outside Forsyth County for SUAS Team support under the provisions of mutual aid.
- D. Before mobilization of the SUAS Team is directed, the officer receiving the request must first obtain information about the nature of the incident from the requesting authority. Of particular importance is the specific type incident; the name of the requesting officer; the location of the assembly area where the SUAS Team should report to; and radio/cellular phone communication procedures.

H. NOTIFICATION: (Georgia 5.18 b)

SUAS Team members will normally be mobilized by the agency's email or phone system. When directed, the on-duty GCIC Operator will initiate a SUAS Team "group" email directing all members to report to a designated location. Following notification, each team member will telephonically contact the UAS Commander that the message has been received and inform the operator whether they will or will not be able to respond. Should any team member fail to telephonically contact the SUAS Team Commander within 15 minutes of the email, the operator will attempt to notify the member by telephone of the mobilization.

I. GLOSSARY:

COA - (Certificate of Authorization) – Given by the Federal Aviation Administration (FAA) which grants permission to fly within specific boundaries and perimeters.

SUAS – (Small Unmanned Aerial System) – An aircraft either fixed-wing or rotor-wing which flies in the national airspace and is controlled by pilots on the ground used in law enforcement missions that weighs from .5 lbs. to 55 lbs.

FAA – (Federal Aviation Administration) – The FAA is a component of the U.S. Department of Transportation and is responsible for access of the national airspace.

VFR- (Visual Flight Rules)- The weather conditions permitting a ceiling greater than 1000 feet and 3 miles, or 500 feet and 1 mile of visibility. Winds are less than 21 knots or 24 MPH.

Part 107: All rules and regulations as prescribed by the FAA regarding unmanned aerial vehicles.

GENERAL ORDER:	GO 3-14 On Call Notifications and Response
Rescinds/Amends:	SOP 3-3.110
Effective Date:	August 26, 2021
Committee Review - Date:	January 2021
Related Policy(s):	
Authorized by:	Sheriff Ron H. Freeman



I ON-CALL NOTIFICATION and RESPONSE

The Forsyth County Sheriff's Office provides law enforcement services twenty-four (24) hours a day. While all agency personnel are subject to emergency recall for critical incidents, designated personnel (employees and volunteers) assigned to specialized units or who provide specialized services may be called in from an off duty status when their particular expertise is essential.

Civilian personnel (employed and volunteer), who are called to assist, shall be accompanied by a sworn P.O.S.T. Certified Peace Officer at all times while providing services for the Sheriff's Office.

A. EMERGENCY RECALL OF OFF DUTY PERSONNEL

In instances of natural or man-made disaster, civil disaster, civil disorder, riot, etc., Deputies may be recalled from an off-duty status. Since these deputies are not considered to be in an on-call status, the following procedure shall be used:

1. Authority to order a recall of off-duty personnel shall rest with the Sheriff, Chief Deputy, a Major or any division commander. The recall order shall include the number and type of personnel needed, the equipment necessary, the assembly point and a brief description of the situation involved.
2. The recall for off-duty personnel shall begin with Uniform Patrol Division personnel. Personnel from the next watch to report for duty should be called first
4. If additional personnel from other divisions is required, the authorizing commander shall advise Division Commanders regarding the number of personnel needed from their respective units.
5. Division commanders shall be responsible for having the telephone calls made to their off-duty personnel. The 911 Communications Center shall not be utilized for this function unless there is sufficient manpower available to make the calls.
6. It shall be the responsibility of each division and unit commander to continue, to the extent possible, all regular law enforcement services during the emergency situation.

Planning in this regard should include: relief of on-duty, regular service personnel, relief of on and off-duty personnel involved in the emergency and adjustments in shifts or off-days to compensate for absent personnel.

B. CRIMINAL INVESTIGATIVE DIVISION

The Criminal Investigations Division shall maintain an on-call roster for response of personnel during off-duty hours. Updated on-call rosters shall be provided to the Forsyth County 911 Communications Center.

Uniform Patrol Division (UPD) personnel requiring assistance from the Criminal Investigation Division (CID) shall utilize the following procedure:

1. On-duty Criminal Investigations Division Response
 - a. A Uniform Patrol supervisor shall make a determination as to requesting Criminal Investigations assistance.
 - b. The Uniform Patrol Division Supervisor shall contact a Criminal Investigations Supervisor with a summary of the incident.
 - c. The Criminal Investigations supervisor shall assign an on-duty detective and/or support personnel (i.e. Crime Scene Unit) to respond, if applicable.

2. Off-duty Criminal Investigations Division Response
 - a. A Uniform Patrol supervisor shall make a determination as to requesting off duty Criminal Investigations Division assistance.
 - b. The Uniform Patrol Supervisor shall notify the 911 Communications Center to request an on-call Criminal Investigations Division Supervisor. The Uniform Patrol supervisor shall provide a summary of the incident to the Criminal Investigations Division Supervisor.
 - d. The Criminal Investigations supervisor shall assign an on-call detective and support personnel (i.e. Crime Scene Unit) to respond, if applicable.

The responding Criminal Investigations Detective or Supervisor shall assume control of the investigation.

3. On-call Narcotics Detective

A supervisor shall have dispatch contact the on-call Narcotics Detective direct.

C. Crime Scene Unit

The Crime Scene Unit shall maintain personnel on-call 24 hours per day for response to crime scenes. Crime Scene Unit response, on or off duty, shall be authorized by a Criminal Investigations Division Supervisor.

In the event of a major crime scene requiring experts or specialized assistance in evidence collection, the Criminal Investigations Division Commander may contact the Georgia Bureau of Investigation (GBI) to respond for assistance.

D. VICTIM ADVOCATE

The Victim Advocate shall be contacted by the 911 Communications Center when instructed to do so by a command staff member, a watch commander, or an on-scene detective. Once contacted, the Victim Advocate shall be advised of the situation, and it shall then be determined if the Victim Advocate shall respond to the scene or shall conduct follow-up contact as deemed necessary.

E. PROPERTY/EVIDENCE UNIT

If perishable evidence must be turned in during non-duty hours, the on-call evidence custodian shall be notified by the watch commander or designee to open the evidence/property room to intake this evidence.

F. PUBLIC INFORMATION OFFICER (PIO)

The agency Public Information Officer is available for response to news media requests. Contact with the PIO may be authorized by the watch commander. An on-call list is provided to the 911 Center by the Forsyth County Sheriff's Office Communications Unit supervisor.

G. CANINE UNIT

1. The following categories of calls should be considered a response for canine teams:
 - a. All felony and limited misdemeanor crimes where the suspect has fled on foot and use of a canine team for a track is authorized by agency policy.
 - b. Major disturbances or unruly, large crowds; to prevent a crowd control situation from developing or violence from occurring;
 - c. Assist in locating lost individuals, to include infants, children, or disoriented elderly persons;
 - d. Searching an area for discarded evidence or contraband;
 - e. Any other calls where, in the opinion of a watch commander, field supervisor or canine handler, a canine team would be an asset as an assisting or primary unit.

2. Procedures

- a. The on-scene supervisor shall have the authority and discretion to call out canine teams when an on-duty team is not available. Before a canine team is deployed on a call-out, conditions should exist that an arrest shall be likely.
- b. The 911 Center shall have a canine team call-out list available at all times.
- c. The Sheriff's Office is committed to respond to requests for canine assistance from outside agencies. That request shall be forwarded to the on-duty watch commander for approval.

3. Responding Deputies Duties

In occurrences where a K-9 call-out is necessary, on-scene deputies shall comply with the following procedures:

- a. Deputies shall maintain a perimeter of any area or building to be searched by a canine team. Deputies assigned to perimeter locations shall be moved accordingly with the progress of the canine team's track.
- b. Deputies shall avoid contaminating the search area prior to the completion of the canine's search.
- c. If deputies have entered a search area or building prior to the canine team's arrival, they shall make sure that all members are out of the area prior to the canine's search, and that the contaminated area has been described to the canine handler.
- d. When the canine team enters a building or search area, at the discretion of the canine handler, another deputy shall be assigned to accompany the canine team. This deputy's responsibility is to provide cover for the canine team.

H. CHAPLAIN CORP

An updated on-call roster for the Forsyth County Sheriff's Chaplain Corp shall be provided to the Forsyth County 911 Communications Center by the Chaplain Corp Coordinator. An on-call Chaplain may be requested for situations including but not limited to the following:

- a. Death and serious injury notifications to citizen and employee next-of-kin;
- b. Employee and family member counseling following a traumatic event; AND
- c. Liaison with other local clergy concerning arrangements for victim and survivor assistance.

GENERAL ORDER: GO 4-1 Jail Administration

Effective Date: May 3, 2023

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. JAIL ADMINISTRATOR

The Jail Administrator is responsible for management of the jail, jail personnel, inmate programs, and the physical plant.

The Forsyth County Jail is organized by related units to promote efficiency; group similar functions; and to provide a clear chain of command from entry level positions to the Jail Administrator.

A. Appointment of Jail Administrator

Georgia Code (42-4-1) "Appointment of County Jailers" provides that by virtue of their offices, Sheriffs are jailers of the counties and have the authority to appoint other jailers, subject to the supervision of the county governing authority, as prescribed by law.

As provided by law, the Sheriff of Forsyth County shall appoint a Jail Administrator to oversee the operation of the Forsyth County Jail. The Jail Administrator is responsible for all aspects of the operation of the jail and is responsible to the Sheriff through a clear chain of command, as outlined in the Forsyth County Sheriff's Office organizational chart.

The Organizational Chart shall be reviewed annually, or sooner as warranted, by the Jail Administrator.

B. Jail Administrator Responsibilities

The Jail Administrator shall exercise a high degree of independent judgement and is responsible for the following:

1. Managing the operations, activities, and personnel of the Forsyth County Jail.
2. Establishing a mission statement for the Forsyth County Jail;

3. Overseeing the safety and security of the Jail, its employees and inmates, ensuring compliance with applicable laws, regulations, policies, procedures, and other operational directives
4. Developing annual Forsyth County Jail goals and objectives;
5. Overseeing staff training and development
6. Establishing and maintain liaison with the judiciary and federal, state, and local government agencies; promote harmonious relations with the public at large.
7. Providing for intake, security custody, transportation, release, and general welfare of all inmates.
8. Formulating and submit an annual budget for the Forsyth County Jail; prepare and submit all reports to the Sheriff in a timely manner.
9. Providing a complete set of written policies, rules and regulations for employees and inmates.
10. Developing recommendations for improving the effectiveness and efficiency of jail operations Recommend and/or approve all policy and procedure changes
11. administering contractual obligations
12. planning and directing jail programs such as reintegration initiatives

The Jail Administrator is an appointed executive level position and is not subject to the Forsyth County civil service system.

II. JAIL MISSION STATEMENT

A. Mission Statement

To provide for basic human needs of the inmate population and to make available programs and activities conducted in a positive atmosphere. To provide each inmate with the opportunity to better themselves physically, vocationally, socially, and academically if the inmate chooses to participate.

III. CODE OF ETHICS

The Forsyth Sheriff's Office has a written code of ethics that is provided to all employees (see GO 1-1 Office of the Sheriff).

All employees, contractors, and volunteers are held accountable for compliance with the code of ethics. New employees shall acknowledge that they have reviewed Jail work rules, ethics, regulations, conditions of employment, and related documents by electronic signature in PowerDMS.

IV. ORGANIZATIONAL CHART

A current organizational chart describing the jail's organization and chain of command shall be maintained in PowerDMS and published as amended to all Forsyth County Jail employees.

V. GOALS AND OBJECTIVES

The Jail Administrator shall formulate Jail Bureau goals to guide future decision making, formulation of objectives and establishment of a multi-year plan.

Jail Commanders shall formulate objectives for accomplishing established goals. These objectives shall be:

- a. Directly related to, and in support of, one or more of the Jail's stated goals;
- b. Shall represent the major initiative(s) that is to be accomplished during the upcoming fiscal year.

Organizational goals normally remain constant and do not change unless there are significant outside factors that directly impact on the agency. To determine whether such factors exist or if there are any other reasons to modify the goals of the Jail, a review shall be performed annually.

VI. FORSYTH COUNTY JAIL POLICY MANUAL

Written policies shall be made available to all employees and shall be monitored regularly and revised as necessary to ensure compliance with agency goals, federal and state law, and with accepted professional practices as established by the National Institute for Jail Operations (NIJO).

A. Policy Development, Accessibility and Maintenance

Development and maintenance of the Jail Policy Manual shall be the responsibility of the Policy and Accreditation Manager who shall:

1. Monitor current policies and recommend revisions as warranted to reflect changes in agency practices, state and federal laws along with ensuring compliance with the National Institute of Jail Operations (NIJO) standards; AND
2. Maintain the policy manual in PowerDMS and submit needed revisions to Command Staff for review and/or approval as warranted.
3. Each chapter of the policy manual shall be reviewed by Command Staff every eighteen (18) months or sooner as warranted.

4. As policies are revised, all superseded policies shall be archived in PowerDMS and available for review upon request.
5. The Policy manual shall be accessible to all employees via PowerDMS.
6. A pdf copy of the policy manual shall be maintained on a Forsyth County secure network drive accessible to all applicable personnel by username and password.

VII. POLICY COMPLIANCE and TRAINING

Supervisors should monitor the actions of all subordinates to ensure adherence to policy requirements in order to protect the legitimate safety, security and other needs of the jail; and to protect the rights of inmates.

Continual training of all staff regarding new or revised policy and procedures is the responsibility of each supervisor. Supervisors may utilize training, counseling, corrective actions and/or disciplinary actions to ensure that requirements of policy are implemented and followed.

VIII. STAFFING

The Jail Administrator is responsible for maintaining proper staffing 24 hours a day, 365 days a year to maintain good order, security and safety for jail employees, visitors and inmates. Proper staffing should be maintained to respond to medical emergencies, injuries (resulting from fights, falls, and other accidents), assaults, suicide attempts, fires and other exigencies.

Staffing requirements should reflect the following:

- a. Average attrition rate
- b. Jail programs including visitation, recreation, religious services
- c. Health care
- d. Population projections
- e. Proper inmate to staff ratio based on security, custody and control thus allowing inmates proper access to all Jail programs and services
- f. Ratios reflecting future goals and growth
- g. Reviews space and equipment requirements and makes plans for effective use of space and equipment
- h. Total number of authorized positions

The Jail Administrator and designated staff should regularly evaluate staffing requirements as needed to meet existing and changing program requirements. These requirements will be based on realistic coverage for all essential posts taking into consideration training requirements including initial, internal, external and annual training, all forms of leave, and unauthorized absences. All Division Commanders and Watch Commanders should submit in writing, when requested, present levels of staffing and projected levels based on all available and

documented resources. All transfers, assignments and selections of employees should be based on the Jail's needs and the abilities of the employees.

A standardized staffing formula should be utilized to determine the number of staff needed for essential positions. This formula should take into consideration holidays, regular days off, annual leave, average sick leave, military leave and other factors which may be needed in determining staffing levels.

GENERAL ORDER: GO 4-2 Intake and Booking

Effective Date: May 11, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INTAKE**

All persons admitted to the custody of the Forsyth County Jail are processed through an intake area of the jail where they are searched, medically screened and evaluated for special needs. Their identification and legal justification for admittance are verified prior to acceptance of their custody by jail personnel.

A. ADMISSION PROGRAM

The admission program is designed to:

1. Ensure that all inmates are properly identified.
2. Properly record authorized inmate property and remove, account for, and store unauthorized inmate property.
3. Ensure that each inmate's personal hygiene is addressed through clothing exchange, showers, and issuance of personal hygiene items as needed.
4. Accomplish medical, dental, and mental health screenings.
5. Provide information regarding indigent defense in accordance with O.C.G.A.
6. Record basic personal data; and
7. Reduce the anxiety level for the newly incarcerated inmates Housing unit assignments (inmates are separated from general population during the admission process, pending classification assignment).

B. DEFINITIONS:

Admission: The process of documenting an inmate's custody status.

Indigent: Impoverished person; unable to afford an attorney.

Inmate: Any person lawfully confined in the jail.

Infectious: Capable of being communicated or transmitted (i.e., communicable disease)

Tuberculosis: An infectious disease caused by tubercle bacilli having many and varied manifestations in lungs, brain, bone, etc.

Venereal Disease: Any of several diseases (i.e., syphilis, gonorrhea, herpes, etc.) contracted through sexual intercourse.

Orientation: Introductory instructions of programs, services, and guidelines informing inmates of behavioral expectations.

Religious Medallion: Any of various medals, coins, or similarly described items of a bona fide religious nature, that do not present a threat to the safety or security of the jail.

Protective Custody Inmates: Any inmate incarcerated in the jail that is classified as being a sex offender, high profile witness, informant, in need of protection, or any that the classification staff deem so.

C. SUPERVISION AND CONFINEMENT OF PERSONS ARRIVING AT THE JAIL

Inmates arriving at the jail for admission should be supervised and confined in a manner that reduces the risk of violence, intimidation, self-harm, suicide. They should also be protected from exposure to contagious inmates or other harm prior to their assessment and classification.

Inmates should be searched in the pre-intake area of the jail. They may then be placed in the general seating area or in a holding cell based upon their demeanor, behavior and criminal record.

Male inmates should always be kept separate from female inmates.

All inmates in the booking/processing unit should be monitored by a deputy via direct supervision or in cell video.

D. Special Conditions (Viral Outbreak)

During times of pandemic (viral outbreak), the following procedures shall be followed prior to permitting an inmate to be brought into the pre-intake area:

1. An Intake deputy shall meet the inmate in the sally port or lobby.
2. The inmate's temperature shall be scanned with a temperature scanner. If the inmate or inmate has a fever (temperature above 100-degree Fahrenheit), the watch commander shall be notified. If no temperature is detected the intake deputy may continue with the appropriate medical questionnaire provided by the contracted health care provider.

3. The intake deputy shall ask questions listed on the medical questionnaire. If any symptoms are noted, the intake deputy shall notify the watch commander.
4. Once the inmate has been cleared, they may be escorted into the pre-intake area and processed accordingly.
5. The medical questionnaire shall be turned over to the medical care provider during the medical screening process. The medical questionnaire shall not remain in the booking file or be scanned into JMS.

E. PROCEDURES:

1. ARRIVAL OF INMATE FOR PRE-INTAKE PROCESSING:

- a. Deputies shall secure their firearm(s), including ammunition and other weapon(s), in the available weapons' lock boxes or within their vehicles before entering the intake area or any secured area of the jail.
- b. Inmate shall not be admitted into the jail unless handcuffed or restrained by other devices which achieve the same function. Inmate should be handcuffed with their hands behind their back.
 - 1) Exceptions may be made if inmates:
 - i. Are handcuffed to secured belly a chain, or
 - ii. A serious medical need or physical injury or deformity makes it impractical or otherwise imprudent to secure the inmates hands behind their back.
- c. Inmates shall be frisk searched by the arresting or transporting deputy prior to entry into the pre-intake area of the jail.
- d. The transporting deputy shall escort the inmate into the pre-intake area.
- e. Intake deputies may be summoned to the sally port to assist arresting deputies with combative, disorderly or physically challenged inmate.
- f. All inmates entering the jail shall be frisk searched/patted down by an intake deputy. Absent exigent circumstances, searches shall be conducted by deputies of the same sex as the inmate. A supervisor must approve any opposite sex frisk/search of an inmate. The circumstances must be documented in JMS.
- g. Inmates shall only be accepted from persons who are certified peace officers having authority to arrest and detain individuals or from persons with proper documentation having proper authority to transport the inmate to the jail.
- h. The intake deputy should attempt to verify the identity of the inmate, review warrants, commitment orders and other documents justifying admission to the jail and should ensure all documents are properly signed and dated
- i. Inmate under the age of seventeen (17) shall not be admitted into the jail unless ordered by a court of proper jurisdiction.
- j. When a female inmate is brought into the jail, a female employee should be present to assist with the admission process, when possible.

- k. If an inmate's status is disclosed as transgender prior to the search, a deputy of the same birth sex as the inmate sex identity should conduct the search with a second deputy of the inmate's birth sex present as a witness and that search should take place in clear, proximate view of a camera.
- l. If the inmate's status as transgender is not known prior to the search and a member of what is perceived as the same sex begins the search, when any discrepancy is discovered, the search shall cease, a deputy of the inmate's birth sex shall complete the search from that point, as noted above.
- m. The inmate shall be scanned by the walk-through X-Ray Scanner.
- n. If, at any time, a deputy has a reasonable suspicion to believe an inmate being processed at intake is concealing contraband, evidence of a crime, weapons or any object which may bring harm to others, a strip search may be conducted in strict compliance agency policy.
- o. The transporting deputy must provide the intake deputy with proper legal documentation to confine the inmate. Completion of the arrest module in RMS (Records Management System) shall suffice as proper documentation for warrantless arrests.
- p. The arresting deputy is responsible for providing proper arrest documents (i.e., warrant, order of the court, etc.) within forty-eight (48) hours.
- q. The arresting deputy shall remain at the jail until the inmate has been properly searched and all required paperwork/information is received and reviewed. The inmate may be accepted into the custody of the jail when the authorized intake deputy reviews the proper documentation and the condition of the inmate. The intake deputy shall then give verbal clearance for the arresting or transporting deputy to leave.

F. INTOXIMETER TESTS

If the transporting deputy requests an intoximeter test of the inmate's breath, such testing may be conducted by Georgia State certified operators only using the equipment installed in the Intoxilyzer room in the intake area.

While inside the Intoxilyzer room, detainees shall be monitored by face-to-face observation and/or audio / video surveillance equipment.

In the event that the transporting deputy requests tests other than breath analysis (i.e., blood, urine, etc.) then the transporting deputy is responsible for securing the inmate and transporting the inmate to a testing facility if the test cannot be administered in the jail.

II. INMATE PERSONAL PROPERTY

The intake deputy shall confiscate the inmate's personal property, except for items of necessity (i.e., shirt, blouse, pants, dress, etc.), including but not limited to:

- a. Wallet/purse.
- b. Pager/cell phones/ PDAs.
- c. All items of jewelry (including any types of body piercing).
- d. All outer clothing (i.e., coat, belt, hat, etc.).
- e. All items contained in pockets (including money); and
- f. Wigs, hair pieces not permanently affixed.

NOTE: No large items shall be accepted into the Jail. The arresting deputy shall enter the large items in Property and Evidence

A. Search and Inventory of Inmate Property

Once the inmate's property and excess clothing has been confiscated, it shall be thoroughly searched and inventoried in JMS while in the presence of the inmate to:

1. Provide a complete inventory and provide protection against possible false claims of misappropriation by staff members.
2. Protect inmate's property from loss, mishandling, damage and misappropriation; and
3. Interdict the introduction of drugs, weapons and other contraband into the jail.

Extreme caution should be used due to the possibility of harmful contraband being concealed (i.e., needles, sheets of "acid" LSD, etc.).

- 1) Any contraband or criminal evidence discovered shall be confiscated and turned over to the transporting/arresting deputy.
- 2) The deputy discovering the contraband or evidence should complete a supplemental report to the arresting deputy's original incident report documenting what was found, where it was found and that it was turned over to the arresting deputy.

B. Inmate Property Clerk Responsibilities

Once the inventory has been completed, the property clerk shall sign the receipt with their name, badge number, date, and time. The property clerk shall also ask the inmate to sign the property receipt. If the inmate refuses to sign the receipt, "refused to sign" shall be written in place of the signature and a supervisor shall sign the receipt as a witness.

1. The property receipt shall be scanned into JMS and a copy given to the inmate (even if they refuse to sign the property receipt). A copy shall be placed with the property.
2. All property submitted to the Inmate property clerk shall be secured in the Inmate Property Room.

C. Cash Secured In Kiosk

The intake deputy shall instruct the inmate to place all cash money in the kiosk located in the pre-intake area. All money deposited into the Kiosk is registered into the inmate's account and a receipt shall be provided by the inmate property clerk.

Any money declared by the inmate to be special (i.e., a coin given to them by friend or family, old money greater than face value, special mint coins, etc.) may be inventoried as property.

Money that is soiled, damaged or defective may be inventoried as property.

D. Inmate Wrist Band

After all money and personnel property have been taken, inventoried and secured in the inmate property storage area, the inmate shall be provided a red wrist band and moved to the booking area.

E. Inmate Booking Waiting Area

Once the inmate has been patted down and all their property and money inventoried, the inmate shall be escorted into the inmate booking area. The inmate shall be seated in the open seating area or intake holding cell to await the data entry process. Inmates known or perceived to have a propensity to assault staff or other inmates, who have a possible infestation of vermin, infectious disease, who show signs of suicide risk or other noted dangers or who may be vulnerable if housed with other inmates should be housed accordingly.

III. INMATE BOOKING

A. Inmate Data

Accurate and complete records shall be maintained on all inmates to verify that all laws, standards, and procedures have been followed. The Jail Management System (JMS) software includes records on the admission, processing, and release of inmates. Each inmate admitted into the Jail shall be assigned a system generated number. If the inmate has never been in the Jail, they shall be given a new number. If they have been in the Jail previously, the number previously assigned to them should be used.

Information gathered from and about the inmate shall be entered into the JMS booking module. Information shall include but it is not limited to:

1. Personal information from the inmate (i.e., nickname, age, marital status, etc.).
2. Information from court documents (i.e., Uniform citations, warrants, etc.).
3. Charges and bond information; and
4. Signed indigent defense form.

During the intake process, the inmate shall be asked to supply the intake deputy with their next of kin or friend to be notified in the case of serious injury or illness. If at any time during the inmate's incarceration, the inmate receives a serious injury or illness, jail staff shall be responsible for notifying the next of kin or friend. The jail staff should contact the next of kin or friend within twenty-four (24) hours of the injury/illness.

Every inmate shall be photographed. The photographs shall be stored and maintained in the computer along with the inmate's name, race, gender, date of birth, social security number, and MNI. Photographs may be shared with other agencies with which the Jail Commander agrees to share such material.

A warrant check shall be completed on the inmate information form. Intake staff shall contact a GCIC/NCIC clerk and check for local, state, and national warrants. The result of the check shall be noted on the warrant check stamp.

If intake staff suspects that the information given by the inmate is inaccurate, the clerk shall attempt to verify the information by:

- 1) Checking existing detention files.
- 2) Check GCIC or NCIC.
- 3) Calling other law enforcement agencies; and
- 4) Calling probation or parole.

Booking personnel shall restrict questioning to the information necessary to complete the data entry process. Under no circumstance shall the intake staff question the inmate about the offense for which the inmate is incarcerated. If an inmate wishes to talk about any crime the intake/release supervisor shall be notified.

B. Medical Screening

Initial medical screening is conducted by the jail's contracted inmate medical services provider and is performed by a Licensed Practical Nurse (LPN) or Registered Nurse (RN).

In all cases where it is apparent or suspected that an inmate being admitted into the jail has a medical problem (i.e., injury, etc.), the medical staff and the intake supervisor or on-duty supervisor shall be immediately notified.

No inmate shall be accepted into the jail with any evidence of serious illness or injury, pregnant and claiming to be experiencing pain, bleeding or other symptoms which should be considered serious and/or with a blood alcohol concentration (BAC) above .28 grams. The inmate shall be treated at a hospital emergency room and medically cleared for commitment into the Jail. In this event, medical staff shall evaluate if the person is medically fit to begin the intake process. If not, the medical staff shall notify the intake supervisor or on-duty supervisor of the urgent need for transport to a medical facility. The shift supervisor or shift commander shall inform the arresting agency's transporting deputy of the refusal to accept the inmate. Subsequently, if the inmate refuses medical treatment, written documentation from a physician/hospital is required. There shall be a refusal form completed at that time.

All inmates shall be screened for psychiatric illness at the time of incarceration. In cases of acute illness, the inmate shall be housed under close supervision and the mental health staff immediately contacted. The mental health staff shall respond and conduct appropriate mental health/mental retardation assessments and refer the inmate according to their findings.

All examination findings shall be documented on the Medical Intake / Medical Screening Form and shall, be reviewed and followed-up by the infirmary staff, if necessary.

All inmates shall be provided PPD testing by the jail medical staff to detect tuberculosis.

Inmates that demonstrate a potential for dependency and/or clinical symptoms shall be referred to the medical staff. Any inmate committed to the Jail with a blood alcohol concentration (BAC) of .20 or more or under the influence of drugs shall be separated from the general population and admitted to the infirmary for a period of time as recommended by the medical staff.

C. Fingerprinting

All inmates shall be fingerprinted for all charges regardless of whether they have been previously incarcerated at this Jail.

1. Fingerprints shall be electronically transmitted to the FBI (as required by O.C.G.A. 35-3-36 c).

- a. The FBI number must be received prior to an inmate's release. This shall reduce the number of errors submitted through the fingerprint identification system.
 - b. An index of rejection codes is available in intake to correct any error submissions in fingerprints.
2. Fingerprints may be forwarded to other agencies with which the Jail Commander agrees to share such materials.

D. Intake Waiting Area Phones

The booking area open seating is designed to allow inmates who are cooperative, the opportunity to sit in an open space, under the direct supervision of the intake staff. This area is designed to help reduce the anxieties of the new inmates and promote a less stressful environment for the staff and inmates.

The booking area is equipped with inmate telephones to be utilized in contacting of attorneys, bonding companies, family, friends, etc. After the booking process is completed inmates shall be permitted the opportunity to use the telephones to call a bondsman or family member to assist in the bonding process

All inmates seated in the intake waiting open seating area shall be shown an orientation video on continuous loop,. The video shall consist of how the intake and release processes operate. The video also addresses housing unit rules and regulations.

E. Inmate Visits Immediately Following Admissions Process

Inmates should be permitted to receive visits via telephone or video visitation from an attorney, a bondsman (if eligible for bail) and/or a family member or friend for the purpose of assisting with the effort to effect release. The visit should be permitted prior to being assigned to a housing unit.

F. Special Management Inmates

Inmates in the intake/release area that become disorderly or uncooperative may be placed in a holding cell in the intake area. If an inmate displays violent or assaultive, or suicidal behavior they should be placed into the special observation cell. Inmates shall be observed by the intake/release staff and shall remain in the cell until they cooperate with the staff and no longer present a threat to the safety and security of the jail or are relocated to a suitable housing unit. Restraints may be utilized as appropriate.

IV. INMATE DRESS-IN (CLOTHING EXCHANGE)

Inmates that do not bond out, do not have a bond, are unable to post bond, or are not trying to post bond shall be directed to the dress in area, processed and moved to general housing.

Exceptions to these guidelines shall be:

- a. The inmate is uncooperative or disorderly.
- b. The inmate has been segregated (i.e., suicidal, protective custody, etc.).
- c. Inmates who appear to be highly intoxicated or under the influence of narcotics; and

The inmate shall be escorted by an intake/release deputy to the dress-in hallway. During the dress-in procedure, deputies shall conduct themselves in a dignified manner and afford the inmate sufficient privacy, to avoid experiencing undue embarrassment.

The property clerk is responsible for issuing all inmate uniforms in accordance with their assigned classification and for ensuring that all inmate personal property is properly accounted for and receipted. The inmate being dressed in may be permitted to keep the following personal items:

- a. Authorized legal material (pertinent to their current criminal or civil proceedings).
- b. Necessary medical appliances (i.e., braces, crutches, hearing aids, eyeglasses, etc.) In the event, the medical staff must verify that the inmate requires the appliance and the deputies shall inspect the item for contraband. All medical appliances should be approved by the medical staff or intake /release supervisor.
- c. White undergarments (i.e., - underwear, socks, t-shirts)

NOTE: If the inmate is disabled and requests / requires assistance, the deputy shall ensure that sufficient and adequate assistance is rendered to the inmate to complete the dress-in process.

All inmates shall be issued an inmate uniform (shirt, pants, and footwear) of sufficient size to fit the inmate comfortably. If the inmate does not have white undergarments, intake staff shall issue them.

All inmate clothing taken during the dress in process shall be inventoried and secured with the inmate's property that was taken and stored earlier during the intake process.

The inmate shall be required to shower and to change into the appropriate colored jail uniform determined by their classification.

The inmate's personal clothing may be laundered, if necessary due to it being unsanitary or lightly soiled. The clothing should be laundered if it is vermin infested, foul smelling or heavily soiled.

Inmates shall be provided with appropriate hygiene items (i.e., soap, shampoo, delousing soaps, etc.) and a hot-warm shower prior to exchanging their personal clothing for issued jail clothing.

All dress-in inmates shall shower with a delousing shampoo. They shall clean themselves and their hair thoroughly prior to being dressed into their uniforms for escort to their assigned housing unit.

All showers should be cleaned frequently and maintained in a sanitary condition.

The dress-in deputy shall be alert for any injuries on the inmate (i.e., cuts, bruises, etc.) or other medical conditions that may not have been evident previously and shall inform the medical staff in the event any are observed.

The dress-in deputy shall be alert for any inmate attempting to conceal and/or smuggle any contraband. Should the deputy discover any contraband, it shall be seized. If the contraband is of a criminal nature (i.e., drugs, weapons, etc.), then proper evidence custody procedures shall be adhered to.

Once the inmate has changed into the jail-issued uniform and shoes, the inmate shall be issued the following: two sheets, a blanket, a towel, a washcloth, toothpaste, toothbrush, toilet paper, soap, comb, deodorant, cup and spork. An escort/movement deputy shall be called to escort the inmate to their assigned housing unit.

GENERAL ORDER: GO 4-3 Inmate Classification

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE CLASSIFICATION**

Inmate classification assignments shall serve to protect the safe, secure and orderly operations of the jail.

A. Purpose and Intent of Inmate Classification

Classification Assignment procedures are essential in reducing the potential risk to staff assigned to supervise inmates. The process of assigning inmate classification includes evaluating each inmate according to established criteria in an effort to identify risks associated with housing the particular inmate. Classification decisions are often contrary to the desires of individual inmates and may appear to be of little difference from disciplinary actions. However, classification decisions have no punitive intent and are simply intended to further the safety, security, order, and control interests of the jail. The non-punitive nature of the classification system is separate and distinct from the intentionally punitive inmate discipline system. Because classification decisions are non-punitive, inmates have no expectation of due process and may not appeal classification decisions.

The classification process is designed to be an ongoing process throughout the inmate's period of incarceration. It is the intent of this process to identify, address, and resolve potential problems prior to them adversely impacting the operations of this Jail.

B. Classification Assignments (defined):

1. Protective Custody – A form of separation from the General Population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The inmate's status is reviewed periodically by the classification authority.
2. Administrative Segregation: The custody, housing, and supervision of an inmate whose continued presence in the General Population poses a serious threat to life, property, self, staff, or other inmates, or to the security or orderly operation of the Jail.

3. Pre-Hearing Segregation: The non-punitive custody, housing, and supervision of an inmate charged with a rule violation prior to a disciplinary hearing.
4. Disciplinary Segregation: The custody, housing, and supervision of an inmate who after having been provided due process before a Disciplinary Hearing Committee has been found guilty of serious rule violation(s) and sanctioned accordingly and/or whose continued presence in General Population poses a serious threat to the security or orderly operation of this Jail.
5. Indefinite Security Segregation: Inmates who have been found to be a security threat, continued threat to others or who have received three (3) or more guilty verdicts from disciplinary hearings.

C. Issued Inmate I.D. Cards

All inmates shall be issued an inmate identification card. Profiles contained in the Jail Management System (JMS) are coded to enable staff to immediately identify particular classification requirements of each inmate.

Each I.D. card shall have the inmate's name, photograph and inmate identification number printed on it.

Inmates are required to keep their issued I.D. card on their person at all times while in the custody of the Forsyth County Jail.

If an inmate damages or destroys his/her I.D. card, or fails to keep it on their person they shall be prohibited from participation in any inmate programs or services (i.e., visitation, recreation, commissary, G.E.D., etc.). The inmate may be subject to administrative lockdown and/or disciplinary action. Disciplinary action may also include requiring the inmate to pay a reasonable fee for the replacement I.D. card.

Note: At no time shall the inmate be denied access to the courts, his/her attorney, or emergency medical attention for failure to possess their I.D. card.

D. Inmate Classification Training.

Staff performing inmate classification functions shall receive instruction on and demonstrate a working knowledge of the classification system utilized by the jail.

E. Classification Assignment Procedures

1. Initial Classification:

A pre-assessment of all inmates begins the second they enter the Forsyth County Jail. Inmates are immediately checked for health and safety issues,

searched for contraband and monitored for behavioral issues that may pose a danger to staff and other inmates during the pre-intake and booking phase.

- a. All inmates being processed into the custody of the Forsyth County Jail should be observed for any unusual behavior. Any unusual behavior noted should be brought to the attention of the proper authorities and should be recorded in the Jail Management Software (JMS).
- b. The contracted medical provider shall be notified regarding any inmate suspected of suicidal tendencies, behaviors or actions.
- c. An initial medical screening should be conducted at intake by the contracted medical provider. A physical examination should be conducted on all inmates within fourteen (14) days.
- d. Inmate Services Specialist (ISS) personnel should complete the classification module in the JMS software. Once initial classification is complete, all inmates should be assigned to a housing unit appropriate for their assigned classification.
 - 1) Factors to be considered when determining an inmate's initial classification for the purpose of determining housing assignments along with eligibility for inmate programs and services should be based upon, but not limited to the following:
 - a) Age
 - b) Gender;
 - c) Current offense(s);
 - d) Prior record (Criminal History Record Check, Disciplinary history, escape attempts)
 - e) History of escape or escape attempts
 - f) Affiliation with a security threat group
 - g) Medical, psychological, and behavioral status (observed, documented, or reported), mental and emotional stability;
 - h) History of assaultive behavior;
 - i) Need to keep separate;
 - j) Consideration will be given to inmates with special needs or circumstances.
 - k) Sexually Aggressive or Predatory Behavior; and
 - l) Other information obtained during intake, interviews, and observations.

2. Inmates requiring extra review when determining Inmate Classification Assignment

- a) Special Needs Inmates: Special needs inmates with mental or emotional illnesses including depression, emotionally unstable, psychosis and neuroses; mentally retarded or diminished intellectual capacity; medical or physical handicaps, including diabetics, paraplegics, deaf, blind, epileptic, suicidal tendencies and inmates with disabilities must also be evaluated and assigned to an Inmate Classification Assignment best suited for their protection as well as for the protection of staff.
- b) Security Threat Groups: STGs are inmates who belong or claim membership in a gang, separatist group, violent religious movement, or other anti-establishment group. These inmates require special observation and management. Although STG members strive to keep all of their activities secret, including not informing family and friends of their ties to the gangs, many STG members put on specific gang tattoos and use hand signs. They also use terminology specific to their respective gangs in correspondence and often utilize friends and family members to forward gang-related information. This could result in loss of correspondence and visitation privileges with participants. There are various ways that STGs will attempt to persuade an offender to join. Many use the leverage of protection to join. Many join for financial support, to try to control of their environment, because they have a need to belong or to be accepted or due to their feeling that their family, friends or loved ones have lost "respect" for them due to being in jail. As a result, the gang acts as a family and gives these offenders a false sense of belonging. Known members of STGs may be placed in non-punitive isolation or restricted housing. Known STG members may require special safety and security measures and may be classified to reflect those additional measures.

3. Gender Separation of Inmates

Female and Male inmates shall be housed separately by sight and sound in a manner that does not permit routine viewing of living areas of the opposite gender and which prevents routine verbal conversation between male and female inmates.

Scheduling of inmate programs and services should be in such a manner as to prevent contact between male and female inmates.

Female inmates should be provided the same access to services and programs as male inmates.

F. Designated Classification Assignment Supervisor

The Administrative Support Supervisor shall oversee classification assignments. Responsibilities of the Administrative Support Supervisor include but are not limited to:

1. Reviewing and modifying classification assignments and special housing assignments;
2. Having the authority to overrule classification actions; and
3. Handling inmate classification challenges.

Inmate classification status may be reviewed for a variety of reasons including but are not limited to:

1. After First Appearance Hearing
2. Every 30 days of an inmate's incarceration;
3. Institutional behavior;
4. Upon being sentenced or receiving a sentence modification;
5. Request from the inmate;

G. Classification Review Factors

Factors to be considered when reviewing Inmate Classification Assignments are but not limited to:

1. Rules Violations;
2. Information obtained during interviews and observations;
3. Escape Risk;
4. State Inmate;
5. Mental Health status;
6. Known management problems;
7. Aggressive or Assaultive Behavior;
8. Known gang affiliations or involvement in disruptive organizations;
9. Protective Custody prerequisite; and
10. Other information as deemed pertinent.

E. Non-Punitive Housing

Non-Punitive housing may result in the loss of some privileges due to the physical layout of the unit. No inmate may be denied food, medical care, personal hygiene, other essential necessities of life, access to courts and counsel or other privileges which would violate the clearly established rights of inmates.

Inmates placed in non-punitive housing units may receive restrictions associated with their classification assignment or other restrictions may be implemented to

further the safety, security, order and legitimate inmate management interests of the jail. While the classification assignment is non-punitive in nature, special monitoring of these inmates may be required.

Restrictions which may be implemented due to atypical security and safety risks associated with inmates placed into non-punitive housing units include:

1. Restricting movement
2. Controlling access to services, programs and privileges; and
3. Administratively segregating high-risk inmates.

An inmate's race shall never be used as the sole criteria for classification assignment of inmates. No inmate will be denied proper classification because of race, religion, national origin, physical and/or mental impairments, or for any other reason.

H. Classification Assignment Documentation

All steps and elements of the Inmate Classification process shall be documented in the Classification Module of the agency's Jail Management System (JMS). When appropriate, documents may be scanned and attached electronically.

I. Inmate Requests for Classification Reconsideration

While inmates have no right to select their classification or housing unit assignment, they may request a reconsideration of their classification status. Requests for reconsideration shall be submitted on the Kiosk/Tablets provided in each housing unit. The Classification Officer may conduct a limited informal review. The informal review should consider verifiable information provided by the inmate and information on file. The decision of the classification unit is final with no right of appeal.

GENERAL ORDER: GO 4-4 First Appearance Hearings

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. FIRST APPEARANCE HEARINGS:**

In every case of an arrest without a warrant, the person arresting shall, without delay, convey the offender before the most convenient judicial officer authorized to receive an affidavit and issue a warrant as provided for in Code Section 17-4-40. No such imprisonment shall be legal beyond a reasonable time allowed for this purpose; and any person who is not brought before such judicial officer within 48 hours of arrest shall be released (O.C.G.A. 17-4-62).

Every law enforcement officer arresting under a warrant shall exercise reasonable diligence in bringing the person arrested before the judicial officer authorized to examine, commit, or receive bail and in any event to present the person arrested before a committing judicial officer within 72 hours of arrest. The accused shall be notified as to when and where the commitment hearing is to be held. An arrested person who is not notified before the hearing of the time and place of the commitment hearing shall be released (O.C.G.A. 17-4-26).

Therefore, all inmates shall attend a First Appearance Hearing within the prescribed time frame established by law. First Appearance Hearings are held Monday through Friday and on Saturday. Days are subject to change at the discretion of the presiding Magistrate judge and/or Jail Administrator.

A. First Appearance Hearing List

A First Appearance Hearing list shall be e-mailed to the SO First Appearance Distribution List group as well as the on-coming shift (A, B, C, D) in a timely manner. The e-mail should include notations of any missing documents, reports, etc. along with a notation of anyone who needs a translator and the language needed. All co-defendants who should be kept separated shall be noted in the email.

1. List preparation

- a. First Appearance Hearing Lists shall be obtained from JMS by printing a list of all Inmates who do not have a Magistrate Date assigned.
- b. The list shall be reviewed for accuracy and any inmate who does not need to be seen by the judge should be removed. The following inmates do not need to attend First Appearance Hearing:
 - 1) Inmates who have been sentenced,
 - 2) Inmates serving time for court sanctions (i.e., Drug court, DUI Court, Family Treatment Court, CARE Court, etc.)

If there is any doubt as to the need for an inmate to attend a First Appearance Hearing a supervisor shall be contacted.

- c. If an inmate is not needed for First Appearance Hearing, a "T" should be entered in the Magistrate Date and the inmates name will not appear on the list.
- d. When an inmate is scheduled to attend a First Appearance Hearing, the date of the hearing shall be entered in JMS for each charge.

2. Inmate Booking Folders

Inmate booking folders for each inmate attending a First Appearance Hearing shall be prepared for the Judge to review. Each item on the checklist shall be reviewed and/or compared with the JMS file for accuracy.

3. Interpreter

The Magistrate Court shall be notified when the need for an interpreter exists.

4. "Keep away" list

All co-defendants attending the First Appearance Hearing shall be noted on the list to ensure they are always kept away from each other.

B. First Appearance Hearing Documentation

Upon receiving the updated information from the First Appearance Hearing, each file shall be updated with bond amounts. All documents shall be scanned into JMS and placed into the files. Each inmate fill shall be updated to include:

1. Court date

A First Appearance Court date and the name of the judge conducting the hearing shall be assigned in JMS for each charge.

2. Document Review

All documents shall be reviewed including charge codes, inmate name, GCIC, and classification to ensure all information is correct. The OTN shall be checked in CCH and added in the CTN numbers for each charge in JMS.

3. Magistrate Sheet

A Magistrate sheet shall be prepared for each inmate containing:

- a. Name of Judge conducting the hearing
- b. Charges
- c. Charge document numbers
- d. Bond amounts
- e. Special bond conditions (i.e., 13-08 forms for felonies and electronic monitoring devices ordered)

4. Bond Fee Amounts

A 10% Jail Fund fee along shall be added to each bond set by the Judge. A bond fee of \$20.00 shall be added to each charge deemed bondable by the Magistrate Judge.

GENERAL ORDER: GO 4-5 Inmate Healthcare

Effective Date: June 9, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. PURPOSE**

To provide for the delivery of inmate health care services including medical, dental, and mental health services, under the control of a contracted medical provider and provide that all matters involving medical judgment are the sole province of the contracted physician, dentist, psychiatrist, or psychologist.

II. PERSONNEL QUALIFICATIONS AND CREDENTIALS

Inmate health care shall be provided by a contracted medical provider. The contracted medical provider shall be accredited by a recognized health care accrediting agency. All medical judgments rest with a physician licensed in the State of Georgia to practice medicine. The contracted medical providers are responsible for arranging for all levels of health care and assuring quality of and inmate access to all health services. The contracted medical provider shall appoint an Administrator/Coordinator who shall be responsible for ensuring its employees are in compliance with applicable state and federal licensure, certification or registration requirements.

The following qualifications, certifications and/or licenses are required for all healthcare personnel:

- a. The designated Health Care Administrator/Coordinator shall be a licensed physician.
- b. A licensed dentist is the provider of dental care.
- c. A licensed psychiatrist and/or psychologist is responsible for mental health services and shall approve all activities carried out by the mental health staff.
- d. All support staff shall possess appropriate certifications.
- e. No Interns, medical students or non-certified personnel are permitted to deliver health care services to inmates.

III. SECURITY STAFF DUTIES AND RESPONSIBILITIES

Jail Deputies shall be responsible for the safety and security of the contracted medical staff and should assist the medical staff as needed if within their training and ability. Security Staff personnel should not interfere with medical staff performing their duties unless there is a breach of security or policy.

IV. RESPONSIBILITIES OF THE HEALTH AUTHORITY

Responsibilities of the contracted medical provider include but are not limited to:

- a. Establishing a mission statement that defines the scope of health care services;
- b. Developing mechanisms, including written agreements, when necessary, to assure that the scope of services is provided and properly monitored;
- c. Developing operational health policies and procedures;
- d. Identifying the type of health care providers needed to provide the determined scope of services;
- e. Maintaining written job descriptions listing all qualifications and licensing requirements for all personnel including but not limited to:
 - 1) Health Care Administrator/Coordinator;
 - 2) Health care providers;
 - 3) Support Staff;
- c. Establishing systems for the coordination of care among multidisciplinary health care providers;
- f. Developing a quality management program;
- g. Arranging for the availability of health care services;

A. Expected Practices

Any and all treatment by health care personnel, other than a physician, dentist, psychologist, optometrist, podiatrist, or other independent provider, shall be performed according to direct or written orders by personnel authorized by law to give such orders. Nurse practitioners and physician's assistants may practice within the limits of applicable laws and regulations.

- 1) All security policies and procedures of the Jail shall apply to all health care providers.
- 2) There is adequate space, equipment, supplies, and materials provided.
- 3) The Jail Administrator provides support for making the services accessible to all inmates.

V. HEALTHCARE OPERATIONS

The contracted healthcare provider shall be responsible for continuity of health care for each inmate, timely response to medical emergencies, access to medical treatment for inmates, special medical programs that service specific inmate chronic medical conditions, and sharing of appropriate health information with new health care providers in accordance with consent requirements.

A. Continuity of Care and Qualified Staff

Inmates shall be provided ongoing health care while in the custody of the Forsyth County Jail. The contracted medical provider shall maintain a qualified staff of medical professionals within the Jail, twenty-four (24) hours a day, seven (7) days a week. All health care shall be provided or coordinated by the contracted medical provider in accordance with the specifics of each contract. Treatment may be administered at the jail, licensed private provider offices, the Forsyth County Health Department, at a local hospital or other qualified and authorized locations.

B. Intake Medical Screening

Inmates being booked into the jail shall be medically screened by the contracted medical provider documenting any observations of the inmate for any of the following:

- 1) General appearance and behavior;
- 2) state of consciousness;
- 3) ease of movement;
- 4) breathing; and
- 5) skin (lesions, rashes, scars, needle marks, etc.).

The following procedures shall be accomplished in the screening process:

1. If an inmate has an existing medical record from a previous incarceration, the medical staff may retrieve it as needed.
2. The inmate shall be required to sign an Authorization for Treatment section located on the intake screening form, or a refusal form, whichever is appropriate. In the event that the inmate refuses to sign either form, it shall be documented on the form and witnessed by the staff. All inmates shall be provided tuberculosis (PPD) testing during the screening process.
3. All findings from the health screening shall be recorded on a medical screening form furnished by the health care provider and includes at a minimum the following:
 - a. Current and past illness, health conditions, or special health requirements;
 - b. current medications and verification of medication
 - c. past serious infectious disease;

- d. recent communicable illness symptoms;
- e. past or current mental illness, including hospitalizations;
- f. Document observations of the inmate for signs of behavior which could indicate an obvious risk to self or others;
- g. Refer inmates who are suspected of being mentally ill to mental health professionals;
- h. history of or current suicidal ideation;
- i. An attempt to evaluate the inmate's state of mind being alert to factors which may suggest current suicide ideation;
- j. Determine whether any of the inmate's family members have a history of suicide or suicide attempts;
- k. Make note of and question the inmate about any visible scars or other physical manifestations that may indicate previous suicide attempts;
- l. dental problems;
- m. allergies;
- n. legal and illegal drug use;
- o. drug withdrawal symptoms;
- p. current or recent pregnancy; and
- q. other health problems as designated by the responsible physician, if applicable.

C. Health Appraisal

Every inmate incarcerated in the Forsyth County Jail shall receive a health appraisal within fourteen (14) days of being booked into the jail. However, an appraisal may not be required if the inmate has had a health appraisal accomplished by jail medical staff within the last ninety (90) days, unless another appraisal is warranted.

The health appraisal shall be performed by qualified medical staff and shall include, but is not limited to:

1. Review of prior Medical Record (if available);
2. Collection of data to complete the medical, dental, mental health, and immunization histories;
3. Laboratory and/or diagnostic tests to detect communicable diseases including venereal disease (VDRL), if applicable;
4. Recording height, weight, pulse, blood pressure, and temperature;
5. Other tests and examinations as appropriate;
6. Medical examination, including review of mental and dental status;
7. Review of the results of the medical examinations, tests, and identification of problems by the physician or physician's assistant (P.A.) and dentist;
8. Initiation of therapy, when appropriate; and
9. Development and implementation of treatment plan, including recommendations concerning housing, job assignments, and program participation.

D. Dental Screenings and Examinations

1. Routine dental screenings, examinations, treatments, and emergency dental care shall be provided by a licensed dentist under contractual agreement with the Forsyth County Jail.
2. Inmates who wish to be seen by the dentist shall submit an inmate medical request on the inmate kiosk.
3. All dental services are subject to a medical co-payment plan. However, inmates shall be provided the following dental services at no cost:
 - a. Dental treatment, not limited to extractions, when the health of the inmate would be adversely affected if the treatment were not provided;
 - b. Treatment of dental pain, sedative fillings, extractions of non-restorable teeth, gross debridement of symptomatic areas, and repair of partials and dentures for those inmates;
 - c. Development of an individualized treatment plan for each inmate receiving dental care;
 - d. Defined charting system that identifies the oral health condition and specifies the priorities for treatment by category; and
 - e. Consultation and referral to dental specialists, including oral surgery, when deemed necessary by the contracted medical provider.

E. Emergency Medical Treatment

1. In the event of an emergency, the discovering deputy shall notify medical staff and request immediate response from the inmate medical unit. Medical and additional jail staff shall respond to the location ASAP.
2. All uniformed deputies shall be trained in First Aid, CPR.
3. First Aid Kits are maintained in the booking area, food service areas, any area where inmates are permitted/required to work and in each housing area. All First Aid Kits are inspected daily and logged in JMS.
4. The Forsyth County Jail has access to the availability of ambulance services, if needed. Additionally, there are adequate departmental vehicles available for use in the event that ambulance transport is not needed.
5. All ambulance, hospital, and other medical transports shall be conducted in accordance with established inmate transport policy, in compliance with security requirements.
6. The Forsyth County Jail has access to a local hospital in the event that further medical examination and/or treatment is required that is beyond the capabilities of this jail's contracted medical provider.
7. The medical staff shall inform the on-duty Watch Commander of the inmate's need for transport, the destination, and other pertinent information, as well as provide the Watch Commander with the treatment referral form. The Watch Commander is responsible for arranging for security coverage and transportation in these events.

F. Medical Examination and Treatment Following Physical Use of Force

Following a use of force incident requiring a Use of Force report as defined in GO 3-10 (Use of Force Policy), inmates against whom physical force was employed should be given a medical examination by the contracted medical provider. Medical treatment, if needed, shall be provided in a timely manner. The purpose of the medical examination is to:

1. Identify obvious injuries requiring treatment;
2. Discover and treat undetected injuries;
3. Document the absence of injuries; and
4. Provide medical documentation to protect jail personnel from false or exaggerated claims of injury.

G. Sick Call (medical/dental)

1. Inmates who desire to be seen by the contracted medical provider shall complete an inmate medical request at the inmate kiosk.
2. All inmates who submit a request for medical care are required to see the doctor or nurse when called. Any refusal of medical treatment shall be made face to face to the doctor or nurse.
3. A licensed doctor or nurse shall conduct medical and dental sick call and make appropriate recommendations if necessary.
4. The medical staff shall document all testing recommendations, medical care, treatment plans and medications prescribed in the inmate's medical records at the time of any/all contact with the inmate.

H. Privacy During Health Care

Health care including medical, dental and mental health interviews, examinations, and procedures shall be conducted in a setting that respects the inmate's privacy. Female inmates should be monitored by a female staff member for encounters with a male health care provider. For security purposes, a deputy shall monitor all health care interaction with medical staff.

I. Medical Specialists

The Jail's contracted medical provider shall have access to a wide variety of medical specialists in the event that such consultations and services are required.

J. Special Medical Programs

Special medical programs, including chronic care, convalescent care, and medical preventive maintenance are available for the inmates. Conditions requiring a special medical program include but are not limited to:

- 1) Diabetes;
- 2) Epilepsy;
- 3) Hepatitis;
- 4) Hypertension;
- 5) Pregnancy;
- 6) Psychosis;
- 7) Postoperative conditions;
- 8) Tuberculosis prophylaxis;
- 9) HIV/AIDS; and
- 10) Physical Handicaps (Disabled).

All inmates needing chronic, convalescent or medical preventive services shall be seen and evaluated by the contracted medical provider. A physician shall provide a written treatment plan documented in the permanent medical record.

The medical staff should conduct monthly reviews of the plan and schedule routine follow up exams to monitor its effectiveness.

Supportive and rehabilitative services shall be arranged or made available by the medical staff as ordered by the treating physician.

Housing assignments of these inmates should be in a manner that is conducive to their condition and security requirements.

Appropriately trained medical staff should be assigned to assist disabled inmates who cannot otherwise perform basic life functions.

K. Prosthesis and Orthodontic Devices

Medical and dental prosthesis (artificial limbs, other permanent devices, etc.) shall be provided to any inmate when the physician or dentist provides documentation that the health of the inmate would be adversely affected were the device not to be provided and other options are not feasible. In this event and to the extent possible, the inmate may be financially responsible, in whole or in part, for the acquisition of the device.

1. The immediate health care needs necessary to maintain daily activities shall be provided as soon as possible.

2. Inmates may have eyeglasses and contact lenses brought to the Forsyth County Jail and left with the lobby deputy during normal business hours for distribution by security staff. All items shall be checked for security purposes and delivered to the inmate. An access number of either eyeglasses or contact lenses shall be stored in the inmate property room.
3. Inmates requiring dentures must have the need for dentures documented by the contracted medical provider (dentist). Each inmate is responsible for arranging for new dentures to be brought to the jail as needed.
4. Inmates who arrive at the Forsyth County Jail with prosthesis and orthodontic devices must be examined by the contracted medical provider for the need of continued use of these items. The LPN assigned to the Intake area shall ordinarily accomplish this. The intake staff shall solicit the assistance of the medical staff in the event that an inspection/search of the device is required.
 - a. Efforts should be made to have the inmate furnish the prosthetic and/or orthodontic device (including dentures and eyeglasses) as well as the necessary related medical paraphernalia and prescriptions, via family, friends, etc.
 - b. The Forsyth County Jail may provide the inmate with certain devices that are intended for temporary use (crutches, cane, wheelchair, etc.). These devices remain the property of Forsyth County and the inmate shall be responsible for any damage.
 - c. Inmates who, after being booked into to the Forsyth County Jail, subsequently require prostheses and orthodontic devices as recommended by the contracted medical provider, shall be permitted to arrange for the purchase of the item through his/her personal resources. The Forsyth County Jail shall continue to provide for the inmate's immediate health care needs.

L. Transfer of Inmates to Medical Treatment Facilities

1. During any inmate transfer to a medical/treatment Jail, the emphasis should be on security. However, the medical, dental, and mental health aspects should not be overlooked.
2. Prior to an inmate being transferred to another Jail, the medical staff shall evaluate the inmate's medical records and shall document pertinent information (medications, behavioral management procedures, and other treatment or special requirements for observation and care during travel).
3. This information should be documented in a manner that is readily accessible to and easily understood by the transport deputy or others who may be called upon to attend to the inmates during travel and/or upon reception at the receiving Jail.
4. Due process is ensured prior to a transfer that results in an inmate's placement in a non-correctional Jail or in a special unit within the Jail, specifically designated for the care and treatment of the severely mentally ill or

- developmentally disabled. Procedures for transfer shall comply with federal, state, and local law.
5. Medications or other special treatment required during transport, along with specific written instructions for administration, shall be furnished to the transport deputy(s).
 6. Medical staff shall determine suitability for travel based on medical evaluation, with particular attention given to communicable disease clearance. Specific precautions shall be taken by transporting deputy, including universal precautions and the use of masks and/or gloves.
 7. The medical staff and the transport deputy(s) should review the information to ensure that it is understood. Confidentiality of the inmate's health record is maintained between medical staff and the transporting deputy.
 8. In cases of hospitalization at a local area hospital, the contracted medical provider shall obtain discharge summaries including but not limited to:
 - a. Whether the inmate is medically fit to return to the jail;
 - b. Discharge instructions from the physician;
 - c. Prescribed therapies or treatments, including medications prescribed, medications given to the inmate while in the care of the off-site provider;
 - d. Restrictions regarding exercise or other activities, diet and physical restraints (e.g., handcuffs, leg irons, etc.);
 - e. Follow up appointments;
 - f. Special observation instructions (e.g., signs or symptoms indicating a need to return to the off-site medical provider or other medical follow-up); AND
 - g. Copies of the off-site provider's medical report, prescriptions and discharge plan or instructions.
 9. If an inmate is referred to a local hospital or other treatment facility, including a doctor's office, a Consultation/Emergency Room Referral telephone call to the receiving facility should be placed by the medical staff.
 10. Upon transfer to another Jail, contracted medical provider shall forward a medical summary to the receiving agency/facilities, as needed.
 11. All medical transports shall be conducted in accordance with established Transport Policy and Procedures and in compliance with security requirements.

M. Informed Consent

Except in emergency situations, inmates receiving medical treatment shall be properly informed by the contracted medical provider of their condition, all relevant treatment options and likely course of recommended treatment prior to undergoing any health care treatment. When health care must be rendered against the inmates shall, it shall be in accordance with state and federal law and regulations. All examinations, treatment and procedures affected by 'informed consent' standards in the community are likewise observed for inmate care. In the case of minors, who have been adjudicated as an adult, the informed consent

of parent, guardian, or legal custodian applies as required by law. The following pertains:

1. A 'Consent for Medical Treatment' form should be signed by the inmate during the nurse's initial medical assessment.
2. Informed consent should be obtained for services performed off-site at referral jails such as hospitals or clinics in the community.
3. Informed consent is not required by law in life-threatening situations.
4. Verbal consent is all that is required by law for routine procedures that are accomplished in a clinic setting, i.e., drawing blood, dressing changes, colostomy care, wrapping of wound or limb as per physician order or obtaining stool samples.
5. Procedures performed in the medical unit that requires skilled nursing and/or invasive type of examinations requires informed consent.
6. The contracted medical provider shall maintain protocols for obtaining informed consent and for documenting an inmate's refusal to submit to health care.

N. Treatment by Personal Physicians

Inmates are not entitled to elective health care procedures. However, in certain instances of legitimate medical need, as approved by the contracted medical provider, an inmate may receive such treatment by their personal physician. All approved elective or essential procedures performed by a personal physician shall be at the total expense of the inmate. The Forsyth County Sheriff's Office and Forsyth County Government shall not be responsible for any expenses incurred.

Inmates who wish to receive medical/dental treatment by their personal physician (a physician of their choosing, including inmate requests for second opinions and consultations) must complete an Inmate Medical Request form.

The inmate may be scheduled to see the medical provider/physician who shall determine if there is legitimate need.

Elective procedures or surgery of which an inmate has requested to be performed by the inmates' personal physician may be authorized if the medical provider physician has determined a legitimate need exists to correct a substantial functional deficit or an existing pathological process which may threaten the wellbeing of the inmate over a period of time.

If medical treatment by the inmate's personal physician is approved, the contracted medical provider/physician shall assist the inmate in making necessary arrangements with the inmate's chosen physician.

The inmate's personal physician must be located within Forsyth County, Georgia.

The inmate is financially responsible for all costs involved in complying with this type of request and all security requirements shall be observed. The inmate's ability to pay for all costs involved shall be authenticated prior to treatment.

O. Pregnant Inmates

All pregnant inmates shall be referred to the contracted medical provider for the necessary clinical testing to confirm pregnancy. The medical staff shall obtain proper medical records from the inmate's treating physician, if available, to ensure continuity of care.

Upon confirmation of the pregnancy, the inmate shall be provided appropriate prenatal care, comprehensive counseling and assistance by medical staff. Routine and/or high-risk prenatal care shall be provided. Arrangements may be made with the local area hospital or health department for monthly (or more often if indicated) prenatal checkups.

All dietary requirements for appropriate nutrition shall be followed. Special diets ordered by the contracted medical provider shall be documented and a copy provided to the contracted food service provider for implementation. The Forsyth County Jail policy for special diets shall be adhered to.

Management of chemically addicted pregnant inmates should be provided in conjunction with the Jail substance abuse program.

A pregnant woman shall not be required to undergo any vaginal examinations/searches unless prescribed and performed by a licensed health care professional.

A pregnant woman shall not be required to squat or cough during a strip search conducted by a custodian during the second or third trimester of pregnancy.

If the inmate needs assistance in making arrangements for the care or adoption of her child, while she is incarcerated, she shall be referred to the Department of Family and Children Services.

If the inmate decides upon abortion, she shall be referred to the physician or designee, for further consultation.

Deputies shall not use handcuffs, waist shackles, leg irons, or restraints of any kind on a pregnant woman who is in the second or third trimester of pregnancy, in labor, or in delivery, or on a woman in the immediate postpartum period.

A woman who is in the immediate postpartum period may only be restrained using wrist handcuffs with her wrists held in front of her body and only if there are compelling grounds to believe that such woman presents:

- 1) An immediate and serious threat of harm to herself, staff, or others; or
- 2) A substantial flight risk and cannot be reasonably contained by other means.

If a deputy uses wrist handcuffs on a woman who is in the immediate postpartum period under an exception provided in section j, the circumstances for and details of such exception shall be documented within two days of the incident. Such information shall include the nature of the circumstances and the length of time of such use of restraints. The documentation shall be reviewed by the Deputy in charge and retained by the Jail Administrator or designee for reporting purposes.

Nothing in this policy shall prohibit the use of medical restraints by a licensed health care professional to ensure the medical safety of a pregnant woman.

The Department of Family and Children Services shall be contacted when an inmate gives birth while in the custody of the Forsyth County Jail.

Unless otherwise provided for by law or court order, the final decisions of the pregnancy shall remain with the inmate.

While incarcerated, the female inmate shall be provided postpartum follow-up for the six-week period following childbirth unless extended by a physician due to complications.

A pregnant woman or woman who is in the immediate postpartum period shall not be placed in:

- 1) Solitary confinement
- 2) In administrative segregation; or
- 3) For medical observation in a solitary confinement setting.

NOTE: This shall not prevent the placement of such woman in a cell or hospital room by herself.

A pregnant woman temporarily held in a county jail pending transfer to a state penal institution should be transferred as expeditiously as possible, with the Department of Corrections and sheriff making all reasonable efforts to facilitate the transfer.

NOTE: This is not applicable to a pregnant woman who has been sentenced to a county jail by a judge.

VI. INMATE MEDICAL FEES

Inmates may be charged reasonable fees for medical treatment while incarcerated at the Forsyth County Jail.

A. Definitions

Indigent: Impoverished person; unable to pay medical fees

Medical Treatment: Each visit to the contracted medical provider initiated by the inmate for examination or treatment.

B. Medical Fee Procedures

A fee schedule for medical services is listed in the Inmate Handbook. Fees may be assessed for all inmate initiated medical visits. Inmates shall not be charged for the required physical examination provided to all inmates within the first fourteen- (14) days of confinement. Any medical treatment required by state law or this Jail shall not be charged to the inmate.

If the inmate's account balance is less than ten dollars (\$10.00), the entire fee shall not be deducted.

1. Deduction of Inmate Funds for Medical Fees

Money credited to the account of an inmate may be deducted for fees related to rendered medical services and/or for restitution of certain costs, consistent with applicable laws.

The medical clerk/ designated medical staff shall deliver all completed inmate Medical Request forms to the finance clerk in a timely manner from the date of service.

The finance clerk shall process the deductions as indicated on the inmate's Medical Request form. All deductions from an inmate's account are managed and recorded by the finance accounting program.

A record of the transaction shall be recorded in the inmate's commissary account on the kiosk.

In the event that the inmate is being transferred or discharged from custody, the inmate shall not be permitted to receive the balance of their funds until all required deductions from the account have been completed. The remainder

of the balance, if any, is available to the inmate through the issuance of a check during normal business hours.

The finance clerk shall maintain all files and records regarding transactions in accordance with established policies and procedures governing maintenance of files, as well as applicable laws.

2. Inmates Without Funds

An inmate's access to health care deemed necessary by the contracted medical provider shall not be precluded by their inability to pay. All inmates shall receive the appropriate medical attention deemed necessary by the contracted medical provider.

VII. MEDICAL/SPECIAL NEEDS HOUSING

The Forsyth County Jail provides separate housing accommodations for certain inmates who may require special observation, special treatment, or skilled nursing care.

A. Medical Housing

The Medical Unit is designated for housing inmates who meet criteria for special medical housing as deemed appropriate by the medical staff.

All Jail functions, services, rules, and procedures that apply to general population inmates likewise apply to special medical housing.

B. Medical Housing Criteria

Inmates may be assigned to special medical housing using the following criteria:

- 1) Inmates who have mental health problems
- 2) Inmates who are disabled to the point that it would put their safety in jeopardy if housed in regular population;
- 3) Inmates who require any special observation watches.
- 4) Or any other reason security staff deems necessary.

The Classification Unit may assign inmates to this special medical housing whose continued presence in general population poses a serious threat to life, property, self, staff, other inmates, or to the security or orderly operations of the Jail.

C. Observation of Inmates Prone to Self-Harm

Inmates who are violent or mentally disordered or who demonstrate unusual or bizarre behavior should receive more frequent observations as dictated by a mental health professional and shall be housed in the infirmary. Suicidal inmates are under continuous observation until seen by a mental health professional. Subsequent supervision routines are in accordance with that ordered by the mental health professional.

D. Infirmary

- 1) A special section of the Medical Unit is designated for housing inmates who the medical staff has identified as requiring skilled nursing care. Inmates housed in the infirmary are frequently within sight or hearing of a qualified health care professional. Admission to and discharge from infirmary care occur only upon the order of a physician.

All Jail functions, services, rules, and procedures that apply to general population inmates likewise apply to special medical housing inmates

Medical staff may admit inmates to the infirmary using the following criteria:

- 1) Inmates requiring constant supervision by medical staff
- 2) Those inmates that demonstrate a potential for dependency and/or clinical symptoms
- 3) Any inmate committed to the Forsyth County Jail who appears to be intoxicated or under the influence of drugs.

VIII. USE OF RESTRAINTS IN HEALTH/MENTAL HEALTH SITUATIONS

Restraints should only be used on inmates with mental health/special needs as a last resort measure and only in those cases in which the inmate presents a danger to self or others. Use of restraints as disciplinary measures or as a convenience for staff is prohibited. Inmates being transported outside the Forsyth County Jail shall be restrained in accordance with agency transport policy.

A. Requirements for Use of Restraints

The following requirements and/or restrictions regarding the use of restraints on inmates suffering from mental health issues as described above should be closely followed:

1. Chemical (pharmacological) agents shall not be used on any inmate for the purposes of restraint unless directed by a staff physician.
2. Approved restraints shall include:
 - a. Lock-down cell
 - b. Handcuffs (metal, disposable, etc.)
 - c. Leg-irons (metal, disposable, etc.)
 - d. Waist chain
 - e. Restraint Chair
 - f. Any combination of the above
 - g. Other restraints as approved by the Jail Administrator
3. All restrained inmates with mental health/special needs shall be placed in a designated area that permits observation by staff. Under no circumstances shall a detainee be restrained to a fixed object, unless specifically directed and authorized by the Jail Administrator, Contracted medical provider, or their designee.
4. The order for the use of restraints shall be documented in the medical chart during the shift on which the inmate is restrained and signed or approved via phone by a physician within twenty-four (24) hours. The incident shall be documented in the inmate's medical record and signed by the involved medical staff member. The Shift Supervisor shall ensure that all applicable documentation is completed (incident reports from all staff involved, use of force report, etc.) and forwarded up the chain of command for an after-incident review.
5. The order should include the reason and/or clinical justification, type of restraint specified and length of time anticipated for their use.
6. When the use of the restraint chair is deemed necessary, the staff shall follow all guidelines outlined in agency policy regarding the use of a restraint chair.
7. The inmate shall have the opportunity to use toilet facilities and shall receive food/water as safety and security permits.
8. If the inmate has an existing and/or potential medical condition that could be made worse by the use of restraints, then the final determination to use restraints must rely on the immediate circumstances (immediate threat of injury to and by the inmate or others).

B. Observation of Inmates Secured in Restrained

Deputies and medical staff shall physically observe inmates secured in restraints every fifteen- (15) minutes.

The following observations should occur by medical staff:

- 1) Check for proper blood circulation and breathing by doing the following;

- a. Making sure there is no discoloration, swelling or decreased temperature of the hands and feet.
- b. Ensure that one finger can easily fit between the wrist, ankle, and waist restraints.

Restraints may be maintained for a period not to exceed two (2) hours.

When the inmate's behavior improves the inmate shall be evaluated and restraints removed if appropriate.

Special observation procedures shall be documented in JMS.

IX. SERIOUS and/or INFECTIOUS DESEASES

The following guidelines set forth procedures for managing inmates who have serious and/or infectious diseases or illnesses.

A. Definitions

- 1) AIDS: Acquired Immune Deficiency Syndrome, disease characterized by the destruction of the body's immune system.
- 2) Serious and/or Infectious Disease: A disease that is communicable or transmittable from one person to another that may result in a serious medical condition up to, and including death (tuberculosis, hepatitis B, AIDS, etc.)
- 3) Hepatitis B: Inflammation of the liver caused by a viral infection and is transmitted in the same manner by which HIV is spread.
- 4) HIV: Human Immunodeficiency Virus, the virus that causes AIDS. It is transmitted by entering the bloodstream by exchanging bodily fluids.
- 5) Tuberculosis: An infectious disease caused by tubercle bacilli, having many and varied manifestations (in lungs, brain, bone, etc.)
- 6) Universal Precautions: The use of standard protective devices and clothing.

B. General Guidelines

Because of their serious nature, methods of transmission, and public sensitivity, infectious diseases such as Tuberculosis, Hepatitis B, and AIDS require special attention. Any inmate diagnosed with any serious and infectious disease shall be handled in a manner consistent with current medical and scientific protocol.

Each inmate shall be afforded dignity and confidentiality in regard to their medical condition. To the extent possible, and according to their specific classification, inmates shall be permitted to participate in any inmate program or activity.

The Forsyth County Jail's contracted medical provider shall provide necessary and on-going educational information regarding serious and infectious disease to inmates and staff. The information may be presented during patient counseling as well as through literature, and participation in a more formalized classroom setting (staff).

Inmates diagnosed with a serious and infectious disease shall receive instructional information regarding safeguards and prevention by the medical department.

All inmates are provided tuberculosis screenings upon their arrival to this Jail. This is conducted by a licensed medical professional during the receiving procedures in the Intake area. During the fourteen (14) day physical examination inmates are offered venereal disease screenings. Inmates who test positive for any serious and infectious disease shall be referred to the medical staff for further consultation and appropriate treatment.

All new direct care staff (i.e., civilians, deputies and healthcare) should receive a test for tuberculosis (either Mantoux Skin Test and/or Chest X-ray) prior to job assignment and periodic testing thereafter. All direct care staff are also offered the hepatitis B vaccine series.

Inmates shall be provided treatment for serious and infectious disease through the facilities contracted medical provider. This treatment is provided at the Jail and/or through the local hospital.

The fact that an inmate has been diagnosed with a serious and infectious disease is not, in and of itself, sufficient grounds to separate the inmate from the general population.

Inmates who have been diagnosed with a serious and infectious disease may be placed in a housing unit separate from the general population when they have demonstrated Non-compliance with prescribed treatment which presents a risk to staff and other inmates.

If there is sufficient documentation that the disease has progressed, resulting in a deterioration of the inmate's physical condition to an extent that the inmate requires closer medical supervision, then the inmate may be moved from general population.

Any inmate separated from the general population under these circumstances shall be housed in an area that is consistent with their specific medical condition as well as their classification requirement. The decision as to housing shall be performed by the classification staff in consultation with the medical staff.

Inmates entering the Jail stating that they are HIV positive shall be referred by the Intake Nurse to the medical unit for further consultation.

The medical staff should be contacted with any questions regarding precautions dealing with a specific inmate. Additionally, staff shall not make reference to any specific inmate's medical condition nor shall slang terminology be used in any reference to an inmate or his/her medical condition. At all times, the inmate shall be afforded dignity and confidentiality.

Staff shall also receive in-service training by the Training Division regarding serious and infectious disease safeguards.

C. Medical Waste

Medical waste (Biohazards) shall be disposed of through the use of a contracted professional and licensed company specializing in medical waste disposal. This company provides the Jail's contracted medical provider with specifically designed bags and boxes for the collection of biohazard materials. Bio-hazard materials are placed in these containers and are retrieved by the company for disposal.

Medical personnel shall be trained in the appropriate manner of disposing of contaminated medical materials. The use of "sharps" containers is required.

The medical staff can offer assistance in providing advice on the appropriate manner of cleaning contaminated materials. All staff are encouraged to seek out the assistance and advice of the medical staff in this respect.

Any material that is suspected as being contaminated with medical waste or bodily fluids should be treated as a biohazard and handled accordingly.

Staff should wear sufficient protective devices and/or clothing (masks, eye-protection, face-shield, gloves, etc. and shall provide these items to any inmate worker assigned to any cleanup detail involving a biohazard. Such clean up details may occur after an injury (fight, fall, etc.) or as a result of a medical condition or medical emergency (vomiting, suicide attempt, etc.).

The use of a chlorine bleach solution or other similar pathogen-neutralizing agent (sodium hypochlorite, etc.) shall be used for the cleaning of bio-hazard spills. Proper laundering of clothing and linen in hot water using appropriate detergents and bleach should be sufficient. However, items that are heavily soiled with medical waste may require disposal as provided for in section 2 (a) above.

X. MENTAL ILLNESS and SPECIAL NEEDS

Inmates shall be screened from mental health, special needs and related treatment needs during the initial intake screening and as warranted during their incarceration.

A. Mental Health Screening

Following the initial intake medical screening, those inmates identified as potentially requiring mental health/special needs services may be assigned to the medical housing unit until reviewed by the mental health counselor.

The mental health counselor shall conduct a mental health/special needs evaluation on the inmate within fourteen (14) days of the referral. The counselor shall assess the mental status and presenting problems of the inmate. Mental health examinations include but are not limited to:

1. Assessment of current mental status and condition, to include orientation to person, place, time, and emotional response to incarceration;
2. Review of history of suicidal behavior, as well as an assessment of current suicidal potential and person-specific circumstances that increase suicide potential;
3. Review of history of violent behavior, as well as an assessment of violence potential and person-specific circumstances that increase violence potential;
4. Review of history of treatment with psychotropic medication;
5. Review of available historical records on inpatient and outpatient psychiatric treatment;
6. Review of history of psychotherapy, psycho-educational groups, and classes or support groups;
7. Review of history of drug and alcohol treatment;
8. Review of educational history;
9. Review of history of sexual abuse victimization and predatory behavior;
10. Assessment of drug and alcohol abuse and/or addiction;
11. Review of history of cerebral trauma or seizures;
12. Use of additional assessment tools, as indicated;
13. Referral to treatment, as indicated;
14. Development and implementation of a treatment plan, including recommendations concerning housing, job assignment, and program participation

If the inmate presents mental health/special needs concerns, the counselor shall initiate appropriate intervention (contact psychiatrist and/or psychologist).

If the inmate does not present any mental health/special needs problems, the counselor shall request that the inmate be moved to his/her appropriate housing unit.

If the presenting problem requires services beyond the scope of the mental health/special needs counselor, the inmate shall be referred to the psychologist and/or psychiatrist for follow-up. This referral shall be appropriately documented on the mental health/special needs Screening form.

Prior consultation and/or approval from the Mental Health staff is required for transfers in and out of the Medical Housing Unit or Jail involving for inmates designated as mental health/special needs.

Mental health services and activities are approved by the appropriate mental health authority.

XI. CHEMICAL DEPENDENCY and PHARMACEUTICALS

Special management techniques shall be implemented as warranted for inmates identified by the contracted medical provider as suffering from chronic chemical dependency as.

A. Chemical Dependency

Inmates requiring detoxification should be admitted to the infirmary. The inmate may be placed on a special watch to be observed by jail staff if the inmate's behavior escalates, and the medical staff deems it necessary.

1. The contracted medical staff shall determine/complete the following:

- a. Standard diagnostic needs assessment administered to determine the extent of use, abuse, dependency, and/or codependency;
- b. Individualized treatment plan developed and implemented by a multidisciplinary clinical team that includes medical, mental health, and substance abuse professionals;
- c. Prerelease relapse-prevention education, including risk management; and
- d. Inmate involvement in aftercare discharge plans.

B. Detoxification

Detoxification measures shall be administered under medical supervision in accordance with local, state, and federal laws.

Detoxification from alcohol, opiates, hypnotics, other stimulants, and sedative hypnotic drugs shall be conducted under medical supervision when performed at the Jail.

The Jail's medical staff shall specify guidelines for the treatment and observation of individuals manifesting mild or moderate symptoms of intoxication or withdrawal from alcohol and other drugs.

Inmates experiencing severe, life-threatening intoxication (an overdose) or withdrawal may be transferred under appropriate security conditions to a Jail where specialized care is available.

C. Psychotropic Medication

Involuntary administration of psychotropic medication (s) to inmates shall be in compliance with applicable laws and regulations. When administered, the following conditions must be met:

- 1) Administration shall be authorized by a physician who specifies the duration of therapy;
- 2) Less restrictive intervention options have been exercised without success as determined by the responsible physician or psychiatrist;
- 3) Details are specified about why, when, where, and how the medication is to be administered;
- 4) The inmate is monitored for adverse reactions and side effects; and
- 5) Treatment plans are prepared for less restrictive treatment alternatives as soon as possible.

Psychotropic medications are prescribed only when clinically indicated with "stop order" time periods stated in the written order. Re-evaluation by the prescribing provider shall be affected prior to the renewal of prescription.

When psychotropic medications are instituted, the psychiatrist shall schedule the inmate for a follow-up visit within the next seven (7) to fourteen (14) days in order to assess the effects of the medications, including desired and/or adverse outcomes.

All inmates seen on a regular basis by the psychiatrist shall be monitored at least once a week by the medical staff.

D. Medication/Pharmaceuticals

1. All medication dispensed to inmates shall be handled by properly trained medical staff who are under the supervision of the contracted health care provider. The medication shall be dispensed in a timely manner and according to the physician's and/or dentist's order.
2. Medication should be issued at times set forth by medical staff unless another time is specifically ordered by the physician. A time allowance of sixty (60)

minutes before or after scheduled dose is permitted, unless prohibited by the physician's orders.

3. Any missed or late administered medication shall be reported to the on-duty supervisor and the reason why logged in the inmate's medical file.
4. Medication refused by the inmate shall be returned to the medical department pharmacy along with the signed medication refusal form to be placed in the inmate's medical file. The inmate shall either sign the refusal form or take the medication, one or the other.
5. A deputy shall be present when the medical staff distributes the medication to the housing units.
6. Medication shall be stored and locked in the pharmacy at all times except when being distributed.
7. Only authorized medical staff are allowed in the pharmacy.
8. The medical staff shall be responsible for medication procurement, distribution, storage, dispensing, administration, disposal and receipting inmates for reimbursement purposes.
9. All medication administration and management shall be in accordance with appropriate federal and state laws and supervised by properly licensed personnel.

XII. Medical Records

Development of an inmate medical record assures the accurate documentation of medical history and current medical activity provided for the inmate. Procedures governing its use and dissemination are to insure the confidentiality of documented information.

A. Record Format

Each inmate, upon interview by the medical staff, shall have an individual medical record established to document medical activity.

The contracted medical provider shall establish the method of recording entries, the form and format, and the procedures for medical record maintenance and safekeeping.

The medical record should contain:

- 1) Patient Identification on each sheet
- 2) Completed Medical Screening form
- 3) Health appraisal data forms
- 4) Problem summary list
- 5) Record of Immunizations
- 6) All findings, diagnosis, treatments, and dispositions
- 7) Record of prescribed medications and their administration, if applicable
- 8) Laboratory, X-ray, and diagnostic studies

- 9) Legible signature and the title of provider (ink, type, or stamp)
- 10) Consent and refusal forms
- 11) Release of information forms
- 12) Place, date, and time of health encounters
- 13) Health services reports (dental, mental health, consultation, etc.)
- 14) Individualized treatment plan, including nursing care plan
- 15) Progress reports
- 16) Discharge summary of hospitalization and/or other termination summaries

B. Confidentiality of Medical Records

Health-care providers shall maintain inmates' health care records in a confidential manner. Health care records should be kept separate from other inmate records but should be available to jail command staff on a need-to-know basis. Active inmate health records shall be maintained separately from confinement records.

Records containing data on an individual describing medical history, diagnosis, condition, treatment, evaluation or similar medical data are generally protected as private. In addition to general privacy requirements, health-care records are protected by the Health Insurance Portability and Accountability Law (HIPAA). There are, however, exceptions for jails, prisons, and law enforcement. These exceptions are necessary for the proper management of inmates and the safety and security of the jail. Jail staff and law enforcement officials may obtain the protected health information of individuals in their lawful custody. In such cases, however, a covered entity may only disclose information if the requesting body represents that the protected health information is necessary:

- 1) To provide health care to the inmate;
- 2) To protect the health and safety of the inmate or other inmates;
- 3) To protect the health and safety of Deputies, employees or others at the jail;
- 4) To protect those involved in the transfer or transporting of the inmate;
- 5) To promote law enforcement on the premises of the jail; or
- 6) To maintain and administer safety, security and good order in the jail,⁴
- 7) To comply with discovery requirements in inmate-filed litigation; and
- 8) To comply with other lawful access.

Inmates shall not have access to nor handle any medical record and/or chart.

C. Release of Medical Records

Except as provided for by law, statute, or policy having the force and effect of law, an Authorization to Release Medical Records form signed by the inmate is required to release the records.

The contracted medical provider shall handle all requests for medical information from a private or government health care provider after the inmate has been released. Health record information is transmitted to medical facilities in the community only upon written request or authorization of the released inmate.

Upon release from the jail, the inmate's medical records shall be retained as permanent record in compliance with legal requirements of the jurisdiction.

XIII. CRISIS/SUICIDE PREVENTION and INTERVENTION

Guidelines containing procedures which specific mode of prevention, intervention and response necessitated by the occurrence of suicide ideation by an inmate are essential to prevention and treatment of inmates in crisis or suffering from suicidal tendencies.

A. SUICIDE THREATS / ATTEMPTS:

While an inmate's suicidal intentions are not always obvious, deputies and staff should remain alert to obvious signs of an inmate's suicidal ideations or actions such as but not limited to:

1. Information received during the intake process;
2. Statements made by inmates;
3. Observations by staff and others;
4. Information received from an inmate's family member or friends and/or;
5. An Inmate's known past suicidal ideations.

B. Intervention

Inmates believed to be experiencing suicidal ideations or who threaten or attempt suicide shall be viewed as a Mental Health Emergency. Deputies who observe inmates experiencing suicidal ideations shall notify the contracted medical provider and shift supervisor immediately. The contracted medical provider shall provide a timely face-to-face interview with the inmate. The notifying deputy shall submit an incident report including at a minimum the date and time the incident was discovered, the date and time of the contracted medical provider notification and the name of the contracted medical provider employee who was notified.

The contracted medical provider shall conduct an initial assessment in a timely manner. Medical staff shall go to the housing unit where the inmate is located.

Based upon the inmate's assessment, a decision shall be made regarding appropriate housing for the affected inmate. Options for appropriate housing may include:

- 1) The currently assigned housing unit
- 2) Placed on suicide watch in the Medical Unit or Intake isolation cells designed specifically for at risk inmates or on a special observation watch.
- 3) Transport to the nearest local emergency room.
- 4) Transport to the nearest emergency receiving Jail following medical clearance by the nearest local hospital staff.

If the inmate is placed on a suicide watch or special observation watch, the contracted medical provider shall determine the frequency of monitoring for the watch to best assure the continued well-being of the inmate. Notations shall be made in the observation log of the time of each observation along with any abnormal behavior observed. The inmate's actions shall be reviewed by the contracted medical provider on a daily basis to determine the need for continuance.

C. Suicide Watch Procedures

Inmates experiencing current suicide ideation should be assigned to suicide watch monitoring. When a suicide watch is initiated, the inmate's personal possessions, clothing and/or bedding shall be removed from the cell to prevent its use for self-injury. This decision shall be documented in the appropriate charts, logs and forms.

1. The observation cell should be inspected for features which may be exploited by an inmate to commit or attempt to commit suicide. Any known features should be removed.
2. If and when an inmate's clothing is removed, the inmate shall be given a Suicide Prevention Suit to wear. The inmate shall be closely monitored and return of the inmate's clothing shall be solely at the direction of the contracted medical provider.
3. The inmate may also be placed in the restraint chair to prevent self-injurious behavior.
4. All monitoring shall be logged on the Suicide Watch Log.

D. Special Observation Watch

Inmates being supervised under Special Observation Watch are those inmates not known to be experiencing suicide ideation, but who may have experienced suicide ideation previously during their incarceration, who have a prior history of suicide attempts or ideation or whose mental or emotional state or behavior indicates a need for enhanced monitoring. Monitoring plans should be based on the factors which justify the enhanced supervision and should include any special monitoring instructions. All monitoring shall be logged on the Observation Watch Log.

The primary difference between Special Observation Watch and Suicide Watch is that neither the contracted medical provider nor jail staff have drawn the inference that there is a substantial or excessive risk that the inmate is experiencing serious suicide ideation. The instructions of the contracted medical provider shall be strictly carried out. Obvious implements for committing suicide should be removed from the inmate's access based on their level and nature of risk.

Items which could be used to commit or attempt suicide by inmates include, but are not limited to those which:

1. Hang, strangle or suffocate, including shoelaces, belts, suspenders, jeans and other pants, underwear, sheets and blankets, a jail-issue jumpsuit, waist cords from sweatpants and other clothing, strips of cloth, string, wire, extension cords, telephone cords and plastic bags;
2. Cut or stab, including razor blades and broken safety razors, glass, wire from clothes hangers;
3. misplaced tools, pencils, sharpened toothbrushes, pieces of metal, and the sharpened earpiece in reading glasses;
4. Poison, including cleaning fluids and other toxic or corrosive materials;
5. Overdose, including illicit drugs, hoarded prescribed medication, and other non-prescribed drugs;
6. Burning, including matches, flammable cleaning fluids, lighters, and lighter fluid; and electrocute, including extension cords or exposed wiring.
7. Self-mutilation

Visitation and/or telephone privileges for inmates on suicide watch or special observation watch are at the discretion of the Security Staff.

Documentation related to inmate screening, suicide attempts, suicide evaluations, and other reports and logs regarding possible inmate suicide ideation shall be provided in a timely manner to the classification unit to assist in assessment and reassessment of the inmates' classification.

XIV. ATTEMPTED SUICIDE or DEATH of an INMATE

The following guidelines set forth procedures to be followed during incidents involving the death of an inmate and incidents involving inmates who attempt or commit suicide, and to ensure authorities having proper jurisdiction are immediately notified.

A. Discovery

A deputy or staff member who discovers an inmate who appears to be dead or who appears to have attempted suicide should:

1. Notify medical staff who shall respond to the scene and shall assume lifesaving measures upon arrival;
2. Request 911 Emergency Medical Response (if applicable);
3. Take any possible lifesaving measures that do not threaten the deputy's or staff member's personal safety;
4. Notify Master Control, supervisor, and the Watch Commander;
5. Instruct all inmates to return to their cells. If necessary, inmates shall be relocated so not to interfere with the investigation; AND
6. Turn off the telephones and the televisions in the housing unit.

B. Medical Treatment

The contracted medical staff shall provide immediate medical treatment. If the inmate is to be transported to the hospital, Emergency Medical Services personnel shall assume medical treatment and transport the inmate to the local hospital. A P.O.S.T. Certified Deputy shall ride in the ambulance to the hospital and stay with the inmate until released.

The inmate shall be properly restrained while outside the confines of the jail. When the inmate is released from the hospital and returned to the jail, all procedures outlined in the Suicide Prevention and Intervention policies shall be implemented.

If an inmate dies at or in route to the hospital the transporting deputy shall notify the Watch Commander and the Watch Commander shall make command staff and Internal Affairs notifications.

C. Command and Investigative Personnel Notifications

The Watch Commander or designee shall notify the Jail Administrator and Criminal Investigations Personnel by phone.

D. Procedures in Case of Inmate Death

If medical staff determines the inmate to be deceased, the Watch Commander or designee shall notify the Jail Administrator, IA, and the county coroner.

Jail personnel SHALL NOT move the inmate's body from the location.

The scene should be secured as soon as possible and treated as a crime scene. A deputy shall be stationed at the entrance of the scene and begin and maintain a crime scene log until relieved.

The GBI and IA shall conduct a joint death investigation. The Internal Affairs Unit shall conduct an administrative investigation.

Inmates in this area may need to be relocated until the GBI and IA clears the scene.

An attempt shall be made to prevent the inmates from discussing the incident prior to contact with an investigator.

Unauthorized personnel shall not be admitted near the scene.

E. Follow-Up Measures

After the scene has been secured and proper authorities notified, the Jail Administrator or designee shall:

1. Notify next of kin or emergency contact as soon as reasonably possible. The investigating authority should be consulted regarding proper timing of the notification.
2. Coordinate with the Chaplain and Public Information Deputy (PIO) to notify the next of kin of the death. All immediate inquiries shall be directed to the PIO for dissemination.
3. Notification of next of kin shall be documented in a supplemental report to the incident report.
4. Have Records and ID supervisor notify the appropriate agency, jurisdiction, or court (where the deceased's court case is located) of the death.
5. Ensure all remaining property belonging to the deceased is collected and given to evidence.
6. Upon approval of the Jail Administrator, the inmate is to be listed (logged) out of the computer after the next of kin is notified. This shall ensure the "VINES" system does not notify the victim before the Sheriff's Deputy notifies the family of the deceased.

F. Documentation

The deputy originally discovering the incident shall complete an incident report. All personnel involved, directly or indirectly, with the incident shall complete a supplemental incident report.

XV. GENDER IDENTITY DYSPHORIA (GID)

Gender Identity Dysphoria has been identified as a serious medical need. The contracted medical provider should be notified of any inmate who claims to have GID so that their medical needs may be evaluated and appropriately treated.

A. Definitions

1. Gender identity Dysphoria Defined:

The medical condition in which an individual's gender identity and identification differ from the gender assigned at birth. "The condition in which a person believes that he/she is imprisoned in a body of the wrong sex, that though biologically a male/female he/she is 'really' a male or female is a serious psychiatric disorder".

2. Hormonal therapy:

The use of hormones to stimulate the development or alteration of a person's sexual characteristics in order to alter the person's physical appearance so that the person appears more like the opposite gender.

3. Sexual reassignment surgery:

A surgical procedure to alter a person's physical appearance so that the person appears more like the opposite gender; and/or the surgical removal of the genitals and the construction of a vagina substitute out of penile tissue.

B. Discrimination Prohibited

The ADA prohibits sex discrimination, which protects all people from gender-based discrimination, including discrimination based on a person's nonconformity with stereotypes associated with that person's real or perceived gender.

An Inmate diagnosed or believed to have GID shall be given the same rights as any other protected class under the ADA and the care and housing for GID inmates shall be carefully considered.

C. Diagnosis and Treatment

The contracted medical provider shall be responsible for diagnosis of and treatment decisions for GID.

The contracted medical provider should discuss treatment options with the Jail Administrator to facilitate their fiduciary responsibility.

D. Procedures

The following guidelines set forth procedures to process and observe inmates that are GID or both sexes. This shall include the sex determination, body searches, intake process and evaluation, and housing. It is imperative that all deputies conduct themselves in a professional manner when interacting in any way with these inmates.

1. Sex determination

Sex determination of GID inmates should be made by asking the inmate which particular genitalia they have.

NOTE: An inmate shall not be searched for the sole purpose of determining the inmate's genital status.

2. Searches

All searches shall be conducted in a professional manner. If the inmate has male genitalia, they shall be searched by a male. If they have female genitalia, they shall be searched by a female.

Male deputies searching GID inmates with male genitalia shall search them in the manner as described in policy until you get to the breast region of the body. If the inmate has breasts, you shall have to pat search this part of the body using the back of your hands. There shall be no groping of the breasts. If the male officer feels uncomfortable searching this region, search the rest of the body and have a female officer search around the breasts. Strip searches of an inmate with male genitalia shall be conducted by a male officer.

Female Deputies searching GID inmates with female genitalia shall search them in the same manner as described in policy. Strip searches of an inmate with female genitalia shall be conducted by a female officer.

If a GID inmate of either sex feels more comfortable with an officer of the opposite sex, a male and female officer should both be present during strip searches.

3. Housing

Medical staff may make a recommendation concerning the GID inmate's housing placement; however, the following shall still apply.

Those inmates with male genitalia shall be housed in male sections. Those inmates with female genitalia shall be housed in the female section. Intake personnel shall state and ask the following to the inmate:

- a. GID inmates may be housed in general population with other inmates of the same physical sex or they may be placed in protective custody and isolated during their incarceration.
 - b. Any issues that arise as a result of being placed in general population may warrant the inmate being placed in protective custody and isolated for the remainder their incarceration.
4. Notification of County Insurance Provider Regarding Inmate Lawsuit for Sex Reassignment Surgery

Upon being notified of an inmate lawsuit seeking a judgement ordering Forsyth County to provide and pay for sex reassignment surgery, the Jail Commander shall notify the insurance provider responsible for such claims.

GENERAL ORDER: GO 4-6 Inmate Property Room

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE PROPERTY CONTROL CLERK**

The Inmate Property Clerk must constantly multi-task, be motivated and must use exceptional organizational and communications skills.

A. General Duties

The Inmate Property Control Clerk is responsible for the following:

- 1) Maintaining a complete and accurate property room inventory in JMS;
- 2) Ensuring the property room is well-ventilated, clean and organized;
- 3) Maintaining adequate levels of supplies (i.e., uniforms, shower shoes, issued property items/bins, copies of forms, etc.);
- 4) Processing inmate property request forms and/or releases forms;
- 5) Answering questions regarding inmate property;
- 6) Maintaining constant security of the property room;
- 7) Arranging for the washing and drying of personal clothing taken from new arrestees who are being populated if the clothing is extensively soiled (i.e., bodily fluids, pepper spray, large amounts of mud, or wet soiled clothing);
- 8) Assigning property bin numbers, receipting all inmate personal property;
- 9) Issuing inmate jail uniforms, shoes, undergarments, and complete appropriate paperwork prior to the inmate being populated;
- 10) Assuring inmate's personal property is placed in their assigned property bin;
- 11) Returning inmate personal property to the inmate prior to the inmate's release from the Jail and obtaining a signed property receipt from the inmate showing all property was returned;

B. Inmate Property Room Access

Only authorized persons should enter the inmate property room.

II. RELEASE OF INMATE'S CLOTHING, PROPERTY AND/OR MONEY TO LAW ENFORCEMENT OFFICIALS

A law enforcement officer may seize an inmate's clothing, property and/or money while they are incarcerated in the Forsyth County Jail if the officer reasonably believes it to be evidence of a criminal violation and a search warrant is produced for those items taken.

When a seizure occurs, the officer shall:

- a. Provide an inventory of all clothing, property and/or money taken from the inmate;
- b. A properly executed search warrant and evidence sheet shall be provided to the inmate and documented in JMS.
- c. All property released to the investigating officer/agency shall be marked as such in the Property Section of JMS with complete notations regarding who the property was released to and the date and time of the release.

It is recommended that a photo of the clothing, property and/or money seized be placed in the inmate's property file.

GENERAL ORDER: GO 4-7 Bonding and Release

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. Authority**

Authority to establish, publish and regulate the guidelines and rules for bonding arrested individuals is vested with the Sheriff under O.C.G.A. 17-6-15. The following General Order establishes guidance for administration of the bonding and release processes.

II. BONDING COMPANIES

Professional bail bonding companies which have been approved by the Sheriff may be authorized to provide bonding services for inmates at the Forsyth County Jail. All agents of approved bail bonding companies shall have in their possession a photo ID issued by the Forsyth County Sheriff's Office when conducting business at the jail.

A list of authorized bail bonding companies and their telephone numbers shall be provided by the Bond Administrator and displayed in the jail booking area and in the jail lobby.

No employee of the Sheriff's Office is permitted to recommend or give preference to one company or agent in any way to any person.

A bond secured by a bonding company in the amount of \$250,000.00 or more shall be reviewed by and receive approval of the Sheriff or designee prior to being accepted as valid.

A bond form shall be completed listing the bonding company as surety and inmate as principal. All signatures from both principal and surety are required to process the bond.

All original bond forms and other release paperwork shall be approved by the Intake/ Supervisor and forwarded to Records and ID for changes in the inmate's permanent file.

III. PROPERTY BONDS

A. Approval of Bonds

Bonds under \$50,00 may be completed 24 hours a day/ 7 days a week. The bond shall be reviewed and approved by the Watch Commander. An email should be sent to the Bond Administrator and Jail Administrator informing them the bond has been completed.

Bonds over \$50,000.00 may be posted 24 hours a day, 7 days a week. In instances where the Bond Administrator is absent, these are subject to review by one of the following: Lieutenant, Section Commander, Jail Administrator.

In instances of excessively high bonds (\$100,000 or greater) there is a greater element of risk involved with the charges and/or bond that a Judge considered relevant prior to setting the amount of the bond. Because of this reason, the valuation of real property under consideration to secure such a bond should be scrutinized closely. Real property bonds that have a value of \$100,000 or more shall be approved by the Bond Administrator or Watch Commander.

Approved real property (i.e., land and homestead) may be used as collateral to bond an individual out of jail, provided that ownership is verified, there are no existing liens on the property, (excluding that of the lending institution holding the current mortgage and security deed, if applicable), the value of the unencumbered equity in the property is the bond amount plus \$20,000, all required documentation shall be presented and provided to the Sheriff's Office.

Titles for mobile homes, automobiles, equipment and/or other personal property are not accepted. If the property being considered for bond has a mobile home located on it, only the value of the property that is real estate may be considered in determining the fair market value of the property and/or assessing equity therein. Multiple properties may NOT be used to secure a bond.

B. Required Property Bond Documents

The following documentation shall be provided to the jail for approval of a real property bond:

1. Photo I.D. of all sureties.
2. Property Bond Application & Affidavit of all sureties (All property owners shall complete the Property Application & Affidavit and execute the bond).
3. Certified Copy of the Warranty Deed (Clerk of Court's certification shall be stamped within five (5) business days of the Surety's/Sureties' completion of the Property Bond Application and Affidavit).
4. Certified Copy of Security Deed (if property is so encumbered).
5. Certified copy of Quitclaim Deed (if applicable).

6. Current year's paid property tax bill (or certified letter from the Tax Commissioner providing confirmation that the current year's property taxes have been paid in full.)
7. Current year's property tax assessment notice.
8. Pay-off letter from the lending institution holding the mortgage on the real property providing the amount of unpaid principal and interest owing on the mortgage. (A current mortgage statement is acceptable if such statement identifies the amount of unpaid principal and interest owing on the mortgage. Property encumbered with a second mortgage, tax lien, line of credit, or materialman's lien may NOT be used as collateral for a real property bond.)
9. Copy of property insurance policy endorsement for improved property (i.e., homestead) showing that a property insurance policy is current and has been paid through the date of submission of the Property Bond Application & Affidavit.
10. A bond fee of \$20.00 cash (exact change) per charge is due at the time of posting the property bond. A lien fee of \$20 is also due at the time of posting the bond (except when receiving property bonds from other counties).

C. Approval Procedures

The following procedures shall be followed in evaluating a property bond for approval:

1. A person who is incarcerated on misdemeanor charges may use property in his/her name to bond out of custody.
2. A person incarcerated on felony charges may not use property in his/her name to bond out of custody.
3. Only real property (land or homestead) may be used as collateral for property bonds. Mobile homes and automobiles are NOT accepted. If the property being considered for a bond has a mobile home located on it, only the value of the property that is real estate may be considered in determining the fair market value of the property.
4. Multiple Properties may not be used to secure a bond.
5. Verify that the defendant in custody has no outstanding warrants or probation violations.
6. The Value of unencumbered equity in the property shall be double the amount of the bond. To access the amount of unencumbered equity in the property, determine the fair market value of the property per the current year property tax assessment, excluding the value of any mobile home located thereon if applicable. Then subtract the remaining balance of principal and interest owing on the mortgage/loan from the determined fair market value. This amount constitutes the amount in the property. This amount shall be greater than double the bond amount.

7. Bonds over \$50,000.00 shall have a certified title search performed by an attorney licensed and in good standing with the State Bar of Georgia within five (5) business days of the Property Bond Application & Affidavit. The title search shall be provided to the Bond Administrator by the attorney conducting the search.
8. All documentation received, filed of record, and/or associated with each property bond shall be properly maintained by the Bond Administrator.
9. Thereafter, in all cases in which a property owner utilizes his or her property as collateral for a real property bond, it shall be the responsibility of the Surety to provide the Bond Administrator with proof that the underlying criminal charges have been adjudicated to completion or otherwise disposed such that the subject defendant is no longer under an obligation to appear in court to answer the underlying criminal charges.

D. Out-of-County Property Bonds

When a criminal defendant is incarcerated in the Forsyth County Jail and the property being presented as collateral for his/her release on bond is located in another county, the sheriff, or designee, of the county in which the property is located shall make arrangements with the Forsyth County Sheriff's Office for approval of the out-of-county property bond. The Forsyth County Sheriff reserves the right to reject an out-of-county bond and may require information and/or documentation in addition to the information and documentation set forth herein above. No out-of-state property bonds shall be accepted.

Property bonds utilizing property located outside of Forsyth County shall be approved by the Sheriff or designee in the issuing county. Out of county property bonds require the same documentation as required for an in-county property bond. The bond and all paperwork shall be placed in a sealed envelope and given to the surety. The surety shall bring the envelope to the Forsyth County Jail where the bonding clerk shall open it. If the envelope has been opened or tampered with, the bond shall be refused. If all documentation is not correct or some is missing, then the bond shall be refused. The clerk shall explain the reason for refusal. The inmate's and surety's address should be on the bond. If they are not, the releasing clerk may add them. The clerk should make every effort to assist the person in the attempt to complete the bond by explaining in detail what is required.

E. Property Lien

As soon as practical, but no later than the close of the next business day following processing of a bond and the defendant's release from the Jail, the Bond Administrator shall file a lien against the property (entitled Affidavit

Recording Criminal Appearance Property Bond) in the real estate records of the Forsyth County Superior Court, or, via mail to the Superior Court of the county in which the property is located.

F. Use of Forsyth County Property for Bail Bond in Another County

Should a citizen and property owner of Forsyth County request an approved property bond for another agency, the same procedure shall apply. The bonding clerk shall contact the Sheriff's Office of the requesting county to obtain all required information on the inmate. This shall include name, charges, bond amounts, what their county requires for property bond paperwork, court date, and any other information as advised by the county. The clerk shall then package all the necessary paperwork in a sealed envelope to be taken by the surety to the requesting county.

If a lien is going to be placed by Forsyth County, a \$20.00 bond fee as well as a \$20.00 lien fee shall be collected. If accepting an out of county property bond, when not placing a lien, only collect the bond fee of \$20.00 per charge.

If Forsyth County is placing the lien, it is the responsibility to the surety to contact the Bond Administrator to cancel the lien when the case is complete. It is important that the surety has been made aware that the lien shall not automatically be cancelled.

IV. CASH BONDS

Cash bonds shall be accepted in US currency only. A government issued ID shall be presented prior to completing the bond (i.e., US issued, foreign passport, consular identification card, foreign driver's license). Any money overpaid shall be placed onto the inmate's account and the inmate shall receive the money at the time of release in the form of a debit card or a check. Bond fees are charged for each offense the inmate is being held for and are paid at the time the bond is posted.

A cash bond in the amount of \$100,000.00 or more shall be reviewed by and receive approval of the Sheriff or designee prior to being accepted as valid.

A. Receipts and Envelopes for Cash Bonds

1. All receipts (including voided receipts) and bond paperwork shall be scanned into JMS
2. Cash receipts, one for cash bond and one for bond fee only, a copy of the bond and a copy of the security's ID shall be placed in a green envelope for county cases and yellow for Cumming Municipal Court Cases. If a bench warrant fee is paid, a copy of the receipt and a copy of the bench warrant shall be placed in the envelope.
3. Cash Bonds shall be transferred to the Clerk Court Account.
4. Bond fees shall be transferred to Board of Commissioners.

V. OWN RECOGNIZANCE BOND

An O.R. (own recognizance) bond is an "Unsecured judicial release" which releases an inmate from custody without a dollar amount being provided through secured means as provided for in Code Section 17-6-4 or 17-6-50 or property as approved by the sheriff in the county where the offense was committed.

An O.R. bond may be granted by a judicial official. A city judge may grant O.R. privilege to those inmates on charged with city charges only. This type of bond allows the arrested person to be released on his/her own word that they will appear in court on the date and time specified. This type of bond is only granted to persons being held on minor charges.

According to OCGA 17-6-12, a judge upon the discretion of the court may grant an O.R. bond if:

- a. Such unsecured judicial release is noted on the release order; and
- b. Except as provided for in OCGA 17-6-12, the person is not charged with a bail restricted offense.

When preparing the bond form, "Own Recognizance" shall be written at the top of the form. The inmate shall be the surety and the principal and shall sign in both places. The person authorizing the bond shall be listed on the surety line along with the inmate's name.

Military Recognizance bonds shall be completed in the same manner as own recognizance bonds. Before the inmate is released, the inmates commanding officer or his/her lawfully delegated subordinate shall sign as surety and complete the Military Recognizance Bond form. The terms and conditions of the Military Recognizance bond shall be withdrawn only upon the inmates posting the required bond or otherwise released by the Sheriff, his designee or appropriate court.

VI. PRE-TRIAL RELEASE

The pre-trial service worker shall furnish a Pre-trial Conditional Release form.

The inmate shall sign the release and receive a copy. A copy shall be forwarded with the warrant. Additional copies shall be forwarded to Pre-trial

VII. SURRENDER OF BOND

A surety may present a bonded person in court or at the Forsyth County Jail and request to be released as surety on the bond. The surety or their agent shall have their original bond form with them and sign a Surrender of Principal form.

When completing the Surrender of Principal form, the clerk shall ensure the case the person is being surrendered on is still open. The clerk shall look up the original booking in the jail management software and compare it to the bond sheet that the agent submits. The Surrender of Principal form requires each of the bonded charges to be individually listed with their bond amounts. It also shall be noted on the form if the person was brought in by a bond recovery agent, civilian or if they were already in custody at the time of the surrender.

Once the Surrender of Principal form has been completed and signed, the person shall be booked on the charges listed on the form. The charges should be booked at Rebook Bond Surrenders – the original charge. Each charge shall be booked following booking protocol.

VIII. PURGES, BOND FORFEITURES AND FINES

The release clerk shall ensure that all money received for purges, bond forfeitures and fines is counted twice, verified by running the money through a cash counter and approved by a shift supervisor or a member of the finance unit. A receipt shall be provided.

The money and copy of court order shall be placed into a designated envelope and sealed with tape. The envelope containing the money and court order shall be placed in the lock box located in Release.

Once the money is paid in full and a GCIC/NCIC inquiry indicates no warrants are outstanding, the inmate should be released.

IX. FINAL RELEASE

The following procedures are established for releasing inmates at the end of their term of incarceration and/or upon receiving written authorization from a court of jurisdiction to release the inmate from custody. Every effort should be made to accomplish each release in an accurate, efficient and expedient manner.

Arrestees shall not be subjected to unreasonable delays in the bail process at the request of a peace deputy to accommodate investigative priorities or to punish an arrestee for a bad attitude.

It shall not be unreasonable for jail staff members to delay the release of an arrestee:

- a) Upon the request of a deputy if additional warrants or commitments have been issued for the arrestee which would justify his/her continued detention or re-arrest or if a deputy is in the process of filing a new criminal complaint against the arrestee.

- b) If the admission process has not been completed due to the arrestee's lack of cooperation or other delays which are not the fault of jail staff.

A. Authorization for Release

An inmate may be released from custody for the following purposes provided no other holds, charges or court orders prohibit the release:

1. Bail/Bond has been approved
2. The inmate has served their sentenced time in confinement
3. All fines have been paid
4. The inmate is transferred to the custody of another agency
5. Under a subpoena (via court order, arresting agency, etc.)
6. Release orders (court, probation, parole, federal, etc.)

B. Verification of Identity

The identity of each inmate being released shall be verified. If there is any doubt as to the identity of the inmate, or any questions regarding the release information, then the release procedures shall cease until the doubts are removed and all questions have been answered.

An Intake/Release Supervisor, or the Watch Commander should be contacted immediately with any questions concerning the release of an inmate.

Prior to releasing an inmate/arrestee to the custody of another jurisdiction, the identity and authority of the Officer taking custody shall be verified.

C. Release Documentation

Records and ID staff shall receive the documented release information from the court of jurisdiction and compare the information against the information contained in the inmate's file. This shall also include bonding information. Note: Documentation of release information is required.

All information regarding the release of an inmate from custody is maintained in the Jail Management System (JMS) software and may include but not be limited to:

1. Date and time of release
2. Authorization for the release
3. The agency and person to whom the arrestee was released, if any; and
4. The money and property returned, including a receipt signed by the arrestee

Once the information is compared and verified, the paperwork shall be given to the releasing Deputy.

D. Inmate Release from a Housing Unit

1. The releasing clerk shall review the arrest/booking information in JMS and the booking folder to determine if proper authority has been provided to release the arrestee (approved bond, court order, etc.) by verifying that release papers and/or orders have been received and that there are no other holds, detainers, warrants or commitments outstanding which would preclude release.
2. The releasing clerk shall ensure a GCIC/NCIC warrant check is completed along with a local warrant check to identify any outstanding warrants, wants, or detainers.
3. Once the information is reviewed, the releasing clerk shall notify the Housing Unit to prepare the inmate for release.
4. The Housing Unit Deputy is responsible for ensuring that all issued items (linen, bedding, cup, Inmate Rulebook, etc.) and personal property is retrieved and taken with the inmate. Additionally, the living area that the inmate was assigned to should be inspected by the Housing Unit Deputy for cleanliness and damage, and any discrepancies noted should be documented and the Housing Unit Supervisor notified.
5. Upon arriving at the Housing Unit, the releasing clerk shall visually compare the photograph on the arrest/booking form to the inmate's armband and ask the inmate his/her full name, date of birth, or social security number, etc. for further confirmation. The releasing clerk shall also determine if the inmate has all issued items.
6. The inmate shall then be escorted to a clothing exchange room adjacent to Intake/Release. The inmate shall return all issued items to the Property clerk. The Property Deputy shall check to ensure all items have been returned. If any item is not returned or is damaged the Property Deputy shall initiate a Lost or Damaged Item Charge Form and notify the Intake/Release Supervisor.
7. The Property clerk shall return all property being held belonging to the inmate at this time. The inmate shall change in to his/her clothes. Exceptions: any weapons or anything that could be construed as a weapon shall be given to the releasing Deputy to be returned only after the inmate has been released from custody. The property Deputy shall obtain all required signatures from the inmate.
8. If the inmate presents any claim for lost, missing, or damaged property (to include money), the Property Deputy shall attempt to resolve the claim prior to

the inmate's release. However, if the claim cannot be resolved, then the Property clerk should contact the Intake/Release Supervisor and submit an Incident Report concerning the claim. If the Intake/Release Supervisor cannot resolve the claim, the inmate shall be told to contact the Property clerk during normal business hours. All claims of lost, missing, damaged property shall be documented and investigated by the Intake/Release Supervisor that received the initial complaint. These claims shall be filed and retained in the inmates booking record.

9. Once the inmate is ready for release, the releasing Deputy shall contact the Intake/Release Supervisor. The Intake/Release Supervisor shall ensure that the release of the inmate is appropriate and that the information and photograph match with the inmate. When the identity and release of the inmate is confirmed, the supervisor shall sign the back of release authorizing the release.

NOTE: In the event the Intake/Release Supervisor is not available, any supervisor or the Watch Commander may authorize the release.

10. The inmate shall then be provided a debit card for the balance of his/her inmate funds.
11. The VINES System shall make any Victim Notifications required. The Intake/Release Supervisor shall ensure that all Victim Notification requirements are met. Victim notification shall be documented by the releasing clerk in the release paperwork (deputy's name, date, time, and person's name notified).
12. All release paperwork should be forwarded to Records and ID as soon as possible. It shall be Records and ID's responsibility to make all changes to the inmate's permanent file. Records and ID personnel may complete any pending actions such as grievances or claims for damages or lost possessions during or after an inmate's release.
13. All mail received once the inmate has been released shall be returned to the sender with a notation that the inmate is no longer at this address.

E. Release from Intake

When an inmate is being released from the intake unit the release supervisor shall review the arrest/booking information in JMS and the booking folder to determine the authority to release the arrestee (approved bond, court order, etc.).

The releasing Supervisor shall verify that appropriate release papers and/or orders have been received and that there are no other holds, detainers, warrants or commitments outstanding which would preclude release.

If necessary, the releasing Supervisor shall have a GCIC/NCIC and local warrant check performed on the inmate by a GCIC operator to identify any outstanding warrants, wants, or detainers. The results shall be noted on the arrest/booking form.

During the release process the releasing deputy shall:

1. Obtain the appropriate paperwork based on the type of release.
2. The identity of each inmate being released shall be established. Identity may be verified by the inmate's ID Card, photographs, verification of date of birth and/or social security number or asking the inmate information from his/her booking data in JMS. If there is any doubt as to the identity of the inmate, or any questions regarding the release information, then the release procedures shall cease until the doubts are removed and all questions have been answered.
3. Contact the person posting the bond/fine to ensure they have the proper paperwork or currency to complete the bond/fine.
4. Once the proper paperwork or currency has been determined, the releasing Deputy shall escort the inmate to a clothing exchange room. The Property Deputy shall at this time follow the same procedures as outlined above in Release from Housing Unit.
5. If requested by the party posting bond, escort the inmate to a bonding room to complete the release paperwork.
6. Notify the probation/ parole authorities in the jurisdiction of release, if required.
7. Make arrangements for medical screening and community follow-up where needed, to include medication.
8. Provide a debit card for the balance of his/her inmate funds.
9. The Property Deputy shall return all property being held belonging to the inmate at this time. The inmate shall change in to his/her clothes. Exceptions: any weapons or anything that could be construed as a weapon shall be given to the releasing clerk to be returned only after the inmate has been released from custody. The property clerk shall obtain all required signatures from the inmate.
10. If the inmate presents any claim for lost, missing, or damaged property (to include money), the Property Deputy shall attempt to resolve the claim prior to the inmate's release. However, if the claim cannot be resolved, then the Property Deputy should contact the Intake/Release Supervisor and submit an Incident Report concerning the claim. If the Intake/Release Supervisor cannot resolve the claim, the inmate shall be told to contact the Property Deputy during normal business hours. All claims of lost, missing, damaged property shall be documented and investigated by the Property Deputy. These claims shall be filed and retained by the Property Deputy.

The Intake/Release Supervisor shall check all bond/fine paperwork to ensure correctness and completeness prior to any inmate leaving the Jail.

If the inmate has no other warrants, holds, or charges, the inmate shall be escorted to the Release doors and given directions to the lobby.

All paperwork should be forwarded to Inmate Records Unit as soon as possible.

All mail received once the inmate has been released shall be returned to the sender with a notation that the inmate is no longer at this address. Instructions for forwarding or return of mail shall be provided upon release.

X. INMATE PROPERTY RELEASE

The Property Clerk is responsible for discharging all inmate property stored in the property room. If the inmate is being released from custody, then the inmate shall be instructed to receive their money from the Release Clerk.

The Property Clerk shall ensure that all property stored in the property room is accounted for and shall hand it to the person being released. The Property Clerk shall ensure that the name, date of birth, etc. correctly matches that of the person being released. That person shall sign for receiving the property in the appropriate space on the property form. The Property Clerk shall sign next to the inmate with his/her name, badge #, date, and time. The Property Clerk shall log out the property.

The property shall be passed to the inmate through the pass-through window. If the property is too large to pass through the window, then the Escorting Deputy shall come around to the property room and carry the property around to the inmate.

If a knife or similar dangerous item is being returned to the inmate, then that item shall be given to the releasing Deputy to be given to the inmate once outside of the secure area.

If the person being released disagrees with the account balance or makes a claim of missing or lost property, an attempt shall be made to resolve the dispute. If the attempt is unsuccessful, then the Watch Commander or Shift Supervisor shall be notified to talk to the inmate.

If the supervisor cannot remedy the problem, then that person shall be provided the name and office number (in writing) of the Security Section Commander. The staff that the claim was made to shall complete an incident report and forward it to the shift supervisor who shall notify the Security Section Commander. Under no circumstance is any staff member authorized to make any statement that validates that inmate's claim. The inmate making the claim shall be advised to contact the Security Section Commander if they wish to pursue the claim. The inmate shall also be informed that an appropriate inquiry into their claim shall be conducted.

If an inmate refuses to sign any form for receiving property or money upon being released, the transaction shall not proceed until the intake/release supervisor is notified. The inmate shall not be held up from the release process if he/she refuses to sign any form. The Deputy that the inmate refused to sign for shall initiate an incident report.

When someone comes to the Jail to pick up an inmate's property, the property clerk shall have the inmate sign a property release form. The property clerk shall verify photo identification for the person picking up the property and have them sign the property release form. The clerk shall sign both forms with their name, date, and time. The property shall then be turned over to the person. All the inmate's property (except clothing necessary for the inmate to wear upon release) shall be released to the person. The completed forms shall be turned into the Inmate Records Section.

When an inmate is released to another jurisdiction, all property shall be released over to the receiving Deputy. A check for the equivalent of money belonging to the inmate shall be issued in the inmate's name and given to the receiving Deputy.

GENERAL ORDER: GO 4-8 INMATE SUPERVISION

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE SUPERVISION****A. Pod Deputy**

A Housing Unit Deputy must be multi-talented. The deputy must be a leader, communicator, motivator, and always present a professional appearance and calm demeanor. The housing unit deputy must be ethical, strong, positive, and a role model to others.

B. Direct Supervision:

Direct Supervision is a method of inmate management which ensures continuing direct contact between inmates and staff by posting a Deputy(s) inside each housing unit. Deputies in general housing units are not separated from inmates by a physical barrier. Deputies provide frequent, nonscheduled observation of and personal interaction with inmates.

C. Distractions Prohibited

Deputies and staff shall always be vigilant toward their direct supervision responsibilities.

II. HOUSING UNIT DEPUTY POST:**A. Beginning and End of Shift Responsibilities**

At the beginning of each shift, the housing unit deputies (on-coming and outgoing) shall:

1. Discuss all information relating to the housing unit,
2. Discuss any problems, repairs needed, or any other type of information relevant to the security and safety of the housing unit,
3. Conduct a security check of the entire housing unit.

4. Conduct a physical inspection of the housing unit.
5. Conduct a joint count of all inmates present within the housing unit and compare the count with the housing unit assignment in JMS. A supervisor shall be immediately contacted if an inmate count does not match the JMS housing unit assignment.
6. Not leave any post until they have been properly relieved.

III. SAFETY PRECAUTIONS

Housing Unit Deputies have an important duty to be firm but fair in their supervision of inmates. They must also be observant to inmate behaviors and housing unit conditions which could impair the safety, order and security of the jail.

The following guidelines shall be followed:

- A. Deputies working in any secure area of the Forsyth County Jail shall NOT have on their person or access to any ASP, knife, or any type of item which would be considered a weapon unless appropriately authorized.
- B. Deputies shall always maintain control and/or security of any personal items (i.e., lunch bag) while in the secure area of the jail.
- C. Inmates shall not be permitted to gather around the deputy workstation.
- D. Deputies shall inform and/or remind the inmates of rules as needed.
- E. Deputies shall not permit inmates to change the channel or have any control of a television set.
- F. Housing unit doors shall remain locked.
- G. Inmates shall not have free access to any secure areas including closets containing cleaning supplies. All chemicals shall remain secure and properly stored when not in use.
- H. Deputies shall always maintain physical control of all keys and security electronic tablets.
- I. Deputies shall never turn over any keys or security electronic tablet to any person not employed by the Sheriff's Office.
- J. Deputies shall give no power or authority of any kind either real or implied to any inmate.
- K. Deputies shall not allow any single inmate to be a spokesperson for the housing unit.
- L. Deputies shall not grant special rewards or hope of rewards to any inmate.
- M. Deputies shall NOT bring any personal items to any inmate unless they have been authorized to do so by their Watch Commander.
- N. Deputies shall not contact any member of an inmate's family without express permission of the watch commander.
- O. Deputies shall never borrow from nor loan any item, cash, password, PIN code or other objects, tangible or intangible, to any inmate. Deputy controlled pens for signing legal documents may be used by an inmate, however it is the deputy's

responsibility to ensure the pen is properly accounted for and does not remain in the permanent possession of the inmate.

IV. INMATE RIGHTS:

The following inmate rights may never be denied unless it poses a serious threat to the safety, security and good order of the jail.

- A. Attorney communications,
- B. Agency Chaplain or other clergy as approved by the Jail Division Commander,
- C. Writing materials (paper, pencil, envelopes) to correspond with attorney or clergy,
- D. Adequate food,
- E. Adequate light, ventilation, temperature control, and sanitation,
- F. Medical care,
- G. Proper clothing, bedding, use of toilets, lavatory, shower,
- H. Personal hygiene items (soap, no shank toothbrush, and deodorant), and/or
- I. One hour out of cell each day for showers, telephone privileges, and exercise/recreation time.

Prior to any denial of the above rights, a supervisor shall be notified, and it must be properly documented in JMS.

V. INMATE CONTROL AND DISCIPLINARY MEASURES:

Deputies shall always maintain strict but fair discipline of inmates.

A. Inmate Altercations

The primary concern of a deputy during an inmate altercation shall be Deputy safety and the security all other inmates not engaged in the altercation. Deputies should attempt to use verbal commands to quell any physical altercation between inmates in his/her housing unit while notifying Master Control of the disturbance so that backup can be initiated.

A housing unit deputy shall not engage in any form of physical altercation alone with an inmate unless his/her personal "danger zone" is violated, the deputy is attacked or to prevent seriously bodily injury or death of another.

If an altercation commences, all non-combatants shall be ordered to walk to and face the nearest wall unless given different instruction by a deputy. Those inmates that do not comply shall be considered active participants in any disturbance and face disciplinary action.

B. Inmate Restrictions

Unit deputies may restrict an inmate to his/her bunk/room or temporarily suspend services or privileges for disruptive conduct which falls short of the need for a rule violation report. The restrictions should only be imposed when necessary to gain immediate control over an inmate's dangerous, threatening, or otherwise unacceptable behavior or to control any situation which threatens the safety, security or good order of the jail. The temporary restriction shall be approved by the shift supervisor at the time of incident and documented in the inmates JMS file.

NOTE: If the incident requiring immediate restrictions falls short of a rule violation the restrictions shall last no longer than the time it takes the deputy to regain control of the pod.

Temporary restrictions shall not include denial of food, medical care, personal hygiene or other essential necessities of life; or denial of access to courts and counsel; or other restrictions that violate clearly established rights of inmates.

A deputy may immediately remove an inmate from a housing unit who is out of control or poses a threat to the general security of the housing unit. The inmate may be placed in the pre-hearing segregation unit until the disciplinary hearing.

C. Inmate Hygiene

Deputies shall monitor the sanitation of the housing unit as well as the personal hygiene of inmates. Appropriate disciplinary action should be administered for inmates who refuse to take at least two shower per week or whose lack of hygiene becomes unhealthy and/or offensive to staff or other inmates.

D. Rescue of Deputy in Danger

Deputies who become in need of emergency assistance or rescue should notify Master Control or immediately activate the emergency button on their portable radio. The affected deputy should describe in specific detail the emergency and urgent need if safely able to do so. Further information should be provided as the situation permits to allow responding deputies to safely enter the danger area and removed the Deputy to safety.

E. DEPUTY/INMATE INTERACTION

Deputies shall be professional, ethical and non-bias in the performance of their duties. Interactions with inmates should be conducted in an authoritative but fair manner.

Interaction with inmates shall include but not limited to the following:

1. Housing Unit deputies are encouraged to address the housing unit by giving a formal orientation speech designating their rules and expectations for the day.
2. No deputy shall perform any type of favor or service for an inmate not related to specific duties.
3. No deputy shall engage in any personal conversation with an inmate at any time.
4. Deputies should not use vulgar or profane language toward an inmate for any reason.
5. Deputies shall not question inmates about their cases or make any comments or suggestions about an inmate's case nor shall the deputy discuss inmate cases with any other person. However, should an inmate start talking freely and unsolicited about crimes committed, the deputy should listen and complete a report to their supervisor. At no time should a deputy question an inmate to obtain further information unless the deputy has advised the inmate of the Miranda warning.
6. Deputies shall not give legal advice nor recommend private lawyers or professional bonding companies.

VI. HOUSING UNIT SECURITY and INMATE COUNT:

A. Watch Tours

Housing Deputies shall make watch tours within their assigned housing unit at least twice per hour (within 40-minute increments) during lights off, and once per hour during lights on, but not on a predictable schedule. Watch tours shall be conducted on a routine but not on a predictable schedule.

In units where watch tour buttons are present, deputies shall utilize this function. They shall complete the watch tour by pressing all four buttons regardless of inmate housing locations. If a watch tour is not completed or "fails", the circumstances will be properly documented in JMS.

During watch tours deputies shall:

1. Verifying the presence and apparent well-being of inmates.
2. Look for evidence of previous misconduct (i.e., fighting, damage to the jail, contraband); and
3. Be mindful of potential security problems related to inmate conduct.

B. Inmate Accountability

Accountability of all inmates assigned to the deputies' designated housing unit shall be maintained throughout the deputies' shift. Inmate movement in and out of a housing unit shall immediately be entered into JMS and recorded in the housing unit pod log.

VII. HOUSING UNIT SUPPLIES AND EQUIPMENT:

The housing deputy is responsible for maintaining an adequate amount of cleaning supplies at all times. All cleaning supplies shall be properly stored and secured when not in use.

Housing Deputies shall submit written maintenance requests as needed. Inmates shall be placed in lockdown while maintenance work is being performed in the housing units. It is the responsibility of each maintenance worker to maintain control of all tools. No tools or other items shall be left unsecured.

An ample supply of hygiene items shall be maintained in each housing unit and made available to inmates. Inmates requesting a resupply shall provide an empty container of the previous item being replenished, if applicable.

GENERAL ORDER: GO 4-9 Security and Control

Effective Date: April 25, 2023

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. PERIMETER SECURITY INSPECTIONS**

The Forsyth County Jail is protected by outside barriers (i.e., fencing with razor wire, permanent structures to prevent vehicles from forcibly entering any jail area, etc.). Signs are posted warning persons of restricted access, weapons prohibition and the use of Closed-Circuit Cameras.

A security perimeter inspection of the jail shall be conducted not less than one time per shift.

The Watch Commander is responsible for appointing a deputy to inspect:

- A. outside walls, windows, doors, fences, lights and other areas for damage, tampering, or other indications of attempts to breach security. Special attention should be given to ensure all security doors are closed and locked
- B. the curtilage of the jail for persons loitering or parking in close or otherwise acting in a suspicious manner;
- C. for potential security problems related to design, construction, or maintenance.

All inspections shall be documented in the Master Control Room Log. Any deficiencies shall be reported verbally to the Watch Commander and documented in a Jail Incident Report. The Watch Commander shall be responsible for initiating corrective action for deficiencies noted.

II. SECURE AREA ACCESS

Access to non-public areas of the Forsyth County Jail by unauthorized persons is strictly prohibited. Authorized Forsyth Sheriff's Office Employees, Contractors, maintenance workers and repair personnel with appropriate escort and those persons approved by the Jail Administrator may enter the non-public areas to perform official duties.

All Security Doors shall remain closed and locked when not opened to permit authorized movement of staff, inmates and other authorized persons. Master Control Room personnel shall closely monitor all security doors via Closed Circuit Cameras and the door access panel. All un-secure doors shall be checked and secured by a deputy.

III. WEAPONS AUTHORIZED IN SECURE AREAS

No firearms, ammunition, ASP batons, knives, or weapons other than the issued pepper spray or TASER, shall be worn or carried in secure areas of the Jail unless under emergency conditions, and then only upon the authorization of the Sheriff, Chief Deputy, or Jail Commander.

- a. Staff members supervising entry of law enforcement personnel into a secure area of the Jail shall require them to remove and deposit firearms, weapons, knives, batons and ammunition into a weapons locker.
- b. Jail Deputies should enter the building through the employee entrance. All firearms, weapons, knives, batons and ammunition shall be deposited in a weapons locker prior to entering a secure area of the jail.
- c. Visiting Deputies shall deposit their firearms, weapons, knives, batons and ammunition into a weapons locker or within their vehicle prior to entry into a secure area of the Jail.

IV. JAIL ARMORY

Non-Lethal Firearms, ammunition, chemical agents, and other weapons approved by the Jail Administrator shall be stored in a secured Jail Armory located next to the Master Control Room. The secured entryway into the armory shall be monitored by Master Control Room personnel. Access to the Jail Armory shall be limited to the Jail Administrator, Watch Commanders and Armory Supervisor.

The Special Response Unit Commander (SRU) shall serve as the Armory Supervisor. The supervisor shall be responsible for the security, inspection, repair and maintenance of all approved weapons and related supplies stored in the armory. An inventory and inspection shall be conducted by the SRU Commander at least quarterly to determine the condition of all weapons and applicable expiration dates. Each inventory inspection shall be documented in a report listing the condition of all weapons along with corrections needed and/or accomplished. The report shall be provided to the Jail Administrator

In the event of an emergency (i.e., riot, major disturbance, high-risk cell extraction/deployment, armed inmate(s), hostage situation, escape, etc.) the Sheriff, Chief, Jail Administrator, Armory Supervisor or designee may issue armory inventory to properly trained staff. All weapons and equipment issued shall be documented in the Armory Equipment Issue Log maintained by the SRU Commander.

Immediately after the conclusion of the emergency situation, all issued equipment shall be returned to the armory, inspected and logged back into available inventory. In the event that any issued weapon or equipment is discovered missing, the SRU Commander shall order an immediate and thorough search of the affected area to recover the missing equipment. Missing or damaged weapons or equipment shall be

documented in a Jail Incident report which shall be forwarded to the Jail Administrator.

No chemical agents, firearms, ammunition, ASP baton, or any other instrument carried for the intent of utilization as a weapon shall be carried into the Jail unless specifically authorized by the Jail Administrator or his/her representative, under emergency or training situations. It is understood that in quickly evolving emergency situations verbal authorization may be given, the authorization shall be documented along with the justification in a Jail Incident Report as soon as practical.

V. KEY CONTROL

All doors located in the secure areas of the Forsyth County Jail are equipped with electronic locks monitored and actuated by Communications Deputies located in Master Control. Each door may also be opened by a hard key.

A Key Control Deputy shall be appointed by the Jail Administrator. The Key Control Deputy shall be responsible for scheduled inventories of all keys, monitoring of the key access system(s) and repair or replacement of damaged and lost keys.

A. Hard Key Accessibility

A working set of hard keys shall be stored in an electronically controlled key cabinet securely located in Master Control.

Deputies needing a hard key or a set of hard keys for the performance of their official duties may retrieve them at the window of Master Control by entering a unique assigned pin number which identifies the requesting Deputy on a keypad. Once the pin is entered, Communication Deputies shall pull out the set of hard keys requested from the master key box and hand it over to the Deputy.

The electronic key control system tracks all access to the cabinet along with the keys that are removed. Any discrepancies (i.e., unauthorized access of keys, excessive alarms) shall be forwarded to the Jail Administrator.

B. Emergency Keys

An emergency set of keys shall be secured in the Jail Administrator's office. Access to the emergency set of keys is strictly limited to actual emergencies which require rapid access to numerous keys to quickly contain a situation.

In the event of an actual emergency, a Watch Commander may access the emergency set keys. A Jail Incident report shall be completed documenting the emergency event, who utilized the keys and the date and time the keys were retrieved and returned

C. Duplicate Set of Keys

A duplicate set of keys should be secured in the Office of the Sheriff. This duplicate set is not intended for regular use and should be for the sole purpose of making new keys. The keys should be secured in a locked box accessible to only a selected few.

D. Control of Issued Keys

Deputies shall maintain sole possession of each and every key they are issued from the Master Control Electronic Key storage. No deputy may loan a key assigned to them to anyone for any reason. No keys to the secured areas of the Jail may be removed from the Jail premises at any time. All keys shall be returned to Master Control by the end of the Deputy's shift.

To prevent unauthorized use and copying of the keys, Deputies shall ensure that all keys are kept out of the sight and/or possession of all inmates. Keys shall not be left on desk-tops, or exposed in any manner that would enable an inmate to take possession of or copy the keys.

Inmates shall never be permitted to use, control, possess or have access to jail or vehicle keys.

E. Missing or Damaged Keys

Any incident involving missing or damaged keys shall be reported immediately to the Watch Commander. If the loss appears to have occurred within the security perimeter, the Watch Commander shall order a lockdown and conduct a search for the missing keys. The Watch Commander shall notify the Assistant Jail Commander.

If the supervisor determines that a deputy has departed the jail with the missing key, they shall make every attempt to contact the deputy. When contact is made with that deputy, the supervisor shall ascertain the status of the key and make arrangements for its immediate return to the Jail.

A Jail Incident report shall be completed by the Deputy responsible for the key(s). The Watch Commander shall complete a supplemental incident report detailing all aspects of the search, investigation and resolution of the incident.

F. Key Inventories

The Key Control Deputy shall develop a Master Key Inventory which matches keys to locks by number and location. The Master Key Inventory shall detail all keys maintained in the Jail and shall be dated and signed by the Jail Administrator. Any changes in the Master Key Inventory shall be reported to and approved by the Jail Administrator.

The Key Control Deputy shall conduct a monthly inspection and inventory of all keys to the secured areas of the Jail. Each monthly inventory shall be signed by the Key Control Deputy and forwarded to the Jail Administrator.

G. Maintenance and Repair of Locks

Any lock in need of maintenance or repair shall be reported to the Watch Commander. The Watch Commander shall be responsible for initiating repair and/or replacement of the damaged lock.

H. Prohibited Activities

The unauthorized possession, alteration, marking, duplication, manufacture, or impression making of any key is prohibited. Any such incident shall be reported in writing to the appropriate Watch Commander. The Watch Commander shall review the incident or suspected incident. The Jail Administrator shall be notified of the incident and determine if the Watch Commander should conduct a complete investigation or if the incident should be forwarded to the Office of Professional Standards (Internal Affairs) Unit.

VI. **TOOL and HAZARDOUS AGENTS CONTROL**

The Forsyth County Jail utilizes certain tools and hazardous agents for jail maintenance and inmate work details. All tools and hazardous agents shall be safely and securely stored with controlled access.

A. Definitions

1. Tools: kitchen knives, ladles, serving spoons, etc.
2. Hazardous agents: gasoline, toxic cleaning agents, paints, paint thinners, drain cleaners, pesticides, etc.

B. Inmate Supervision

Inmates assigned tasks involving the use of tools or hazardous agents shall use them only under the direct supervision of a qualified Deputy.

C. Kitchen Knives

Knives used in the kitchen shall be retained in a locked cabinet accessible by the Kitchen Supervisor. Knives shall be "checked out" and signed for as needed. Knives shall be properly stored or returned to knife locker and "checked in" by the Kitchen Supervisor and verified by the Kitchen Deputy when not in use. The disappearance of a knife shall result in an immediate "lock down" of the Inmate Worker Dorm and kitchen area until the item is found or the "all clear" is given by the Shift Supervisor or higher authority.

D. Controlled Access

No inmates, except those inmate workers assigned such work, shall have access to or be given any tools or hazardous agents. Tools and materials shall be issued as needed at the beginning of each inmate work detail. All issued tools and materials shall be accounted for and securely stored at the end of each inmate work detail.

E. Missing Tools

Should any tools or materials be become missing; a supervisor shall immediately be notified. A search shall be initiated to locate the items. A Jail Incident report shall be completed documenting the tools or materials missing, the facts surrounding the missing items along with investigative efforts and results.

F. Tool Storage

Tools shall be stored in an area that is secured. It is the responsibility of all personnel to ensure that the security of the tool storage area is not compromised and all tools are controlled when not in use.

G. Tool Maintenance and Disposal

Repair and/or disposal of damaged tools and equipment shall be the responsibility of the Operations Division Supervisor.

H. Tool and Supply Inventory

The Operations Division Supervisor shall maintain an inventory of all tools and other supplies including but not limited to:

1. Maintenance tools;
2. Kitchen utensils and tools;
3. Cleaning chemicals;
4. Flammable liquids;
5. Materials which give off toxic fumes when burned; and
6. Other items which in the possession of inmates are potentially hazardous.

An inspection of all tools and supplies shall be conducted each month. The results of the inventory, to include the identification of any damaged or missing items, shall be reported to the Jail Administrator.

I. Hazardous Agents

NFPA requirements shall be closely observed in the storage of flammable liquids. The Maintenance Engineer shall maintain a copy of this which shall be available to all employees. Flammable liquids shall be kept covered in containers when not in use. The quantity of flammable or combustible liquid that may be located inside a storage room or storage cabinet should not exceed 120 gallons. Bulk

storage of flammable and/or combustible liquids shall not be stored at the Jail. Small amounts of flammable and/or combustible liquids, for daily operations, may be stored and used within the department where it is used under appropriate security conditions. Poisonous material shall be stored inside securely constructed containers or inside locker rooms available only to Deputies as designated in writing by the Jail Administrator.

J. Medical Instruments

The contracted Jail Medical Staff shall ensure that all medical instruments are controlled. The Medical Section shall establish and maintain a written system of inventory and control.

VII. SURVEILLANCE and SUPERVISION

The Forsyth County Jail is a Direct Supervision Jail. Surveillance of inmates is maintained 24/7 by deputies via in-person supervision and supplemented by closed-circuit cameras which are monitored in the Master Control room. Closed Circuit Camera monitoring primarily focuses on doors, hallways, points of ingress and egress from one security zone to another and restricted access areas. Housing Unit Deputies should direct their attention to personal surveillance of inmates as their primary means of supervision. Cameras shall be utilized to supplement surveillance of inmates rather than replacing personal surveillance.

Jail Personnel should interact, communicate and observe the inmate population, both as a whole and individually, in order to better facilitate, manage, understand and continue to be proactive. It is the responsibility and duty of all Jail Deputies to maintain constant observation and interaction with inmates at all times.

VIII. CROSS-GENDER SEARCHES AND SUPERVISION

A. Cross-Gender Inmate Searches

The Forsyth County Jail makes reasonable efforts to minimize the degree of sexual privacy intrusions which occur as a result of cross gender searches and supervision. Inmates' sexual privacy interests shall not exceed the legitimate penological interests of safety, security, order and discipline.

It is the policy of Forsyth County Jail that Female Deputies shall normally be assigned to the supervision of female inmates within the inmate living areas when staffing allows and shall supervise female inmates during the dress-in and dress-out process.

Male Deputies should not conduct random or routine searches of female inmates. Male Deputies may assist in searches of female inmates only in exigent circumstances or if the actions of the inmate amount to a voluntary exposure.

Male Deputies shall only participate in searches of female inmates in circumstances where the female inmate refuses requests to submit to a lawful

search and/or is aggressive, fighting, physically resisting the search and acting in a manner that creates reasonable cause to believe:

1. That the Female Deputy might be injured without assistance from Male Deputies; and/or
2. That the search cannot be completed without assistance from Male Deputies.

Male Deputies may also assist in or observe a search involving a disrobed female inmate:

1. When the inmates' actions amount to a voluntary waiver of sexual privacy interests; and/or
2. When exigent circumstances exist, which require participation of Male Deputies in the search to further the jail's legitimate security and safety interests.

All instances of a cross-gender search shall be documented. The documentation should include, but not be limited to:

1. The name of the inmate being searched;
2. The names of the Deputies participating in the search
3. The date, time, and location of the search;
4. The justification of the search;
5. The scope of the intrusion; and
6. The manner in which the search was conducted.

This policy shall not prohibit nor inhibit the responsiveness of Male Deputies into the female inmate living area in the event of an emergency, nor does it prevent a Male Supervisor from entering a female inmate living area in pursuit of his official supervisory duties.

This policy does not prohibit the assignment of Female Deputies to male inmate living areas or prohibit the assignment of a Male Deputy to the supervision of female inmates within the inmate living areas as long as a Female Deputy is present and assigned as the primary Deputy. However, in the absence of available female staffing, a Male Deputy may supervise the female living area.

B. Cross Gender Inmate Supervision

Female Deputies should be permitted to supervise male inmates, even if the result is that the female deputy may occasionally see nude male inmates using showers, toilet facilities or changing clothes. There is a reasonable accommodation to reduce the extent and frequency of sexual privacy intrusion due to the distance at which most observation of the inmates is done.

Jail staff should make a reasonable and diligent effort to protect female inmates from unwarranted sexual privacy intrusions. Observation, which is inadvertent, occasional, or infrequent should not rise to the level of a constitutional cause of

action. The distance at which an inmate is observed when nude or using toilet facilities may be an issue considered by the courts. Distance also depersonalizes the observation.

C. Precautions

While cross-gender supervision of inmates may be permitted, the following precautions should be taken to protect sexual privacy of inmates:

1. Deputies should not be assigned to posts or assignments which shall result in routine, close observation of inmates of the opposite gender while in the shower or using the toilet;
2. Viewing of unclothed inmates of the opposite gender should be:
 - a) Inadvertent;
 - b) Occasional or infrequent; and/or
 - c) At a distance; and
3. Reasonable accommodations should be made to reduce the scope of the intrusion.

IX. INMATE COUNT

A formal and informal system of inmate counts is utilized to ensure around-the-clock accountability of all inmates and to provide a system for physically counting them. This includes inmates assigned to work details, activity programs, and temporary absences from the Jail. The housing unit Deputy has primary responsibility for the completion of an accurate count and shall be familiar with Inmate Count Sheets, and possible systems of error relating to Inmate Counts. A total count of all inmates shall be tabulated by Master Control before a new shift of personnel relieve the on-duty personnel.

A. Definitions

1. Formal Count: A formal Count is conducted at scheduled times.
2. Informal Counts: An Informal Count is a count conducted by a Housing Unit Deputy at various times during his/her shift. Informal Counts are typically conducted in preparation for meals, recreational activities, inmate programs, and upon the return of groups of inmates from their Programs and Services (i.e., Sick Call, Religious Programs, etc.) to ensure that a continuous accurate count is maintained. The on-duty Deputy should also conduct informal Counts during the watch tour.
3. Emergency Counts: Emergency Counts are counts ordered by a Shift Supervisor, Shift Supervisor, Watch Commander, or higher authority as a result of a serious incident including, but not limited to:
 - a) Escape, or attempted escape;
 - b) Fire or any event that results in a full or partial evacuation of any part of the Jail;
 - c) Severe weather (i.e., flooding, tornado, hurricane, etc.);
 - d) Riot, or other major disturbance;

- e) Power supply disturbances resulting in diminished surveillance capabilities of staff (i.e., lightning, CCTV, communications, etc.);
- f) Other events that would necessitate an Emergency Count, as determined by a Unit Supervisor, Shift Supervisor, Watch Commander, of higher authority.

B. Basic Principles of Counting Inmates

During a formal count, all inmates should be counted and accounted for within each housing location (i.e., assigned housing unit, authorized inmate work locations, out to court, etc.).

1. Thirty (30) minutes prior to a Formal Count, all inmate movement shall cease, with the exception of scheduled inmate court appearances, authorized inmate participation in on-going programs and services. Inmates should be secured in their living areas (cells/rooms) and remain there until the count is completed and verified as accurate.
2. During a Formal Count, Deputies should guard against anything that may distract them from conducting an accurate count. Examples of the type of distractions a Deputy may encounter are:
 - a) Staged incidents by inmates (arguments, fights, etc.)
 - b) Inmates making requests or voicing complaints
 - c) Requests by other staff to perform any other task during the count (preparing inmates for visitation, commissary, etc.)

NOTE: This policy is not intended to prohibit deputies from responding to any emergency situation. Response to an emergency situation shall not be delayed because of a count. However, if the Deputy determines that the situation is not an emergency, or has been staged by an inmate, the Deputy should conduct a re-count, then follow-up with appropriate documentation (i.e., Incident Report, Inmate Disciplinary Report, etc.). Deputies must rely on their judgment and reasoning in determining the appropriate response.

3. During hours of lockdown at night, the deputy conducting the count may use a flashlight to provide enough light on the inmate to ensure their presence.
4. The results of the count shall be documented in the Unit Logbook and called in to Master Control. All counts shall be compared with the Intake count for accuracy. Any discrepancy shall be immediately investigated and resolved prior to the Deputy being relieved.
5. Deputies must ensure that they are counting living, breathing bodies and shall not accept the presence of an inmate based on what appears to be the back of their head, shoulders, or an inmate wearing a towel covering his/her face, head, or an inmate's body completely covered. Deputies shall observe the inmate for signs of life (i.e., breathing, body movements, etc.). If the deputy is unable to detect any signs of life, they shall immediately take appropriate action and notify their supervisor.

6. In the event that an escape or possible escape is detected, the discovering deputy shall immediately notify Master Control of the occurrence and implement procedures provided for in the escape policy and procedures.
7. In the event a Medical Emergency is detected the discovering deputy shall immediately administer Emergency First Aid and notify their supervisor of the occurrence, as applicable, until the arrival of support personnel (i.e., other deputies, medical staff, etc.).
8. All formal counts shall be conducted accurately and as promptly as possible. If there is any doubt as to the accuracy of the count, then the deputy shall RE-COUNT!
9. Informal Counts shall be conducted at irregular intervals throughout each shift. These are typically conducted during watch tours, prior to each meal, prior to and immediately after inmate group participation in recreation, religious, educational programs, etc.
10. All counts should be annotated in the Housing Unit Logbook.
11. In the event that a Supervisor, Shift Supervisor, Watch Commander, or higher orders an Emergency Count, all inmates shall be secured within the cells/rooms and the count shall be conducted, following the same procedures as provided for in formal counts. As with all formal counts, all inmate movement shall cease, with the exception of emergency relocations (i.e., medical emergency, security relocations, etc.) that require the movement of an inmate from the housing unit to the medical area or other appropriate area. This information shall be reported immediately to the supervisor ordering the emergency count. All emergency counts shall be documented not only in the housing unit logbook, but also in Master Control.

X. CONTRABAND CONTROL

The presence of contraband constitutes an immediate safety concern for staff, visitors and inmates. Therefore, the following procedures are established to prevent, detect, control and remove contraband from the Jail, Jail perimeter and transport vehicles.

A. Control of Contraband.

Contraband is best controlled through close supervision along with frequent scheduled and unscheduled searches. Unscheduled searches of the inmate workers, general population inmates, cells, visitation, recreation areas, lavatories, kitchen, work areas, vehicles, deliveries and shipments, to name a few, are essential. Scheduled searches of inmates entering the Jail, inmate workers and workers coming in from outside the Jail is essential and must be performed to reduce the flow of contraband.

B. Responsibility.

Responsibility for all searches is delegated to all sworn Jail staff. All searches shall be conducted withing established policy and training.

C. Contraband Defined.

Contraband is any article not authorized and/or any items in excess, in possession of any inmate, visitor, or staff personnel. Items which threaten the security and safety of the Jail, or the possession of which are illegal, are always contraband. These items include, but are not limited to all tobacco products, unlawful drugs, misuse of prescribed drugs, and all forms of alcohol.

D. Inmates Placed on Notice

Inmates are advised in the inmate handbook of the Jail's intention to aggressively enforce rules prohibiting contraband. The inmate handbook contains a list of items the inmates are authorized to maintain and the disciplinary process if contraband is discovered. All items not specifically approved are considered contraband.

E. Photographs of Contraband.

As deemed appropriate, photographs may be taken of contraband discovered in the Jail.

F. Disposition of Contraband.

When contraband is discovered, it should be safely removed from the inmate or its location and disposed of or stored appropriately. Contraband should not be disposed of until all criminal charges or disciplinary action(s), if any, have been completed or resolved.

1. Money shall be placed in the inmate's fund.
2. Items of value such as rings, necklaces, pictures, etc., these items shall be placed in the inmate's property until released or transferred.
3. If the contraband is of no value and shall not be used as evidence, or all proceedings are completed, it shall be destroyed by the Shift Supervisors.
4. Under no circumstances shall contraband discovered be kept or given to an employee.

G. Staff Contraband.

Staff members shall not bring contraband into the Jail. Staff shall not give, trade or barter with inmates for, or with, any authorized or unauthorized items. Jail staff may be searched for contraband where an articulable reasonable suspicion exists. Deputies violating this policy may face disciplinary proceedings, criminal charges and/or immediate termination.

H. Contraband During Intake Process.

If contraband is discovered during the in-processing phase of confinement, that inmate may:

1. Be charged if the contraband is of a serious nature.
2. Have the contraband placed in the inmate's property or funds.
3. Have the contraband disposed of, i.e., tobacco products, beverages, and food items.

I. Documentation of Contraband.

Discovery of contraband shall be documented in a Jail Incident Report. Appropriate disciplinary action or criminal charges shall be initiated and documented as well in the Jail Incident Report.

J. Disposition of Inmate.

If the contraband discovered constitutes a major or serious violation, the inmate may be moved to pre-hearing segregation pending outcome of the disciplinary action(s).

XI. SEARCHES

Searches are a critical element of jail security and shall be conducted on a frequent, random and routine bases. The safety, order, discipline and security of the Jail is best maintained through a systematic program of physical plant and inmate searches. Inmates have no expectation of privacy while incarcerated and thus, are not protected from aggressive search procedures. All searches shall be conducted in a professional manner while maintaining the individual rights of the inmates. Deputies are prohibited from intentionally destroying, damaging or seizing inmate's personal property without justification. Searches shall not be utilized as a form of harassment nor shall they be.

When considering the scope of search to be conducted, deputies should consider the scope of the search (intrusion) and the justification for initiating it. Searches which may impose a heightened possibility for humiliation, embarrassment and dehumanizing of the inmate require an increased articulation of the justification for the intrusiveness of the search.

Searches shall be conducted by staff who have received training in the legal requirements, techniques and skills necessary to conduct the search. In order to conduct searches consistent with constitutional requirements, Deputies:

- a. Should not use taunting, degrading, dehumanizing, or other inappropriate comments to inmates during searches;
- b. Should provide an appropriate degree of privacy for intrusive searches or other searches which by their nature would tend to be exceptionally embarrassing or humiliating;
- c. Should ensure adequate sanitation precautions, when appropriate;
- d. Must use only reasonable force when force is necessary to enforce a lawful search; and
- e. Should ensure that persons conducting searches have adequate training to lawfully conduct the type of search involved.

Emergency situations may present exigent circumstances which justify the conducting of searches in a manner not usually permitted by ordinary rules governing intrusive searches. These serious circumstances require immediate action to ensure safety or security needs of the jail. A Jail Incident Report shall be completed documenting the exigent circumstances and manner in which searches were conducted.

Signs shall be maintained at all entrances to the jail informing persons entering that they are subject to search.

A. Definitions

1. Contraband: Any item possessed by adult offenders or found within the Jail that is illegal by law or expressly prohibited by those legally charged with the administration and operation of the Jail or program.
2. Frisk Search: Frisk searches (also known as pat searches) are defined as a search in which a Deputy rubs or pats the subject's body over his clothing to attempt to detect contraband, and which results in only incidental contact with genital, anal, or female breast areas.
3. Strip Search: A search which requires an inmate to expose genitals, buttocks, female breasts or their underwear to a deputy from a distance for the purpose of discovering weapons, drugs, contraband, and physical abnormalities which may indicate the presence of contagious disease, lice, injuries or gang affiliation.
4. Body Cavity Search: Searches which involve the probing of the vagina and/or rectum using a gloved finger or other instrument to search for contraband.
5. Area Search: A careful examination of all objects, containers, fixtures, etc. in a specified location (i.e., Day room, Inmate Cell, Kitchen, etc.).

B. Purpose of Searches

The purpose of all searches conducted in the Forsyth County Jail is to:

1. prevent the introduction of weapons or dangerous contraband into the Jail;
2. detect the manufacture of weapons, escape devices, etc. within the Jail;
3. discover and suppress the trafficking of contraband between inmates, staff and visitors;
4. enforce rules designed to maintain order amongst inmates;
5. discourage theft of county property, or the property of others;
6. discover and correct evidence of malicious waste or destruction of jail property;
7. discover and correct potential health or safety hazards;
8. discover and correct conditions which pose an immediate threat to the safety of any inmate or staff member, or the security of this jail.

C. Inmates Placed on Notice of Contraband Rules of Conduct

The inmate handbook informs the inmates that their person, property, cells, and work areas are subject to search at any time during their incarceration at the Jail. Searches shall be conducted in a professional, systematic manner.

D. Jail Staff shall receive training concerning contraband prohibitions and search requirements.

E. Inmate Searches

The effective search of an inmate requires skill, training, expertise, and proper attitude. Deputies shall make every reasonable effort to prevent the introduction of contraband into the Jail while inspecting persons and property of persons admitted.

F. Frisk Search (pat down)

Deputies may conduct a frisk search of an inmate routinely, selectively, randomly or when an inmate is suspected of possessing contraband to determine if they are in fact concealing any contraband.

Whenever possible, male deputies should search male suspects and female deputies should search female suspects. However, when such searches are not practical, the search by a deputy of the opposite sex may be conducted due to exigent circumstances or to protect the legitimate safety and security needs of the jail. The search should normally not begin until the arrival of another Deputy or a neutral witness is available to watch the proceedings.

All inmates moving between security zones within the jail or to other venues shall be frisk searched prior to leaving their assigned housing unit.

Deputies should be cognizant of assaults by prisoners, exposure to vermin and contagious diseases and skin punctures from needles hidden in clothing when conducting frisk searches.

1. Before conducting a frisk search, the deputy should conduct a pat down of the inmate to check for any weapons, removing all items from the inmate's pockets and placing them out of the immediate reach of the inmate.
2. When groups of inmates are to be frisk searched, all such inmates shall be lined up, spaced apart, and faced with their palms extended at arm's length against the wall.
3. A frisk search should be performed in accordance with the following procedures:
 - a) Instruct the inmate to lean against a solid object, arms fully extended, palms open, and feet apart.
 - b) Move behind the inmate and:

- 1) Carefully examine the shirt collar;
 - 2) Run hands over the inmate's shoulders, down the outside of his arms to the shirt cuffs, and carefully examine the shirt cuffs;
 - 3) Run hands down the inmate's shirtfront, carefully checking the pockets;
 - 4) Move fingers around the inside of the waistband feeling for any objects which may be concealed there, ensuring belt is removed;
 - 5) From the waistline, move hands down the inmate's back to the buttocks;
 - 6) Put both hands on one leg at a time and run them carefully down each leg, being certain to check each trouser cuff;
 - 7) Move hands over the inmate's lower abdomen and crotch carefully, to inspect for contraband that may be hidden or taped to those areas;
 - 8) Instruct the inmate to remove shoes and socks; then have the inmate extend one foot at a time backward for inspection. The deputy shall inspect the shoes and socks for contraband and remove shoelaces.
4. Under no circumstances should the deputy direct any personal remark to the inmate being frisked concerning his/her person, attire, or physical attributes.
 5. Any illegal items, contraband including items that might endanger the safety and/or security of the Jail should be promptly removed from the inmate and secured. All contraband shall be disposed of in accordance with established policy. All evidence obtained from the inmate while in intake should be returned to the arresting Deputy.
 6. When the frisk is completed, instruct the inmate to face the wall with palms extended at arm's length against the wall; then carefully check each item removed from his pockets.
 7. Items that an inmate is allowed to have in his/her possession shall then be returned to him/her, items such as:
 - a) Glasses
 - b) Phone numbers
 - c) Legal papers

G. Transgender or Intersex Inmates

Frisk Searches of Transgender or Intersex Inmates shall be performed in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

1. DEPUTIES SHALL NOT SEARCH OR PHYSICALLY EXAMINE A TRANSGENDER OR INTERSEX INMATE FOR THE SOLE PURPOSE OF DETERMINING THE INMATE'S GENITAL STATUS.
2. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

H. Strip Searches

Jail officials have a legitimate interest, indeed a responsibility, to ensure that the jail is not made less secure by reason of what inmates may carry in and/or on their bodies thus affecting the safety, order, discipline and control of the jail facility.

Inmates being processed into the jail and/or housed in other general housing units must be monitored for contagious infections and wounds or injuries requiring immediate medical attention. It may be difficult to identify and treat medical problems until detainees remove their clothes for a visual inspection. Jails also face potential gang violence, giving reasonable justification for a visual inspection of detainees for signs of gang affiliation. Additionally, jail officials must detect weapons, drugs, alcohol, and other prohibited items inmates may possess. Drugs can make inmates aggressive toward officers or each other, and drug trading can lead to violent confrontations. Contraband has value in a jail's culture and underground economy, and competition for scarce goods can lead to violence, extortion, and disorder.

An effective non-punitive strategy in combating the introduction and or possession of contraband in the jail, preventing the use of contraband for nefarious purposes, monitoring for signs of gang affiliation, detecting contagious infections, etc., is the performance of random and/or routine inmate strip searches. Therefore, to achieve the legitimate interest and responsibility of maintaining safety, order, discipline and control of the jail facility, strip searches of inmates may be conducted on a random and/or routine basis.

1. Strip Search Procedures

- a. Only deputies of the same sex as the inmate shall be present during a strip search;
- b. Employees shall not search or physically examine a transgender or intersex person in custody for the sole purpose of determining the individual's genital status.
 - 1) If the individual's genital status is unknown, it may be determined during conversation with the individual, by reviewing medical records, or, if necessary, by learning that information as part of broader medical examination conducted in private by a medical practitioner
- c. Strip searches shall normally be performed by deputies assigned to the Jail.
- d. The search shall take place under conditions that provide total privacy from all but those performing and witnessing the search;
- e. The strip search process may be video recorded for protection of the deputies against false claims. All video of strip searches shall be

- secured and only viewable in the performance of official duty by the Jail Administrator or persons approved by the Jail Administrator;
- f. Photographs may be taken to document injuries discovered during the strip search;
 - g. Under no circumstances shall an inmate be touched during a strip search unless it becomes necessary for the self-defense of agency personnel, or for the safety of the inmate. Example: The inmate ingests hidden drugs during the strip search;
 - h. Deputies shall utilize protective gloves while conducting the search;
 - i. Deputies shall inquire as to whether there are any medical conditions or other factors that may affect the search.
 - j. Deputies conducting the search shall not make any references to the individual's body or physical characteristics while performing the search.
 - k. The suspect shall be directed to remove all clothing, to include underwear;
 - l. Deputies shall use as few law enforcement personnel as necessary for the safety of the person conducting the search and for control of the suspect;
 - m. If wearing prosthetic devices, the inmate should be instructed to remove them for inspection, if able;
 - n. Casts and bandages should not be removed except by medical personnel. If available, a metal detector can be used to check for weapons or other hidden items;
 - o. It may be necessary to instruct a female inmate to raise her breasts and separate them adequately so that a complete visual inspection can be made;
 - p. Similarly, obese inmates may need to lift fat so that a proper inspection may be performed;
 - q. When inspecting the inmates' buttocks, the inmate should be instructed to squat and cough three (3) times;
 - r. Deputies should be alert for any string or other protrusions from the anus or vagina. When present, such protrusions should be reported to the supervisor and a decision made concerning the need to remove them by medical personnel and staff;
 - s. The deputy should perform a visual inspection of the groin area. Excessive hair should be parted and the penis and testicles lifted by the inmate to permit a complete inspection of the area.

2. Pregnant Women

A pregnant woman, whose pregnancy has been verified by a pregnancy test or through a medical examination conducted by a physician shall not be required to squat or cough during a strip search, conducted by a Deputy Sheriff, during the second or third trimester of pregnancy. (OCGA 42.1.11.3 (b)).

3. Strip Searches of Inmates Returning to the Jail

Inmates shall be strip searched upon their return to the Jail from, but not limited to:

- a. Medical or dental appointments;
- b. Participation in the inmate workforce program;
- c. Escape;
- d. For any special occasion such as to attend the funeral of a relative or visit a critically ill family member; or
- e. Any other time when the inmate has or is suspected of having contact with non-agency personnel outside of the Jail.

I. Documentation of Strip Search

Strip searches shall be documented in the following manner:

1. Dress-In Process

All strip searches conducted during the dress-in process shall be documented via a simple note in the inmate movement log of JMS. In cases where contraband is discovered or other information is learned affecting the good order of the jail, a Jail Incident Report should be completed.

2. All Other Strip Searches

The deputy performing a strip search shall prepare a Jail Incident Report to include the following information:

- a. Date, place of search, and time search began and ended.
- b. Identity of those present during the search and the name of those who actually performed the search.
- c. Identity of person searched.
- d. A detailed description of the nature and extent of the search.
- e. The reason for the search.
- f. The results of the search in terms of what was found.
- g. Name of arresting deputy who requested strip search (if applicable) and reason for the search.
- h. If contraband is found, the officer who finds the contraband shall prepare a supplemental report to the arresting officers initial report (if applicable).
- i. Reports shall not be required for normal dress ins to or inmates returning to housing units.

J. Strip Search Refusal

If the inmate refuses to submit to the strip search, the deputy should attempt to verbally persuade the inmate and, failing that, the Intake deputy shall:

- 1) Notify a Supervisor, who shall arrange for increased surveillance and/or determine if an involuntary strip search shall be conducted.
- 2) Issue the inmate a uniform.
- 3) Isolate the inmate
- 4) Note the incident in the inmate's JMS file.

K. Contraband Discovery

If contraband or evidence of a crime is discovered during a strip search the deputy should:

- 1) Remove the contraband
- 2) Notify a supervisor,
- 3) Process the contraband as prescribed in policy.
- 4) Document the items found in the Jail incident report.

L. Cross-Gender Strip Search

Deputies may be permitted to conduct a strip search of inmates of the opposite sex when exigent circumstances exist which require the immediate participation of a deputy of the opposite sex to assist to protect immediate and legitimate security and safety interests of the jail.

Justification for all Cross-Gender Strip Searches shall be included in a Jail Incident Report

M. Involuntary Strip Search

If an inmate refuses to voluntarily submit to a strip search, a Watch Commander should be notified. The Watch Commander should attempt to verbally persuade the inmate to cooperate with the strip search requirements.

If the inmate still refuses to cooperate and circumstances cause immediate concern for the safety and security of the jail the Watch Commander may approve an involuntary strip search. Reasonable force may then be utilized to remove an inmate's clothing to conduct an adequate strip search.

A minimum of three (3) Deputies must be present during the strip search. A Jail Incident report must be submitted. A strip search form shall be completed.

If necessary, a Use of Force report shall be completed.

N. Body Cavity Search

BODY CAVITY SEARCHES SHALL ONLY BE CONDUCTED WHEN AUTHORIZED BY A SEARCH WARRANT AND PERFORMED BY MEDICAL PERSONNEL.

Should a deputy believe a suspect is concealing contraband, evidence, or weapons within a body cavity, the following procedures shall be followed:

1. If probable cause exists, an affidavit for a search warrant shall be prepared in accordance with established procedures.
2. If approved, the search shall be performed by an authorized physician or by other medically trained personnel at the physician's direction.
3. The physician conducting the search shall file a written report with the Forsyth Sheriff's Office outlining the procedures used and the results of the search.

Note: A pregnant woman, defined as a woman whose pregnancy has been verified by a pregnancy test or through a medical examination conducted by a physician, shall not be required to undergo any vaginal examination unless prescribed and performed by a licensed health care professional. [(O.C.G.A. 42-1-11.3(5) & (c); Added by 2019 Ga. Laws effective 10/01/2019]

O. Voluntary Exposure

Inmates may disrobe due to mental illness, intoxication, intentional misconduct, attempts to manipulate or intimidate staff, or to prevent staff members of the opposite gender from being able to perform duties.

1. When an inmate voluntarily displays his or her unclothed body or fails to take advantage of procedures designed to protect sexual privacy, staff members may proceed with the performance of their duties and the inmate shall be deemed as having waived sexual privacy interests.
2. As a best practice, all efforts should be made to cover the inmate's private areas once it is safe to do so.

P. Visitor, Volunteer and Contract Personnel Searches

All persons entering the Jail are subject to be searched.

1. Deputies assigned to the Main Lobby must be especially alert to the possibilities of visitors attempting to introduce contraband into the Jail. The avenues that may be attempted include:
 - a) The concealing of contraband in clothing being left for inmates.
 - b) The concealing of contraband on their person, to be left at pre-determined "drop" locations, etc.
2. Visitors may not bring bags, boxes, purses and other property in their vehicle into the Jail for security reasons.

3. Visitors must successfully pass through a metal detector located at the main lobby desk.
4. Visitors may refuse to submit to this security checkpoint. However, in this event entrance shall be denied.
5. If a visitor walks through the detector and an alarm sound, then the Deputy must suspect the presence of metal and shall request the visitor to submit to a closer inspection of their person to determine the cause of the alarm activation.
6. The closer inspection may involve asking the visitor to ensure that all metal objects have been removed from their person. Occasionally, the visitor shall discover an object that was mistakenly left on their person.
7. If the visitor has checked their person and walks through the metal detector and it sounds an alarm again, the Deputy shall request the visitor to submit to an inspection using a hand-held metal detector.
8. If the visitor refuses to submit to an inspection with the hand-held metal detector, then the visitor shall be denied entrance.
9. Once the deputy's suspicion is relieved, the visitor may be permitted to proceed.
10. The deputy should treat the visitor in a respectful and dignified manner so as to avoid any undue embarrassment.
11. In the event that contraband is discovered (i.e., escape paraphernalia, drugs or drug related items, weapons of any kind) the visitor shall be denied entry and the Watch Commander shall be immediately notified.
12. The visitor should be detained for further investigation.
13. Any item(s) seized shall be secured appropriately, following established Sheriff's Office Evidence Collection and Preservation policy.

Q. Housing Unit Searches

Random and targeted searches of housing units, to include inmate cells and recreation areas, are vital in the quest to uncover contraband, prevent escapes, maintain sanitation standards, and discover and correct safety hazards. Housing Unit searches, along with inmate cells should be frequent, but on an irregular basis and should be unannounced. No level of suspicion or reason is required.

Deputies conducting housing unit searches should leave each area in reasonable order after the search is completed. The Deputy should begin the search by first searching the inmate, then searching, but not reading, the inmate's legal mail/correspondence, etc. (if applicable). The Deputy should have the inmate take possession of their legal papers. The following search procedures should be followed:

1. All inmates shall be locked down.
2. Inmates shall be removed from their cell, frisk searched and guarded by a separate deputy while two Deputies search the cell.
3. During cell searches, inmates have no right to observe the search of their belongings (as long as they have any legal documentation with them).
4. Following the completion of the cell search, the inmates should be returned to their assigned cells and locked down.

5. Remove all blankets, sheets and covers from the bed and inspect them carefully;
6. Closely and carefully examine:
 - a) Mattress
 - b) All furniture, which may be in the cell (if applicable)
 - c) Lavatory and toilet (including the bottom of those fixtures),
 - d) Floor drain
 - e) Ventilation grill,
 - f) Faucets, drains and any openings in cell door tracks,
 - g) Light fixtures and electrical covers
 - h) Books
 - i) Personal letters and papers (letters and papers may be removed from envelopes and inspected, but not read, by the Deputy)
 - j) All containers
 - k) Small articles
 - l) Window frame and glass
7. Examine the window and ventilation screen in the cell to determine if they have been jammed.
8. Examine all locking devices to determine if they have been jammed.
9. Examine all panels and protective screens to determine if they have been loosened in preparation for removal.
10. Following the cell search, the cell search form shall be signed and dated by the inspecting Deputy and the form turned into the Watch Commander.
11. Each cell/room shall be searched prior to being occupied by a new inmate.

R. General Areas

Periodic searches should be conducted in all general areas of the Jail. Areas not normally accessible to inmates include but are not limited to:

- a) Work areas
- b) Corridors
- c) Elevators
- d) Storage areas

S. Visiting Areas

All Visiting Areas should be searched and inspected periodically throughout each tour of duty by the Deputies assigned to those areas. A supervisor should be notified of any contraband discovered, sanitation deficiencies found and any safety hazard discovered.

T. Kitchen Storage

The Deputy assigned to the kitchen area should conduct irregular searches of the kitchen and all associated storage and serving areas at least once during each shift.

U. Medical / Dental Unit

The Deputy assigned to the Medical Unit should conduct a search of the Medical and Dental areas before and immediately following their use by inmates.

V. Laundry Room

The Deputy assigned to the laundry area shall be responsible for a daily search of all storage areas, carts, machines, laundry and laundry folding areas.

W. Intake and Release Unit

The Intake / Release area Supervisor is responsible for ensuring that all areas of the Intake and Release Unit under his/her supervision are searched daily.

X. Perimeter Searches

The Watch Commanders is responsible for ensuring that a search and inspection is conducted of the Jail perimeter at least once during each shift. The search and inspection shall include the following areas:

- 1) All outside entrances
- 2) All gates and sally ports
- 3) All parking lots
- 4) All security fences
- 5) All surveillance cameras
- 6) The perimeter road around the Jail.

Y. Inmate Workers

All inmate workers should be carefully supervised and searched regularly. Because of their assignments, Inmate workers are often afforded an opportunity to acquire and convey contraband to other locations and inmates within the Jail. In order to prevent this, each Inmate Worker is to be strip searched at irregular intervals and each time they leave their workstation, their living unit and prior to entering their assigned housing unit. Outside Work Detail Inmates shall be strip-searched prior to re-entering the inner security perimeter of the Jail.

Z. Deliveries

All items being delivered to the jail shall be thoroughly search prior to entry into the secure areas of the jail. All deliveries should occur at the delivery dock located at the rear of the jail. The items should be scanned in the scanner if size permits.

AA. Use of Canines

A supervisor may request the services of a K-9 Deputy by contacting the Uniform Patrol Watch Commander on duty.

XII. EVIDENCE HANDLING/CHAIN OF CUSTODY

When contraband is found on an inmate or in the Jail, the Deputy who first discovers the item should:

- A. Remove the contraband from the inmate or area, and immediately notify a supervisor.
- B. Place the contraband in an evidence bag showing the date, the name of the inmate taken from, and the location from which removed.
- C. Note the incident and the transfer of the contraband in a written report, which shall be delivered, with the contraband to a supervisor. NOTE: Under no circumstances shall the Deputy keep the contraband or destroy it.
- D. The Supervisor should determine whether possession of the item(s) in question constitutes a violation of State law and, if so, consider the possibility of filing criminal charges.
- E. Whether or not criminal charges are to be filed, the Supervisor may elect to begin disciplinary procedures. The contraband shall not be destroyed until such time as all charges or proceedings surrounding the case have been resolved.
- F. Any evidence that is confiscated shall have the chain of custody documented on an evidence sheet.
- G. Any weapons found on inmates being brought into the intake area should be turned over to the arresting Deputy or receipted and to the evidence storage locker.
- H. Any drugs found on inmates shall be confiscated and submitted to the evidence unit via an evidence storage locker. If the drugs were found on an inmate brought into the intake area, the drugs should be turned over to the arresting deputy for processing.

XIII. CRIMINAL ACTS BY INMATES

Criminal acts committed by inmates of the Forsyth County Jail shall normally be investigated by Forsyth County Sheriff's Office P.O.S.T. Certified Deputies. The Jail Administrator, Chief Deputy or Sheriff may call in outside agencies, such as the Georgia Bureau of Investigation, at their discretion.

XIV. INSPECTIONS

All employees, regardless of rank, are responsible for assuring areas where they are assigned are clean and free of maintenance and safety deficiencies. Employees and Supervisors shall inspect the physical maintenance and sanitary conditions of the area where they are assigned during each shift.

Certain inspections shall be conducted by county and/or state officials as mandated by county ordinance or state law.

- A. General: All personnel assigned to the Jail must be constantly alert for breaches of security and safety violations. All Deputies must remain vigilant in their efforts to maintain a safe and secure environment for all concerned. Qualified individuals conducting required daily, weekly, or monthly inspections may be designated staff members. The qualified individuals responsible for conducting monthly inspections, e.g., Fire and Safety Officer and/or Safety and Sanitation Officer may be Jail staff personnel; however, these personnel must have received documented, specialized training in these duties and continue to receive requisite annual training. These "inspectors" shall be designated by the Jail Commander and shall normally be in conjunction to other regular assigned duties.
- B. Types of Inspections: Inspections are conducted to carefully and critically examine specific areas to ensure proper safety, security and sanitation standards are being adhered to. Inspections at the Jail shall be categorized as one of the following:
- 1) Security and Safety Inspection(s);
 - 2) Sanitation and Hygiene Inspection(s);
 - 3) Operational Assessments.

Generally, these inspections are conducted at the same time.

- C. Security and Safety: The Security and Safety Inspection shall be conducted weekly by the Transport/Jail Resource Unit Supervisor. This inspection shall be formal and documented in a JMS report. This documentation shall be retained by the Detention Jail Commander or designee for a period of five (5) years. This inspection shall include, but are not limited to the following:
- 1) Emergency Breathing Equipment
 - 2) Emergency exits and signs
 - 3) Fire Extinguishers
 - 4) First Aid kits
 - 5) Flashlights
 - 6) Keys
 - 7) Locks, doors, gates and bars
 - 8) Radio/intercom/telephone systems
 - 9) Restraint Devices
 - 10) Stairwells
 - 11) Video monitoring equipment

D. Sanitation and Hygiene: Sanitation and Hygiene inspections shall be completed daily by deputies responsible for each area of the jail. This inspection should include, but are not limited to inspection of the following:

- 1) Cell Inspections
- 2) Cleanliness of inmate day rooms
- 3) Drain covers
- 4) Floors
- 5) General cleanliness of work areas
- 6) Inmate berthing areas
- 7) Inmate cleaning supplies
- 8) Inmate day rooms
- 9) Kitchen area
- 10) Lights and light fixtures
- 11) Showers
- 12) Sinks
- 13) Supply closets
- 14) Toilets
- 15) Trash
- 16) Ventilation systems
- 17) Windows

E. Operational Assessments: Operations and programs should be monitored through inspections and reviews. Timely and periodic assessments can reveal how well personnel are complying with current and newly implemented policy and procedures. This should be conducted as an internal audit with the results being forwarded to the Jail Commander.

F. Fire Inspections: Any inspector representing the Office of the Fire Marshall of the State of Georgia, the local Fire Department or any agency specifically charged with the inspection of the County Jail shall be granted entrance for the purpose of inspection.

G. Frequency of Inspections.

- 1) Informal Inspections: The Jail Commander or designee shall conduct random visits to the housing units. The random visits should encourage informal contact with staff and inmates and to informally observe, firsthand, the inmates living conditions and the officer's working conditions.
- 2) Daily Inspections: Security Division Supervisors shall perform daily inspections of their respective areas of responsibility. Each operational area of the Jail should be inspected. Supervisors shall document deficiencies observed during their tour of duty. Matters which can be resolved on-the-spot, such as cleanliness, equipment issues and condition of the inmate living areas, should be identified and addressed immediately.

- 3) Weekly Sanitation Inspections: Inspections shall be conducted often on both a scheduled and unscheduled basis. Discrepancies shall be noted and immediately rectified. Areas to be checked include:
 - 1) Showers - inspecting for soap build-up
 - 2) Floors - swept and mopped
 - 3) Excess newspapers, magazines and mail
 - 4) Items on the walls or covering windows and vents
 - 5) All forms of contraband
- 4) Quarterly Inspections: The Forsyth County Health Department shall make quarterly inspections of the Jail. The results of the inspection shall be forwarded to the Detention Jail Commander for review and filing. All problem areas shall be addressed as soon as possible and rectified.
- 5) Annual Inspections: Annual inspections are conducted in accordance with law and regulations. The results of these inspections shall be maintained on file. All problem areas are addressed immediately and rectified.
- 6) Maintenance Problems: Inspections conducted resulting in deficiencies in lighting, plumbing, operation of doors/gates or other maintenance related conditions shall be reported to the Contracted Maintenance Provider. These reports shall be gathered each day, prioritized and rectified by the Maintenance Provider.
- 7) Emergency Maintenance: Jail employees should maintain a constant vigil for potential life-threatening hazards and conditions which require immediate attention by the maintenance department. Situations such as water leaks, sewage backup, power outages shall immediately be referred to the Contracted Maintenance Provider via the Shift Supervisor. On weekends and holidays, the Contracted Maintenance Contractor may be contacted via telephone.
- 8) Emergency Equipment Checks: It is the responsibility of the Jail's Maintenance Provider to routinely test emergency equipment and maintain logs of said testing. Testing should include:
 - 1) Emergency generators - every two (2) weeks
 - 2) Alarms - monthly
 - 3) Emergency Lights - monthly
 - 4) Other Emergency Systems – as needed
- 9) Perimeter Checks: It is the responsibility of each Security Division Supervisor or designee to conduct perimeter checks. Some items to be inspected include, but are not limited to:
 - 1) Exterior Doors: All exterior doors including training room, female recreation yard, Sheriff's office doors, kitchen storage rooms, visitation waiting room, entrance to admin. side, kitchen receiving gate,

emergency exits from the tower. The Intake Waiting Area and Visitation Waiting Area are the only two entrances available to the public. All other gates and doors allowing access to the Jail shall remain secured and opened only by jail employees exiting/entering the Jail or opened by jail employees to allow access by authorized, identified personnel, i.e., volunteers, judicial employees etc.

- 2) Lighting: All exterior lighting equipment.
 - 3) Parking Areas: Visual inspection of unauthorized activities or contraband.
 - 4) Exterior Fence Line: Inspecting all locking devices and evidence of possible tampering.
 - 5) Trash / Cigarette Butt Receptacles: Inspection of interiors for contraband.
 - 6) Exterior Windows: Visual inspection of all exterior windows inspecting for breaks or cracks.
 - 7) Yard Outside Kitchen: Inspecting for contraband.
 - 8) Rest rooms in Waiting Area (Intake). Inspection of entire area for contraband.
7. Documentation: Documentation of inspections is essential. It is the responsibility of the Shift Supervisors to ensure the inspections are conducted and documented. Actions taken to correct non-compliance issues shall be documented. All inspections should be documented on the Jail's Daily Pass-Down, whether any problems were discovered or not.
8. Responsibility: A Fire and Safety Officer shall be designated by the Jail Commander as an additional duty to that deputy's primary duties. This officer shall conduct and document inspections as ordered by the Commander or his/her designee. All discrepancies shall be noted and forwarded to the Jail Commander. Shift Supervisors are responsible for all ongoing safety and security inspections while on duty.
9. The Jail Commander, or designee, shall file all inspection documents, including inspections from outside entities. All documents denoting non-compliance issues shall be accompanied by follow-up documentation reflecting measures taken to bring all issues found into compliance. All inspection documents shall be retained in accordance with the Georgia Archives University System of Georgia retention schedule.
10. In conjunction with annual self-audits, jails should conduct annual verification inspections to assess their compliance with the Georgia Legal-Based Jail Guidelines. Jails should cooperate with and facilitate verification inspections of the Georgia Legal-Based Jail Guidelines by trained, authorized entities.
11. NIJO Georgia Legal Based Guidelines Compliance Verification Inspection. Agency policies, procedures and practices shall be reviewed for compliance with the Georgia Legal-Based Jail Guidelines as revised by the National Institute for Jail Operations.

- A. The process for conducting self-audits should include:
 - 1) Identifying each guideline with which the jail is either noncompliant or only partially compliant; and
 - 2) For each noncompliant or partially compliant guideline:
 - i. Assign responsibility to individual jail officials for initiating and achieving compliance; and
 - ii. Set firm dates for assigned officials to achieve compliance or issue interim reports of progress.
- B. Following the self-audit, a date should be set for a follow-up verification audit.

XV. REQUESTING ADDITIONAL ASSISTANCE DURING JAIL EMERGENCIES

Emergency events at the jail may occur as a result of a power failure, medical emergency, inmate riot, criminal activity and other situations that negatively affect the integrity and security of the jail facility.

Jail Staff shall devote time and resources to controlling emergency situations quickly and calmly. It is imperative that the personal safety of all staff, visitors, and inmates, as well as the security and integrity of the jail, be maintained at all times.

During emergency situations, the Jail Watch Commander (or designee) may, at their discretion, contact the 911 Communications Center and request immediate deployment of on-duty uniformed personnel to the jail.

Upon being notified of the request for assistance, the Uniform Patrol Supervisor shall be responsible for assigning uniformed personnel to establish a secure perimeter of the jail. The supervisor shall then contact the Jail Watch Commander to determine the scope and duration of the emergency and develop a plan of action for providing adequate personnel to properly secure the jail facility.

A radio channel shall be assigned to facilitate immediate communications of all personnel involved in the incident.

GENERAL ORDER: GO 4-9.1 Security Threat Group
Intelligence Unit

Effective Date: April 29, 2022

Committee Review - Date: February 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. POLICY:**

The purpose of this Standard Operating Procedure is to provide a guideline for data collection and dissemination of information regarding the Security Threat Group Intelligence Unit, to assist in ensuring the proper classification of each inmate at the time of booking and to enhance the safety of all inmates and Forsyth County Sheriff's Office employees.

II. RELATED DIRECTIVES:

- A. O.C.G.A. 16-15-1; 16-15-2; 16-15-3; 16-15-4; 16-14-1; 16-14-2; 16-14-3; 16-14-4; 17-10-6.1, 35-3-35, 35-3-36,

III. DEFINITIONS:

For the purposes of this General Order the following definitions shall apply:

- A. **Security Threat Groups (STG):** STGs refer to formal or informal offender groups, gangs, organizations or associations consisting of members who have:

1. A common name, or common identifying signs, colors, or symbols;
2. Members or associates who individually or collectively engage in or have engaged in a pattern of gang activity, criminal activity or Departmental policy violations and have;
3. The potential to act in concert to pose a threat to the public, staff, visitors, offenders, inmates or the secure and orderly operation of the jail.

*These groups are commonly referred as, but not limited to, criminal street gangs, outlaw motorcycle clubs, hate groups and sovereign citizens and are further defined in O.C.G.A. 16-15-3(2).

- B. **Security Threat Offender (STO):** refers to any individual offender who has the potential or has committed acts that threaten the safety of deputies, inmates, others, or the overall orderly operations of the jail. These are offenders that have been identified and validated as a member of a security threat group by using booking procedures, investigative techniques and labeling such offender in the record management system and jail management system.

- C. **Security Threat Group Intelligence Unit (STGIU):** refers to staff member(s) at the Forsyth County Jail assigned to collect, analyze, evaluate and disseminate intelligence related to **STOs**, **STGs**, and their members. These staff members

should actively participate in intelligence meetings on the topic related to **STOs** and **STGs** and receive regular training on the issue.

- D. **STGIU Coordinator** refers to the unit member designated by the Jail Commander or Assistant Jail Commander as the primary point of contact for the unit as a whole. The STGIU Coordinator is responsible for scheduling intelligence meetings, managing the dissemination of information, and reviewing documentation of gang activity. The STGIU Coordinator may designate roles to other unit members based on need.
- E. **STG Activity:** refers to acts of violence, prior criminal acts or history, security/safety threatening behavior, criminal acts, rules/procedures violations, or disruptive activities committed in the interest of furthering the Security Threat Group's effort(s) to disrupt the orderly operation of the jail.
- I. **Record Management System (RMS):** computer database of incident reports, names, vehicles, property, warrants, field contact reports, K9 reports, evidence documentation, gang documentation, etc.
- J. **Jail Management System (JMS):** computer database of jail incident reports, booking reports, inmate medical documentation; visitation information, inmate location information, etc.
- K. **STG/STO/STGIU/RMS/JMS** are the acronyms as previously described in the Definitions section of this General Order.

IV. PROCEDURE:

A. Purpose/Strategy:

- 1. The **Security Threat Group Intelligence Unit** may gather intelligence to determine whether an offender or group may be considered a security threat and whether an individual offender can be validated, using booking procedures, investigative techniques and labeling such offender in **RMS/JMS**.
- 2. The **Security Threat Group Intelligence Unit** shall maintain security threat group intelligence in **RMS/JMS**. The information shall be utilized to monitor the validated offender's movements and activities. Monitoring of these groups provides an estimation as to the specific group's influence or potential threat.

B. Validation Process:

- 1. The **Security Threat Group Intelligence Unit** shall work with the **Criminal Investigation Division, Patrol Division, School Resource Officer Unit** and the **Crime Reduction Unit** to identify **STG** offenders and collect intelligence information.
- 2. The avenues of identification may include, but are not limited to:
 - a. Offender responses to questions on questionnaire(s).
 - b. Offender statements made during the booking process, any investigation and completion of worksheet(s) and/or questionnaire(s).
 - c. The observation and documentation, including photographs, of gang-specific scars, marks and tattoos on the offender's body.

- d. Gang related literature, symbols or paraphernalia found in an offender's cell or on his/her person; which by policy is considered contraband.
 - e. Information, prior to current incarceration, found in the offender's institutional administrative case file.
 - f. Documented history of the offender.
 - g. Reliable informant information.
 - h. Gang/Group membership documents; which by policy is considered contraband.
 - i. Observed associations with documented/validated gang/ security threat group members.
 - j. Social media activity depicting gang slogans, signs, symbols, or statements of affiliation.
 - k. Offender self – admission.
3. It is the responsibility of **all** staff members at the Forsyth County Jail to identify and report, via written documentation in **RMS/JMS**, any activities of offenders which pose a threat or potential threat to the public, staff, visitors, inmates, other offenders, or the secure and orderly operation of the jail. This should be reported immediately to the shift supervisor(s), or in their absence, to the division commander who will determine whether the offender should be placed in administrative segregation pending investigation.
4. The **Security Threat Group Intelligence Unit** shift representatives should ensure that:
- a. STO suspects are interviewed as soon as reasonably possible upon receipt of information regarding the potential threat. If a representative is unavailable, another shift representative should be notified as soon as possible.
 - b. If applicable, a security threat questionnaire will be completed.
 - c. Clear Photographs are obtained of the offender's tattoos, marks, scars, etc. The offender's name and jail identification number, and photographs, shall be documented and uploaded in **RMS/JMS**.
 - d. If applicable, **The STGIU Representative** will complete a worksheet with accurate and criteria supported documentation and attach the article in **RMS/JMS**.
5. All requests from local, state or federal authorities regarding information of **Security Threat Groups** or **Security Threat** shall be forwarded to the **STGIU Coordinator** for proper dissemination.

GENERAL ORDER: 4-9.2 JAIL EMERGENCY PLANS

Rescinds/Amends:

Effective Date: April 29, 2022

Committee Review - Date: April 2022

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. EMERGENCY PLANS

This policy describes the overall emergency plan in the Forsyth County Jail.

A. Jail Emergency

It is the policy of the Forsyth County Jail to provide, in the event of an emergency, a means to provide safety and security to inmates and staff. This can include the relocation of inmates and staff to a safer area of the building to complete evacuation of the facility.

A jail emergency may be a natural disaster (tornado, earthquake and flood), a civil disorder, terrorist attack or any action that affects or jeopardizes the security of the jail and the safety of inmates and staff.

B. Command

Emergency/Disaster situations shall be immediately reported to Master Control. Master Control Communications Officers shall notify the on-duty supervisor/watch commander.

The supervisor assuming control of the emergency shall be designated as the Incident Commander and shall implement the Emergency Response Plan.

The Incident Commander shall evaluate the emergency and develop a preliminary plan to 'protect-in-place', initiate a partial evacuation or initiate a full evacuation of the jail.

C. Master Control

Upon the discovery of a situation that clearly affects the safety and security of the jail, Master Control shall be notified of the basic details of the situation. The Master Control communications officer shall immediately relay this information to

the Forsyth County 911 Communications Center, appropriate Sheriff's Office Divisions and outside agencies of the emergency.

Master Control Communications officers shall closely monitor video cameras, maintain strict door control and maintain communications with the Incident Commander

D. Jail Administration

All administrative personnel shall remain in their work areas until otherwise notified unless imminent danger to their safety is present in their areas.

E. Command Post

The Incident Commander shall determine when to declare the emergency situation under control and/or when to upgrade a protect-in-place order to a total evacuation.

F. Lockdown of the jail

1. The shift supervisor shall order an immediate lockdown of the jail or a relocation to an area that can be deemed safe.
2. An Emergency Head Count shall be conducted
3. All inmate related movement shall be stopped
 - i. Programs
 - ii. Visitation
 - iii. Medical and Sick Call
 - iv. Deliveries
4. Inmates shall not be accepted for book in or released until authorized by the Sheriff or designee.
5. All inmates and jail staff shall be accounted for.
6. All inmates and staff in immediate danger shall be relocated to a safe and secure area of the jail.

G. Protect-in-Place

Deputies shall instruct all inmates to go immediately to their respective cells and close their doors. Each inmate shall sit on his/her bunk, remain quiet and await further instruction. If the protect-in-place order is for a fire emergency, inmates shall put a wet towel at the bottom of each door.

After an inmate count and a security check has been completed, the deputy may shelter in the deputy's restroom if the threat is eminent.

Upon implementation of a protect-in-place order, the Watch Commander shall:

- a. Recall staff outside of the jail, including work details, gate security, etc.
- b. Return all inmates to units and initiate a full lock-down and headcount.
- c. Assign available personnel to strategic security locations within the jail.
- d. Clear all open areas (visitation, front lobby, etc.) within the jail.
- e. Evacuate all visitors from the building if safe to do so

H. Evacuation of the Jail

In the event the entire jail is deemed unsafe for occupation, the shift watch commander or supervisor shall:

- a. Contact Dispatch and request assistance
- b. Contact the Jail Administrator for guidance on a safe off-site location for evacuation of inmates and staff
- c. Contact Uniform Patrol Division watch commander to arrange for escort security personnel
- d. Summons off duty personnel for assistance
- e. Arrange for the relocation of inmate files of presently incarcerated inmates.

I. Plant Manager

The Plant Manager or a representative shall assemble in the central maintenance area and maintain communications with Master Control. All unnecessary equipment should be shut down.

J. Training

All personnel assigned to the Jail Bureau shall receive biennial training in the requirements of the emergency plan. Training shall also include drills in evacuation and other selected procedures.

Drills may be conducted via tabletop exercises if deemed appropriate due to security concerns.

K. Security of Emergency Plans

Access to the Jail Emergency Plan shall be restricted to authorized personnel. Personnel authorized to receive the plan are responsible for ensuring the information is not made available to inmates or unauthorized persons.

GENERAL ORDER: GO 4-10 Inmate Rules

Effective Date: November 28, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE RULES****A. Purpose**

Inmate rules which clearly define expectations of inmate behavior are necessary to maintain the good order and safe operation of the Forsyth County Jail.

An Inmate Handbook containing inmate rules of conduct is provided to each inmate. Assistance may be provided to inmates who are unable to read or understand the information contained therein.

B. Inmate Handbook

The inmate handbook is available to each inmate in english and spanish via the Inmate Kiosk and tablets. Inmates should be made aware of the inmate handbook and how to access it during the orientation phase of their admittance into the jail. To the extent possible, assistance may be rendered to those inmates that are illiterate, have a learning, cognitive or mental disability or otherwise require assistance understanding its content. In the event that a language other than english or spanish is the primary language of an inmate, translation assistance to the extent possible should be made available.

Electronic acknowledgement of the inmate handbook by each inmate, via the inmate kiosk system, is presumed to be prima facie evidence of knowledge of its contents and an agreement to obey and follow the rules and procedures contained therein.

The inmate handbook should contain pertinent information regarding the following:

- 1) General Rules of Conduct
- 2) Rules of Disciplinary action
- 3) Disciplinary Process
- 4) Inmate Rights
- 5) Violations and Penalties
- 6) Disciplinary Hearing Appeals

7) Grievance Process

The inmate handbook shall be reviewed annually and updated as needed to ensure consistency with current practices, state law and constitutional law.

II. INMATE RULES VIOLATIONS

All inmates are subject to administrative discipline for violation(s) of inmate rules and criminal prosecution for violation(s) of state law while incarcerated in the jail.

A fair and impartial inmate discipline system, including due process, utilizes punitive actions as a means of enforcing administrative rules and regulations governing inmate behavior. The punitive disciplinary process should not be confused with the non-punitive classification process which does not require due process but considers an inmate's criminal history, gang affiliation, medical needs, prior rules violations, etc. to determine proper housing for the safety and security of inmates and staff.

A. Minor and Major Rule Violations

Inmate rules, as listed in the inmate handbook, are categorized in order of severity; Category 1 being the most severe. Violations of category 1 and 2 rules and state law violations are considered major inmate rules violations of which the penalty exceeds the maximum allowed for minor violations. Violations of category 3 and 4 rules are considered minor inmate rules violations.

Violations of administrative rules which also constitute a violation(s) of state law should be classified as criminal violations. The violation may be prosecuted administratively as a major rules violation and may be referred to the appropriate prosecutorial officials for review. Appropriate documentation should be included in the case file detailing the rationale for decisions made by jail officials who choose not to have the case screened for criminal prosecution.

Incidents of inmate violations of administrative rules and state law should be documented in JMS to provide:

- 1) An aid to defending possible future litigation;
- 2) Information which the Jail Administrator can use to stay informed concerning what is occurring in the jail; and
- 3) Data which can be quantified for use by the Jail Administrator or Sheriff.

Minor rules violations may be handled informally or formally (via a disciplinary report). All violations handled informally should be documented in the inmate's JMS file. Major rules violations shall be documented the disciplinary report module of JMS.

Incident Reports should be stored separately from Disciplinary forms, whether in electronic or paper form.

When a deputy witnesses or has reasonable belief that a violation of jail rules or regulations has been committed by an inmate, the deputy shall take appropriate action which may include the preparation of a disciplinary report. In cases where Georgia code has been violated, an incident report shall be completed (if applicable) in addition to the disciplinary report.

1. Minor Violations

If an Inmate Rule violation is minor (category 3 or 4), an informal resolution may be imposed if it is determined to be in the best interest of the inmate and the Jail. The informal resolution process is designed to encourage a prompt and fair disposition of minor offenses. Inmates are not entitled to formal due process for rule violations which are resolved informally due to the minor penalties imposed.

All informal resolutions should be documented in JMS.

Minor inmate rule violations should be dealt with on-the-spot by staff members. Normally, calling the inmate aside and explaining why the negative behavior is unacceptable shall suffice. However, some instances require a heightened level of punitive measures.

Determining the measure of discipline to administer for minor inmate rule violations is the direct responsibility of the individual deputy observing the incident. The measure of discipline administered should assist the inmate in understanding and correcting the inappropriate behavior. Supervisors may upgrade or downgrade proposed disciplinary measures based on their experience, knowledge and circumstances of the incident.

A few measures of discipline which can be used in an informal resolution of a minor violation are, but not limited to:

- a. Verbal Correction - This process is a never ending, ongoing process which is the foundation of the disciplinary process. This correction may be as simple as informing an inmate that they must wear a shirt when in the day room, or it could be as extensive as taking the inmate aside and relating the negative behavior the deputy observed, why that behavior is not accepted, and what the inmate needs to do to correct the negative behavior. Verbal corrections are so frequent that it would be nearly impossible to document all of them. However, the individual deputy may desire to make a personal note that the correction occurred for future reference.

- b. Verbal Warning - The verbal warning is utilized to verbally inform the inmate that the behavior noted was inappropriate and any further misconduct may result in documented disciplinary measures. The verbal warning differs from the verbal correction because it is normally presented to the inmate in the form of verbal instructions or requirements. They are usually direct, clear and concise with no feedback from the inmate.
- c. Written Warning - The written warning is a documented effort to facilitate change in the inmate's behavior. This warning is communicated to the inmate detailing the negative behavior and what may occur if they do not comply with the jail's policies and control their behavior. This becomes very effective if the deputy presents it as a learning or teaching process.
 - 1) The written warning shall be filled out in its entirety under the jail log module by the deputy administering the discipline and reviewed by the shift supervisor. The shift supervisor should acknowledge the log by creating an entry in the notes section of the log they are reviewing.
- d. Cell Lock Down - The housing unit deputy may order an inmate to be locked down in his/her cell for periods not exceeding (12) hours, upon approval by the shift supervisor (Jail Log required with note from supervisor). The shift supervisor may order a lock down for periods not to exceed twenty-four (24) hours (jail log is required to have note by supervisor awarding time). This type of administrative measure is normally done as an 'on-the-spot' disciplinary measure and requires no disciplinary action report.
- e. Temporary restriction of Commissary, Telephone and Personal Visit privileges for up to seven (7) days.
- f. Other sanctions no more severe than those listed above.

2. Major Violations

Major violations (Category 1 and 2) are serious offenses or unacceptable behavior such as a series of minor infractions in a short period of time. When an inmate commits an infraction of regulations and verbal or written warnings would not be considered, the disciplinary report and an incident report shall be completed.

A disciplinary report along with a jail incident report, if applicable, shall be completed which documents the following:

- a. Any video, photos and statements that would be beneficial to the disciplinary committee in reviewing the violation shall be secured and attached the disciplinary report in JMS.
- b. All inmate rule violations occurring from the same incident shall be documented on the same disciplinary report.
- c. Any contraband, items, objects, or material that is evidence of the incident shall be secured by the deputy.
- d. All investigations should be completed by the end of the deputy's shift if possible.
- e. The shift supervisor shall review and approve all reports.

Note: The review shall be made for content and completeness. The shift supervisor shall decide if all the facts have been clearly established and the questions of who, what, when, why, where, and how have been answered. If needed, the shift supervisor shall also conduct a follow-up investigation.

3. State Law Violations

Administrative and criminal due process requirements have different due process requirements, standards of proof and rules of evidence. Administrative rules violations shall be processed independently of any criminal prosecution. Thus, the outcome of a criminal prosecution has no bearing on the administrative disciplinary process. Rational for not referring criminal cases to the appropriate prosecutor's office should be included in the disciplinary case file.

A Deputy charging an inmate criminally should:

- a. Obtain a case number;
- b. Complete a Sheriff's Office incident report,
- c. Complete and submit a warrant application to the Magistrate Court Judge (if applicable);
- d. Obtain all video that may have recorded related to the incident and place into evidence;
- e. In accordance with Sheriff's Office evidence procedures policy, secure any contraband, item, object, or material that is evidence of the incident;
- f. Escort the inmate to the intake area where they shall be booked and fingerprinted on the new charges.

III. DISCIPLINARY PROCESS

A. Serving Inmate with Disciplinary Report

Once approved by a supervisor, the disciplinary report shall be served to the inmate. The Disciplinary Report serves as a "notice" to the inmate that they have been charged with an inmate rule violation. It informs the inmate what specific charges along with the date, time and location of the alleged violation. The notice should advise the inmate on the process of requesting a disciplinary hearing.

B. Disciplinary Hearing

Inmates may request a disciplinary hearing to dispute the inmate rule violations they have been charged with. When a disciplinary hearing has been requested, the inmate must be served written notice that a disciplinary hearing is/has been scheduled. The notice will include a copy of the original disciplinary report and must be served no less than twenty-four (24) hours prior to the disciplinary hearing. To satisfy this requirement any deputy, including the arresting deputy, can be appointed as the "serving deputy."

The notice advises the inmate of the pending disciplinary hearing and a list of witnesses the inmate desires to call. The notice should also document who was on the disciplinary committee and the inmate's pleas and statements made.

Serving the inmate shall entail actually giving a copy of the Notice of Disciplinary Hearing to the inmate. The following actions should be completed by the serving deputy:

1. Make a COPY of the disciplinary report and/or the jail incident report.
2. Serve the copy to the inmate.
3. Read and explain the charges on the disciplinary report
4. Ask the inmate charged if they want to plead guilty to the charge(s). If so, have them sign the disciplinary report and put "plea of guilty".
5. The form shall then be forwarded to the appropriate shift supervisor for review and to be forwarded to the disciplinary committee.

C. Sanctions

The Forsyth County Jail follows a schedule of sanctions for inmate rule violations to prevent arbitrary application of discipline. The maximum sanction for inmate rule violations is thirty (30) days for all violations arising out of one incident. Sanctions imposed are proportionate to the seriousness of the violation. The inmate's prior conduct and other factors may also affect the severity of the sanction.

The following guidelines are established for determining administrative disciplinary segregation for rules violations. If more than one violation has been committed, the days may be run consecutively or concurrently.

1. Category 1 - Not less than 15 days and not to exceed 30 days per offense.
2. Category 2 - 10 to 14 days per offense
3. Category 3 - 5 to 9 days per offense
4. Category 4 - 0 to 4 days per offense
5. Category 5 - To be determined by associated offense

Sanctions for each category of violation may also include a loss of privileges which include but are not limited to:

1. Visitation
2. Commissary,
3. Phone calls (except to attorneys)
4. Reading material
5. Viewing the TV
6. Good time credit
7. Recreation time or dayroom privileges

IV. DISCIPLINARY HEARING COMMITTEE

The Forsyth County Jail maintains an impartial disciplinary hearing committee to hear and resolve cases of inmate rule violations. The committee is an integral part of the due process system afforded inmates to prevent arbitrary application of discipline.

The disciplinary committee shall review report(s), hear testimony, and call witnesses, in order to make written recommendations to the Jail Administrator or their representative. Decisions shall be based on reports, testimony and evidence presented at the hearing. If the inmate waives their right to a hearing, the members are still required to convene to take appropriate action on the report.

The disciplinary hearing committee is composed of a Committee Facilitator and two (2) deputies as appointed by the Jail Administrator. The Committee Facilitator shall be in the rank of Corporal or higher. Members of the committee shall not have been directly involved in the incident being heard.

A. Disciplinary Facilitator Responsibilities

The Disciplinary Committee Facilitator shall be responsible for:

1. Assuring a copy of the "disciplinary notice" was appropriately and timely served upon the inmate and that the hearing is being held within established time limits.
2. Conducting the disciplinary hearing.
3. Ensuring all paperwork is reviewed and complete prior to being submitted to the Jail Administrator.
4. Ensuring all punishment(s) recommended are appropriate to the offense committed and within established guidelines.
5. Ensuring the inmate receives copy of the board's decisions and recommendations after completion of the Hearing.

B. Disciplinary Committee Responsibilities

It is the responsibility of the disciplinary committee to recommend fair and impartial punishment to the Jail Administrator or designee. These recommendations should take into consideration the inmates past and present attitude, offenses and the seriousness of the offense committed.

The committee may make any of the following recommendations:

1. "Guilty" or "not guilty" verdict on each offense
2. Full or partial disciplinary segregation based on discipline guidelines
3. Run violations consecutively or concurrently
4. Begin segregation on date the inmate was placed in segregation or beginning the date of the hearing
5. Suspension of all or any part of the punishment
6. Probation for a period no less than one (1) month and not to exceed three (3) months.
7. Reduction of the disciplinary report to a disciplinary warning or less
8. Drop any or all charges based on cause or lack of evidence
9. Continuance (must be justified and documented)
10. Loss of any or all privileges without disciplinary segregation. If disciplinary segregation is imposed, loss of privileges is automatic.
11. Indefinite administrative segregation upon completion of disciplinary segregation (recommendation only)

V. DISCIPLINARY HEARING PROCEDURES

Disciplinary hearings should be held without unnecessary delay to permit witnesses the opportunity to testify while memories are still fresh; provides swift, sure resolution to matters of discipline; and allows sanctions for inmates found guilty of disciplinary violations to be implemented as soon as possible after the misconduct. The following procedures are established to accomplish the goal of a fair and impartial hearing for all inmate rule violations.

A. Witnesses/Evidence

Inmates may present documentary evidence and call witnesses. Requests by an inmate to present documentary evidence or call witnesses may be denied if:

1. Either would jeopardize jail security or the safety of staff, other inmates or the community.
2. The information the witness has is irrelevant.
3. The witnesses' testimony would be repetitive.
4. There is a lack of necessity.
5. Producing the witness or evidence would be disruptive to the proceedings.
6. The request for a witness was not made in a timely fashion.
7. Producing the witness or evidence would jeopardize the legitimate interests of the jail operation.
8. If the presentation of a witness or evidence is denied for any reason, the accused inmate shall be informed of the reason(s) of the denial and this documented on the Notice of Disciplinary Hearing Form. There shall be a limit of three (3) witnesses in order to keep the disciplinary hearing manageable and time efficient.

B. Inmate Information or Informant(s)

Inmate allegations alone are not suitable to charge another inmate with violation of inmate rules unless such allegations can be investigated and substantiated. While informants may be used, informant information alone does not necessarily justify disciplinary measures. If informants are used, the informant information can be used as substantive evidence if;

1. There is some kind of evidence demonstrating that the informant information is reliable;
2. The record of the disciplinary hearing must reflect a reliability determination and weight given to the information provided.
3. If the informant's identity cannot be indicated, the disciplinary committee must reflect why.

NOTE: All efforts must be made to utilize firsthand information and evidence which corroborates the information from the informant.

C. Standard of Proof

Its purpose is to determine whether an offense was committed and to assign punishment, if appropriate. Such punishment is primarily corrective in nature, designed for inmate rule violations in a non-judicial form. As such, the standard of proof by which facts must be established is "some evidence". This means a guilty verdict must be based on facts, paperwork, and statements pointing to some evidence that the act was committed. No inmate can be found guilty of a disciplinary violation unless the disciplinary hearing committee finds some evidence on the record which supports the finding.

D. Legal Representation

Inmates have no right to be represented by counsel during a disciplinary hearing. This is not a criminal trial, but an administrative proceeding.

E. Inmate Assistance

Assistance may be provided during a disciplinary hearing to those inmates who are not physically or mentally capable of collecting and presenting evidence on their own behalf or if there is a language barrier. Assistance shall be provided by an impartial member of the staff who is knowledgeable of inmate rules, discipline, and disciplinary procedures and has the ability to assist the inmate through the process. The staff member selected should be able to bond and gain the inmate's trust assuring that their involvement in the process is to assist and not bring harm to the inmate. An interpreter should be provided for inmates who do not speak english.

F. Continuance

If deemed necessary, the disciplinary committee facilitator may request a postponement of the hearing. The request must be documented to substantiate why a continuance occurred and when the committee shall reconvene.

G. Date of Disciplinary Hearing for inmates remaining in original housing assignment

If an inmate's housing assignment was not changed after a violation occurred, their disciplinary hearing should be conducted within five (5) days from the time they were served their notice of violation excluding weekends and holidays.

H. Date of Disciplinary Hearing for inmates transferred to Pre-Hearing Administrative Segregation

If an inmate was removed from their original housing assignment pending a disciplinary hearing the inmate should receive a disciplinary hearing within seventy-two (72) hours from the time they were served the notice of violation excluding weekends and holidays. However, the inmate must have a minimum of twenty-four (24) hours to prepare for the Hearing.

I. Inmate's Presence

Inmates may appear before the disciplinary committee and make a statement. However, the inmate may also waive this right and simply accept the actions of the board. The following pertains:

1. Inmates charged with inmate rule violations should be present at the time of the hearing unless they waive that right in writing or through behavior.
2. The inmate shall be removed from the hearing during presentation of any inmate's testimony that must be given in confidence.
NOTE: The inmate's testimony being given in confidence may be presented in the form of a written statement signed by the deputy who spoke with the inmate. The identity of the inmate shall not be disclosed.
3. Inmate(s), whose behavior or conduct is disruptive or assaultive, may be removed from the hearing. However, they may be present if appropriate safety measures are in place.
4. Inmates who have plead guilty and signed the disciplinary report need not appear.
5. The disciplinary committee must document the reasons for any inmate's absence or exclusion in the hearing record.
6. The members may conduct a formal or informal hearing based on the events and space available. An informal hearing may be held in the cell area but out of listening range of other inmates. Formal hearings may be held in closed rooms with chairs and tables, if so desired.
7. The disciplinary committee facilitator shall read the notice of disciplinary hearing which dictates what the inmate is charged with.
8. The facilitator shall then take the inmate's plea.
9. The disciplinary committee facilitator shall instruct the inmate that the committee will now hear the inmate's version of the circumstances surrounding the incident.
NOTE: The inmate may to give their 'story' at this time. If the inmate plead guilty all actions are completed.
10. Inmates may not cross-examine any witnesses but the disciplinary committee may question these witnesses who have been requested by an inmate to present evidence.

J. Testimony of and Questioning of Inmate

Inmates, during their disciplinary hearings, are not afforded protection against testifying. An inmate's silence may result in an adverse inference. Inmates should be instructed that if they choose to testify, any statements they utter may be used against them in a subsequent criminal prosecution related to the action/rule violation being heard. Hearing committee members should fully explain the following to accused inmates regarding the ramifications of testifying and of remaining silent.

1. No Criminal Charges Pending

- a. If the disciplinary charges against an inmate do not rise to the level of a criminal violation or there is no intent to file criminal charges the inmate should be advised he/she is not entitled to remain silent, and his/her silence may result in an adverse inference.
- b. An adverse inference, in and of itself, should not be used to establish guilt; rather the adverse inference would be one factor to be considered.

2. Criminal Charges Pending

If Criminal Charges Are Pending or Are Being Considered:

- a. The inmate should be provided both in writing and verbally:
 - 1) A Miranda warning; and
 - 2) An explanation that while he/she is entitled to remain silent due to the pending or possible criminal charges, the hearing officer may draw an adverse inference from their silence.
- b. The inmate should be asked to sign the form from which the warning and instructions were read acknowledging that he/she received the warning and instructions. If the inmate refuses to sign, the hearing officer should bring to the hearing room another person to hear the warning and instructions given. The witness should then sign the sheet attesting to the warning and instructions.
- c. In cases involving serious criminal charges, the county prosecutors should be asked to observe the instruction.

K. Hearing Board Deliberations

At the conclusion of the disciplinary hearing, members shall move out of sound of the inmate and discuss the charges. Each charge shall be voted on individually. Conversely, each charge shall have recommendations as to the extent of punishment to be administered.

The decision of the disciplinary committee shall be based SOLELY on information reviewed in the hearing process, including:

1. Incident reports;
2. Video/audio tapes;
3. Statements from the inmate charged; AND/OR
4. Evidence derived from witnesses and documents.

Once the disciplinary committee makes their decision, written findings should be prepared to include:

1. The verdict on each alleged violation;
2. The evidence relied upon to arrive at each verdict;
3. If the verdict was guilty, what disciplinary punishments were imposed.

L. Hearing Board Decision

The disciplinary committee facilitator shall complete the paperwork process including distributing copies of the finalized disciplinary report to appropriate destinations.

The Jail Administrator or designee shall review and approve, deny or revise the recommendations of the disciplinary review committee.

A copy of the disciplinary committee decision shall be provided to the inmate. The inmate shall also be informed how to file an appeal.

VI. DISCIPLINARY COMMITTEE RECOMMENDATIONS

The disciplinary committee may impose any of the following disciplinary measures:

A. Minor Violations:

1. Reprimand or Warning - This is an official action taken as the result of the disciplinary report and recorded as part of the inmate's file.
2. Remain in current housing unit with Loss of Privileges - The privileges subject to deprivation through disciplinary action are those established to encourage good behavior. These include, but are not limited to visitation, commissary,

- phone calls (except to attorneys), reading material, viewing the TV. Inmates may lose all or part of the privileges offered as an incentive. Loss of privileges are normally automatic when awarded disciplinary segregation. However, any or all of an inmate's privileges may be forfeited as part of the disciplinary action(s).
3. Cell Lock Down - Inmates may be awarded lock down in their assigned cell. The Housing Unit Supervisor may award this for periods not exceeding (12) hours, upon approval by the shift supervisor (Jail Log required with note from supervisor). The shift supervisor may award lock down for periods not to exceed twenty-four (24) hours (jail log is required to have note by supervisor awarding time). This type of administrative measure is normally done as an 'on-the-spot' disciplinary measure and requires no disciplinary action. However, an inmate may be locked down in conjunction with the pending disciplinary action of the disciplinary committee.

B. Major Violations:

1. Forfeiture of Two for One Time - Inmates that are sentenced may be eligible for, and receive, two for one time. Recommendations that the inmate's two for one time be revoked can be made on the disciplinary report and reviewed by the disciplinary committee. If the committee concurs with the recommendation for revocation, the Jail Administrator or their designee shall make the final decision.
2. Disciplinary Segregation - Disciplinary segregation is the most stringent of the administrative disciplinary actions. It should be imposed in those cases considered serious from an institutional standpoint. Inmates placed in Disciplinary segregation shall abide by the conditions of confinement as noted in the Disciplinary Segregation policy. Disciplinary segregation may only be awarded as approved by the Jail Administrator or their representative. Inmates awarded disciplinary segregation for separate offenses may be awarded disciplinary segregation on a consecutive or concurrent basis. The time an inmate spends in disciplinary segregation may be considered in the total number of days awarded; however, the disciplinary committee is not bound to give credit for such time served.
3. Probation - Probation is a means to encourage the inmate's compliance and control through assigning disciplinary measures and suspending those measures for a specified amount of time of one (1) to three (3) months in thirty (30) day increments. If the inmate violates their probation, the remainder of the disciplinary measures are immediately invoked, and the inmate disciplined accordingly. The inmate has the right to know what the consequence(s) are if they violate inmate rules while on probation (due process).

An inmate may be placed on probation for all, or part of a disciplinary punishment which has been suspended pending successful completion of the probationary status.

Example: An inmate is serving thirty (30) days disciplinary segregation and is released after serving ten (10) days due to good behavior. The releasing authority can place that inmate on probation because there is still more time to serve.

If an inmate is placed on probation, it must be documented on the Notice of Disciplinary Hearing along with that portion of the sentence which was suspended. Example: Awarded seven (7) days disciplinary segregation to be suspended for a period of thirty (30) days.

An inmate who violates conditions of probation shall serve the remainder of the suspended disciplinary punishment.

An inmate may be released from their disciplinary measures without being placed on probation. Example: An inmate is awarded thirty (30) days disciplinary segregation and released after serving fifteen (15). The releasing authority does not have to place that inmate on probation.

VII. APPEALS

Inmates shall have the right to appeal an adverse ruling of the Disciplinary Committee to the Jail Administrator by the disciplinary committee. Appeals may only be filed for claims that:

- a. Due process requirements were not adequately followed;
- b. The hearing entity failed to meet the "some evidence" standard of proof; and
- c. Disciplinary sanctions were unconstitutionally harsh.

An appeal shall be completed in the grievance section of the kiosk within seventy-two (72) hours after receiving the disciplinary hearing decision. The appeal should not become a de novo hearing, but rather an opportunity for the Jail Administrator, or designee, to review the action.

The Jail Administrator, or designee, should affirm, amend or reverse the decision of the disciplinary committee within five (5) days of the appeal excluding weekends and holidays.

The decision of the Jail Administrator or designee is final and may not be appealed by the inmate.

VIII. RECORD OF HEARING AND/OR DISCIPLINARY

A record of the disciplinary hearing shall be noted on the disciplinary report and recorded in JMS. Inmate disciplinary records are electronically stored in JMS/RMS. Access to each module shall be available as authorized by the Jail Administrator.

The record should include:

- a. The decision of the disciplinary committee;
- b. Recommended disciplinary action, if any;
- c. The reason for the action; AND

Attachments to the disciplinary committee's report shall include:

- a. A list of witnesses and a summary of their testimony;
- b. A description of each piece of evidence entered; AND
- c. Copies of all documents, including Incident Reports.

Two (2) copies of the disciplinary report shall be made and distributed as follows:

- a. One (1) copy to the Inmate (without attachments)
- b. One (1) copy to scan into JMS under the inmates booking profile

IX. DISCIPLINARY RECORDS RETENTION

Inmate disciplinary records shall be retained in accordance with the Georgia Archives University System of Georgia or one year longer than the statute of limitations for filing lawsuits, whichever is the longest.

GENERAL ORDER: GO 4-11 Inmate Mail

Effective Date: August 26, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE MAIL**

Inmates shall be permitted to send and receive personal mail pursuant to the following policy implemented to protect the safety, security and other legitimate interests of the jail and to protect the clearly established rights of inmates and those with whom they correspond.

Exceptions to the inmate mail policy may be granted by the Jail Administrator. Request for exceptions (e.g., death in family) shall be submitted via the inmate kiosk.

All incoming and outgoing inmate mail is subject to inspection to interdict the introduction of contraband through the mail and for the discovery of plans to:

- a. Smuggle drugs, weapons, or other contraband into the Jail;
- b. Plan escapes or other threats to jail security;
- c. Proliferate or otherwise engage in gang activity;
- d. Devise or plan criminal actions; and/or
- e. Discover other actions or intentions to violate jail regulations

A. Legal Mail

Incoming and outgoing mail clearly marked as legal mail from or to attorneys and/or from or to the courts shall be considered privileged mail. Privileged mail may be inspected for contraband at any time, but only in the inmate's presence. Legal mail must be clearly marked as being from an attorney's office; An envelope simply labeled "legal mail" does not conform to legal mail identification requirements.

If contraband is found in privileged mail, the attempt to violate jail security should result in jail officials taking administrative action and, if the contraband is a violation of law, the matter shall be considered for criminal prosecution.

Properly labeled legal mail shall be accepted and delivered to inmates. **Legal mail is defined and limited to the following:**

1. **Incoming mail**, addressed to a specific inmate, contained in an envelope which is clearly denoted by the return address as being from an attorney's office, and which has the words "Legal & Confidential" clearly and legibly stamped on the front of the envelope. Any envelope which has a return address which, in case of question cannot be verified, shall be returned to the sender.
2. Incoming mail, addressed to a specific inmate, which is contained in an envelope which is clearly identifiable as having been sent from any judicial office, probation office, parole office, etc.
3. Privileged mail shall be logged/documentated in a privileged mail log.
4. For **outgoing mail**, stamps and appropriate envelopes must be purchased from the inmate commissary for a fee. Envelopes shall be 4" X 9" business size. The inmate's account shall be deducted the appropriate amount. The inmate shall complete commissary request via the inmate kiosk for these items.
5. Intentional use of legal mail as a device to avoid inspection and censorship shall be considered a violation of inmate rules.

B. Inmate Email through Jail ATM

Inmate emails through Jail ATM shall be subject to inspection as outlined in Section. Unless otherwise requested by the Attorney of Record through JailATM.com requesting all communications/emails be coded/labeled "privileged communication", all emails sent to and from active inmates are subject to review.

C. General Mail

Inmate mail shall be processed in accordance with established policy for the protection of inmate's rights and to maintain the safety, order and legitimate security interests of the jail. All general mail shall be inspected by assigned Jail Operations staff members for contraband, and randomly read to discover information that may constitute a threat to the safety or security of the Jail. Mail shall be inspected in a secure area of the jail. Mail determined to be in violation of Inmate Mail policies or in violation of state law shall be declared as contraband. All mail determined to be contraband shall be secured in the inmate property room or secured as evidence for Inmate Disciplinary action or criminal prosecution. The Jail Administrator shall be notified immediately of all information discovered from inspecting or reading inmate mail which would indicate an urgent need to take action to guard the legitimate penological interest of the jail. When information is obtained leading a reasonable deputy to believe an inmate is attempting to conduct activities via the inmate mail process which could negatively impact the good order, discipline or security of the jail, all incoming and outgoing mail for the particular shall be inspected and read until the suspicion is confirmed or no longer exists. The jail command staff shall be notified regarding the information obtained and any follow up information gathered.

There should be no unreasonable delays in processing inmate mail. An inmate shall be notified of any seizure of mail along with the reason of such seizure. A notice of seizure shall also be sent to the sender.

D. Incoming and outgoing mail shall be limited to the following:

- 1) Standard postcard, of which the minimum size is 3.5 x 4.25, and maximum size is 4.25 x 6.
 - a) Postcards with appropriate postage are available for purchase from the jail commissary.
- 2) Physical stamps are not allowed; both incoming and outgoing postcards must be either metered mail, or else have a pre-printed stamp.
- 3) Postcards must be white in color.

Exceptions to the postcard rule may be granted by the Jail Administrator if the inmate can demonstrate a legitimate need for a limited exception. Requests for exception to the rule shall be completed via the inmate kiosk.

The following mail **shall not** be accepted, and shall be placed in the inmate's property bag for storage unless it is secured as evidence for inmate disciplinary action or for criminal prosecution:

- 1) Defaced or altered mail
- 2) Mail with plastics or other types of wrapping or covering.
- 3) Mail with any type of label or sticker.
- 4) Mail with watermarks, or stains.
- 5) Mail with any biohazards.
- 6) Mail depicting:
 - a. nudity,
 - b. weapons,
 - c. gang references
 - d. Homosexual acts
 - e. Sado-Masochistic acts
 - f. Bestiality
 - g. Sex acts involving children
 - h. Materials which jail officials reasonably believe could encourage or arouse inmates to:
 - i. Engage in consensual sex acts with other inmates
 - ii. Sexually assault others; or
 - iii. Engage in sexual harassment of staff or other inmates.
- 7) Mail which violates federal, state, or local obscenity laws or encourages or instruct in the commission of criminal activity.
- 8) Mail which by its nature or content pose a perceived threat to the safety, good order or discipline of the jail.
- 9) Mail which would tend to encourage inmates to objectify others

- 10) Mail which may undermine treatment objectives
- 11) Mail which may create a hostile environment for staff or for other inmates
- 12) Mail believed to create a threat to the safety, security, good order, discipline, or the treatment goals of the jail.
- 13) Mail containing an affixed, physical stamp.
- 14) Stamps, pre-stamped envelopes, and/or postage-paid envelopes received from outside this Jail is prohibited and shall be stored in the inmate's property.
- 15) Mail not containing a valid return address.
- 16) Stamps, pre-stamped envelopes, and/or postage-paid envelopes received from outside this Jail.
- 17) This list is not all inclusive. Rejected correspondence shall note the reason for refusal.

E. Valid Return Address Required

All incoming mail must have a VALID return address, or it shall be considered contraband.

F. Written Correspondence between Inmates

Written correspondence between Forsyth County inmates, in this or any other jail or corrections facility, is prohibited. Any incoming or outgoing mail discovered to be in violation of this rule shall be considered contraband and may subject the inmate(s) to disciplinary action.

G. Written Correspondence Which Violates Security Interests

Written correspondence with jail officials which could be reasonably determined to jeopardize the safety, security, order, discipline or treatment interest of the jail is prohibited.

H. Collection of Out-Going Mail

Outgoing mail should normally be collected by staff, Monday thru Friday, with the exception of legal holidays, and placed for pick up by the U.S. Postal Service at the lobby of the jail. All outgoing mail shall be inspected for contraband and randomly read (legal mail may not be read) to discover any attempts to escape or plans to harm the safety, security and order of the jail.

In the following instances, mail shall NOT be forwarded to the U.S. Postal Service:

- 1) Mail is being held as evidence to substantiate any breach of jail security.
- 2) Mail is being held because it contains contraband; plans to introduce contraband into the Jail; plans for escape; threats of bodily harm to another;

plans for riot or other disorder; and/or plans for the production of any explosive, incendiary or pyrotechnic device.

I. Photographs

Photographs may be accepted via mail, subject to the following rules:

1. The photographs must be addressed to a specific inmate. **NO** Polaroid style photographs shall be accepted and shall be placed in the inmate's property if received.
2. No more than 4 photographs at any given time per inmate.
3. Photographs can only be single sided on photograph paper.
4. Photographs may not be larger than 4 x 6 inches.
5. The inmate's name must be written on the back of photograph(s). NOTHING ELSE may be written or depicted.
6. Photographs must be unaltered, printed on true photograph paper and may not contain any adhesives, such as stickers or labels.
7. Photographs must not depict sexual activity, visibly exposed breasts including cleavage, pubic areas or buttocks, nor contain any gang signs, codes, or in any way promote or display illegal activity. Any photographs of this nature received at the jail shall be placed in the inmate's property. Content matter must be deemed appropriate by screening staff.
8. Any envelope with photographs which contains **any** additional correspondence shall be placed in the inmate's personal property for storage.
9. Inmate shall be notified of any inappropriate photographs confiscated as well as the sender.

J. Cash, Money Orders, Checks or other Negotiable Instruments

Inmates may not receive cash, money orders, checks or other negotiable instruments in the mail, except as designated on a case-by-case basis as determined by the Jail Administrator or their designee.

Family members and others may deposit money to inmate accounts by one of the following methods:

- 1) Funds may be deposited directly into the lobby kiosk at the jail.
- 2) Funds may be deposited online at www.jailatm.com.
- 3) Any envelope received containing a money order or check shall be documented and returned to sender.

K. Correspondence with the Media

Inmates are permitted to correspond with members of the media as long the correspondence meets the criteria for non-privileged mail.

L. Foreign/Unknown Language

Correspondence written in languages other than English shall be approved by the Jail Administrator or his/her designee. Correspondence written in codes or unknown verbiage shall not be accepted or authorized.

M. COD / Federal Express / UPS, Etc.

Any correspondence which requires a Deputy's signature and / or postage due prior to acceptance for an inmate **shall not be accepted**.

N. Packages

Permitting inmates to receive packages may cause:

- 1) Increased risk of theft, gambling, and inmate conflicts;
- 2) Additional clutter, storage problems, and fire hazard (fuel load) inside cells
- 3) Excess property that must be stored outside the cell, taxing available jail storage space; and
- 4) Sanitation problems (especially if food, other perishables, or unclean items are included in packages).

Therefore, inmates are not authorized to receive packages. Any packages arriving for inmates shall be returned to sender.

II. INDIGENT CORRESPONDENCE

An inmate detained in the Forsyth County Jail for a period of ten (10) days with a commissary account balance that has not exceeded \$5 and who has not received a care package from outside the jail may be considered indigent.

Reasonable postage provided for letters to attorneys and/or courts shall be provided, as required, on a case-by-case basis after a review of the individual's circumstances by the Inmate Programs Director. Inmates are not entitled to unlimited postage. The inmate must complete an account deduction form to receive any of these items.

Indigent inmates may be permitted to order from Commissary one (1) of the following every 10 days:

- a. Standard Indigent Package: one (1) flex pencil and three (3) metered postcards for non-privileged mail
- b. Legal Indigent Package: one (1) flex pen, two (2) sheets of writing paper and two (2) stamped envelopes for Privileged mail.

III. PUBLICATIONS

A. Books

1. Inmates are authorized three (3) soft bound books and one (1) Holy Book such as the Bible, Koran, Torah, etc., in their possession.
 - a) Based on current availability, some religious texts are available to the inmates at no cost upon request. The Forsyth County Jail is not required to purchase religious reading material for inmates. All religious books available on the library cart are donated to the jail.
2. Excess books shall be considered contraband and the books may be destroyed or, if in acceptable condition, donated to the book cart.
3. Books in excess of 1.5 pounds in weight and hard bound books are not authorized.

IV. DOCUMENTATION OF REJECTED MAIL

Violations of policy regarding inmate mail shall be documented in JMS. Inmate mail rules violations that also constitute a violation of State Law may be forwarded to the appropriate court for prosecution.

A. Written Notice

Written notice of unauthorized mail including the reason therefore shall be given to the inmate, and in the case of incoming mail, also to the sender.

b. Incoming Mail Rejection

Rejected incoming mail shall be returned to the sender along with a copy of the Jail's Incoming Mail Rejection Letter. A copy of the form shall be given to the inmate and the original shall be added to the inmate's permanent record.

c. Outgoing Mail Rejection

Mail rejected by the Mail Clerk being sent out of the Jail shall be returned to the inmate along with a written explanation as to why the correspondence was rejected. Mail determined to be contraband shall be handled as evidence for inmate disciplinary action, if applicable.

d. Appeal of Rejected Mail Decision

Inmates may appeal the rejection via the inmate grievance system.

V. DELIVERY OF INMATE MAIL

Inmate mail is normally delivered to the jail Monday through Friday excluding holidays. The mail clerk normally sorts, inspects and documents the mail received and distributes it to inmates the same day. Efforts should be made to deliver inmate's mail within twenty-four (24) hours of the time it arrives at the jail.

A. Delivery Procedures

The following procedures should be followed to ensure timely and orderly delivery of inmate mail?

1. Inmate mail shall be delivered only to the inmate to whom it is addressed.
2. Inmates shall display their identification card prior to receiving their mail. The name on the card should match the name the mail is addressed to. Failure to display the wristband shall result in mail being delivered to that inmate the following workday and appropriate disciplinary action.
3. Housing Unit Deputies may assist in the mail delivery.
4. Inmates shall be fully dressed when retrieving their mail. Failure to be fully dressed shall result in the mail not being delivered to that inmate until the next workday.
5. Inmates shall be allowed to retain the envelopes/packaging of any correspondence. If there is a physical stamp/sticker present, it shall be removed.

B. Undeliverable Mail

Mail addressed to inmates who are not presently incarcerated in the jail shall be returned to sender. Inmate mail shall not be forwarded to another institution or private address.

C. Returned Mail

Mail returned to the Jail via USPS as undeliverable shall be documented as to why it was returned. This shall be completed and witnessed by the mail clerk and another staff member. The mail should be returned to the inmate.

D. Suspicious Mail

The Mail Clerk should be especially aware that the most readily available means for inmates to receive contraband and dangerous items is through the mail. Special precautions should be taken when handling incoming mail. Suspicious mail should not be handled and should never be opened. Below are some examples which may lead the Deputy to believe the mail may be hazardous:

1. Discoloration on areas of the envelope or stains on the envelopes
2. Lumps or hard objects inside the envelopes
3. Moisture or visible fluid on the outside of the envelope
4. Powdery substance(s) evident on envelope or falling out of envelope
5. Strange or acid like smells coming from the envelope
6. Suspicious return address or no return address
7. Any other documented reason

E. Limits on volume of mail sent or received by inmates

Inmates should not be limited as to the volume of mail they send or receive unless the volume is consistently or frequently so high that the mail handling resources of the jail are seriously burdened and the capability of staff to process mail in a timely and secure manner is substantially affected.

In those circumstances when the volume of an inmate's mail is deemed to be excessive, the inmate should be notified in writing of:

1. any mail limits imposed;
2. the storage capacity volume to which he shall be limited (cell and property room); and
3. any procedures which shall be implemented for reducing the volume of mail stored in the inmate's cell or other inmate property storage areas.

GENERAL ORDER: GO 4-12 Inmate Records

Effective Date: August 26, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE RECORDS**

Electronic files are maintained in an approved Jail Management Software (JMS) to provide continuous accurate and current information on the location and legal status of all inmates. Applicable booking forms, warrants, official commitment papers and other documents related to and/or authorizing the inmate's custody shall be maintained in a secured file cabinet located in the classification office during an inmate's incarceration.

All paper files for inmates who have been released from incarceration shall be stored in a secured inmate file storage room.

A. Definitions

Inmate Records: Records containing information concerning an offender's criminal and personal history. For purposes of this policy, a case record typically includes commitment, court orders, detainers, personal property receipts, photographs, and fingerprints. They also include records containing information concerning an offender's criminal and personal history, as well as records concerning behavior, and activities while in custody. For purposes of this policy, an inmate record typically includes any type of custody (classification), disciplinary infractions and actions taken, grievance reports, work assignments, program participation and miscellaneous information. Information concerning personal and professional information may also be included in this record.

B. Intake and Release Records

The inmate intake information module of JMS shall be accurately completed for every person admitted to the Jail.

At a minimum, this information should include:

1. Full name (including alias)
2. Current physical address (or last known address)
3. Photograph

4. Date, Duration of confinement, and copy of the court order or other legal instrument for confinement
5. Name, title and signature of transporting and arresting Deputy
6. Booking number and inmate number
7. Specific charges along with bond amount for each
8. Sex
9. Age
10. Date of birth
11. Place of birth
12. Race
13. Present or last place of employment, and occupation
14. Medical and mental health information relevant to classification
15. Emergency contact (name, relationship, address and phone number)
16. Driver's license and social security account number (SSAN)
17. Record notation of cash and all personal property
18. Additional information concerning special custody requirements, service needs, or other identifying information such as scars, marks, tattoos, amputations, etc.
19. Custody release/transfer information

C. Case Records

Case records contain, but are not limited to:

1. Intake/Release records and information
2. Court generated background information
3. Information related to disposition of charges
4. Cash and property receipts
5. Reports of disciplinary actions, grievances, incidents, or crime (s) committed while in custody
6. Records of program participation
7. Classification records
8. Work assignments
9. Disposition of court hearings

D. Custody Records

A custody record includes:

1. Classification records which relate directly to the classification status of each inmate. This record may also contain pertinent information relating to classification (program participation, special custody needs, etc.) and from other sources (disciplinary, medical, etc.).
2. Inmate discipline, grievance, and incident reports are maintained in Jail Management Software (JMS). Each report is assigned a report number and each report number is documented in a log, identifying the type of report, date

of report, name of inmate, name of reporting Deputy, description of incident, report number, and when applicable, disposition of report.

E. Medical Health Records

All medical/mental health records are maintained by the medical provider and are securely stored. All information contained in these files are privileged and shall be released only as provided by law and existing policy, to include subpoenaed records and/or the information to specifically designated individuals and/or agencies.

The transfer of any inmate health records or information from this Jail to another Jail shall be accomplished routinely and with the written authorization of the inmate unless otherwise provided for by law or administration regulations having the force and effect of law. This provision shall also apply to the transfer of medical records and information to specific and designated physicians or medical facilities.

F. Privileged Information

Inmate records frequently contain privileged information. Therefore, the release of this information must be, at all times, in accordance with federal, state and local statute, laws regulations as well as existing policy.

Because of the nature of the information contained in each of the type of records described in this policy, the separation of the records according to their content is required.

G. Records Storage

Inmate records (in paper form) are stored either alphabetically or numerically, depending on their content, in a secure area so that they may be protected from theft, loss, tampering, destruction, and unauthorized access. All electronic record keeping systems and data are maintained in the Jail Management System (JMS) software and are protected from unauthorized access. Only authorized personnel are given access to these files.

The records are maintained for the length of time as stipulated by existing laws. Such length of time is varied according to the type of record.

GENERAL ORDER: GO 4-13 Housing Units

Effective Date: April 25, 2023

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. HOUSING UNITS

The Forsyth County Jail shall maintain inmate housing areas which promote the safety of both staff and inmates while also providing for security, good order and discipline of the jail.

II. DEFINITIONS

Single Occupancy Cell: Inmate living area located in housing units with a minimum of 70 square feet of floor area designed to accommodate one inmate.

Multiple Occupancy Cell: Inmate living area located in housing units with a minimum of 70 square feet designed to accommodate no less than two (2) inmates but no more than four (4) inmates.

Segregation unit Housing Unit:
Housing unit that contains single and multi-occupancy cells used primarily as segregation/isolation cells.

III. HOUSING ENVIRONMENT

Inmates shall be provided with a living environment as described below unless exigent circumstances exist:

A. Inmate Cell

Each housing unit cell shall have approximately 80 square feet of space. Cells shall be equipped with steel frame bunk beds sufficient for the number of inmates intended to occupy the cell and shall be secured to the wall and/or floors.

1. Storage for inmates is limited to personal items that will fit inside the clear plastic provided upon assignment to a Housing Unit.
2. The storage container must be stored under the bottom bunk.
3. Excess inmate property will be stored in the jail property unit.

B. Bed space

1. 'Observation Padded Cells' do not have beds or bunks for the safety and security of the inmate being housed in that cell.
2. Each housing unit has one handicap accessible cell.

C. Toilets and Sinks

Each housing unit cell is equipped with a toilet, sink and security mirror secured to the floor or wall and designed for inmate use.

D. Dayrooms are provided in all living areas except the medical unit.

1. Each dayroom is equipped with stainless steel tables and attached seating that are secured to the floor. The number of tables and seating is sufficient for the number of inmates permitted out of their cells at a particular time.
2. Each Housing Unit dayroom is equipped with at least one television.
3. Each Dayroom has at least one inmate telephone and one inmate kiosk.
4. Showers, sinks and toilets, sufficient for the number of inmates permitted out of their assigned cell at a particular time, are provided in each Housing Unit.

E. Outside Recreation Yard

Each General Housing unit has an outside recreation yard connected to the dayroom. The recreation yard may be utilized by authorized inmates for exercise, socializing and relaxing.

IV. HOUSING UNIT CONDITIONS

Environmental conditions within each housing unit should be maintained in accordance with the following:

A. Sanitary Conditions

All cells shall be kept clean, uncluttered and sanitary.

B. Lighting

Lighting should provide adequate illumination for:

1. Well defined observation of inmate activities by staff members,
2. Reading, writing and study activities to occur without excessive eyestrain and,
3. Permit ordinary inmate activities.

After hours lighting should be set at a level adequate for staff to supervise and count inmates, while minimizing the discomfort to inmates trying to sleep.

Any lighting issues shall be reported by the Shift Supervisor to maintenance for correction. A housing unit log entry should be made noting the lighting issue and that a maintenance request has been submitted.

C. Electrical

Electrical systems should not create unreasonable hazard to staff, inmates, or visitors. Wiring shall be concealed in walls, conduit or otherwise not easily reachable by an inmate.

Electrical issues, including exposed wires, should immediately be reported to the shift supervisor who shall prepare a report and distribute it to the maintenance engineer. The Shift supervisors should determine the security risks and what action should be taken until the issue is corrected.

D. Heating and Air Conditioning

Temperatures in each living area should be between 65 to 85 degrees.

If significant issues occur which prevent maintenance of an acceptable temperature, immediate steps shall be taken by the Shift Supervisor to ensure the health and welfare of staff and inmates such as but not limited to:

1. Requesting maintenance engineers for immediate repair,
2. Providing additional blankets in the affected area(s) for warmth.
 - a. Providing ice water may in the affected area(s).

Inmates shall not have access to or control of the temperature control systems or air flow systems.

E. Ventilation

The contracted maintenance engineer is responsible for maintaining adequate air quality within the Jail.

All living areas, laundry and food service areas should have sufficient ventilation to aid in removing excessively warm or contaminated air and to aid in controlling odors within the building.

Each housing unit is equipped with evacuation fans that can be operated manually or in conjunction with the Fire Alarm system.

A Shift Supervisor shall initiate all maintenance requests related to ventilation issues.

F. Smoke Evacuation and Control

The Jail ventilation system is equipped with dampers to control migration of smoke and fumes by compartmentalizing the ventilation duct system.

In the event of a fire, smoke and fumes may be discharged directly to the outside. Air pressure may be controlled at various locations within the housing area to push smoke away from control rooms and cells.

A Shift Supervisor shall initiate all maintenance requests related to smoke evacuation and control issues.

G. Plumbing

Cold and hot water (not to exceed 120 degrees) shall be provided to the inmate living areas, supply rooms with utility sinks and staff restrooms.

Plumbing issues, such as leaks, shall be reported to the maintenance engineer for repairs. The Shift Supervisor should evaluate the plumbing issue for issues related to security matters and take appropriate action.

A Shift Supervisor shall initiate all maintenance requests related to plumbing issues.

V. INMATE CELL CONFIGERATIONS

Housing unit cells are configured as single or multi-occupancy. Single Occupancy cells may be used as multiple occupancy cells and multiple occupancy cells may be used as single occupancy cells as warranted.

A. Single Occupancy Cells

Single occupancy cells are available for inmates with special needs as determined by classification, medical/mental health status, protective custody, or other reasons deemed appropriate by Jail Administrator or designee.

B. Multi-Occupancy Cells

Multiple occupancy cells normally contain 2 or more bunks and are a minimum of 70 square feet. Occupancy limits of multi occupancy cells should generally be determined by providing 40 square feet of clear floor space for the first inmate and 18 square feet of clear floor space for each additional inmate.

Multiple occupancy cells are available for housing inmates as identified appropriate by the classification screening process.

C. Dayrooms and multi-purpose rooms:

Inmates assigned to either single or multiple occupancy rooms/cells may have access to dayrooms that are situated immediately adjacent to their sleeping areas. Holding cells in the booking area and medical unit have no access to a dayroom.

Dayrooms provide sufficient seating and writing surfaces for each inmate using the dayroom. Such furnishings may also be used for leisure time (i.e., reading, table games, or writing letters) as well as for dining. Dayroom furnishings are consistent with the number of inmates allowed into the dayroom at any given time.

Showers, sinks, toilets and a stainless-steel mirror shall be provided in the living area.

D. Multi-purpose rooms are available for every housing unit for activities such as:

- 1) Religious programs;
- 2) Educational programs;
- 3) Substance abuse programs; and

- 4) Or any other program or meeting that requires separation from general population.

VI. INMATE PROVISIONS

Each inmate should be provided with the following provisions:

- a. A sleeping surface and mattress that allows the inmate to be at least twelve (12) inches off the floor; some medical beds are right on the floor; sometimes people spend the night in booking holding cells with a mat on the floor; padded cells sleep on the floor.
- b. A toilet, sink and stainless-steel mirror,
- c. Access to a shower in their assigned housing unit,
- d. Drinking water,
- e. A fixed or free-standing writing surface under which the inmate can sit,
- f. An adjacent area to sit, and
- g. A storage bin for which all inmate personal property shall be stored.

VII. HOUSING UNIT CAPACITY

The number of inmates assigned to each cell should be monitored to ensure food services, exercise or other necessities of life do not fall below constitutional levels. Careful surveillance and inmate classification should be monitored to guard against a per capita increase of inmate-on-inmate violence.

In the event the desired capacity levels are exceeded, inmates' populations in designated housing units may be increased as outlined in the Jail Housing Plan which contains at a minimum the following details:

- a. The capacity of the jail,
- b. The capacity of each housing unit,
- c. Which housing units are designated for double or multiple occupancy, and
- d. Which housing units will be re-designated for double or multiple occupancy if the inmate population exceeds the desired capacity.

Desired capacity in housing units may be exceeded without compromising safety, security, order, discipline or control as long as inmates continue to be provided the basic human needs, including but not limited to adequate food service, health care, sanitation, exercise and other essential inmate services. Housing Unit Deputies should monitor the inmates to determine whether the crowding is causing an increase in inmate-on-inmate violence.

If crowding is substantially affecting the ability to manage the jail in a safe, secure, and otherwise constitutional manner, Command Staff should consider steps to reduce the inmate population, including but not limited to:

- a. Identifying those pre-trial detainees who may qualify for lower bail or recognizance release without undue risk to the community and initiate steps to assist with release,
- b. Temporarily transferring some inmates to another county jail,
- c. Maximizing awards of good-time credit or other early release actions for low-risk convicted inmates who are nearing their scheduled release dates.

VIII. INMATE HYGIENE

Many inmates who are booked into jail have poor hygiene habits. In the jail environment, proper hygiene helps maintain the sanitation of the facility and alleviate offensive body odors. In some circumstances, an inmate's hygiene habits may create a potential health hazard or hostility from other inmates. Under such circumstances it may be necessary to order the inmate to shower and/or take other sanitation and hygiene actions. If health issues are involved, the medical provider should be involved in the decisions and actions to enforce the sanitation and hygiene enforcement.

The following requirements, while not all inclusive, are set forth to accomplish the goal of maintaining sanitary and safe living conditions for inmates and working conditions for staff:

- a. Issued Hygiene Items. Once a week, soap and toothpaste shall be provided for all inmates who need it. The housing unit deputy shall announce when hygiene items are being passed out.
- b. Toilet Paper. Toilet paper is usually distributed two days per week by exchanging one empty roll for one full roll. Female inmates may be permitted to exchange a maximum of two empty rolls for two full rolls at a time.
- c. Housing Unit Deputies shall distribute toilet paper to inmates as needed. Inmates must provide an empty toilet paper tube in order to receive a new roll. Inmates are allowed one roll of paper at a time.
- d. Inmates shall be provided access to toilets and wash basins with hot and cold running water controls within the cell and have access to them twenty-four (24) hours a day without staff assistance.
- e. All inmates in general population shall have an opportunity to shower daily, when possible, but no less than once every 72 hours.
- f. The showers shall have temperature controlled hot and cold running water.

- g. Sufficient bathing facilities are provided in the medical housing unit to allow inmates to bathe daily.
- h. At least one cell in each housing unit is configured and equipped to accommodate inmates who have physical impairments or who need assistance to bathe.
- i. It is important that deputies allow inmates to shower, perform bodily functions, and change clothing with privacy, except in exigent circumstances or when such viewing is incidental to routine cell checks.
- j. Hair clippers and razors are available to inmates one day prior to any scheduled court appearance.

IX. INMATE HOUSEKEEPING

Necessary items to maintain a healthy living environment are provided. Inmates refusing to maintain the appropriate degree of sanitation of their living space shall be disciplined and possibly segregated from the general population.

Inmates may be used in conducting jail maintenance tasks such as but not limited to cleaning. However, they should not be used in a manner that would provide them the means or knowledge to defeat jail security systems.

Inmates are not entitled to compensation for completing work assignments and are not covered by the Fair Labor Standards Act (FLSA).

A. Housing Unit Cleaning Supplies. The Inmate Services Officer shall ensure that cleaning supplies are ready and available to give to each housing unit. Inmates shall clean their individual living and general areas between the hours of 0430 and 0800 daily. Ventilated janitorial closets located in each housing unit are stocked with cleaning supplies and a sink with hot and cold running water. The housing unit deputy is responsible for ensuring the cleaning items are returned to the janitorial closet after each use. Any misuse or destruction of cleaning items will result in disciplinary action. This includes inmates destroying mops in order to make necklaces and bracelets. Cleaning items may include:

- 1) One (1) broom
- 2) One (1) cup cleaning powder
- 3) One (1) clean mop
- 4) One (1) container of cleaner
- 5) One (1) container of window cleaner
- 6) One (1) mop bucket filled with clean water
- 7) One (1) scrubbing pad
- 8) One (1) toilet brush

- B. Showers. Inmates should clean the shower after each use to prevent build-up of soap scum and bacteria. Inmates are encouraged to wear their provided shower shoes when taking showers.
- C. General. The following applies to individual inmate safety and sanitation:
- 1) Inmates are to be fully dressed including shoes when out of their bunks.
 - 2) Food items shall not be left out, open or uncovered.
 - 3) Each inmate is responsible for the cleanliness of his/her living area including walls, floors, sink, toilet, windows, tables, bed frames, cell doors and other property within the cell.
 - 4) Each inmate shall remove the trash from their cell daily.
 - 5) No articles of clothing, paper etc., will be attached or hung on the cell walls, doors ceiling, light fixtures, railings, bars or other cell furnishings.
 - 6) All inmate property must be stored in their issued storage boxes.
 - 7) Day rooms will be cleaned daily and formally inspected on a weekly basis.
 - 8) Wearing of items as "piercing" is prohibited.
 - 9) Exercising on tables, stairs or other furnishings is prohibited.

X. INMATE SEGREGATION

A. Policy

The following guidelines are established for the safety and security of inmates, staff, and visitors in the various segregation units.

B. Definitions

Designee

A staff member designated to make decisions on behalf of the person assigned to make those decisions.

Disciplinary Detention:

The punitive custody, housing, and supervision of an inmate who, after having been provided due process before a Hearing Deputy, has been found guilty of serious rule violation(s) and sanctioned accordingly,

Disciplinary Hearing:

A non-judicial administrative procedure to determine if substantial evidence exists to find an inmate guilty of a rule violation.

Protective Custody:

The non-punitive custody, housing, and supervision of an inmate who requests or is deemed to require protection from the General Population.

Pre-Hearing Segregation:

The non-punitive custody, housing, and supervision of an inmate charged with a rule violation prior to a disciplinary hearing.

Security Segregation:

Custody housing for inmates whose continued presence in General Population pose a serious threat to the security, welfare and orderly operation of the jail.

C. Inmate Segregation

Certain inmates require additional supervision and attention due to disciplinary issues, personality disorders, behavior abnormalities, or other traits of character. The Jail Administrator or designee may authorize segregation for the purpose of control and prevention inmate self-inflicted injury, propensity to injure others or for issues related to the good order and safe operation of the Jail.

Segregated inmates are housed in similar housing units and cells as those inmates in general population. Segregated inmates' status is reviewed on a regular basis depending on their reason for segregation.

Inmate segregation may also occur as a result of but not limited to the following situations:

1. Medical Segregation

Medical segregation may be assigned for an inmate with medical needs as recommended by the contracted medical provider.

Inmates experiencing suicidal ideation or who have attempted suicide shall be housed in the Medical Housing Unit until the medical provider has cleared them for general housing assignments.

Inmates with contagious diseases should be segregated if deemed appropriate by Medical Personnel.

There (3) cells (including two padded cells) are located in the Medical Unit which are set-up specifically for the treatment and observation of inmates receiving certain medical treatments. Each of these cells is equipped with a

medical bed, a sink/toiler combination, a metal mirror. A deputy shall be present in the medical unit whenever inmate(s) are present in these cells.

2. Disciplinary Segregation

Segregation imposed as a direct result of disciplinary action recommended by a Disciplinary Committee and approved by the Jail Administrator.

Inmates who are awaiting a disciplinary hearing or who have been found guilty at a disciplinary hearing may be placed in administrative or disciplinary segregation until their hearing or until all applied sanctions have been satisfied.

3. Security Segregation

a. Inmates known by jail staff to be a serious and immediate threat to the safety of others and who may present a serious threat to the safety of staff and inmates and to the security, control, order and discipline in the jail shall be segregated from general population.

1) These inmates may be identified as known or suspected members of a gang(s), involved with other security threat groups, past criminal history or convictions or other information reasonably determined to identify them as a serious or immediate threat.

2) Inmates may be given the assignment of STG (Security Threat Group) without the requirement for due process hearings.

3) Inmates who demonstrate a propensity to abide by rules and orders may be returned to general population if it is reasonably determined that the risk is no longer serious or safety requirements can be met in a less restrictive manner.

b. Incurable inmates who are sentenced State Inmates shall be returned to the Georgia Department of Corrections (OCGA 42-5-52(a)).

4. Security and Protective Custody Segregation

The Jail Administrator, or designee, may place an inmate in Security Segregation or Protective Custody Segregation for non-punitive cause with no loss of privileges.

The following examples serve as cause for such placement:

a. An inmate has demonstrated that he/she cannot be housed in the General Population. This is demonstrated through continuous behavioral problems,

or emotional or mental health problems which prohibit safe housing in General Population.

- b. The inmate requests to be segregated for his/her own safety or is deemed by staff to be in need of protection;
- c. Necessary to meet the needs of the safety, security or order of the jail Jail/operation

An incident report shall be completed in JMS when an inmate is moved to administrative segregation from a general housing assignment. The report should document the circumstances that warranted the change in classification, restrictions placed and an approximate time period for the change of classification. The classification change shall be noted in JMS.

The Classification Officer should review the classification re-assignment within seventy-two (72) hours, excluding weekends and holidays.

5. Pre-Hearing Segregation

Inmates who have been charged with a rule violation or are under investigation for criminal activity within the jail Forsyth County Jail may be placed in Pre-Hearing Segregation before a disciplinary hearing has been held when necessary to protect the inmate's safety or the safety and security of the Jail. This segregation is not punitive, and the inmate should be given the same privileges as general population unless their safety or Jail Security is threatened. A non-punitive temporary restriction of privileges and/or services may be imposed when such restrictions are necessary to;

- a. To control difficult inmates;
- b. To protect inmates involved in disciplinary actions;
- c. To restore or ensure proper order in the facility;
- d. To control any situation which threatens the safety, security or good order of the jail; or
- e. To meet other legitimate management interests.

Non-punitive restrictions shall not include denial of food, medical care, access to the grievance process, personal hygiene or other essential necessities of life or denial of access to courts and counsel or other restrictions which would violate the clearly established rights of inmates.

An inmate awaiting their pre-hearing segregation for a rule violation must have a Rule Violation Hearing within three (3) days, excluding weekends and holidays.

6. Disciplinary Segregation

Disciplinary segregation is for those inmates who have violated an inmate rule, have had a hearing and have been found guilty. Inmates re-classified to Disciplinary Segregation pose an increased threat to the safety and security of staff and inmates. Deputies supervising inmates in Disciplinary Detention must be on heightened alert and prepared for any situation to arise.

a. The following criteria must be met prior to placement in Disciplinary Detention:

- 1) The inmate must have been provided due process rights as described in the Disciplinary Hearing Policy and found guilty of a rule violation(s); and/or
- 2) Other alternative dispositions were inadequate to regulate the inmate's behavior within acceptable limits.

b. Disciplinary Segregation Conditions of Confinement

- 1) The conditions of confinement for inmates placed in Disciplinary Detention is approximate to those in General Population regarding cell size, meals, personal hygiene, access to medical treatment and the Courts/ attorneys, bedding, clothing, and mail.
- 2) Communication between the inmate and his/her Attorney shall not be prohibited.
- 3) All inmates assigned to Disciplinary Detention are confined in their assigned cells/rooms. Each inmate shall be permitted the opportunity to shower daily.
- 4) Inmates assigned to Disciplinary Detention shall be permitted out of their cells/rooms for one (1) hour daily, in order to use the telephone to access their attorneys, the courts or bonding companies; to use the kiosk for internal communications or to participate in other authorized activities (exercise, etc.). The staff assigned to Disciplinary Detention is responsible for scheduling all inmate activities in this regard. However, if the inmate's behavior during the scheduled hour out is disruptive and threatens the safety and security of the staff, other inmates, or the Jail, the inmate shall not be permitted out of the cell/ room.
- 5) Inmates in Disciplinary Detention are provided the same meal service as inmates in General Population. However, if an inmate uses food or food service equipment (food tray, cups, spoons, etc.) in a manner that is hazardous to self, staff, or other inmates, alternative Meal services may be provided. Alternative Meal Service is on an individual basis and is based on health and safety considerations only. Such service must meet basic nutritional.

- 6) In the event that bedding, clothing, etc. must be removed from the inmate to protect the inmate from self-inflicted injuries, or to prevent acts of destruction, the circumstances shall be documented in JMS.
- 7) Inmates retain all rights of access to the Courts and their criminal attorneys
- 8) Staff members may assist inmates "in the preparation and filing of meaningful legal papers
- 9) Inmates in Disciplinary Detention may receive and send out personal mail in accordance with standard jail policy unless the violation was directly connected with such a privilege.
- 10) Any other adjustments to the conditions of confinement must be documented and approved by the Jail Administrator, or designee.
- 11) Inmates who are in disciplinary detention segregation shall be restricted in what they can purchase from the commissary. They will not receive visitation privileges during their segregation.
- 12) Attorney video visitation shall be granted.
- 13) Disciplinary segregated inmates shall not be allowed out with other inmates. There is no prescribed time these inmates shall be allowed out. The hour may be anywhere within the 24-hour block; however, the housing unit deputy shall make every attempt to accommodate this hour during regular housing unit hours of 0700-2200. All regular housing unit rules apply to these inmates as well.

c. Removal from Disciplinary Segregation

The Shift Supervisor should ensure the inmate is removed from disciplinary segregation prior to lights out on the date of release indicated in JMS. The move should be documented on "pass down" and appropriate documentation entered into JMS. The Shift Supervisor is also responsible for ensuring the inmate(s) coming out of segregation receive all their belongings which may have been taken from them when assigned to disciplinary segregation.

Inmates should not normally be released early from disciplinary segregation; however, the Jail Administrator or their designee, may remove an inmate from disciplinary segregation based on the inmate's demonstrated positive behavior.

7. Indefinite Security Segregation

The Jail Administrator or their designee may reclassify an inmate as a Security Inmate. Security Inmates may be assigned to Security Segregation for an unlimited period. Issues that may lead to security reclassification include: the inmate is a security threat, a threat to others, or has received three (3) or more guilty verdicts from disciplinary hearings. Security Inmates

are housed with the same rules and limitations as applied to disciplinary segregation. Security Segregation is reviewed by the Jail Administrator or their designee at least once every 30 days.

D. Procedures

1. Conditions of Confinement

Inmates in segregation units shall not be denied food, medical care, personal hygiene or other essential necessities of life. Inmates shall not be denied access to courts and counsel or placed under other restrictions which would violate clearly established inmate's rights.

The following basic conditions of confinement shall be provided for each inmate assigned to a segregation unit: with exception of disciplinary or security segregation.

- a. Prescribed medication (if ordered by the Jail's medical services provider) as well as access to medical treatment.
- b. Clothing (Inmate Uniforms), bedding, and linen; Clothing exchange and laundry services on the same basis as General Population inmates.
- c. A mattress unless it would create a significant danger to the inmate or staff.
- d. Access to basic personal items for use in their cells.
- e. Opportunity to shower on a daily basis, when possible, but no less than once every seventy-two (72) hours, except for inmates whose movement would result in an inordinate risk to staff or others. Documentation of the justification for less frequent showers should be maintained.
- f. Access to barbering and inmate hair care services, on the same basis as General Population inmates.
- g. Access and communication with the Courts and their attorney
- h. Assistance from staff members "in the preparation and filing of meaningful legal papers
Mail
- i. Visitation, unless otherwise restricted. All denials for visitation are documented.
- j. Reading Materials
- k. Exercise, a minimum of one (1) hour per day outside of their cells, five days per week, unless security or safety considerations dictate otherwise.
- l. Access to telephone, for personal calls as well as calls to access the courts and attorneys. Inmates assigned to Disciplinary Detention may be limited to calls accessing the courts and their attorneys, and family emergencies as determined by the Housing Unit Deputy.
- m. Access to Inmate Programs and Services (i.e., Education services, Commissary services, Library services, social services, Counseling (Mental

Health) services, religious guidance, and Recreational programs) for administrative segregation, pre-hearing segregation and protective custody inmates.

n. All meals are the same as is provided to General Population inmates.

2. Inmate Programs

Although services and programs cannot be identical to those provided to the General Population, there should be no major differences for reasons other than danger to life, health, safety, or security.

3. Denial of Items or Activities

Whenever an inmate assigned to a segregation unit is deprived of any usually authorized item or activity for their assigned unit, the action shall be documented in JMS.

E. Segregation Unit Responsibilities

The Segregation Unit houses inmates who cannot function within the confines of a regular housing unit and therefore may pose a higher risk to the safety, security and order of the jail. Deputies assigned to a segregation unit must always be alert and prepared for any situation to arise.

The deputy assigned to the Segregation Unit shall:

- 1) Closely monitor all inmates within this unit at all times.
- 2) Review the housing unit log prior to the start of every shift.
- 3) Maintain control of all keys, security equipment, etc. at all times.
- 4) Perform many of the same duties as a general housing unit deputy as they may apply (i.e., visitation, meal pass, laundry, linens).
- 5) Consult with the deputy or supervisor placing an inmate in segregation unit and ensure JMS is properly updated.
- 6) Limit the movement and interaction of inmates who may pose a threat to the safety of staff and inmates.
- 7) Promptly update information in JMS regarding inmates in the unit.
- 8) Ensure the inmates keep the unit clean and those inmates assigned to this unit keep their rooms clean.
- 9) Conduct cell checks on all inmates assigned to this unit at least every sixty (60) minutes during lights on and every thirty (30) minutes during lights off, but not on a predictable schedule. All cell checks are to be documented in JMS.
- 10) In the event of an emergency situation, order all inmates to lockdown.

XI. INMATE CLOTHING, BEDDING AND HYGIENE

Inmates shall be provided adequate clothing, bedding and hygiene products as permitted by their classification status, propensity to harm themselves or others and previous history of destruction to assigned property. All issued clothing is made of a durable material, is climatically suitable to this region, and is issued in accordance to the size of the inmates to ensure proper fit. All issued items are purchased by the Forsyth County Jail, for issuance to and use by inmates and remain the property of the Jail. All items are issued to each inmate in a clean and serviceable condition. Inmates are accountable for all issued property and may be required to reimburse the jail for any property they damage or destroy.

A. Inmate Clothing and Bedding Issuance

The following items shall normally be issued to each inmate:

1. Bedding and Bath Items:

a. Mattress (1 each)

Inmates will be provided a bed with an approved noncombustible mattress. The mattress shall be cleaned and disinfected prior to being issued. Mattresses deemed too damaged or worn for use will be destroyed. Inmates who are discovered damaging their mattress will be disciplined and their account debited for the mattress repair.

b. Blanket (1 Each)

c. Sheet (2 Each)

d. Towel (1 each)

e. Wash cloth (1 each)

2. Clothing Items:

a. Pants and shirt (2 each)

b. Shoes (1 pair)

c. Undergarments:

1) Undergarments (socks, T-shirts, bras without under-wire, and underwear) will be solid white only. They may not have buttons, bows, lace, stripes, patterns, prints, or any other ornamentation with the exception of normal printing on tags or labels. Male inmates may have boxer, brief, or boxer-brief type underwear. Female inmates may have panties or boxer type underwear only. Only female inmates are permitted to have bras.

2) Inmates being populated who are wearing undergarments that meet the above stated criteria may keep such undergarments. Those who are wearing undergarments that do not meet the above criteria will be issued

one (1) set of solid white undergarments (boxer-shorts, panties, and/or bra). The unacceptable undergarments will be placed in the inmate's property bin in the property control room. Further solid white undergarments can be purchased on commissary by the inmate.

3. Inmates assigned to the Inmate Workforce may be issued a hat, boots, a coat, safety attire, etc. for safety or health protections.

B. Jail Property Accountability

- a. All clothing and linen (including towels) are regularly exchanged at least once per week for laundering, according to the Housing Unit's laundry schedule. Under certain circumstances additional exchanges may be permitted. The exchange shall be logged in Jail Management System.
- b. Inmates are required to maintain all issued items in a clean and presentable manner. Clothing and bedding that is worn or destroyed will be returned to the Property Room for repair or replacement. Inmates are prohibited from marking or altering any clothing or bedding in any manner.

C. Unserviceable or Damaged Property

In the event that an item of inmate bedding or clothing is rendered unserviceable, the item must be returned to the Property Room. A written report by the discovering officer must be initiated identifying the item and its condition. The officer shall also complete a Lost or Damaged Item Charge Form along with a Disciplinary Report if it is believed to be something other than normal wear and tear.

A copy of the report and Lost or Damaged Item Charged Form shall be forwarded to the Disciplinary Committee for review and hearing. The damaged item(s) shall be replaced once the Lost or Damage Item Charge Form has been completed.

D. Personal Hygiene Items

Inmates shall be provided basic hygiene items to maintain a healthy living environment.

- a. All inmates are issued one bar of soap, one toothbrush, one tube of toothpaste, and one comb when populated into a Housing Unit.
- b. Sanitary pads are issued to female inmates as requested.
- c. Inmates may purchase additional personal hygiene products from the Inmate Commissary. Those inmates who meet the criteria as indigent, as provided for by the policy addressing Inmate Commissary, will be provided personal hygiene products.

- d. Inmates requiring other products medically necessary for their personal hygiene must file a Medical Request Form requesting the accommodation. The Medical Staff shall evaluate/assess the inmate's condition. If the Medical Staff substantiates the inmate's request, then necessary arrangements shall be made to accommodate the inmate at the inmate's expense.

GENERAL ORDER: GO 4-14 Inmate Food Services

Effective Date: February 21, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. INMATE FOOD SERVICES

Inmates incarcerated at the Forsyth County Jail shall be provided a minimum of two (2) meals per day. At least one (1) of these meals should be served "hot." Wholesome, nutritious meals are prepared in a sanitary manner and served in an efficient and sanitary manner in accordance with policy, local, state and federal guidelines. Food shall never be withheld, nor food items changed as a form of punishment or offered as a reward. All inmates, regardless of status or custody level, shall receive the same items and portions, except as authorized in this policy.

II. FOOD SERVICES PERSONNEL

A. Contracted Food Services Provider

Inmate food services shall be provided by a contracted food service provider. The provider shall provide for management of the food services operation and shall maintain at least one employee at the kitchen during determined hours of operation.

B. Food Services Supervisor

A jail staff deputy shall be appointed by the Jail Administrator, or designee, to observe and track the food services contractor's performance.

The jail staff deputy shall be responsible for supervising the preparation of meals and the enforcement of proper cleanup of and sanitation in areas used for preparation, serving and storage of food.

C. Use of Inmate Workers

Inmate workers may be assigned to the food services area to assist with cleaning and delivering meals to the inmate population.

Inmate workers shall be selected by the Inmate programs coordinator.

Inmate workers shall be screened for any medical issues that would prevent them from safely working in the food services area. Their hair must be kept neat and clean. They must maintain a clean and neat appearance. Inmate workers should not have facial hair.

All food service workers shall be monitored daily for health and cleanliness by the Food Services Staff and security personnel.

III. FOOD INVENTORY

The Inmate Food Services Provider shall maintain a list of all food items consumed at the Jail. This list shall be referred to when devising menus and inventorying the food supplies. This list shall be reviewed regularly with changes made as required by menus and as directed by the Food Services Contractor Dietitian.

The contracted food services provider shall conduct an inventory of all food items as scheduled. A two (2) weeks' supply of food should be maintained at all times.

IV. MENUS

Menus shall be prepared two weeks ahead of each day they shall be served. Menus shall be prepared taking into consideration budget allocations, cooking equipment, the basic food groups, dietary allowances, quality and quantity. All food preparation and ordering shall be based on what the menu calls for the present day through the next week.

A. Menu Preparation

The menu shall be rotated every four (4) weeks. Menus shall be followed without any major or frequent changes. Menus shall be prepared with consideration of the inmate population, equipment and needs of the inmate population. Menus for holidays shall be provided by the Food Services Contractor to coincide with the holiday.

B. Menu Approval

Menus shall be prepared, approved, disapproved and/or changed after consultation with the contracted dietician employed by the Food Services Contractor. All meals shall be based on a consumption of 2800 calories per day per inmate. Documentation of the dietician's certifications and inspections shall be maintained by the contracted food services provider.

C. Menu Documentation

A copy of all menus shall be maintained by the contracted food services provider for a period of three (3) years.

D. Meal Statistics

The contracted food services provider shall maintain statistics regarding food services preparation and costs. At the end of each month these statistics shall be forwarded to the Jail Administrator.

The statistics shall include but not be limited to the following:

1. Number of meals served daily;
2. Names of inmates receiving special diets;
3. Dates the special meals were provided;
4. Menus for the past three (3) years;
5. Average food cost per person per day.

V. SPECIAL DIETS

The Forsyth County Jail shall utilize all available resources to ensure the health and welfare of the inmate's diets in relation to their actual needs.

A. Special Diets

Special diets shall not be honored for inmates who simply state they "cannot eat" certain food items. Inmates may not choose what to eat in place of the food items being served.

The contracted food services provider shall maintain the names and locations of inmates approved for and receiving special diets. All "special diets" shall be documented.

B. Medical Diet

Inmates may require a special diet due to health/dental reasons or concerns by the medical staff. The medical staff must provide dietary medical orders to food service staff on a paper special diet profile. This shall include the length of time the inmate is required to remain on the special diet. The contracted food services staff shall use all available resources to prepare and serve meals as directed by the medical staff. Concerns in this area shall be addressed between the contracted medical provider and the Food Services Supervisor.

C. Religious Diets

Inmates who request special diets based on religious beliefs shall submit their request on the kiosk via the special diet request. (See GO 4-14 Inmate Food Services for approval procedures)

D. Pregnant Inmates

The contracted medical provider may order a special diet for a pregnant female inmate. The order shall be documented on special diet profile sheet.

VI. FOOD PREPARATION

All food preparation shall be completed by the contracted food services provider staff. Meals shall be appropriately prepared, inspected and delivered. Special attention shall be given to the food's temperature and doneness. All hot food temperatures shall be documented on the daily menu form prepared by the contracted food services provider.

A minimum of two (2) meals, preferably three, shall be served each twenty-four (24) hours; one (1) of the meals must be a hot meal.

The food services area should provide adequate space for proper food preparation and distribution based on the number of inmates confined.

A. Religious Considerations

Food services officials should not compel Jewish or Muslim inmates who object to participate in the preparation, cooking, or serving of meals which include pork or pork byproducts. Procedures are in place for ensuring that food served to inmates who are forbidden to eat certain items (e.g., pork, shellfish, meat):

1. Does not include those foods
2. Shall not be tainted by using the same utensils and cooking pots in the preparation of the special diets which were being used to prepare prohibited food item.

Measures should be taken to reasonably ensure that byproducts of the forbidden food items do not taint the religious meal.

VII. FOOD DELIVERY TO INMATES

Inmates are normally fed in their housing units, providing adequate space and time. Inmates should be allowed adequate time, a minimum of fifteen (15) minutes to eat their meals. Meals are served in the day room which provides adequate tables and seating for each inmate being served. The eating area is not in the immediate proximity of inmate's toilets.

A. Serving Temperature

All food served should be maintained at the appropriate temperature throughout the serving process. This process includes not allowing the meals to cool while waiting to be served. All meals should be served as soon as possible after arrival at the housing units.

B. Inmate Count

Prior to each meal, the contracted food services provider shall receive a current head count. Inmates out of the Jail not returning during the meal, except local court, shall be excluded from these numbers.

C. Food Carts

The contracted food services provider shall place food trays on the food carts according to housing unit head counts provided. "Special Diets" should be marked with the inmate's name on it. Once the food carts are filled with the right number of trays, they are pushed to the appropriate staging areas.

D. Counting Trays

Once the trays arrive at each housing unit and prior to the actual feeding, the housing unit deputy should count the trays for accuracy. Any discrepancies shall immediately be brought to the attention of the contracted food services provider for rectification.

E. Inmate Control and Identification

It is the Housing Unit Deputy's responsibility to ensure that all inmates receive one (1) tray. The following procedures should be followed to control and identify the inmates:

1. The inmates must be fully clothed in their inmate uniform in order to receive a tray.
2. All inmates shall present their identification cards to the deputy.
3. The deputy shall verify the inmate's ID Card ensuring that it is the correct inmate.

4. Once identified, the inmate shall receive their tray.
5. All inmates must receive one (1) tray. They may refuse the tray; however, it must be offered. Inmates refusing to eat shall be documented in the housing unit log.
6. It is not the deputy's responsibility to get the inmates out of bed. Inmates late for the feeding of their housing unit shall receive their meal after all other inmates are fed. Abuse of this may result in the inmate being disciplined for disobedience.
7. ALL inmates must present themselves for a tray at feeding whether they accept the tray or not. For security reasons, the officer must verify the safety and well-being of each inmate in the housing unit.
8. If an inmate is not in the housing unit at the time the trays are served, their tray should be sent back to the kitchen.
9. When the inmate returns, the housing unit deputy shall contact the kitchen for the inmate's tray and beverage. The inmate shall present his/her ID card for verification and then shall receive his/her tray.

F. Segregation

Serving meals to the segregation unit takes special considerations. The following procedures should be:

1. Inmates in segregation may be served through the tray ports one cell at a time.
2. Identifying and checking the inmate is the same as the general inmate population.
3. Inmate workers may provide assistance in receiving the trays and giving them to the segregation inmates.
4. The officer inside the segregation unit should vary the serving routine by not beginning to serve and end serving with the same cells.
5. The segregation inmates should be given adequate time, a minimum of fifteen (15) minutes to consume their meals.
6. All food trays must be removed after each meal.

G. Serving Hostile / Restraint Chair Inmates

When the inmate is released from restraints or is no longer hostile toward staff and other inmates, the housing unit deputy shall contact the kitchen for the inmate's tray and beverage. The inmate shall present his/her ID card for verification and then shall receive his/her tray.

VIII. RECEIVING

A contracted food services provider staff member and a deputy should supervise the receiving of food and support products. The person receiving the truck shall ensure:

- a. The items received are the same as the items ordered by comparing the vendors list to the list of items ordered and checking these items off as they are taken off the vehicle.
- b. Damaged cartons, cans or food items should not be accepted.
- c. Food items shall be appropriately handled, sorted and stored in the correct locations.

IX. FOOD STORAGE

All food items shall be stored in their respective places in the food services area. Storage areas shall be kept sanitary and at the appropriate temperatures. All food items shall be rotated to assure that new products are placed in back of previously ordered items. The following procedures should be followed:

- a. Frozen food items shall remain frozen until needed for preparation.
- b. Perishable food items shall be stored in a temperature-controlled storage area.
- c. Temperature of storage areas shall be closely monitored for correctness.

X. SANITATION

The food services area and all related equipment including floors, walls and storage areas shall be kept clean and sanitary. To ensure this is occurring, scheduled and unscheduled inspections shall be conducted by assigned staff personnel with reports being forwarded to the Jail Administrator.

A. Sanitation Procedures

To ensure a clean and sanitary food services area the following minimum procedures shall be followed:

1. All food handlers, staff and inmate, shall wash their hands before and after handling food, and after using the restroom.
2. All trays, cups, and cooking utensils shall be washed and sanitized in accordance with established guidelines after each meal.
3. The food services area floor shall be cleaned with a floor detergent. The floor should be rinsed with clean water and mopped to remove any excess water.
4. The stove, vents and hood shall be cleaned daily.
5. The walk-in cooler and freezer shall be cleaned daily. All food items shall be placed on shelves in covered containers. Unused food shall not be placed in nonfood containers.

6. The serving line shall be cleaned and water drained after each meal to prevent calcium build up.
7. All stainless steel shall be cleaned and polished daily including the doors to all storage areas.
8. Food carts shall be thoroughly cleaned after each meal.
9. The food services restroom shall be kept clean at all times.
10. The cleaning storage room shall be kept clean and neatly arranged. Wet mops or cloths shall not be stored until dry.
11. The pantry shall be kept clean and all new items stored on the shelves or racks. These items shall be rotated as new items arrive.
12. All sinks shall be kept clean and paper towels available at all times.
13. All inmate workers assigned to the food services area shall remain clean and neat. Fingernails shall be trimmed close to the fingers.
14. Hats or hair nets and gloves shall be worn at all times when food is being prepared or served.
15. Inmates with cuts and/or open sores shall not be allowed to work in the food services area or handle food in any manner until cleared by medical.

B. Trash / Garbage

All trash and garbage shall be removed from the food services area after each meal. The trash should be taken to the trash compactor and disposed of. The condition of the dumpster shall be inspected weekly and any leakage or damage reported.

C. Sanitation in Feeding Areas

All persons handling food trays in any manner must wear hair covering and protective gloves.

B. Rest Room

Toilet and wash basin facilities are available in the food services area for inmate use. Signs shall be plainly posted reminding inmates to wash their hands.

XI. SAFETY

The safety of staff and inmates working in the food services area is a high priority. Floors must be kept clean and debris cleaned up immediately. Wet floors should be marked with "wet floor" signs as a warning for all persons concerned. Inmates shall be trained as needed in use of all equipment safety standards and food services procedures. Inmates shall be closely supervised when using sharp objects.

A. Food Carts

Inmate meals shall be assembled on trays which are then placed in rolling food carts to maintain temperature and freshness.

B. Culinary Equipment Control

The control of small and large cooking utensils must be closely monitored.

C. Cooking Utensil Inventory

An accurate inventory of all cooking utensils shall be conducted daily. This inventory shall include a checklist relating all cooking utensils available along with their location. The Jail staff deputy shall monitor this activity. Any loss of a potentially dangerous utensil may result in an immediate "lock down" of the jail until the item is found.

D. Food Services Knives

All knives shall be maintained in a locked room in the food services area. Food services staff members must "sign out" knives, as needed. The staff member signing out the knife must also return the knife to its secure storage area. Knives shall remain under constant control and supervision by the food services staff member, being secured to a table by means of a leash and lock system in place on each knife. When not in use, knives shall be cleaned and returned to secure storage area.

E. Flavoring Extracts and Food

Flavoring and food extracts must be secured in locked locations accessible only to the food services staff. Food items such as fruit should be closely monitored to not allow inmates to remove them from the food services area.

F. Keys

The keys required for the food services function shall be secured when not in the possession of an authorized food services staff member. Only food services staff or deputies may have access to the food services keys

G. Searches

Frisk searches of the Food Services inmate workers may occur as needed by any officer when deemed appropriate to do so.

A random and thorough search of the food services area, to include storage areas, may and is encouraged to be conducted at any time.

XII. INSPECTIONS

A. State Health Department Inspections

The "State Health Department" inspector may inspect the food services area on a regular basis. This inspection is to ensure compliance to health, safety and sanitation codes as established by governmental agencies. Deficiencies, if any, shall be annotated in writing and corrective action(s) taken. The Food Services Supervisor shall maintain a copy of these inspections for a period of three (3) years.

B. Staff Inspections

The contracted food services provider and the Food Services Supervisor shall conduct random inspections of the food services area. All areas related to food preparation require weekly inspections. Some of these areas include, but are not limited to ranges, ovens, refrigerators, mixers, dishwashers, garbage disposal. Mandatory daily inspections of refrigerator and water temperatures are indicated as follows:

1. Water temperature on the final rinse should be 180 degrees Fahrenheit or 140 to 180 degrees Fahrenheit if a sanitizer is utilized on the final rinse.
2. Temperature of the short-term holding freezer (inside) shall be maintained at between 0 and 5 degrees. Temperature of the long-term freezer (outside) shall be maintained between 0 and -5 degrees.
3. Temperature of the refrigerator shall be maintained between 24 and 45 degrees.
4. Dry goods/shelf goods shall be maintained at 45 degrees to 80 degrees Fahrenheit.

Any variance to these temperatures shall be immediately reported to the Maintenance Engineer. The Jail Staff Supervisor is tasked with ensuring these inspections take place daily by him/herself personally or by designated, trained personnel. Inspections, problem areas, and any actions taken shall be documented and maintained by the Jail Administrator.

GENERAL ORDER: GO 4-15 Inmate Grievance System

Effective Date: May 23, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. INMATE GRIEVANCE SYSTEM

An inmate grievance system provides a documented, orderly, fair, and simple method of resolving inmate grievances. Inmates should be encouraged to informally resolve grievances between themselves, and members of the staff, when possible.

In addition to providing inmates with the opportunity to have a grievance heard the grievance procedure can assist jail staff by providing a means for internal resolution of problems and to improve lines of communication. The grievance system also provides a written record in the event of subsequent administrative or judicial review.

Procedures set forth in this policy shall not assign any rights or liberty interests to inmates.

A. Definitions

Grievance. A complaint by an inmate which seeks resolution to a specific condition or treatment while incarcerated in the Forsyth County Jail.

B. Grievance Process

Inmates currently incarcerated in the Forsyth County Jail may file a grievance for matters which allegedly occur during their incarceration. The grievance process provides administrative remedies for inmate grievance resolution. These administrative remedies provide a means of monitoring complaints and evaluating systems/processes for needed revision, deletion and/or improvement. Administrative remedies provided in the grievance process also provide a litigation screening device which may prevent needless and/or costly inmate litigation.

Inmates are encouraged to informally resolve grievances between themselves and members of the staff when possible. If this is not possible, the inmate may submit a grievance. Inmates shall be provided an inmate handbook which includes instructions on the grievance procedure and how to access it. Staff members shall not discourage or dissuade inmates from filing a grievance.

All grievances must be filed through the jail kiosk/tablet system within seventy-two (72) hours of the alleged incident. If the inmate is unable to complete the grievance form him/herself, she/he may obtain assistance from staff.

C. Grievable Allegations

The following allegations are grievable:

1. Incidents of abuse or harassment;
2. Denied privileges specified in the inmate handbook;
3. Violation of Constitutional Rights:
 - a. Inmates must exhaust their administrative remedies before alleging inmate rights violations.
 - b. Making complaints in "kites", letters, conversations with staff, and other communication cannot be substituted for strictly complying with the requirements for properly filing and processing grievances.
4. Reprisals against inmates for filing a complaint or appeal under the inmate grievance procedure, or for participating in an inmate grievance proceeding;

D. Non-Grievable Allegations

The following matters CANNOT be grieved:

1. Any matter the Forsyth County Jail or its staff has no control over (i.e., parole/probation decisions, sentences, and loss of mail by the postal service);
2. A disciplinary hearing sanction or formal discipline due process. (Inmates are to use the disciplinary appeal process to file complaints on these matters.);
3. Inmate Classification Assignments. (Inmates may not utilize the grievance system to challenge their assigned classification.);
4. Incidents or problems to which the inmate was not a party. The only exceptions to this rule shall be in the event of a sexual assault, harassment or any other type of abuse.;
5. A collection of unrelated complaints. (Staff shall only allow one issue for each grievance.);
6. Group grievances (a grievance signed by two or more inmates.);
7. Requirements of Agency policies;
8. Final Decisions on Grievances (no grievance permitted for final decision of an appeal decided by the Jail Administrator);
9. Facility Transfer; AND
10. Housing Assignment.

E. Grievance Evaluation and Response

A line level deputy shall be appointed by the Jail Administrator to serve as the Grievance Deputy and shall evaluate each inmate grievance. A response should be provided to the inmate within three (3) working days (excluding weekends, holidays) from the date it was initially received. The response may state that additional time is required to properly investigate the inmate's grievance.

Any findings of violation of inmate's rights, privileges unjustly denied, or a crime committed shall be brought directly to the Jail Administrator or designee for review.

F. Grievance Appeal

If an inmate is dissatisfied with the findings of the Grievance Deputy, they may file an appeal within seventy-two (72) hours of receiving the response.

All grievance appeals shall be reviewed by the Jail Administrator, or designee. A response should be provided to the inmate within five working days (excluding weekends, holidays) of the date the appeal was received. The response may state that additional time is required to properly investigate the inmate's grievance.

The decision of the Jail Administrator, or designee, is final.

The Jail Administrator, or designee, should counsel with staff members in those situations where the grievance is determined to have been capable of resolution at the first level.

G. Retaliation Prohibited

No negative sanction, harassment, curtailment of privileges, or punishment of any type may be taken against any Inmate for simply filing a grievance or appealing a grievance decision.

H. Administrative Remedies Mandatory Prior to Civil Litigation

Inmates must strictly complete each step of the grievance process to have properly exhausted all administrative remedies. Civil litigation by inmates may only be initiated after such administrative remedies have been exhausted. A decision on any appeal is a completion of any specific grievance.

II. EMERGENCY GRIEVANCES

Emergency grievances are those matters which must be resolved quickly because of the perceived immediate substantial risk of personal injury or other serious and irreparable harm. Inmates should be encouraged to bring such matters to the direct attention of designated staff that may be able to provide immediate relief without the use of the written grievance procedure.

Emergency grievances include the following instances:

- a. Medical treatment
- b. Fire and life safety complaints
- c. Claims concerning missed release dates; and
- d. Other matters for which delay could result in serious problems for inmates or jail officials.

Emergency grievances shall be brought to the immediate attention of the housing deputy(s). The inmate must indicate the grievance is an emergency and must list specific facts supporting the emergency grievance.

The staff member receiving an emergency grievance must immediately notify a shift supervisor. If the reviewing supervisor verifies it as an emergency, a shift commander, or health care staff (if the grievance is health related) shall respond to the grievance at the earliest possible time.

Normal handling procedures shall apply if the grievance is not a true emergency.

GENERAL ORDER: GO 4-16 Inmate Telephones

Effective Date: May 11, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE TELEPHONES**

An inmate telephone service is available for inmates to stay in contact with friends, family members and attorneys. Inmates may use the telephone service within established guidelines as long as their use is not disruptive or does not become a threat to the good order and discipline of the Jail.

Regulated telephone access shall be provided to inmates. Security procedures and regulations shall further the safety, security, control, discipline, order and other legitimate penological interests of the jail. Inmate rules concerning the use of the telephone system shall be maintained in the Inmate Handbook.

The following procedures apply to the telephone system:

- i. Inmate phones are located in every inmate housing area.
- ii. Telephones shall not accept incoming calls.
- iii. All calls made by the inmates shall be collect or prepaid.
- iv. Phones shall be turned on daily unless restrictions have been placed for disciplinary or security reasons.
- v. Inmates are not authorized to make phone calls outside their units unless specifically authorized by the Security Shift Supervisor or higher authority.
- vi. All 'non-privileged' phone calls (as defined in Section I, C of this policy) are subject to recording and audio monitoring.
- vii. Inmates found abusing the phones **shall be** disciplined.
- viii. All problems with the Inmate Telephone Service shall be immediately reported to the Housing Unit Deputy.

A. Intake Unit Telephones

Each inmate shall have access to a telephone twenty-four (24) hours per day during the intake process. Inmates may use the telephones to contact families, friends, attorneys, bonding companies, or others to arrange for their release from jail. Persons receiving calls from jail inmate telephones shall be notified that the call is coming from a detention facility.

B. Housing Unit Telephones

Telephone service is provided in the housing units for inmates to maintain community ties and contacts with attorneys. Inmates shall be informed during Housing Unit Orientation that the phone system is a collect-call system and requires persons receiving the telephone call to accept the call and agree to pay all charges. Persons receiving calls from jail inmate telephones shall be notified of the charges, to include additional charges for long distance calls, and shall be given the opportunity to accept or deny the collect call. Telephones are available seven days a week during free-time hours until lockdown unless circumstances dictate otherwise. The housing deputy may permit the use of a telephone at other times if an inmate has a legitimate emergency.

C. Telephone Recording and Audio Monitoring

Telephone calls initiated by an inmate to the inmate's Attorney of Record or an agent of the attorney, or calls initiated by the inmate's Attorney of Record to the inmate, or calls made by the inmate to the court for legal matters involving the inmate's Attorney of Record or from the court to the inmate are considered privileged communications and shall not be recorded or audio monitored by staff.

Non-privileged Inmate telephone communications do not include the same degree of privacy as that of the general public. Inmates shall be provided notice that they have no expectation of privacy in non-privileged telephone conversations and that they may be recorded and/or monitored. Notice may be provided in the Inmate Handbook, by affixing labels next to telephones, during housing unit orientation or other means.

Non-privileged inmate telephone communications may be randomly, selectively or consistently monitored at any time to further the jail's safety, security, order, discipline and other legitimate penological interests. Staff may initiate inmate disciplinary action for violations of inmate rules and may initiate criminal prosecution of state and/or federal law violations observed.

The Jail Operations Commander, or designee, shall supervise the operation of the inmate telephone recording process. The Sheriff's Office Open Records Unit shall have the authority to release or deny the release of information obtained from monitoring calls.

Recorded calls shall be stored in accordance with the time frame specified in the inmate telephone contract.

D. Time limits

The Jail Administrator or designee shall determine telephone time limits based upon the inmate population and the number of telephones available.

E. Violation of Telephone Rules

Violation of telephone rules may result in warnings or other disciplinary actions (i.e., loss of telephone privileges), major disciplinary actions and/or criminal prosecution.

Abuse or other improper use of the inmate telephone system by persons with whom the inmate communicates may result in the persons being disallowed future calls from the inmate(s).

F. Hearing/Speech Impaired Assistance

The jail maintains an ADA approved device for inmates who are hearing/speech impaired. Inmates needing to utilize this device should notify the pod deputy and the pod deputy will notify the supervisor on shift to retrieve the machine in a timely manner.

G. Contacting Attorneys by Telephone

Inmates needing to contact their attorney may call them from the housing pod telephone during free time. If an appointed attorney refuses a call, the inmate should send a request via the pod kiosk to speak with a representative of the Indigent Defense Office, outlining the issues.

H. Exceptions and Restrictions

Access to telephones may be restricted in the following circumstances:

- 1) Use of telephones by inmates shall be suspended during emergencies.
- 2) Use of telephones by inmates during shake downs or other security measures is prohibited.
- 3) Inmates shall use the phones provided to them. In the rarest of emergency circumstances shall an inmate have access to no-charge outside phone lines. This shall be granted by the Watch Commander only. Any inmate removed from a housing unit to use this no-charge outside phone line shall be escorted by a deputy and the Housing Unit Deputy shall notate this in the housing unit log.
- 4) Citizens who receive inmates' calls and choose to speak with the inmate must agree to accept reasonable charges for telephone calls.
- 5) All phone calls are susceptible to recording and screening.

- 6) Inmates found abusing the phones shall be disciplined.
- 7) Possession of cellular phones by inmates is strictly prohibited.

GENERAL ORDER: GO 4-17 Inmate Visitation

Effective Date: June 9, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. Inmate Visitation**

Inmate visitation shall be conducted via an internet video visitation system. The video visitation system shall provide adequate video and audio for visitors and the inmate to hear and see each other. Inmates have no right to a barrier-free (contact) visit.

All video visits, with the exception of attorney visitations, may be recorded and monitored. With the exception of attorney visits, Inmates and visitors shall have no expectation of privacy in their visits.

Rules and regulations to be followed by inmates and their visitors shall be posted in the Inmate Handbook and at the entrance to the video visitation room.

A. Inmate Visitation Procedures

The following visitation procedures shall be adhered to:

1. Inmate visitation is subject to limitations and restrictions based upon the Jail's schedule, space, and personnel constraints.
2. Each video visitation shall begin at the scheduled time and not when the visitor arrives.
3. Special video visitation arrangements may be authorized by the Jail Commander under exigent circumstances and for family who must travel a long distance. Authorized special visits shall be accomplished via the video system unless a rare contact visit is approved by the Watch Commander.
4. Friends and family are responsible for scheduling video visitation with inmates via the approved internet video visitation software. Information is provided on the Sheriff's Office Website www.forsythsheriff.org.
5. All visitors entering the jail for on-site video visitation shall be screened by the visitation deputy and shall be scanned via the magnetometer.
6. Should a deputy have individualized or reasonable suspicion to believe that a visitor is concealing contraband, evidence of intended violation of jail rules or presents a risk to jail security or safety, a supervisor shall be notified.

7. Strip searches of visitors suspected of concealing contraband or otherwise engaging in or attempting to violate state law are PROHIBITED unless the suspect is physically arrested based on probable cause, taken to the Intake Unit and processed on appropriate charges. Once a visitor has been arrested and escorted to the Intake Unit, a strip search may be conducted as permitted in agency policy GO 4-9 XI.
8. All visitors shall produce a valid state ID or valid passport to gain entry to the video visitation area. The ID provided must include a photo of the visitor. Any visitor not possessing a valid state ID or passport shall be refused entry and denied visitation.
9. Two (2) adult visitors at a time are permitted video visitation area. Adults may be accompanied by up to two (2) children each (age of 16 and younger) and are responsible for the control and care of the children. Adults with disruptive or unruly children shall be directed to remove children from the jail premises. Children shall not be left unattended in visitor or other public areas.
10. Visitors shall be denied a visit if they are under the influence of alcohol and/or drugs, and/or if they are disruptive or refusing to follow jail rules.
11. No items are allowed in the video visitation room. This includes purses, backpacks, diaper bags, baby strollers, cell phones, suitcases, briefcases (except for attorneys and/or other legal representatives), food/drinks, cigarettes, lighters, cameras, books, weapons of any type, cigarettes, lighters, etc.
12. Persons wearing inappropriate clothing may be denied participation in an on-site or remote video visitation. Inappropriate clothing includes short shorts, halter tops, tank tops, strapless tops, sleeveless tops, extremely tight clothing, low cut, V-neck or see-through blouses, short/mini dresses or dresses with slits up the thigh, caps, bandannas, or house shoes. All visitors must wear undergarments. The visitation deputy shall have the final decision on visitor's attire.
13. Visitors are prohibited from exposing genitals, buttocks or breasts during a visit. Sexually provocative actions by visitors and inmates are also prohibited.
14. Visitation by legal counsel, ministers, and other privileged individuals shall be conducted with the most privacy available.
15. Contact visits are not permitted, except with the express permission of the Jail Commander or his/her designee.
16. Inmates wishing to visit with a member of the media via video visitation may schedule the visit via the approved internet video visitation software.
17. In accordance with inmate disciplinary procedures, an inmate may be denied visitation privileges upon receiving a disciplinary sanction restricting this privilege.
18. Visitation is subject to limitations and restrictions based upon the security, safety, and health requirements of this Jail, its staff, inmates, and visitors.
19. Visitation may be terminated for any situation which threatens the safety, security, order, discipline, treatment goals or other legitimate interest of the jail.

20. Approval for an extended visit for "Out-of-State" visitors shall be obtained from the Jail Commander, or designee

B. Denial of Visitor Eligibility

Every effort shall be made to protect the safety, security, order, discipline, control and legitimate interest of the jail. Certain visitors may be denied visitation privileges to protect these interests. The denial of a citizen's visitation privileges shall be determined by a deputy of the rank of Sergeant or higher.

Visitors may be denied visiting privileges indefinitely for:

1. Previous illegal or improper conduct by the visitor, such as;
2. Attempts to smuggle drugs, weapons, or other contraband into the jail;
3. Assisting, conspiring, or otherwise planning or providing assistance with an escape attempt;
4. Disruptive behavior during visits or violations of rules governing visitors;
5. Engaging in sexual misconduct or sexually provocative behavior;
6. Information from a reliable source that a visitor represents a substantial risk to smuggle contraband, engage in violence, or violate laws or visiting rules; or
7. Information received or a reasonable belief by jail officials that the visitor represents a threat to the safety, security, order, discipline, treatment, or other legitimate interests of the jail.

An incident report shall be completed in JMS for any of the above incidents and a copy shall be forwarded to the Jail Commander for review.

C. Inmate Visitation Deputy Responsibilities

The Visitation Deputy is responsible for monitoring the visitation process which includes but is not limited to inspecting the visitation room prior to during and after visitation sessions, screening visitors and coordination with housing unit deputies.

1. Inspections

All areas of concern shall be inspected prior to, during, and after visits. Some areas of concern for contraband include the outside area of visitation and the rest rooms. It is required these areas be inspected prior to the first visit and at the close of business.

2. Visitor's Log

A visitation log shall be maintained with the names of each person entering the video visitation room

D. Unauthorized Visitors

Persons known to be one of the following shall not be allowed access into the visitation area:

1. An Individual under the age of 17 without an accompanying adult
2. An Individual age 17 and over without picture ID (Proper ID includes: Driver's License, Military ID / Dependent ID, State Issued ID)

The Jail Commander or designee may approve visits by 'unauthorized visitors' at his/her discretion.

E. Violations of Visitation Policy

Visiting privileges may be cancelled, denied, restricted, and /or indefinitely suspended under the following circumstances:

1. Visitors found to be in violation of the rules may be subject to temporary or permanent suspension of visiting privileges or other appropriate action depending on the severity of the violation. If a visitor is permanently banned from future visits, the Jail Commander shall be notified.
2. Inmates found in violation of the rules shall be subject to the inmate disciplinary system and may receive temporary or permanent suspension of visiting privileges or other appropriate action.
3. Inmates and Visitors may be subject to criminal prosecution for violation of state or federal law.

F. Contact Visits

Contact visits are not authorized at the Jail except under rare circumstances as approved by the Jail Commander, if authorized, security measures shall be applied as conveyed by the Jail Commander or his/her representative.

G. Hospital Visits

Visits with an inmate who has been hospitalized shall not normally be conducted. However, special authorization may be obtained through the Jail Commander. All necessary arrangements, security restrictions and other concerns shall be staffed with the appropriate Deputy's (Security, Supervisors, etc.) prior to the actual visit.

H. Attorney Visits

Unless specifically prohibited in writing by the Jail Commander, attorney visits for inmates shall be conducted as outlined.

1. Attorney Identification

Those requesting an Attorney/Client visit with an inmate must show proof of identify. A copy of the attorney's 'entry of appearance' may be requested. A person's word or business card is not sufficient proof of identity. Attorneys are required to carry identification cards identifying them as a member of the Bar. Inmate access to legal counsel shall include:

- a. Attorneys privately employed by the inmate (Attorney ID)
- b. Court appointed attorneys (Attorney ID)
- c. Legal Assistants/Aids (picture ID)

2. Visiting Times

Inmates are permitted visits from their attorney(s) at any time, day or night. These visits shall not be counted against scheduled visitation.

3. Visiting Location

A private area is provided in the housing pod for attorney visits. Attorney-client visits are privileged and, thus, cannot be monitored. The prohibition against audio monitoring visits does not prohibit jail staff from visually observing visits. Visual observation of visits, if done from a distance which does not allow eavesdropping, furthers the jail's legitimate safety and security interests without infringing on the communication and privacy of the visit.

4. Conducting the Visit.

Attorneys shall inform the security staff the name of the inmate they need to see. Security procedures apply to attorneys the same as they do for inmates, staff, visitors, and others. Attorneys can be required to submit to reasonable search processes such as metal detectors, inspection of briefcases, and, if there is sufficient justification, pat-down searches. Once the attorney is checked in to the system, the attorney shall be escorted to the appropriate inmate/attorney meeting room to meet with the inmate.

5. Personal Items

Purses, briefcases, boxes, large parcels or items of a similar nature must be kept outside the Jail. This is extremely important in maintaining a secure and safe Jail. Only those items needed to conduct the visit shall be authorized.

All items carried by the attorneys are subject to inspection. If legal paperwork is required to be given to the inmate, the lawyer shall be required to advise the deputy/clerk in front lobby.

6. Special Considerations

The Jail shall make every reasonable effort to cooperate with all attorneys. However, security concerns and situations shall never be compromised.

I. Paraprofessional Employees Visits

Persons approved for visitation under this circumstance must:

1. Present appropriate credentials and an original letter from the employing attorney, prepared on the attorney's or law firm's office stationery.
2. The letter should confirm the name of the employee, the nature of their work (investigator, etc.), the name of the inmate the employee is to visit with and must include the employing attorney's original signature.
3. The jail reserves the right to photocopy the letter and credentials for documentation purposes.
4. All other visitation policies and requirements are applicable.
5. No contact visitation by paraprofessionals is allowed, unless approved by the Jail Commander.

J. Media Requests to Visit Inmates

Media requests for a face-to-face visit with an inmate shall be submitted and scheduled via an agency approved internet video visitation software. Information regarding procedures for requesting and conducting a video visit with an inmate may be viewed at www.forsythsheriff.org, Jail Visits page.

In person visits with inmates by members of the media are not permitted unless exigent circumstances exist and permission is granted by the Jail Commander. Members of the media who believe exigent circumstances justify an in person face-to-face visit shall submit a written request, including their justification, to the Jail Commander for consideration.

All persons representing themselves as a member of the media shall submit sufficient credentials identifying them as an employee of a bonified media organization, if requested.

GENERAL ORDER: GO 4-18 Inmate Worker

Effective Date: February 21, 2022

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE WORKER PROGRAM**

An inmate worker program provides opportunities for inmates to learn ethics and develop work habits in preparation for re-entry into society. The program reduces idle time, develops work ethics and good work habits in preparation for inmate's reentry into society and reduces annual maintenance costs for jail sanitation, kitchen labor, laundry and other tasks required to maintain a safe and sanitary jail environment.

II. INMATE WORKFORCE PROGRAM ASSIGNMENTS

The Sheriff, or designee is vested with total discretion in establishing inmate workforce programs. Inmates have no constitutional right to work while in custody nor do they have any constitutional right to perform any job. Assignment to and termination from the inmate worker program may be applied without due process.

III. ELIGIBILITY

Inmates with proper inmate classification status may be eligible for inmate work force assignment. Final approval for granting inmate workforce status rests with the Jail Administrator or designee. The following factors should be considered when assigning an inmate to workforce status:

- A. The inmate should be incarcerated for a minimum of fourteen (14) days unless prior knowledge of good work behavior is known. This shall give the jail an opportunity to observe the inmate's normal day-to-day behavior.
- B. The inmate has not been convicted of or currently charged with any forcible felony, any serious drug offense, any serious sexual offense, or escape.
- C. The inmate has received a health approval from the jail's medical staff.
- D. The inmate has no past conviction of "Assault on a Law Enforcement Personnel".
- E. An inmate's ability to understand directions.

IV. DISCRIMINATION PROHIBITED:

Discrimination in work assignments based on gender, race, religion, national origin, sexual orientation, and disability is strictly prohibited. Reasonable efforts shall be made to provide work assignments for all eligible inmates.

V. PRE-TRIAL AND UN-SENTENCED INMATES:

Pre-trial and un-sentenced inmates are not required to work except to do personal housekeeping duties in their individual housing areas. However, any inmate may volunteer for inmate workforce status by submitting a request at the inmate kiosk. The inmate may, or may not, be accepted, depending on eligibility. Inmates may be assigned duties both in and outside the secure perimeter of the jail. A variety of assignments may be provided that afford inmates an opportunity to learn job skills and develop good work habits that they can apply to jobs after they are released.

Inmate workforce duties may include but not be limited to:

- A. Outside maintenance of the grounds, parking areas, firing range,
- B. Cleaning of the entire jail to include floors and walls as directed by deputies,
- C. Inside maintenance of the jail,
- D. Cleaning of departmental and government vehicles,
- E. Unload delivery trucks,
- F. Remove trash from building to dumpster,
- G. Washing, drying, folding of inmate uniforms and linens, kitchen laundry, and maintaining inventory by size of all laundry in an orderly manner,
- H. Cleaning of all kitchen equipment, trays, dining area, etc.

VI. INMATE WORKER PRIVILEGES:

Inmates placed on inmate workforce status may receive the following privileges for compensation:

- A. Special housing,
- B. Good time credit (when applicable) towards a reduction in sentence,
- C. Extra supply of uniforms

Inmate workers are not eligible to receive monetary compensation for work performed.

VII. SUPERVISION OF INMATE WORKFORCE:

Because of their assignments, inmate workers are often afforded opportunities to acquire contraband and convey it to other inmates and locations within the Jail. To prevent this, each inmate worker should be frisk-searched at irregular intervals and

each time they leave their workstation, their living unit and prior to entering their assigned housing unit.

While inmate workers may be utilized in all areas of the Jail to assist in housekeeping and sanitation, they shall not be left alone in administrative areas nor permitted to enter Master Control.

Each deputy supervising an inmate worker assignment should be within sight and hearing distance of the inmates.

VIII. Food Service Assignment

Inmate workers may be assigned to the Kitchen area to assist with cleaning and serving meals to the inmate population.

- A. Inmate workers shall be screened for any medical issues that would prevent them from safely working in the food services area. Their hair must be kept neat and clean. They must maintain a clean and neat appearance. Inmate workers should not have facial hair. Requests for facial hair exceptions based on religious tenets must be submitted via kiosk to the Inmate Services Deputy for consideration.
- B. All food service workers shall be monitored daily for health and cleanliness by the Food Services Staff and security personnel.
- C. All inmate workers assigned to the Food Services area shall remain clean and neat. Fingernails shall be trimmed close to the fingers.

IX. Inmate Workforce Rules

Each inmate assigned to the inmate workforce program shall receive orientation training on the rules, responsibilities, and goals of the inmate worker program. Inmates working in the kitchen or other specialized detail shall receive specialized on-the-job training from the supervising deputy.

Those inmates desiring to gain inmate worker status shall abide by all rules and regulations, including the regulation pertaining to hair length. Upon agreeing to the rules and regulations, inmates are required to sign a form acknowledging receipt of these rules and regulations.

The following rules shall apply to those in an inmate workforce status:

- A. UNDER NO CIRCUMSTANCES SHALL AN INMATE BE PERMITTED TO POSSESS KEYS/RADIOS OR EXERT ANY DEGREE OF AUTHORITY OR SUPERVISION OVER ANOTHER INMATE.
- B. Inmates shall be required to follow all lawful orders given by the jail staff.

- C. Inmates shall not possess any keys, weapons, or operate any security device.
- D. Inmates shall not enter any control room or administrative office unless there is a deputy present and then only with permission.
- E. Inmates shall be secured when not on work detail. They shall not have the freedom to roam during off-duty hours.
- F. Inmates shall not be permitted to have any money on their person or in their cells.
- G. Inmates shall not distribute medicine, mail, or money within the jail.
- H. Inmates shall not enter the kitchen area unless assigned to kitchen duty or being escorted by a deputy.
- I. Inmates are prohibited from using foul language or vulgarity.
- J. Inmates shall not enter the staff dining area unless specifically assigned to staff dining.
- K. Absolutely nothing shall be taken in or out of cells or housing units without permission of the supervising deputy.
- L. Inmates shall not take extra food from the kitchen without specific permission from the Kitchen Deputy. This includes, but is not limited to, requesting another inmate to prepare or obtain food for them.
- M. Absolutely nothing may be passed under any cell door to or from an inmate.
- N. Inmates shall not loiter in the hallways.
- O. Inmates shall obtain permission from the supervising deputy before leaving their assigned work area.
- P. Inmates assigned outside the jail SHALL be strip searched upon return to the jail. Inmates shall enter the jail only through the intake area when returning from outside work assignments.
- Q. All inmates shall be searched when returning from their assigned detail within the jail prior to entering their housing unit.
- R. There shall be no buying or selling of goods, property, or merchandise by the inmate from employees or any inmate.
- S. No inmate shall call or place a call for another inmate or inmates.
- T. Under no circumstance shall an inmate be allowed to purchase merchandise for himself, inmates, or the jail from local merchants.
- U. Inmates shall not normally be supplied free merchandise from the commissary with the exception of indigent inmates and inmate workers.
- V. Inmates shall be accompanied by a deputy at all times when going into a housing unit. The inmates shall have no contact with general population inmates except in the company of a deputy.
- W. Inmates shall not accompany deputies when handling prisoners.
- X. Inmates shall maintain their hair at designated lengths. Facial hair is prohibited.
 - i. Requests for facial hair exceptions based on religious tenets must be submitted via kiosk to the Inmate Services Deputy for consideration.

- Y. Inmates preparing/serving meals shall wear hairnets and gloves at all times.
- Z. Communication with any person(s) other than jail personnel and food service personnel unless permitted by the supervising attendant is ABSOLUTELY PROHIBITED.
- AA. Assignment to inmate worker status is a privilege, not a right. Inmates may be removed from inmate worker status at any time. To maintain the jail security, order, and ease of operation, inmates must, at all times, follow the rules and regulations outlined.
- BB. All inmates are responsible for keeping themselves well-groomed, shaved, showered, and in clean uniforms. They are also required to keep their living area and bathrooms neat and clean. Razors may be issued by the inmate workforce deputy.
- CC. An inmate working on an inmate worker detail shall immediately notify their supervising deputy of any medical emergency or injury, as well as any other information that may require immediate attention.
- DD. Inmate workers shall not possess/use/transport any tobacco and/or alcohol products.
- EE. Inmates on workforce status shall acknowledge the availability of latex gloves, eye protections, nose/mouth protection available. These personal protection items should be worn when dealing with chemicals, body fluids, and/or any other potentially dangerous substance.

X. Inmate Workforce Working Conditions

Inmate working conditions shall comply with all applicable federal, state, or local work safety laws and regulations. All inmates working/assisting in the Inmate Workforce Program shall be supervised and comply with all safety laws and regulations. Tools, equipment, and materials should only be used by inmates under the direction and/or supervision of staff. Inmates shall not be utilized in a manner which:

- A. Places them in hazardous or dangerous situations,
- B. Could provide them the means or knowledge to defeat jail security systems.

XI. PERSONAL USE PROHIBITED:

The Forsyth County Sheriff's Office engages in the practice of assigning inmates to specific work details to benefit the county and/or the Sheriff's Office as a whole.

- A. Inmates are never to be used for any purpose resulting in the private gain of any individual or corporation except for Community Service work programs.
- B. Any employee violating this policy may be subject to immediate dismissal and/or criminal prosecution as stated in OCGA 42-5-37.

GENERAL ORDER: GO 4-19 Inmate Marriage

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE MARRIAGE POLICY**

The Forsyth County Jail recognizes that inmates have a fundamental right to marriage that is not extinguished as a result of incarceration. Inmates retain their right to marriage regardless if it is between a man and a woman or couples of the same sex. It is a likelihood that most inmates will eventually be released by parole or commutation, and therefore inmate marriages are normally formed in the expectation that they will ultimately be fully consummated.

A current inmate of the Forsyth County Jail may submit a request for a marriage ceremony to marry an individual who is not currently incarcerated in the Forsyth County Jail.

In order to protect the safety, security, order, discipline, control and other legitimate penological interests of the jail, a marriage may only be approved if the marriage:

- a) Will not violate current Georgia law or other legal restrictions,
- b) Would not jeopardize the safety, security, order, control, or other legitimate or legal interest of this facility or of the criminal justice system,
- c) Will not cause any financial or other burdens to the Forsyth County Jail related to the staffing or physical plant.

A. Marriage Application

An inmate who wishes to wed must first submit a request via the housing unit kiosk, expressing their desire to wed. Inmates must meet all the requirements of Georgia's marriage law, must be mentally competent, must obtain a written verification by their intended spouse of their intention to marry them, and must file a formal application to the Inmate Programs Coordinator for approval of the marriage, which may only be denied because legal requirements are not met, the marriage presents a threat to the security or good order of the jail, or the marriage presents a threat to public safety. The inmate or the intended spouse shall assume all financial expenses for the marriage process.

The inmate's intended spouse should obtain a marriage license application form from a county probate judge, complete the form and send it to the offender for completion of his/her portion of the form including his/her notarized signature. The Forsyth County Jail shall not be required to transport an inmate to the local county probate court to secure a marriage license. If the county probate judge requires both intended spouses to apply in person, then the offender(s) or their families may contact the local county probate court to determine if a marriage license can be issued at the facility at which the intended spouse is housed. Arrangements for the issuance of a marriage license at the facility should be coordinated through the Jail Administrator and completed during said inmate's usual visitation schedule. The offender shall have the responsibility of returning the original marriage license application form by mail to his/her intended spouse who should then return it to the local county probate judge according to the procedures set by that office. The intended spouse shall bring the original license to the institution on the day of the marriage ceremony, if approved.

The Forsyth County Jail shall not transport an inmate to any other location outside of the secured area of the jail for the purpose of securing a marriage license or conducting a marriage ceremony.

B. Consideration & Approval

All requests to wed shall be reviewed by the Inmate Programs Coordinator. Contact shall be initiated with the intended spouse of the inmate to confirm their desire to wed; to obtain a copy of a wedding license and to obtain a completed background authorization form from the intended spouse.

Although affirmed by the United States Supreme Court, the right to marry, like many other rights, is subject to restrictions as a result of incarceration. Requests to wed may be approved if compelling reasons are given to show marital status is urgently needed to secure government benefits (e.g., Social Security benefits), property rights (e.g., tenancy by the entirety, inheritance rights), and other, less tangible benefits (e.g., legitimation of children born out of wedlock).

The Inmate Programs Coordinator should first determine if the inmate submitting the request is a municipal, state, or federal inmate. The appropriate court jurisdiction must be contacted to determine if there is any judicial reason(s) that would prohibit the marriage. Reasons the courts may object to a pretrial inmate wedding may include: the intended spouse of the inmate is the victim in his/her pending case, the intended spouse is set to testify against the inmate in a pending case, the intended spouse is a co-defendant in a pending case, etc. Any objection(s) to the requested marriage from the court system must be submitted to Inmate Programs Coordinator in writing.

Once the Inmate Programs Coordinator has determined that no judicial issues prohibit the marriage and a compelling reason to wed prior to release from the jail

exists, a review should be conducted to ensure no serious safety and security concerns could be created by allowing the ceremony to occur.

At the conclusion of the evaluation, a written response to the inmate is required. If the request is denied, specific reason(s) must be communicated to the inmate in writing to support the decision. A denial may be appealed by the inmate by utilizing the inmate grievance system.

If the wedding ceremony is approved, the inmate shall be advised of the approval along with notice that no conjugal visits are permitted.

C. Ceremony

The marriage ceremony should be scheduled for a time and location at the jail that least impacts normal operations. A barrier free ceremony would provide an unacceptable security threat to the jail. Therefore, absolutely no physical contact may be allowed between the inmate and his/her intended spouse for the ceremony. A suitable non-contact location shall be determined by the Jail Administrator prior to the ceremony. All applicable jail rules shall be followed regarding to the location that is selected. Anyone who enters the secure areas of the facility is subject to a criminal background check and pat-down search prior to entry. All Forsyth County Jail rules related to visitors and guests shall apply and be strictly enforced.

Attendance at the marriage ceremony shall be limited to the jail security personnel, the inmate, his/her intended spouse, and a minister or official that has been approved to solemnize the wedding. No family or witnesses are permitted in the secure areas of the jail. A deputy shall remain present with the inmate during the ceremony if the inmate was moved from his/her housing unit.

The inmate shall wear clothing normally issued by the Forsyth County Jail and shall not be permitted to have special clothing sent or brought in for the ceremony. Wedding gowns, special decorations, flowers and music are prohibited.

As soon as the minister or wedding official has completed the ceremony, all parties must exit the secure area of the jail and the inmate shall immediately return to his/her housing location. The inmate and his/her spouse shall not be permitted any time to socially interact. Inmates are never permitted to have conjugal visits while incarcerated in Forsyth County Jail.

D. Documentation

Copies of all applications, marriage license and other applicable documents shall be recorded in the inmate's jail file.

E. Marriage Ceremony Prohibited if Both Persons to be Married Are Currently Housed in the Forsyth County Jail

A marriage ceremony of two inmates currently housed in the Forsyth County Jail is prohibited due to numerous security and safety related issues it would cause. Marriages between inmates, especially same-sex marriages complicate classification and housing options and may cause inmate-on-inmate violence related to:

- 1) Physical harm suffered by the inmate-spouse; or
- 2) Ridicule, mocking, derision, or disrespect directed against an inmate's inmate-spouse.

GENERAL ORDER: GO 4-20 Institutional Transfer of Inmates

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. TRANSFER OF INMATES TO STATE PRISON

Inmates convicted and sentenced to serve time at the Georgia Department of Corrections shall be transferred to the State Prison system as soon as practical. Within five (5) days of sentencing an Affidavit of Custody (AOC) shall be prepared by the sentencing department and filed into the case by the Clerk of Courts. The AOC and the sentencing documentation shall be sent electronically to the Department of Corrections. The Department of Corrections will advise when a 'prison run' is scheduled and which inmates are scheduled to be taken to DOC.

Inmates being transported to the Georgia Department of Corrections are only permitted to bring the following Items with them:

- a. Money (Checks, Money Orders, and Cash)
- b. Jewelry
- c. One Watch
- d. One Ring
- e. Chain with religious medallion.
- f. Prescription eyeglasses one pair.
- g. Bible or Quran.
- h. Ten personal photographs. (No nudity or provocative in nature)
- i. Four personal letters or post cards. (combination of both no more than four)
- j. Legal Material (No Law Books)
- k. 20 Stamps

II. JAIL TO JAIL TRANSFER OF INMATES

An inmate may be released or transferred to another jail upon a valid Warrant or Production Order.

A. Valid Warrant

Upon proof of a valid warrant, custody of an inmate may be turned over to a law enforcement official having jurisdiction to serve said warrant. All personal property, including monetary funds, for inmates being released to another jurisdiction upon the production of a valid warrant shall be turned over to the law enforcement deputy taking custody of the inmate. The medical services provider for the Forsyth County Jail may authorize release of the inmate's current medications which will be turned over to the receiving deputy. The receiving deputy shall complete and sign a "Transfer of Custody" receipt which will be scanned into the inmate's JMS file.

B. Production Order

An inmate may be temporarily transferred to another jail in compliance with a valid production order. All personal property, including monetary funds, shall remain in the custody and control of the Forsyth County Jail. The inmate shall have access, as authorized, to their property upon being returned to the jail. The medical services provider for the Forsyth County Jail may authorize release of the inmate's current medications which will be turned over to the receiving deputy. The deputy taking custody of the inmate shall complete and sign a "Transfer of Custody" receipt which will be scanned into the inmate's JMS file. A "Housed Out Status" form shall be completed and forwarded to the classification unit. The inmate's housing status will be changed in JMS to show they are being housed at another jurisdiction to be returned upon completion of the production order requirements.

III. **TRANSFER OF PRE-TRIAL INMATES**

Pre-trial detainees shall not be transferred to another jail if the receiving jail is so distant that it would result in denying the inmate reasonable access to their attorney unless the transfer is ordered by a court of competent jurisdiction.

Should a pre-trial inmate be transferred to another jail, all legal mail for the inmate that is received should be forwarded in a timely manner to the jail where the inmate was transferred.

IV. **TRANSFER OF CONVICTED INMATES TO OTHER FACILITIES (IN OR OUT OF STATE)**

Inmates who have been convicted and sentenced may be transferred/housed at other jail facilities (in or out of state) as per O.C.G.A. 42-11-2 (as revised).

GENERAL ORDER: GO 4-21 Americans with Disabilities Act (Jail)

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. AMERICANS WITH DISABILITIES ACT (ADA)

The Forsyth County Jail seeks to provide policy compliant with requirements of the American with Disabilities Act (hereafter referred to as "ADA") and which serves the penological interest of the jail.

A. Non-Discrimination

The Forsyth County Jail shall not unlawfully discriminate against any qualified person based on their disability. Staff, contractors, volunteers, visitors, inmates/detainees and any person with legitimate business at the jail shall be provided barrier-free access to programs and services consistent with reasonable accommodations and security requirements. Requests for reasonable accommodations shall be documented and responded to appropriately.

Deputies should become familiar with government agencies, nonprofit agencies, volunteer organizations, and emergency medical services that may provide assistance to inmates with any disability that is covered by the ADA. The Forsyth County Jail should, if needed, seek the guidance and approval of the Sheriff's Office Attorney when developing or reviewing any policy and/or procedure regarding the ADA.

B. ADA Coordinator

The Jail Administrator, or designee, shall assign a staff member (herein referred to as the ADA Coordinator) to manage all ADA concerns.

C. ADA Overview

The Americans with Disabilities Act of 1992 (ADA) covers individuals who have a physical and/or mental impairment which substantially limits one or more major life activities, who have a record of such impairment, or who are regarded as having such an impairment. The ADA guarantees equal opportunity for qualified

individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications. Temporary conditions, lasting less than six (6) months, are generally not covered by the ADA. Certain other conditions are expressly excluded from coverage by the ADA. Excluded conditions include pedophilia, homosexuality, trans-sexuality, transvestism, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from current use of illegal drugs or alcohol.

D. ADA Terminology

The following terminology describes conditions covered under ADA:

1. Physical Impairment

A Physical Impairment includes any physiological disorder, condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.

2. Mental Impairment

A Mental Impairment includes any mental or physiological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities; and includes but is not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

3. Sensory Impairment

Sensory Impairment is a disability involving blindness, deafness or a severe hearing or vision impairment.

4. Assistive Device

An Assistive Device is any device used by a disabled individual, which aids them in the performance of day-to-day activities (walker, cane crutches).

5. Qualified Individual with a Disability

A Qualified Individual with a Disability is a person with a disability that has satisfied the requisite skill, experience, education, and other job-related requirements of the employment position such individuals holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position. If the person cannot perform the essential function, the person is not "qualified."

6. Equal Opportunity

Qualified Individuals are entitled to an equal opportunity to participate in programs, services or activities. Qualified individuals with disabilities may not be refused participation in services, programs or activities by reason of their disability unless the individual presents a direct threat to the health and/or safety of themselves or others. Persons who have successfully completed a supervised drug rehabilitation program or have otherwise been rehabilitated successfully and who are not engaging in current illegal use of drugs. Additionally, discrimination is prohibited against an individual who is currently participating in a supervised rehabilitation program and is not engaging in current illegal use of drugs. A person who is erroneously regarded as engaging in current illegal use of drugs is protected.

7. Major Life Activities

Major Life Activities are basic functions that the average person can perform with little or no difficulty such as caring for oneself, manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

8. Intellectual Disability

Intellectual Disability (formally known as Mental Retardation) refers to the condition of a person afflicted with substantial sub-average general intellectual functioning that is associated with impairment in adaptive behavior.

9. Prosthesis

A Prosthesis is device used to replace a defective or missing part of the body.

10. Reasonable Accommodations

Reasonable Accommodations include adjustments made in a system to "accommodate" or make fair the same system for an individual based on a proven need.

11. Service Dog

A Service Animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

12. Tactile Interpreter

A Tactile Interpreter is an interpreter used for those who are deaf and blind. Tactile interpreters use several different forms of sign language involving touch to communicate with a person who is deaf and blind.

13. Telecommunication Device for the Deaf

A Telecommunication Device for the Deaf (TDD)/ Teletypewriter (TTY) is a machine that employs graphic communication in the transmission of coded signals through a wire or radio communication system, used by those with hearing impairments or are deaf.

14. Videophone

A Videophone is a telecommunication relay service that allows people with hearing or speech disabilities who use sign language to communicate with voice telephone users through video equipment.

II. APPLICATION of ADA STANDARDS IN THE JAIL ENVIRONMENT

Performing routine and emergency jail services requires equality in response, support, and protection to all inmates, including those with disabilities. Deputies should be aware that people with disabilities have special needs that may have to be met in order to provide meaningful response to their call for service. Deputies should be sensitive to the fact that some people with disabilities may be targeted as crime victims as a direct result of their disability. A deputy's response in such situations requires discretion and is based, in great part, on the deputy's perception of characteristics and severity of the disability, the level of resistance, the threat exhibited by the inmate or suspect and immediacy of the situation. Deputies should make every effort to access appropriate support organizations when practical and reasonably available.

Inmates with disabilities shall have all rights, privileges, and access to programs that do not endanger the inmate, deputies, or others, or that causes an undue burden on scarce resources.

Deputies confronted with an unfamiliar impairment should seek professional advice regarding the proper methods of transport, arrest, and detention of individuals with a disability. Often this requirement can be met by talking with the impaired arrestee/inmate, or by consulting with the contracted medical provider.

Deputies should recognize the characteristics of various disabilities, including symptoms and physical reactions that may resemble individuals under the influence of alcohol or drugs. At times such traits may be exhibited by people with diabetes, epilepsy, multiple sclerosis, hearing impairments, and other disabilities. In such instances the appropriate responses may be to:

- a. Seek the aid of a coworker who has knowledge and/or training in dealing with such issues;
- b. Seek emergency medical aid;
- c. Protect and/or calm the individual;
- d. Use basic sign language or the written word; or
- e. Locate and enlist support of family and/or friends.

Deputies should use caution in applying restraints to a person with a physical or mental disability when conducting movement or transporting. In all cases, the safety of deputies and staff shall prevail. No deputy shall jeopardize his or her safety or that of others in an attempt to accommodate a person with a disability.

A. Inmate Housing ADA Compliance

Inmates with disabilities, including temporary disabilities, should be housed and managed in a manner that provides for their safety and security according to their current classification. Housing used by inmates with disabilities, including temporary disabilities, should be designed for their use and provide for integration with other inmates, if safe to do so.

Inmates with mobility and/or sensory impairments should be housed in designated housing areas that are equipped to provide reasonable accommodations (i.e., telephones, lower bunks, sinks, showers benches, toilets and assistive devices).

Lack of speech or other speech impairment may make it difficult for an inmate to notify staff of an urgent need. To overcome this impediment, frequent cell checks should be conducted as a means of communication.

B. Accommodations

Initial decisions and ongoing evaluations regarding an inmate's need for a mobility assistive device are made by the medical staff and the officer assigned to handle all ADA concerns. Inmates with mobility impairments shall receive reasonable accommodations when they request them, when prescribed by the medical staff and when the ADA Coordinator directs them.

A supervisor who believes possession of a medical orthopedic or prosthetic appliance poses a security risk shall remove the appliance from the inmate's cell.

The supervisor should consider the following when determining if the appliance is to be returned to the inmate;

1. The contracted medical provider's recommendation,
2. The ADA Coordinator's evaluation,
3. The inmate's classification level and housing, and
4. Prior history of assaults towards staff or other inmates.

The Security Division Commander shall be notified within 12 hours of the final determination. Prosthetics or assistive devices shall be returned to the inmate within 24 hours if not determined to pose a security risk.

As soon as practical, deputies shall provide thermal clothing and/or extra blankets to mobility impaired inmates who have been prescribed such items as a reasonable accommodation for their disability.

Jail Deputies shall provide reasonable assistance to inmates with mobility and/or sensory impairments in the movement to and from attorney visits. Extra time shall be permitted to travel to inmate visiting and attorney and professional room visits.

Inmates in wheelchairs or other mobility assistive devices should be transported in vehicles appropriate accommodate to their mobility devices.

C. Access to Programs.

Unless inmates are restricted by medical personnel for medical reasons, by mental health personnel for mental health reasons, or by the Jail Administrator (or their designee) for discipline, safety, or security reasons, deputies shall not exclude inmates with mobility and/or sensory impairments from regular scheduled recreation, programs, and activities. Deputies shall provide inmates who have mobility and/or sensory impairments with reasonable assistance in movement to and from housing location, and accommodations while in custody including but not limited to recreation, activities and programs. All inmates shall have the opportunity to be an inmate worker unless an inmate with mobility

and/or sensory impairments is disqualified for medical, classification or disciplinary reasons. Programs, services and activities offered to the general population of inmates should also be accessible to inmates with disabilities.

D. Outdoor Recreation

Recreational activities should be available to all inmates with mobility and/or sensory impairments. Deputies shall allow mobility impaired inmates to travel outside housing areas for recreation activities with their prescribed assistive device(s) if any, provided they do not present a legitimate penological, safety or security concern. In addition, deputies should allow extra time for inmates with mobility impairments to travel to and from their housing location. Efforts should be made to rotate the starting times of inmate recreational activities between housing locations to ensure fairness when possible.

E. Mobility Impairments

Mobility impairments are the most visible disabilities. People with mobility-related impairments include those who have difficulty walking, who use a wheelchair, or other mobility aid, and those who are immobile.

In a critical or emergency situation, Deputies should use discretionary caution when moving a mobility-impaired person rapidly. Once an arrestee with mobility impairments is secure in a cell and safety concerns are resolved, an effort should be made to return use of any assistive device (wheel chair, cane, etc.).

As with other disabilities, a deputy should never assume that a mobility impaired inmate is not capable of inflicting serious injury or death to Deputies or themselves. Deputies are cautioned that persons with disabilities often rely on their disability to attempt to manipulate and control their environment. Deputies should not be lulled into an unsafe practice.

F. Mental, Emotional, & Psychological Disabilities.

The terms mental illness, emotional illness, and psychological illness, describe varying levels of mental disabilities causing disturbances in thinking, feeling, relating, and perception.

Deputies should assist inmates with mental, emotional, and psychological disabilities in accessing inmate services, when reasonably practical. Deputies should take extra precautions by using those restraints necessary to move the mentally impaired inmate safely, while protecting the Deputies and the arrestee from injury.

Frequently, a family member or friend is of great value in calming an individual exhibiting unusual behavior, as a result of mental or emotional impairment. When

security considerations permit, deputies may allow visitation or communications by telephones.

G. Visual Disabilities

One issue facing people in need who are blind or vision impaired is identifying law enforcement officials. Deputies and staff should offer detailed information when identifying themselves.

Knowing what to do is as important as knowing what not to do to assist a person who is vision impaired. Deputies and staff should not raise their voice when speaking and should not grab the persons arm to lead him/her in a particular direction. Simply describe potential obstacles or ask if they need guided assistance. In the jail environment, signs and printed information within the facilities should be in large print in order to assist people with vision impairments. In secure areas, visually and hearing-impaired person should be escorted by the Deputies in charge.

H. Speech and Hearing Disabilities

Like other invisible disabilities, Deputies may confuse the behavior of individuals with hearing and speech disabilities with those of people who intentionally refuse to cooperate or those who abuse illegal substances. Deputies must be aware that an inmate's failure to comply with or respond to verbal orders does not always constitute resistance but may be the result of that individual's inability to hear the officer or respond verbally. Before committing to a course of action, Deputies should attempt to determine if they are dealing with a communication-related disability.

Deputies should take appropriate measures to protect the rights of suspects who are deaf and hard of hearing, as well as others who may not have educational or communications comprehension levels sufficient to fully understand the basic instruction. Simply reading instructions to someone with a hearing disability and having the individual acknowledge that they understood is insufficient.

I. Intellectual Disability

Deputies should recognize that people who are intellectually disabled have varied degrees of intellectual function. Intellectual Disability encompasses a broad range of developmental disabilities from mild to profound. The largest percentages of inmates with intellectual disabilities are in the ranges termed mild or moderate. Intellectual Disability and mental illness are distinct conditions, with no similarity.

When communicating with inmates with intellectual disabilities, deputies should ask short questions, be patient when waiting for answers, repeat questions and

answers, have individuals repeat question in their own words, and provide continual reassurance. In responding to the needs of people with severe or profound mental retardation, the aid of family, friends, neighbors and professionals is invaluable.

J. Invisible Disabilities

Some disabilities are difficult to detect. A deputy's inability to recognize characteristics associated with certain invisible disabilities could have serious consequences. For example, outward signs of a disability such as epilepsy generally do not exist unless the person with the disability experiences a seizure. People with diabetes may have reactions from either too little or too much insulin. Low blood sugar reactions are common and are usually treated by ingesting sugar. Detaining someone and preventing them from accessing required medication or substances could have serious health implications for the individual and liability consequences for the officer and the jail.

Deputies should realize that involuntary behavior associated with some invisible disabilities may resemble behavior characteristically exhibited by intoxicated or, less frequently, combative individuals. For example, a person experiencing a mild seizure may appear incoherent and physically imbalanced. The response is temporary.

A deputy's patience and understanding of the characteristics commonly associated with invisible disabilities shall increase the likelihood of a successful outcome. An inaccurate assessment could lead to unnecessary confrontation, injury, and denial of needed medication and/or medical treatment.

As with all encounters, a deputy's second obligation, after protecting himself and others, is to protect the individual inmate from unnecessary harm. When aiding a person experiencing a seizure, deputies should provide protection from obstacles, a calm reassuring manner, and a patience response. Medical assistance should be sought to provide information and assistance. Their presence may prove invaluable in understanding the needs of the inmate with the disability and guiding the officer's actions.

K. Auxiliary Aids and Services

The Forsyth County Jail shall provide auxiliary aids and/or services when appropriate or necessary to reasonably ensure adequate communication for persons with hearing, vision and/or speech disabilities.

Auxiliary aids and services may include:

1. Qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, telecommunications

- devices for hearing impaired persons (TDD's), video-text displays or other effective methods of making orally delivered materials available.
2. Qualified readers, taped texts, audio recording, large print materials or other effective methods of making visually delivered material available to individuals with visual impairments.

Auxiliary aids and services may be any aids or services which provide effective communications to impaired persons including:

- a. Access to visiting, mail and telephone communication.
- b. Adequate defense of disciplinary actions.
- c. Level of communication sufficient to ensure reasonable access to:
 - 1) Constitutionally or statutorily required service programs.
 - 2) Other programs or services provided by the jail.

Auxiliary Aids are required, except where providing such auxiliary aids would constitute an undue hardship. In determining whether an "undue hardship" would result, ADA requires officials to consider:

- a. The nature and cost of the accommodation needed under this chapter;
- b. The overall financial resources of the jail or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such jail; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the jail;
- c. The overall financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type, and location of its facilities; and
- d. The type of operation or operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; the geographic separateness, administrative, or fiscal relationship of the jail or facilities in question to the covered entity.

L. ADA Compliance Management

The Forsyth County Jail is proactive in efforts to meet the requirements of the ADA. The jail shall routinely evaluate its current services, policies and practices to achieve and maintain compliance with ADA. The jail shall maintain a complaint-resolution process to receive, review and resolve ADA-related complaints. Complaints shall be administered by the ADA Coordinator.

III. SELF EVALUATION

The Forsyth County Jail shall evaluate its services, policies and practices annually to ensure that the requirements of the ADA are being met. Modifications should be made the extent they are safe and practical.

The self-evaluation process should allow interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the self-evaluation by submitting comments.

Following the self-evaluation, the Jail Administrator shall:

- a. Designate a staff member to prepare a plan for making any required modification of policies, practices of the jail.
- b. Present and finalize the plan a review by the Sheriff's Office Attorney.
- c. Initiate implementation of the plan.

If exceptions to the barrier removal requirements are claimed, compliance with ADA can ordinarily be achieved by:

- a. Identifying the claimed exception.
- b. Providing the rationale for requiring the exception.
- c. Obtaining the review and approval Sheriff's Office Attorney.

The Forsyth County Jail is not required to take any actions which it can demonstrate an undue hardship which would result in:

- a. A fundamental alteration in the nature of the service, program or activity; or
- b. Cause an undue financial burden; or cause a direct threat to the safety, security, order, discipline or other legitimate interest of the jail.
- c. Require the county to take any action that would threaten or destroy the historic significance of a historic property, or
- d. Unnecessarily require the county to make each of its existing facilities (if more than one exists) accessible to and usable by individuals with disabilities.

IV. ADA RELATED COMPLAINTS

A. Receiving Complaints

Any contractor, volunteer, visitor, inmate or person with legitimate business at the jail may file an ADA related complaint. Inmate complaints are required to be received through the inmate grievance system on the kiosk. Complaints from others should be received in writing except for instances in which the resolution of a complaint may only require a simple action by a jail deputy or civilian. Under such circumstances, requiring a written complaint before acting may be counterproductive. This type of resolution should be documented in a memo to the ADA Coordinator.

B. Reviewing and Responding to Complaints

Jail personnel receiving an ADA complaint should immediately notify the Jail Administrator or his/her designee about the complaint. If the Jail Administrator or designee is not immediately available, the member should evaluate the complaint to determine if it can be resolved in a simple and timely manner with available resources.

If the complaint is of a type which the staff member receiving the complaint can resolve, the member should:

- 1) Take the necessary action to resolve the problem.
- 2) Submit a memo to the Jail Administrator or his/her designee to notify him/her of the action taken and allow the ADA Coordinator to determine if additional follow up is required.

If the complaint cannot be immediately resolved by the staff member, the staff member shall:

- 1) Summon the shift supervisor to handle the complaint.
- 2) The supervisor receiving the complaint should notify the complainant that the matter shall be referred to the Jail Administrator or designee for follow up.

If the complaint is received by telephone the staff member shall:

- 1) Request the complainant to submit a written report detailing the nature of the complaint.
- 2) Document further information concerning the complaint as provided during the telephone discussion including but not limited to the complainant's name, telephone number, address and the nature of the complaint.
- 3) Refer the matter along with available information to the Jail Administrator or his/her designee.

If the complaint is received by mail, the correspondence shall be forwarded to the Jail Administrator or his/her designee for follow up.

The following actions should be taken by the Jail Administrator or designee:

- 1) The Jail Administrator or designee shall conduct a review of the complaint by making contact with the complainant; resolving the complaint by remedying with appropriate action; or determining that modification or accommodation is not possible for reasons which are consistent with the provisions of the ADA.

- 2) If the complaint is resolved to the satisfaction of the complainant, the Jail Administrator or designee should provide notification in writing to the complainant and to ADA Coordinator.
- 3) If the complaint is resolved in a manner which does not fully satisfy the demands of the complainant, the Jail Administrator or designee should provide written notification to the complainant of the decision, the reasons for the decision, and the right of the complainant to challenge the decision to the Sheriff or designee. The Sheriff should be provided a copy of the notice submitted to the complainant.

An inmate may challenge the resulting decision of an ADA complaint by using the grievance appeal system on the kiosk. Appeals from others are required to be in writing. The reason for challenging the ruling must be included in any appeal.

Inmates must exhaust all administrative remedies before they can file litigation.

C. Good Faith Efforts.

The Forsyth County Jail shall make every attempt possible to accommodate those persons that are protected by ADA. However, the Forsyth County Jail is not required to take any actions which it can demonstrate would result in a fundamental alteration in the nature of the service, program or activity; or cause an undue financial burden; or cause a direct threat to the safety, security, order, discipline or other legitimate penological interest of the jail.

D. New Construction

All new construction related to the Jail shall be compliant with current ADA regulations.

GENERAL ORDER: GO 4-22 Jail Training

Effective Date: October 5, 2021

Committee Review - Date: July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. JAIL TRAINING**

The Forsyth County Sheriff's Office strives to provide specific learning objectives through classroom, practical, and on-the-job training.

A. Training Coordinator

A qualified instructor assigned to the Training Unit shall coordinate the jail staff development and training program. The instructor shall prepare and distribute an approved annual training plan to all jail employees. Personnel who fail to attend required annual training may be removed from their duties until the required training has been achieved.

B. Training Requirements**1. Certified Jail Deputy**

All personnel employed and assigned or employed as a Sworn Jail Deputy shall complete the required Georgia Basic Jail Officer training within six (6) months of assignment or employment.

a. All deputies assigned to jail duties and deputy sheriffs transferred to the jail shall receive a minimum of one hundred and twenty (120) hours of orientation and training prior to being assigned independently to their new position. At a minimum, this training should cover the following areas:

- 1) Security and Safety Procedures
- 2) Emergency and Fire Procedures
- 3) Supervision of Offenders
- 4) Suicide Intervention and Prevention
- 5) Use of Force Regulations and Defensive Tactics
- 6) Offender Rights

- 7) Key Control
- 8) Interpersonal Relations
- 9) Communication Skills
- 10) Standards of Conduct
- 11) Cultural Awareness
- 12) Sexual Abuse and Assault Intervention
- 13) Code of Ethics

Additional topics may be added at the discretion of the Training Unit or Jail Administrator.

- b. All sworn Deputy Sheriff's assigned to the jail shall receive Twenty (20) hours of jail related annual in-service training. The in-service training may cover the following topics:

- 1) Standards of Conduct/ Ethics
- 2) Security, Safety, Fire, Medical, Emergency Procedures
- 3) Supervision of Offenders
- 4) Sexual Abuse and Assault
- 5) Use of Force

Additional training topics shall be included based upon requirements of agency policy.

2. Managerial and Supervisory Staff Annual In-Service Training

All supervisors and commanders involved in the jail operation shall receive annual training in management topics. Topics should include but are not limited to:

- a) Civil liability
- b) Jail law
- c) Personnel law
- d) Staff discipline and corrective actions
- e) Staff performance plans and performance evaluations
- f) Sexual harassment

3. Non-Certified Clerical and Support Personnel

Clerical and Support Personnel shall receive instruction regarding their general duties and responsibilities along with information regarding the operational and legal requirements of the jail operation to ensure that they do not inadvertently violate legal, security and safety regulations.

- a. All new clerical and support personnel who may have minimal contact with inmates shall receive sixteen (16) hours of orientation training prior to being independently assigned to their position and (16) hours of training during each year of employment thereafter.
- b. All new Clerical and Support personnel who shall have regular or daily contact with inmates shall receive Twenty-Forty (24) hours orientation training prior to being independently assigned to their position and Sixteen (16) hours of training during each year of employment thereafter.

Training may cover some or all of the following topics:

- 1) Working Conditions;
- 2) Code of Ethics;
- 3) Personnel Policy Manual;
- 4) Employee's Rights and Responsibilities;
- 5) Overview of the Criminal Justice System;
- 6) Tour of the Jail;
- 7) Jail Goals and Objectives;
- 8) Jail Organization;
- 9) Staff rules and Regulations;
- 10) Personnel Policies;
- 11) Program Overview;
- 12) the Emergency Plan.
- 13) Security Procedures and Regulations;
- 14) Supervision of Inmates;
- 15) Signs of Suicide Risk and Suicide Precautions;
- 16) Mental Health and Illness Awareness;
- 17) Use-of-Force Regulations and Tactics;
- 18) Report Writing
- 19) Inmate Rules and Regulations;
- 20) Key Control;
- 21) Rights and Responsibilities of Inmates;
- 22) Safety Procedures;
- 23) All Emergency Plans and Procedures;
- 24) Interpersonal Relations;
- 25) Social/Cultural Lifestyles of Inmate Population;
- 26) Cultural Diversity for Understanding Staff and Inmates;
- 27) Communication Skills;
- 28) CPR/First Aid;
- 29) Counseling Techniques;
- 30) Sexual Harassment/Sexual Misconduct Awareness; and
- 31) Code of Ethics.

4. Private Contractor Personnel Training

a. Initial Training

Personnel working for an approved private contractor shall complete a formalized forty (40) hour orientation program on the following topics prior to undertaking their assignments:

- 1) The Purpose, Goals, Policies, and Procedures for the Jail and Parent Agency;
- 2) Security and Contraband Regulations;
- 3) Key Control;
- 4) Appropriate Conduct with Inmates;
- 5) Responsibilities and Rights of Employees;
- 6) An Overview of the Jail Operations to include Inmate Manipulation.
- 7) The Emergency Plan

b. Annual In-Service Training

Personnel working for an approved private contractor should receive annual in-service instruction on the following topics as appropriate:

- 1) Recognition of signs and symptoms, and knowledge of action that is required in potential emergency situations;
- 2) Administration of basic first aid;
- 3) Certification in cardiopulmonary resuscitation (CPR) in accordance with the recommendations of the certifying health organization;
- 4) Methods of obtaining assistance
- 5) Signs and symptoms of mental illness, violent behavior, and acute chemical intoxication and withdrawal;
- 6) Procedures for patient transfers to appropriate medical facilities or health care providers; and
- 7) Suicide intervention.

GENERAL ORDER: GO 4-23 Inmate Programs and Services

Effective Date: April 29, 2022

Committee Review Date July 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman

**I. INMATE PROGRAMS****A. Library Services**

The Forsyth County Jail provides a variety of books to each inmate electronically via Secured Computer Tablets which are assigned to each inmate upon being booked into the jail. Inmates in Disciplinary or Security Segregation are not provided tablets but may obtain spiritual growth, self-awareness and self-improvement books from a library cart upon request. Inmates are expected to maintain the book in good condition and notify the pod deputy if the book is damaged in any way. Inmates shall be required to return all library books prior to their release from the jail.

B. Law Library Services

Access to the law library shall be allowed ONLY pursuant to a Pro Se order from State or Superior court. If granted, time shall be allocated pursuant to the order. Absolutely no assistance with research, (i.e., copying and explanations, etc.) shall be rendered by employees of the Forsyth County Sheriff's Office.

Inmate programs and services are offered to provide opportunities for inmate personal and spiritual growth, self-awareness, self-improvement, improved physical and psychological health, productive use of idle time, and to enhance their reintroduction to society. All programs are voluntary except where noted. All inmates have the right to refuse any program sponsored by or utilized at the Detention Jail. This refusal does not include services such as the inmate laundry service, which is a mandatory. Pretrial and sentenced inmates are not required to work except to do personal housekeeping.

C. GED Program

The Jail offers a G. E. D. (General Education Development) program to all inmate's that qualify. Inmates who successfully complete their GED are better prepared to enter the workforce upon re-entry into society. The Forsyth County Sheriff's Office has partnered with Lanier Technical College to provide the GED

curriculum, study materials and instructors who administer the program at the jail. GED classes are held on regularly scheduled days in the multipurpose room of each housing unit. Multipurpose rooms are equipped with tables and chairs. GED instructors should provide study material for each class held.

Inmates who have not obtained a High School Diploma, are not currently under disciplinary action or segregation due to security risk may apply to participate in the GED Education program at the pod kiosk. The Inmate Programs Coordinator shall review the inmates file and determine if the inmate applicant is qualified to participate in the program.

Inmates may be temporarily or permanently removed from participation in the GED program for disciplinary or security purposes as deemed appropriate by the Inmate Programs Coordinator. Inmates who are currently in the GED program upon being released from the Detention Jail may continue the curriculum through Lanier Technical College.

D. Substance Abuse Awareness Programs

Inmates may benefit to some extent from treatment and counseling efforts offered during treatment programs which may alter their values, attitudes, and behavior. The Forsyth County Jail partners with trained community volunteers to provide Alcoholics Anonymous and Narcotics Anonymous meetings for general inmate population. The meetings may be held in the multipurpose rooms of each housing unit which provide an area equipped with tables and chairs.

The Jail Programs Director shall screen volunteers to ensure they are properly trained in administering the treatment programs.

Court ordered inmate treatment programs shall be administered in the manner, and place dictated in the order. The Forsyth County Sheriff's Office shall transport inmates to and from treatment facilities as directed by the order.

Inmates may apply at the housing unit kiosk to participate in these programs.

E. Inmate Religious Programs

The Forsyth County Jail seeks to provide opportunities for inmate religious programs, including program coordination and supervision; to provide for the opportunity for inmates to practice the requirements of one's faith and to provide for the use of community resources.

1. Bonified Religious Practices

Religious practice must be based upon a body of literature stating religious principles that support the practices and whether the principles are

recognized by a group of people who share common ethical, moral, or intellectual views. Such practices, as deemed essential by the faith's judicatory, may include, but are not limited to:

- a. Access to religious publications and/or religious symbols;
- b. To congregate for worship/religious services in appropriate space;
- c. Individual and group counseling;
- d. Religious study classes;
- e. Adherence to dietary requirements;
- f. Religious headdress requirements

A religious practice may be limited when there is a legitimate threat to the safety of persons involved in such practice or if the practice itself disrupts or threatens the health, safety and security of the jail, staff, inmates, and visitors. Limitations of inmate's religious practices shall be accomplished by the least restrictive means while furthering any compelling governmental interests.

Because of the diversities of religious philosophies and practices in society, jail staff shall not permit their own religious philosophies/practices to infringe upon an inmate's religious practice.

2. Religious Protections

Religious protections may include, but are not limited to:

- a. Inmates have the opportunity to participate in practices of their religious faith that are deemed essential by the faith's judicatory, subject to limitations based upon the security, health and safety requirements of this facility.
- b. Due to safety reasons, no inmate may possess any religious medallion/symbol. This goes along with the jail policy prohibiting jewelry of any type.
- c. Inmates may congregate in designated and appropriate areas for the purpose of worship.
- d. Inmates may be visited by clergy of their choice, with reasonable limitations, for the purpose of religious counseling/ministering.
- e. Inmates may also correspond with clergy/religious counselors of their choice through the mail and telephone, following the established policies for the use of telephone and mail systems.

3. Religious Services

The Forsyth County Jail, in partnership with many religious organizations, attempts to accommodate inmate religious beliefs which do not pose a threat to the safety and order and security of the jail, staff, inmates, and visitors. Because of the diversities of religious philosophies and practices in society,

Jail staff shall not permit their own religious philosophies or practices to infringe upon an inmate's religious practice. Inmates shall make their own decision concerning voluntary religious affiliation.

Inmates are expected to recognize and respect the religious preference of others.

Religious services are held on specified days and times during the week. Any inmate wanting to participate must be fully clothed during the service. All participants must remain with the group until the end of the service unless the pod Deputy approves early release from the service. No items are to be taken into the group service except reading materials pertinent to the religious service.

Each Housing Unit has been designated with multi-purpose rooms which provide adequate space and equipment to conduct and administer religious programs. Additionally, volunteer staff may also accomplish clerical duties specifically relating to the inmate religious programs.

Any inmate not wishing to participate in the religious services can remain in the dayroom area. If any inmate becomes disruptive of the service, the inmate may be placed in disciplinary segregation and an inmate rule violation report generated.

Any inmate housed in a housing unit that is not equipped with a multi-purpose room who does not wish to participate in religious services can request to remain in their cell during the service.

4. Non-Denominational Religious Programs

The Forsyth County Jail shall not promote a singular religious belief. It should provide protections to each inmate regarding their decision concerning voluntary religious affiliation while providing for the security and safety of the facility, and its staff, inmates, and visitors.

5. Ministerial Visits

Ministerial visits by ministers other than the Jail Chaplain may be conducted by telephone or in the visiting booth in booking. In all cases proper identification shall be required of all clergy. (i.e., ordination card and driver's license).

A contact ministerial visit shall have prior approval of a Watch Commander.

6. Religious Services for Inmates in Segregation

All inmates in segregation shall request religious services in writing via the housing unit kiosk.

Inmates in Administrative Segregation and Protective Custody should be permitted to attend religious services unless their attendance would present safety or security concerns.

Inmates in Disciplinary Segregation may be permitted individual ministerial counseling provided the inmates current behavior is not combative or dangerous to others. This shall be conducted upon written request from the inmate via the housing unit kiosk.

7. Publications and Other Materials

Any items distributed by the chaplain and/or volunteers must be approved by the Inmate Programs Coordinator.

8. Donations of Equipment or Materials

Donations of equipment or materials for use in the inmate religious programs should be coordinated by the Inmate Programs Coordinator.

9. Special Religious Diet

Inmates may request a religious diet by completing an Inmate Request/Grievance Form on the housing unit kiosk. Upon receiving a request, the Inmate Programs Coordinator shall:

- a. Furnish the inmate with an Inmate Religious Diet Program Questionnaire within ten working days of receipt to verify the inmate's faith.
- b. Review the questionnaire and forward it to an approved religious representative for verification that the inmate is of that faith by birth or by conversion in accordance with the religious doctrinal requirements of that faith.
- c. In those circumstances where a method of verification is not available, the inmate is subject to an interview by the Inmate Programs Coordinator prior to participating in the Inmate religious diet program.
- d. Inmates may participate in the program if it is determined that adherence to the religious diet is part of the inmate's sincere religious belief and understanding.
- e. The Inmate Programs Coordinator should schedule and conduct a meeting with the inmate to discuss the requirements of participating in the Inmate religious diet program for that particular faith group.

- f. If after the meeting, the inmate still desires to participate in the program, the inmate shall sign the Program Participation Agreement/Questionnaire and the Special Diet Waiver affirming his/her desire to participate in the program and abide by the rules of the program.
- g. If the inmate does not desire to participate in the program after the conference with the religious coordinator, he/she shall sign the agreement/questionnaire and mark the area on the form voluntarily withdrawing from the program.
- h. The Inmate Programs Coordinator shall submit the special diet request to the kitchen staff and ensure the inmate is receiving the diet.

Inmates shall not be permitted to dictate specific menu items for religious diets. However, religious diets should provide sufficient nutrition to sustain the inmate in good health without requiring a believer to defile himself or herself by doing something that is completely forbidden by their religion.

Food services officials should not compel Jewish or Muslim prisoners who object to participate in the preparation, cooking, or serving of meals which include pork or pork byproducts.

Procedures are in place for ensuring that inmates who are forbidden to eat certain items (e.g., pork, shellfish, meat) should be served an alternate meal which does not include those foods. Food included in special religious diets should not be tainted by using the same utensils and cooking pots in the preparation of the special diets which were being used to prepare prohibited food items. Reasonable measures shall be taken to ensure that byproducts of the forbidden food items do not taint the religious meal.

While the Forsyth County Jail seeks to accommodate religious diets requests, certain religious diets may be denied which would result in a substantial threat to the legitimate penological interests (i.e., safety, security, order, discipline, control) of the jail.

An inmate may terminate his/her participation in the program by submitting a written request on the housing unit kiosk. The Inmate Programs Coordinator shall verify the request by interviewing the inmate. An inmate who voluntarily terminates from the program shall not be reinstated during the period of their current incarceration.

An inmate who violates the conditions of participation outlined in the Program Participation Agreement/Questionnaire may be terminated from participation in the Inmate Religious Diet Program. Inmates who receive a religious diet meal tray and who are observed eating items that are in violation of the tenets of their religion or who purchase and/or consume non-certified foods from the commissary may be removed from the program.

The Inmate Programs Coordinator shall notify the inmate of his/her intent to terminate the religious diet program which shall include a notice of the inmate's ability to request an administrative review of the termination.

Inmates who are involuntarily removed from the program may reapply after a period of at least 90 days from the date of termination.

The Inmate Religious Diet Program may be suspended during declared emergencies and during periods of housing area or facility lock down at the direction of the Jail Administrator or designee.

10. Religious Head Coverings

Inmates wearing a head covering for religious or medical reasons shall only be required to remove the head covering in a private area to be searched for security reasons, under the supervision of a deputy of the same gender. After the head covering is searched, it shall be returned to the inmate, and the inmate shall be allowed to wear it for the duration of their incarceration, provided that the inmates face is fully visible at all times. Inmates requesting to wear the head covering for medical reasons shall need to have documentation from their healthcare provider, stating the medical requirements of the head covering. The same verification process for religious diets will apply for head coverings.

II. ADMINISTRATION OF PROGRAMS AND SERVICES

Inmate programs and services are conducted within security, safety and budgetary guidelines. The Jail Administrator may expand, alter or discontinue programs and services when issues arise that may threaten the safety, security and control of the Detention Jail.

A. Security

All persons entering the jail are subject to being searched for contraband. Individuals directing the religious activities often bring in books and pamphlets. These items must be searched prior to the volunteers entering the secure area of the jail and prior to giving them to the inmates. Deputies shall remain vigilant at all times during the service.

B. Space

The Forsyth County Jail endeavors to ensure adequate space provided to conduct religious service(s). Security requirements and other circumstances may occasionally prevent this from occurring.

C. Donations

All literature, handouts and possible donations to the inmates or jail must be approved by the Jail Administrator.

D. Sign-In

All Volunteers shall be required to "sign-in" on the visitor's log upon entering and exiting the jail.

E. Access and Movement

All volunteers should be escorted by a jail staff member while inside the secure part of the Jail. Access shall be limited to the area where the volunteer service(s) is being conducted. Volunteers shall not be allowed to physically interact with any inmate at any time without specific pre-approval from the Jail Administrator or designee.

F. Professional Services

All volunteers performing professional services shall perform services only in the area for which they have been approved.

III. **CITIZEN INVOLVEMENT and VOLUNTEERS**

The Forsyth County Jail utilizes volunteers, where feasible, to enhance and expand services and programs for the inmate population. The Inmate Programs Coordinator is responsible for coordination and training of all volunteers.

The goals of the Volunteer Program are to utilize community resources in developing and implementing inmate programs which provide for personal well-being, enhance self-worth and prepare inmates for re-entry into society.

Prospective volunteers shall complete an "Application for Volunteer Service". The volunteer's application shall include references which shall be verified by the program's coordinator. Following completion of the application, the programs coordinator may arrange for an interview time and date.

The inmate programs coordinator shall screen and select all volunteer candidates, allowing for recruitment from all cultural, social, and economic segments of the community, regardless of race, creed, color, age, gender, sexual orientation, physical handicap, and religion.

The following requirements apply to volunteer selection:

- a. Ex-offenders shall not be accepted as volunteers unless approved by the Detention Jail Administrator or higher authority;
- b. Recruiting efforts shall include civic organizations, applicable educational facilities, public agencies, churches and individual contacts;
- c. Relatives of an inmate may not serve as a volunteer until that relative is no longer incarcerated;
- d. Volunteers shall be mature and of good character, at least twenty-one (21) years of age.

Volunteers should complete an orientation training program prior to assignment. Jail security procedures as well as other relevant information that is appropriate to the nature of their assignment shall be covered during this training. One-time or short-term volunteers may require less intensive orientation. a. The degree and content of volunteer training shall be determined by the Inmate programs coordinator. An approved list of all volunteers will be provided to the Front Lobby employee and maintained by the Inmate Programs Coordinator.

A. Description of Volunteer Positions

1. Religious Services – Certified, licensed, or otherwise verified members of a religious faith shall be screened to perform non-denominational services for the inmates of the jail. The volunteer shall be permitted to perform a 'religious sermon' that does not interfere with the safety and security of the jail. Security decisions can be made by the staff member(s) at the service. Any questions may be brought to the Jail Administrator or designee for final resolution.
2. AA - Verified members of the AA organization shall be screened to perform AA services for the inmates of the Jail. The volunteer shall be permitted to perform meetings that do not interfere with the safety and security of the Jail. Security decisions can be made by the staff member(s) at the meeting. Any questions may be brought to the Jail Administrator or his/her designee for final resolution.
3. Educational - Only certified or licensed educators shall be screened to perform educational services for the inmates of the jail. The volunteer shall be permitted to perform an educational class that does not interfere with the safety and security of the jail. Security decisions shall be made by the staff member(s) at the session. Any questions may be brought to the Jail Administrator or his/her designee for final resolution.

B. Training and Approval of Religious Program Volunteers

The Inmate Programs Coordinator shall coordinate all inmate religious activities, including approval and training of both lay and clergy volunteers from faiths represented by the inmate population, in cooperation with the Jail Administrator or designee.

All religious program volunteers shall receive initial training, coordinated by the Jail Training Coordinator. Annual refresher training shall be provided by the Jail Training Coordinator for all religious program volunteers.

V. INMATE COMMISSARY

An inmate commissary is provided through contract with chosen provider.

A. Commissary Procedures

1. The contracted commissary provider shall offer approved writing paper, envelopes, pencils and postage for sale to inmates. Optional items such as snack items (candy, potato chips, etc.), toiletries, drink mixes and related items may also be offered subject to approval. No tobacco products may be offered by the contracted commissary provider.
2. No commissary items shall be stored at the jail for sale to inmates.
3. Inmates must pay for items ordered from the commissary with funds from their individual Inmate Account. Purchases may be approved and processed if the inmate's account has sufficient funds. The inmate accounts are maintained by an Inmate Jail Finance Clerk.
4. Inmates may receive up to \$100.00 of merchandise each week if funds are available in their inmate account.
5. The amount of merchandise ordered by each inmate must fit in the storage space allowed for the inmate in their assigned cell.
6. Commissary orders shall be placed at the inmate Kiosk located in each housing unit. A product list is provided on the Kiosk.
7. Commissary orders may be placed at any time on the inmate Kiosk. Commissary orders shall be delivered once per week by personnel employed by the Commissary contractor and approved by the Jail Administrator.
8. Discrepancies and/or errors in deliveries shall be noted by the contracted Commissary Clerk.
9. Commissary orders arriving for inmates who have departed the Jail shall be returned to the commissary provider and the inmate's account shall be credited.
10. Inmates shall not trade, barter or exchange commissary items.
11. Errors in orders shall be dealt with on a case-by-case basis by the Commissary Contractor Employee.
12. A deputy shall accompany the Commissary Contractor Employee who shall physically inspect and pass out the orders to ensure accuracy.

Each commissary order shall come with two (2) receipts indicating the items which were ordered. Once the items have been checked off and all discrepancies noted, if any, the inmate shall sign and date it. The list shall then be signed and dated by the Commissary Contractor Employee and/or deputy. The inmate shall retain one copy and the other shall be retained by the Commissary Contractor.

B. Commissary for Indigent Inmates

An inmate detained in the Forsyth County Jail for a period of ten (10) days with a commissary account balance that has not exceeded \$5 and who has not received a care package from outside the jail may be considered indigent. Indigent commissary requests can be made through the inmate kiosk.

Indigent basic packages which include the following items can be ordered every other week:

- a. three (3) postcards
- b. one (1) pencil

An Indigent clothes packs include one (1) pair of whites and can be ordered monthly.

C. Profits

Profits generated from the Inmate Commissary program shall be utilized for Inmate Programs.

D. Audit

Commissary funds shall be audited following standard accounting procedures and an annual financial status report shall be available to the public.

VI. LAUNDRY

Scheduled laundry days and times shall be posted in each housing unit advising inmates when they shall be allowed to have their clothing and sheets laundered. The following procedures are established to maintain an orderly and timely operation:

- A. Inmates are required to launder their T-shirts, underwear, socks, towels and sheets weekly.
- B. Sheets should be laundered separately from personal clothing, at least one (1) time per week.
- C. Blankets should be laundered at least every thirty (30) days.

VII. INMATE RECREATION, EXERCISE and LEISURE TIME

A. Inmate Recreation and Exercise

Periodic exercise and leisure time may assist inmates in maintaining cardiovascular health, maintaining respiratory health, burning fat to control weight and maintaining large muscle groups. Exercise activities may also permit inmates the opportunity to work off boredom, frustrations and excess energy.

General Housing Units of the Forsyth County Jail are designed with a day room and outside recreation area. The day rooms are equipped with tables and benches secured to the concrete floor. These tables and benches provide ample areas for inmates to eat meals, interact socially, engage in passive recreation, write and read. Shower stalls, toilets and sinks are provided in each day room area. The day rooms are equipped with sufficient tables and seating for each inmate not on lockdown. Inmates in segregated housing units may be permitted use of an outside recreation area if deemed safe and appropriate.

Inmates housed in General Housing Units should have the opportunity for at least one (1) hour of recreation that provides an opportunity for aerobic and large muscle exercise or leisure time when not in lockdown, unless restrictions have been assigned.

Inmates housed in Special Management Units, except those outlined in policy, should be afforded the opportunity to participate in recreation that provides an opportunity for aerobic and large muscle exercise or leisure time of at least one (1) hour, five (5) days per week. This exercise or leisure time may occur in the inmate's cell, day room or recreation yard if available.

All exercise activities should occur in the outside recreation areas. Should the outside recreation area not be available or feasible, inmates may be permitted to exercise in the day room areas or for security reasons, in their cells. Inmates shall not utilize tables, chairs, stairs or posts for exercise purposes at any time.

Housing Unit Deputies shall monitor inmates within their assigned units at all times when outside of their cells, to include leisure time and when they are in the outside recreation area which is connected to the day rooms.

Inmates may refuse to participate in recreation (exercise) or leisure time. Housing Unit Deputies shall document in the housing unit logbook the occurrence of any inmate who refuses to participate. Refusal may be inferred where an inmate chooses to remain in their cell when offered recreation/leisure time. Inmates who choose to remain in the day room when the outside recreation yard is open shall be deemed to have participated in the recreation time offered.

Definitions:

1. Aerobic exercise - Refers to physical activities that requires the burning of oxygen during exercise through aerobic metabolism. Aerobic exercise can be accomplished without intense physical activity. Even mild exercise performed for extended periods of time can be aerobic – in other words less resistance and more repetitions. Aerobic exercise is most easily achieved by jogging, fast walking, calisthenics, and other moderate and continuous activity. Those activities can be accomplished in an exercise yard, day room, or even in an individual cell.
2. Recreational Activities - When not locked down, inmates are permitted to perform static exercises, play approved board games, socially interact with other inmates in the housing unit, watch TV, and participate in other activities which comply with safety and security standards. Playing of games of chance, such a dice and card games, is strictly prohibited and is grounds for disciplinary action.
3. Special Management Units- Includes Medical unit, Administrative Segregation Unit, Disciplinary Segregation Unit, Protective Unit and any other unit which houses inmates who due to medical, disciplinary or other safety and security purposes are not suitable for general population.

All efforts should be made to allow inmates outside recreation time. However, there are situations and/or circumstances which may preclude outside recreation from occurring such as but not limited to:

1. During seriously inclement weather; or
2. When situations or conditions exist that would jeopardize the security, safety, order, discipline, control, or other legitimate interests of the jail; and
3. For inmates who present too great an escape risk to permit access to the outdoor recreation area; and
4. For inmates who are too dangerous to allow access to outdoor exercise areas.

The following inmates are not authorized outside recreation:

1. Inmates on a disciplinary status
2. Inmates on bed rest as ordered from the Medical Staff.
3. Inmates on medical or suicide watch.
4. Inmates with documented history of violence or escape which is directly linked to outside recreation and if conducted would pose a direct threat to others.
5. Administrative segregation, Protective Custody may be permitted one hour of time out of their cell each day, safety and security of the staff and jail permitting. This time shall be utilized for phone, shower, exercise, recreation and contact with their attorney.

The following are general rules and regulations governing Inmate Recreation:

1. Inmates who have lost or damaged their Identification cards shall not be permitted in the outdoor recreation yard.
2. Inmate who are disruptive, disobedient or disrespectful to staff denied use of the outside recreation area.
3. Inmates who are under lockdown shall not be permitted use of the recreation yard.
4. Inmates shall remain fully dressed while on the Recreation Yard. They shall not be allowed to remove or alter the inmate uniform.
5. Static exercises are permitted on the recreation yard.
6. The Housing Unit Deputy should remain in constant sight of the inmates while on outside recreation moving about freely to maintain optimum visual control.

Use of the outdoor recreation area may be restricted in the following situations:

1. For all inmates:
 - a. During seriously inclement weather; or
 - b. When situations or conditions exist that would jeopardize the security, safety, order, discipline, control, or other legitimate interests of the jail; and
2. For inmates who present too great an escape risk to permit access to the jail's outdoor recreation yard; and
3. For inmates who are too dangerous to allow access to outdoor exercise areas.

B. Leisure activities

Forms of recreation such as leisure time are useful in reducing inmates' idle time, allowing the inmates' productive use of their time, improving their social skills, and perhaps even bettering themselves.

Inmates may utilize the day room area for viewing television, playing cards, reading and socializing when they are not under lockdown in their cells. The television is located in each day room. Volume to the television must be kept at a low level so as to permit conversation between inmates and staff. The television and phones are turned off during head-count and lock down hours. Inmates utilizing cards and other games shall keep noise levels to a minimum. No gambling of any sort is permitted at any time.

GENERAL ORDER: 5-1 RESERVE UNIT

Rescinds/Amends:

Effective Date: April 20, 2021

Committee Review - Date: March 2021

Related Procedure(s):

Authorized by: Sheriff Ron H. Freeman



I. PURPOSE:

The Forsyth County Sheriff's Office Reserve Unit provides an opportunity for citizens of the community who are Georgia Certified Jail Officers and/or Georgia Certified Peace Officers to volunteer their time in assisting the Sheriff's Office in jail operations, routine law enforcement functions, special events and emergency situations requiring additional resources.

II. DEFINITIONS:

CALL OUT ACTIVATION: An unscheduled request for assistance in providing operational support for routine jail operations, law enforcement functions, special events and emergency situations.

CHAIN OF COMMAND: Formal ranks having various levels of authority which provides a path for dissemination of information both upward and downward.

RESERVE DEPUTY SHERIFF: A P.O.S.T. certified jail deputy (DS 1) or a Certified Peace Officer (DS II or above).

RESERVE UNIT COORDINATOR: A full-time employee of the Sheriff's Office assigned to coordinate personnel and activities of the Reserve Unit.

RESERVE UNIT DETAIL: A scheduled activity which supports Jail Operations or Law Enforcement Activities.

RESERVE UNIT: A collective, volunteer unit consisting of both Certified Jail Deputies and Certified Peace Officers.

CERTIFIED JAIL DEPUTY: A person who has successfully completed the Georgia P.O.S.T. Basic Jail Officer training.

CERTIFIED PEACE OFFICER: A person who has successfully completed the Georgia P.O.S.T. Certified Peace Officer Academy and is vested expressly by law with authority to enforce the criminal or traffic laws of the State of Georgia through power of arrest and whose duties include the preservation of public order, the protection of life and property, and the prevention, detection or investigation of crimes.

P.O.S.T.: The Georgia Peace Officer Standards and Training Council.

VOLUNTEER: A person from the community serving the Forsyth County Sheriff's Office in a non-paid capacity.

III. AUTHORITY AND ORGANIZATION

A. Authority

Reserve Unit Deputies may perform the duties to which they are assigned, within the limits of their individual training, applicable certifications and relevant experience.

The Sheriff may limit the extent of law enforcement authority delegated to Reserve Unit Deputies, individually or selectively.

B. Representing the Forsyth County Sheriff's Office:

Reserve Unit Deputies are expected to display "*integrity and professionalism*" at all times, both in and out of uniform.

C. Policy

In addition to the policies and procedures contained herein, Reserve Unit Deputies are expected to adhere to all applicable laws, operating procedures, rules and directives of the Forsyth County Sheriff's Office.

D. Reserve Unit Deputies (regardless of rank) shall always be subordinate to full-time deputies.

E. Reserve Unit Coordinator

A Full-Time employee of the Forsyth County Sheriff's Office shall be appointed by the Sheriff, or designee, to coordinate and manage personnel and activities of the Reserve Unit.

IV. APPLICATION AND SELECTION

The application and selection process for Reserve Unit Deputies shall be identical to the process used for the selection of full-time deputies.

Reserve Unit Deputies serve by appointment of the Sheriff and may be released from their appointment with or without cause.

V. INITIAL PROBATION

Upon being appointed, each Reserve Unit Deputy shall successfully complete a one (1) year probationary period. During this period, each Reserve Unit Deputy shall be evaluated in the following areas:

- a. Completion of the requisite FTO program;
- b. Ability to perform the duties of the position; and
- c. Commitment and participation;

VI. TRAINING

A. Field Training

Each Reserve Unit Deputy shall complete the requisite FTO training for the position they have been appointed within twelve (12) months of appointment.

B. In-service Training

- 1. Reserve Unit Deputies shall attend all in-service training required to maintain their respective P.O.S.T. certification.
- 2. Reserve Unit Deputies authorized to carry firearms and weapons shall maintain qualification scores consistent with the policies of the Forsyth County Sheriff's Office.

VII. SERVICE TIME REQUIREMENTS

Reserve Unit Deputies are expected to volunteer a minimum of 120 hours per calendar year. Volunteer time may be divided into two categories; on duty and administrative. The minimum hours per year shall be comprised of at least ninety-six (96) hours of duty time and twenty-four (24) hours of administrative time. Deputies are responsible for recording of their time into the Volunteer Management System (VMS) each month.

Timeframe	On Duty Hours Required	Administrative Hours Required
Q1 (Jan – Mar)	24	6
Q2 (Apr – Jun)	24	6
Q3 (Jul -Sep)	24	6
Q4 (Oct – Dec)	24	6
ANNUAL TOTAL	96	24

Table 1 – Volunteer Hours per Quarter

A. Eligible Time

The following activities are considered eligible for on duty time:

1. Sheriff's Office events
2. Uniform Patrol
3. Jail duty
4. Court appearances
5. Logistics unit callouts (4 hours' minimum granted)
6. Any other activity approved by the Reserve Unit Supervisor

The following activities are considered eligible for administrative time:

1. Training (In service, POST, online, etc.)
2. Administrative (time entry, records management, etc.)
3. Monthly meetings
4. Any other activity approved by the Reserve Unit Supervisor

Time recorded with any specialized unit will count towards on-duty time at an accrual rate of 50%.

Any on duty time that occurs during an approved Sheriff's Office holiday is subject to an accrual rate of 1.5 times the actual hours worked.

The following are examples of activity that will not count towards any on-duty or administrative time:

1. Being on call for Logistics Unit
2. On call for appearances in court

B. Volunteer Time Evaluation

Reserve Unit Deputies shall be evaluated on a quarterly basis for compliance with service time requirements and time recording. Deputies failing to meet the minimum time and recording requirements during a quarter are subject to the following actions:

- | | |
|--|-----------------------|
| 1. 1 st Offense | Verbal Counseling |
| 2. 2 nd Consecutive Offense | Written Reprimand |
| 3. 3 rd Consecutive Offense | Demotion to Dismissal |

VIII. ANNUAL PERFORMANCE EVALUATION

The Reserve Unit Coordinator shall complete an annual performance evaluation for each deputy assigned to the unit. The coordinator shall meet with each deputy to discuss the evaluation along with future expectations.

IX. INCIDENT REPORTS AND COURT APPEARANCES

Reserve Unit Deputies may be required to submit reports concerning incidents encountered while performing law enforcement duties or assisting with jail duties.

Involvement in these incidents may require court appearances. These appearances shall be by subpoena issued under court order. Court appearances may conflict with full time employment schedules. Deputies are responsible for being aware of their employer's policy regarding work missed for court appearances.

X. LEAVE OF ABSENCE

A Reserve Unit Deputy may request a leave of absence for no more than ninety (90) days. Requests shall be submitted to the Reserve Unit Coordinator who shall forward the request to the Chief Deputy for approval.

Reserve Unit Deputies who are granted a leave of absence shall surrender all agency issued weapons, firearms, radio and identification prior to starting the leave of absence.

GLOSSARY

ACTIVE SHOOTER: One or more subjects participating in a random or systematic shooting incident demonstrating their intent to harm others and who may be armed with other deadly weapons while inflicting death or great bodily injury to others.

ACTIVE THREAT: Any deliberate incident that poses an immediate or imminent threat of great bodily injury or death to another. Although these events often involve the use of firearms by subjects, they may also involve the use of other types of weapons or implements with the intent to cause harm.

AGGRESSIVE ACTION: A physical assault by a subject on a deputy or a third person that could lead to severe physical injury.

ARREST: The restraint of the liberty of a person to come or go as he pleases, no matter how slight. An individual has been arrested when he is not free to go, regardless of whether formal words of arrest are used. A stop and frisk is not an arrest. See, O.C.G.A. § 17-4-1.

ARREST WARRANT: A written judicial command to arrest a particular individual and to bring the arrestee promptly before the magistrate issuing the warrant or other appropriate judicial officer. Oral or telephone warrants do not exist.

BIAS-BASED PROFILING: The selection of an individual(s) for enforcement action based solely on a trait common to a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

CANINE (K-9): A dog assigned to a deputy for law enforcement purposes.

CHEMICAL DEFENSE EQUIPMENT: Chemical agents that are used in use of force situations to subdue an individual, force subjects from an area, or deny an area to be used by subjects.

CIVILIAN PERSONNEL: Any employee of the Forsyth County Sheriff's Office who is not required to maintain P.O.S.T. Peace Officer certification.

COMMANDER/ COMMANDING OFFICER: Any sworn employee placed in charge of any agency component

COMPONENT: Generic term for any organizational unit of the agency whether a division, section, or unit

COMMUNICATIONS OFFICER: An employee of the Forsyth County 911 Communications Center

CONTROLLED TAKEDOWNS: Techniques that redirect, in a controlled manner, a subject to the ground in order to limit their physical resistance and to facilitate the application of a restraining device.

COUNTY: Forsyth County, GA

CUSTODIAN: A person, other than a parent or legal guardian, who stands in "loco parentis" (in place of the parent) to the child, or a person to whom legal custody of the child has been given by order of the court. Such a person has the right to physical custody of the child, the right to determine the nature of the care and treatment of the child, including ordinary medical care, and the duty to provide for the care, protection, training, education, and physical, mental and moral welfare of the child.

DELINQUENT ACT: A violation of federal law, state law or county ordinance, however, this does not include traffic offenses or status offenses.

DEPRIVED CHILD: An individual under the age of 18 years who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his/her physical, mental, or emotional health or morals: has been placed for care or adoption in violation of

GLOSSARY

law: has been abandoned by his/her parents or legal custodian: or is without parent, guardian, or custodian.

DEPUTY SHERIFF I: An employee who has obtained P.O.S.T. Jailer Certification

DEPUTY SHERIFF II: An employee of the agency who has obtained P.O.S.T. Peace Officer certification

DIRECTED FIRE: Firing weapons with the goal of forcing a suspect to take cover, limit their movement, and reduce their ability to return fire to allow deputies to gain positional advantage or evacuate injured persons. Shots fired or aimed at a specific location, which will not endanger innocent persons and are justified to accomplish the stated purpose.

EMPLOYEE: Any employee of the Forsyth County Sheriff's Office

EMPTY-HAND CONTROL: Empty-hand control is a physical technique that may include many different methods of subject control. Some of these methods may include but are not limited to guiding a subject's movements to an escort position, to joint locks, pressure point control methods, empty-hand strikes and kicks. Techniques that are less likely to cause injury to a subject are known as "soft" empty-hand controls. Those techniques that have a higher probability of injuring a subject are known as "hard" empty-hand controls.

1. "Soft" empty-hand techniques such as touching, escort holds, pressure point controls, controlled takedowns, etc., may be appropriate for use against minor resistance.
2. "Hard" empty-hand techniques are those that have a higher probability of creating soft or connective tissue damage, skin lacerations, or bone fractures which require medical attention. Techniques that are considered "hard" empty-hands include stunning and striking actions delivered to a subject's body with the head, hand, arm, leg, or foot. Preferably, the target for these techniques will be major muscle groups such as the legs, arms, shoulders, or side of the neck. Strikes delivered to such muscle groups should create muscle failure, thus inhibiting muscle action and allowing a deputy to bring a subject under control. However, in extreme cases of use of force, a deputy may need to strike more fragile areas of the body where the potential for injury is even greater.

FIELD TRAINING OFFICER (FTO): An employee assigned to responsibilities of training new recruits for the agency and certified by P.O.S.T. as an FTO

FORCIBLE FELONY: Any felony which involves the use or threat of physical force or violence against any person.

GOALS: Generalized statements of direction for the agency. Some examples of agency goals may include increased productivity through automation, reduction in overall crime, reduction in traffic accidents, saving lives, increasing and enhancing employee knowledge through training and education, and a means of evaluating overall productivity and its responsiveness to the needs of the community.

GREAT BODILY HARM (SERIOUS PHYSICAL INJURY): A bodily injury which creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ. The phrases "great bodily harm" and "serious physical injury" are considered synonymous for purposes of this policy directive.

HIGH-POWERED RIFLE: .308 caliber rifle typically utilized by SWAT as a sniper rifle.

IMMEDIATE FAMILY: The spouse, parent, in-law, sibling, aunt, uncle or child of the agency employee.

IMMINENT DANGER: Immediate danger, such as must be instantly met. An appearance of threatened and impending injury as would put a reasonable and prudent man to his instant defense. (Black's Law definition) considers the terms "imminent" and "immediate" as interchangeable.

GLOSSARY

INTERMEDIATE WEAPONS: Intermediate weapons are defined as agency-approved tools which provide a method for controlling a subject when deadly use of force is not justified but when empty-hand control techniques may not be sufficient in effecting control over a subject. Whenever a deputy uses an intermediate weapon for control, it should be used with the intent to temporarily disable a subject and never with the intent of creating a permanent injury.

INVESTIGATIVE DETENTION: An investigative detention occurs when an officer, based on his/her natural senses, experience, and good judgment suspects that criminal activity may be occurring and has reasons that he/she can express to support his/her suspicion. He/she may then detain a subject briefly to investigate his/her suspicions. He/she may frisk the subject's outer garments if there is reason to believe the subject has a weapon.

JUVENILE/CHILD: Any individual who is under the age of 17 years or Under the age of 21 years, who committed an act of delinquency before reaching the age of 17 years and who has been placed under the supervision of the court or on probation to the court, or Under the age of 18 years, if alleged to be a deprived child.

JUVENILE COURT INTAKE OFFICER: The individual designated by the Juvenile Court Judge to determine whether any child taken into custody should be released or detained and, if detained, the appropriate place of detention. (In Forsyth County this function performed by individuals affiliated with the Department of Children and Youth Services and the Juvenile Court.)

JUVENILE TRAFFIC OFFENSES: A violation of a motor vehicle law/ordinance by a person under 17 years of age (OCGA 15-11-49).

MEMBER: Any employee of the Forsyth County Sheriff's Office

NON-LETHAL MUNITIONS: Rounds that can be discharged via a 12-gauge shotgun, 37mm or 40mm launchers, or grenade that are designed not to inflict great bodily harm when used properly.

NON-LETHAL WEAPONS: Tools that are designed not to inflict great bodily harm when used properly which may include but are not limited to electronic control devices and non-lethal munitions.

OBJECTIVES: Objectives are more specific than goals, in that objectives lead to measurable results that are to be achieved within a specific time. The accomplishment of objectives leads toward the achievement of goals. Some examples of objectives may include shorter dispatch and response times, reduction of specific trends, crimes, or hazards in specified areas, or the in-service training of employees in specific fields.

PAIN COMPLIANCE: Techniques that force a subject to comply with a deputy as a result of a deputy inflicting controlled pain upon specific points on a subject's body, such as pressure point techniques or joint manipulation.

PEPPERBALL LAUNCHER: A non-lethal weapon used to gain control of unruly, violent, or problem inmates or arrestees within the guard lines of the Detention Center.

PHYSICAL CONTROL: The necessary employment of law enforcement restraints and/or other use of protective action by a deputy without the use of intermediate or lethal weapons.

POLICY: A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity but rather provide a framework for development of procedures and rules and regulations.

GLOSSARY

PROBABLE CAUSE: Those facts and circumstances within a deputy's knowledge which would lead a reasonable and prudent person to believe that a crime has been committed, or that the suspected person has committed an offense.

PROTECTIVE CUSTODY: The taking of a child into custody if there are reasonable grounds to believe the child is suffering from illness or injury, or is in immediate danger from his/her surroundings and that his/her removal is necessary (OCGA 15-11-45 a.4).

REASONABLE BELIEF: The facts or circumstances that would cause a reasonable and trained deputy to act in a similar manor under the circumstances.

RESISTANCE: A refusal to comply with lawful orders or commands. No response, verbal threats or assaults also constitute resistance.

1. *PHYSICAL RESISTANCE* – May include but is not limited to: dead weight, bracing, tensing, attempts to push/pull away, not allow a deputy to get close or overt attacking movements that do not allow the deputy to achieve compliance.
2. *NON-PHYSICAL RESISTANCE* – May include but is not limited to: refusal to comply with lawful orders or commands, verbal comments or assaults, psychological intimidation, clenching fists, widening foot stance, blank stare and other forms of body language.

RESTRAINT DEVICES: Mechanical tools used to restrict a subject's movements, such as handcuffs, flex cuffs, leg irons, belly chains, restraint chair, nylon or plastic restraining devices, or any other agency approved device.

SEARCH WARRANT: A judicial command to "search the place or person particularly described in the warrant and to seize the instruments, articles, or things particularly described in the warrant." O.C.G.A. § 17-5-23.

SERIOUS PHYSICAL INJURY: A bodily injury that creates a substantial risk of death: causes serious, permanent disfigurement: or results in long-term loss or impairment of the functioning of any bodily member or organ.

SIMPLE ESCORT: When a directional command, minor joint manipulation, and/or touch may be utilized to direct or guide a subject who is resistant or simply in the need of protection.

S.O.P.: Standard Operating Procedures: includes rules, regulations, procedures and guidelines.

SPECIAL PURPOSE VEHICLE: A vehicle used because of considerations of weather, terrain, or the need for inconspicuous appearance, quietness, storage requirements, special operational needs, etc.

STATUS OFFENSE: An offense only applicable to a juvenile (i.e., truancy, curfew violation, runaway, ungovernable).

SUPERIOR OFFICER: Any sworn employee with a rank of lieutenant above.

SUPERVISOR: Any sworn employee with a rank of sergeant or above or any civilian employee so designated by agency policy or the Sheriff. A corporal may function as an acting supervisor when so designated.

SWORN PERSONNEL: Any employee of the agency required to take an oath of office as a condition of employment

UNRULY CHILD: Any child who is subject to compulsory school attendance and is habitually truant without justification', a child who is habitually disobedient or ungovernable or a juvenile who has committed a status offense, a child who deserts his/her home without parental consent, a child who wanders or loiters on any street, highway, or public place between 12:00 midnight and 5:00 AM and/or a child who patronizes any bar where alcoholic beverages are sold or possesses alcoholic beverages

GLOSSARY

UNUSUAL INCIDENTS: Incidents that include the deployment of specialized units (SWAT, Narcotics, Warrants, etc...)

USE OF DEADLY FORCE: Force which is intended to or likely to cause death or great bodily harm (OCGA 16-3-21).

USE OF FORCE: The use of force by a deputy to overcome a person's physical resistance to a deputy's performance of a legal duty, to protect a deputy or another person from physical resistance or acts of aggression that are likely to cause bodily harm, or is used to apprehend a fleeing criminal suspect.

USE OF NON-DEADLY FORCE: An action which is neither likely nor intended to cause death or serious physical injury.

VEHICLE ACCIDENT: An unintended event that produces injury or damage through the operation of a vehicle, conveyance or vessel. Vehicle accidents include accidents that occur between a vehicle which is owned, leased or loaned to the agency and is operated by a member of the agency and another vehicle or any other non-vehicular object or person (i.e., striking an object or a pedestrian).

VERBAL DIRECTION: A deputy tells or commands a subject to engage in, or refrain from, a specific action or non-action.

WITHIN THE OFFICER'S IMMEDIATE KNOWLEDGE: When, by seeing, hearing, or using any of the other senses, the officer has personal knowledge of the commission of a crime. This is equivalent to "in the officer's presence." This excludes reporting of a crime by any third party other than another law enforcement officer who has direct knowledge of O.C.G.A. § 17-4-20.

Forsyth County Sheriff's Office



Standard Operating Procedures

CHAPTER ONE

ADMINISTRATION

PROCEDURE: SOP 1-3.100 AGENCY DIRECTION

Rescinds/Amends:

Effective Date: January 26, 2021

Committee Review Date: June 2018

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I DIRECTION

Whenever possible, it is essential that those responsible for developing any and all written directives originating from within the Forsyth County Sheriff's Office consult with and solicit input from the division and unit commanders affected by the directive. The purpose for this is to receive input from these components for assurance that the directive addresses all concerns and interests. During the review and comment process, division and unit commanders should additionally solicit input from representatives of all employee groups directly affected by the proposed directive(s).

A. WRITTEN DIRECTIVES

The Forsyth County Sheriff's Office's written directives will be issued in one of the following formats:

GENERAL ORDERS - These are policies that affect all members of the agency describing permanent directives concerned with policies, procedures, rules and regulations. General Orders are considered superior to all other written directives. Whenever a conflict exists between a general order and any other written directive, the General Order will take precedence. General Orders may only be issued, modified or approved by the Sheriff or by the Chief Deputy.

SOP's – These are procedural guidelines that are given to agency employees to clarify how they are expected comply with agency policies. SOP's may only be issued, modified or approved by the Sheriff or the Chief Deputy.

COMMAND DIRECTIVE – These are directives sent in conjunction with a new or changed General Order or SOP containing instructions for the implementation of and detailing the significant changes in the new policies and procedures.

SPECIAL ORDERS - These are orders that may directly affect only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature. Special Orders may only be issued, modified or approved by the Sheriff, Chief Deputy or division/section commander.

PERSONNEL ORDERS - These are orders that announce changes in the status of personnel such as hiring, transfers, assignments, appointments, demotions and promotions. Personnel Orders may only be issued, modified or approved by the Sheriff, Chief Deputy or his designee.

INSTRUCTIONAL MATERIAL - This category includes instructional and training material usually found in manual form. The tone and form of instructional material is less rigid and more flexible than general and special orders. Instructional material can include training guides, training bulletins, checklists and legal bulletins. Instructional Material may be issued, modified or approved by the Sheriff, Chief Deputy, division director, any division or unit commander, or their designee.

MEMORANDUM - This is an informal written document usually to a specific person, or a specific group of people, that may or may not convey an order; it is generally used to clarify, inform or inquire. Memoranda may be prepared by any member of the agency.

RULES AND REGULATIONS - This is a specific set of guidelines to which all employees must adhere. Rules and Regulations may be issued only by the Sheriff, Chief Deputy, division director or any division or unit commander. In all cases, rules and regulations will have the prior approval of the Sheriff.

B. INDEXING OF WRITTEN DIRECTIVES

All written directives should be correctly dated and properly indexed.

1. General Order Indexing

All General Order indexing numbers will begin with "GO" to designate General Order, followed by the appropriate section numbers of the policy manual. Each General Order shall indicate the following information:

- a. Any current policy that has been rescinded/amended;
- b. The effective date;
- c. Date of committee review;
- d. Related procedures;
- e. Authorizing signature.

2. Special Order Indexing

All Special Order numbers shall be indexed as follows: "SO" to designate Special Order, followed by the year of issuance and concluded with the next available consecutive number for the order if issued by the Office of the Sheriff. For Special Orders issued by

a division, the letter abbreviation of the component shall follow "SO", then the year of issuance and concluded with the next available consecutive number for the order.

Examples: if the Special Order originates from;

- a. Office of the Sheriff, SO-13-01;
- b. Enforcement Division, SO-ENF-13-01;
- c. Operations Division, SO-OPS-13-01;
- d. Sheriff's Services Division, SO-SSD-13-01.

3. Procedures (SOP'S) Indexing

SOP's will be indexing in direct relation to the policy for which it is providing procedural guidance. For example; a procedural directive that is associated with GO-1-3 shall be identified as SOP 1-3.100 with additional sub-sections including 1-3.101, 1-3.102, etc.

4. Personnel Order Indexing

All Personnel Order numbers shall be indexed as follows: "PO" to designate Personnel Order, the year of issuance, and concluded with the next available consecutive number for that order. Example: PO-13-01.

5. Memorandum Indexing

Memoranda are not normally numbered for indexing. If the memorandum is to be retained by the employee, it will be placed in the appropriate location within the SOP Manual.

6. Rules & Regulations Indexing

Rules and Regulations will be numbered by the corresponding Paragraph number if originating from the Forsyth County Sheriff's Office.. All rules and regulations will be placed in the appropriate chapter of the Forsyth County Sheriff's Office Policy Manual.

C. DISTRIBUTION OF WRITTEN DIRECTIVES

New or revised written directives (and occasionally special orders as determined by the issuing authority) will be distributed to employees via PowerDMS. Directives, in the form of a General Order or a Special Order will specify what changes have been made in existing policy or alert the employee to the existence of a new policy. The General Order or Special Order along with the related policy should be made available to all employees in the following manner:

1. Each employee will have access to the manual in PowerDMS.

2. The manual will be available on the Sheriff's Office "S" drive
3. In order to ensure the availability of the employee manual during Internet or Intranet outages, each employee should maintain an updated electronic copy on their computer/MDT desktop. The manual may be copied from the "S" drive.
4. Agency supervisors shall insure that all personnel under their supervision understand any new/revised policies/procedures.

D. ACKNOWLEDGMENT OF RECEIPT OF COMMAND DIRECTIVES

Each employee is responsible for reviewing and acknowledging a Command Directive. Acknowledgment shall be confirmed by each employee's electronic signature (entering username and password) in PowerDMS.

E. UPDATING, REVISING OR CANCELING WRITTEN DIRECTIVES

Every division and unit, along with the Office of the Sheriff, will insure that all policy directives are periodically reviewed in order to determine whether each directive is current and still in effect. If it is determined that a directive is outdated, no longer in effect or in need of change or revision, the issuing authority will immediately take corrective action.

1. Revision Procedure

Any member of the agency may initiate a review for possible revision of a particular procedure by writing a memorandum through the chain-of-command to the issuing authority stating the procedure title and number, the reason for the requested revision, and any suggestions for modification. Such input from members of the agency is encouraged and appreciated.

All agency forms and supplemental manuals will be reviewed (and revised if necessary) at the time such review or revision becomes necessary.

General Orders will be considered superior to all other orders, policy or written directives. A General Order may amend, rescind, update, revise or cancel any other existing agency division or unit order. All General and Special Orders that set policy shall not expire. New policies shall be established using the same procedures for review/enactment as those used for the revision of existing policies. These orders may be periodically amended, revised or rescinded in their entirety by reissuance in the Policy Manual or reissuance of the order itself. The issuing authority of the specific order will be responsible for taking one of the following actions at the end of each year:

If the order is no longer applicable or has been incorporated into some other agency policy, i.e., the Policy Manual, it will be rescinded. If the order is still valid in its entirety, it will stand as is; however, if the order is still partially valid, then it will be amended, updated, revised or edited so as to make it valid for reissuing.

All updated or revised written directives will be entered into PowerDMS and distributed by the agency's Policy/Accreditation/Certification Unit to ensure applicability and conformance to standards issued by the Georgia State Certification Program and CALEA.

2. Formats for the Written Directive System

Written directives shall not conflict with any established policy, procedure, rule or regulation unless the purpose of the directive is to amend or rescind the previous conflicting directive. Written directives should be stated in precise and positive terms with grammatical accuracy. Whenever applicable, all written directives should carry notations directing attention to other published directives which are related.

PROCEDURE: SOP 1-5.100 GOALS & OBJECTIVES

Rescinds/Amends: SOP 1-5.100

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-5

Authorized by: Sheriff Ron H. Freeman



I GOALS & OBJECTIVES

A. UNIFORM PATROL SECTION OBJECTIVES

The Uniform Patrol Section exists to:

- provide twenty-four (24) hour per day, seven day per week, law enforcement protection and service to the citizens within and of the county limits of Forsyth County;
- prevent the occurrence of crimes through visible preventative patrol;
- respond rapidly to all requests for emergency law enforcement service;
- improve the criminal apprehension rate by conducting thorough preliminary investigations and follow-up investigations where appropriate;
- reduce traffic congestion and accident hazards through enforcement of traffic laws;
- aid victims and assist citizens; and
- improve relations between the community and the Sheriff's Office.

B. CRIMINAL INVESTIGATION SECTION GOALS AND OBJECTIVES

The goals of the Criminal Investigation Section include, but are not limited to:

- Providing positive measures against established criminal activities.
- Providing the expeditious and prudent apprehension of suspected offenders.
- Providing thorough and appropriate law enforcement related investigations.
- Providing knowledgeable information to the victims / citizens in the prevention of crimes utilizing all available resources.
- Providing effective coordination among agencies related to the criminal justice process.
- Providing effective sectional coordination within the agency.

PROCEDURE: SOP 1-6.100 CRITICAL INCIDENTS

Rescinds/Amends: SOP 1-6.100

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I UNUSUAL OCCURRENCES

Unusual incidents require a tactical plan to minimize the possibility of injury to deputies and others; appropriate special equipment and trained personnel shall be requested as needed.

In tactical situations, which develop from radio calls or spontaneous activities, the deputy present is in command. Upon being informed by a ranking deputy, the ranking deputy shall take charge of the situation and will assume Incident Command. The deputy in charge will move toward an acceptable solution, either utilizing readily available manpower or by activating the Special Weapons and Tactics (SWAT) response team if necessary. Available units include, but are not limited to:

1. Environmental Protection Agency (EPA) Emergency Response Team (for hazardous materials incidents)
2. Emergency Medical Team (life endangering situations)
3. Fire Department (threat of fire, hazardous materials incident, or explosion exists or wash down is required)
4. Any mutual aid support agreements in effect
5. SWAT
6. GBI Bomb Disposal Unit

A. MOBILIZATION

The purpose of this section is to establish procedures relating to the Forsyth County Sheriff's Office emergency operations and tactical unit (SWAT). SWAT is a mobilization of agency personnel to efficiently handle duties and responsibilities related to unusual occurrences. SWAT is utilized for crime suppression and unusual occurrences. The Unit may be deployed for but is not limited to:

1. Stake-out / undercover surveillance situations;
2. General support for major case investigations;

3. SWAT operations;
4. Hostage negotiations; and
5. Other tactical operations.

B. OPERATION ORDER

Prior to the deployment of the SWAT Team, the SWAT commander or his designee shall complete an operation order. See **SOP 1-6.101** for a sample.

C. SPECIFIC SITUATIONS

In most situations certain procedures can be followed. Listed below are some problem areas that the deputy may encounter:

1. When Hostages Are Involved

When hostages are taken by the perpetrator(s), the primary concern will be for the safety of all persons involved, including hostage(s), public safety personnel, and the perpetrator(s). Every extreme situation and an appropriate procedure to alleviate the problem cannot be stated. Therefore, the deputy on scene must make decisions based on rational facts and not the emotional situation, time is on the deputy's side, so it is best to contain the situation until a supervisor arrives.

2. House To House Searches

Personnel used in this type of search must be kept to a minimum to ensure that adequate communications, proper leadership by the supervisor and the safety of the deputies involved in the search are maintained. In cases of "open space" searches, the incident commander will coordinate the search operation. All other deputies will cooperate and direct other law enforcement personnel from the suggestions of the incident commander.

3. Snipers

Sniper instances must be approached with caution. The SWAT commander should cover vantage points before deploying personnel.

D. SPECIAL EVENTS

The incident commander or designee will notify and coordinate with County Departments affected by the special event (Fire Department, Transportation Department, and Public Works Department) as well as those agencies in adjacent jurisdictions who could be affected by a special event held within jurisdiction of this agency.

The incident commander or designee will also coordinate with the sponsor of the special event to assure understanding of their responsibilities in regards to a special event held in

Forsyth County. The commander or designee will coordinate with the affected watch commander as to manpower needs and requirements or as the Sheriff or his designee may direct. The Incident Commander will also coordinate with any outside agency as circumstances dictate.

The commander or designee will obtain all necessary material for the handling of a special event, to include but not be limited to, traffic and crowd control barricades, special signs and other equipment required to ensure a successful operation. SWAT personnel may be responsible for security at special events, VIP protection and such duties as may be required by the special event or at the direction of the SWAT commander.

E. AFTER-ACTION REPORTS

At the conclusion of the unusual occurrence event, an after-action debriefing and critique will take place. For SWAT deployments, the SWAT commander shall be responsible for the after-action report. Depending on the type of incident, the incident commander at the time of the incident shall be responsible for completing a detailed narrative report of the operation; with copies of all logs, case reports, witness statements, and other documentation attached.

PROCEDURE: SOP 1-6.101 AGENCY RESPONSE

Rescinds/Amends: SOP 1-6.101

Effective Date: August 1, 2018

Committee Review Date: July 2018

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I AGENCY RESPONSE TO UNUSUAL OCCURRENCES

The purpose of this directive is to develop plans and operational responses to civil disturbances, mass arrests, incidents of terrorisms/weapons of mass destruction, violence at educational facilities and natural or man-made disasters.

During demonstrations and other large gatherings, the agency will attempt to preserve the peace while protecting the rights of citizens to assemble peacefully and exercise free speech. When such a gathering becomes disorderly and there is a potential for mass violence, deputies will make reasonable efforts to use non-arrest methods of crowd management to restore order. Should such methods prove to be unsuccessful, deputies will arrest the offenders.

All arrests will be based on probable cause and will be properly documented. Deputies will use only the minimum necessary force to make and maintain arrests. To the extent possible under the circumstances, arrests will be made in an organized manner at the direction of a supervisor. Prisoners will be safeguarded and expeditiously turned over to the Forsyth County Detention Center, or released if appropriate.

Each deputy, supervisor and commander is responsible for his actions. It is vital that policies are communicated to all personnel, that plans are shared with all concerned and that minor problems are dealt with promptly to avoid their growing into major problems.

A. IMPARTIALITY OF AGENCY IN CIVIL DISORDERS

Care must be exercised to refrain from taking, or giving an appearance of taking sides in any civil disturbance.

B. ENFORCEMENT OF LAWS AT CIVIL DISORDERS

Deputies are required to arrest violators and to impose restrictions which are mandated.

C. DEPLOYMENT AT CIVIL DISORDERS

The most appropriate course of action fitting the occasion to restore law and order will be pursued within agency guidelines. Personnel will be oriented as to the existing situation, mission, course of action, and control measures to be employed prior to commitment.

D. LIAISON WITH DISSIDENT GROUPS AND CIVIC ORGANIZATIONS

The agency maintains liaison with dissident group members, neighborhood and civic organizations and minority group leaders to obtain information and to explain the agency's policies and procedures in relation to civil disorder. By soliciting the cooperation of these individuals and groups, tensions are reduced and the restoration of peace and order is facilitated.

E. PLANNING THE LAW ENFORCEMENT ACTION

The incident commander must set up and implement a plan which will restore order. Because there can be no delay in taking action in the field, a plan should be formed and ready for implementation at the time the first units are assembled and ready for assignment. Before a plan can be formulated, the incident commander should have current information on:

- Area involved,
- Reason(s) for the disturbance,
- Estimated number of people involved,
- Makeup of the crowd (whether residents of the area or not),
- Whether teenagers or adults; whether men or women; whether members of an organization,
- Whether there is more than one faction and how well organized and united each one is,
- Actions such as looting, rock throwing, burning, particular targets of the crowd's action,
- Weapons in evidence, such as firearms, bricks, Molotov cocktails,
- Sniper activity,
- Mobility of the crowd, speed and direction,
- To properly use this data, the field commander should have access to maps and photos of the area, and
- The plan must be flexible enough to account for the dynamics of the crowd and the tactics must be appropriate for the situation.

The plan should consider the following strategic principles:

1. React quickly with enough strength to overwhelm the crowd. It is better to involve too many deputies in the action than too few. The decision to commit or hold back is not an easy one, but the field commander must consider the most likely consequences. An unsuccessful dispersal action can prove extremely costly in lost time and increased disorder.
2. Establish and maintain control throughout the area of disorder.
3. Arrest law violators without relaxing present legal requirements.
4. Clearing the streets as soon as possible is essential to the early suspension of any serious disturbances. If a curfew is to be imposed, it should be proclaimed as early as possible and rigorously enforced.

5. Remain in the area of disorder after order is restored.

F. ORGANIZING THE LAW ENFORCEMENT ACTION

The force of deputies which gathered for the emergency must be organized as a large mobile, well-coordinated group. It will be referred to as the "emergency force". The incident commander will provide a command hierarchy, depending on the nature of the disorder and the number of deputies available. The basic hierarchy will be:

1. Squads of 4 to 8 deputies, plus a supervisor. The squad members must act together, at the discretion of the supervisor.
2. Units of 2 or more squads, plus a commanding deputy.
3. Companies of 2 or more units, plus a commanding deputy. The incident commander will provide for the organization of the force into squads, units and companies as the deputies arrive at the staging area, if possible or as soon thereafter as possible. To the extent feasible, deputies and supervisors should be kept together in their regular reporting relationships. Usually there will be a number of patrol deputies already engaged in crowd control prior to the organization of the emergency force. These deputies must be withdrawn as soon as possible and replaced with elements of the emergency force. The commander of each company, unit and squad must be given specific objectives to be carried out with the resources available to him. Ideally, he should have an opportunity to discuss these objectives so that he knows where objectives fit in the overall mission and how best to plan his actions. Each must report regularly on his progress so that deployment adjustments can be made in a timely and effective fashion. The field commander's briefing should be concise and well organized.
 - a. It should provide at least the following information:
 - Size and location of the crowd,
 - Mood and action of the crowd,
 - Speed and direction in which the crowd is moving,
 - Direction in which the crowd is to be dispersed,
 - Approach route,
 - Whether deputies are to be high or low profile in handling of baton, etc.,
 - Other incidents in the area of disorder,
 - Prisoner staging area and any special procedures on arrests, and
 - Special instructions on closing streets, use of chemical agents, etc.

Each squad supervisor must brief the other deputies in the squad as to the squad's objective, the field commander's briefing and assignments within the squad. The squad supervisor must control the squad and should not become involved in the action.

The squad supervisor should be positioned to enable control of the team and be visible to the other deputies. If several squads are to be deployed on foot, a few squads should be deployed in vehicles as a strike force, to patrol the perimeter and respond to isolated problem areas.

G. CROWD CONTROL

The control of a crowd, demonstration, or gathering will follow these guidelines:

1. Where the threat of violence is not expected, a minimum number of deputies will be positioned for crowd control.
2. Deputies involved in crowd control will be in uniform.
3. They will be positioned, where possible, in such arrangements that physical contact with the crowd can be kept at a minimum.
4. It will be their task to assess the mood of the crowd and to respond to changes in crowd behavior as directed by their supervisors. Deputies must be briefed in advance on what to expect from the participants and what types of alternative responses to anticipate. Supervisors will determine and order the type of response deemed necessary, and deputies will act in unison, following the direction of the supervisor.
5. Deputies will not engage in demonstration related discussions with participants and will maintain a neutral attitude. Deputies will be courteous and helpful, and will remember that expressions of friendliness are a valuable tool in maintaining peace.

Communications is an essential tool in crowd management. Among the deputies it assures unity of action. Between deputies and demonstration leaders, communication provides a better understanding of the needs and intentions of the two.

It must be constant, clear, and immediate; frequently it can defuse threatening situations. Supervisors will insure that lines of communication to incident commander and to the deputies in their units remain open.

Supervisors will constantly observe and speak with subordinates to ensure that they are complying with the orders of the field commander, that they are completely aware of probable responses to crowd attitude change and that deputies who are showing strain are provided temporary relief.

Designated personnel will establish and maintain communications with demonstration leaders as soon as possible as a sign of cooperation, as a means of obtaining first-hand knowledge of the mood of the crowd and as a tool to facilitate negotiations and maintain the peace.

H. RIOT CONTROL / CIVIL DISTURBANCE TACTICS AND PROCEDURES

Riot control tactics fall into the following general categories and occur in approximately the same sequence. Incident commander may have difficulty planning the sequence of the tactics and should be guided by the law enforcement resources available, the actions of the crowd and the size of the area involved.

1. Dispersing a Crowd

In a coordinated manner, bring up as many squads as appear necessary to break the resistance of the crowd and disperse it. Upon arrival at the scene, the commanding deputy may send out reconnaissance details to update information on the crowd.

Using as many supervisors as needed, announce to the crowd through public address systems, bullhorns and other means that the assembly is illegal and that the crowd must disperse. Suggest avenues of departure. If possible, write out the announcement so that it will be consistent. Repeat the message as often as necessary and give the crowd time to disperse. Audio and visual recording of this process is desirable. The number of warnings given, the method used, time intervals between warnings and between the final warning and any subsequent law enforcement action will be recorded on the command post log. If the crowd does not disperse, the field commander must decide whether to begin arresting members of the crowd, or to have the deputies disperse the crowd. If the decision is to move the deputies into the crowd, arrest squads, prisoner transportation and ambulances should be in close support.

A riotous crowd should not be dispersed into a business district or other area containing attractive looting targets. The crowd should be driven away from such targets and toward an area where the physical features tend to break it up into small parties, or into open spaces where little damage can be done.

The incident commander must be alert to the possibility of rioters going into buildings and reforming to attack from the rear. Moving against a disorderly crowd from two or more directions at once makes dispersal easier, but a crowd must not be bottled up completely. They must be given an avenue of escape; otherwise, they may stand and fight.

Two (2) possible methods of movement against a crowd are:

a. "Pincher" Movement:

Delivered from the front and both flanks. This method tends to drive the crowd before the frontal movement.

b. "Flanking" Movement:

Delivered from the front and one (1) flank. This approach tends to drive the crowd toward the open flank. Movement from both front and rear may allow some rioters to escape to the rear advancing units. Such an escape is highly undesirable. When deciding between a "Pincher" or "Flanking" movement and the direction of movement, consider wind direction in case gas must be used.

2. Gaining High Ground

Control of high ground, such as roof tops, bridges, water towers and the like, must be gained as quickly as possible in the initial stages of the action. Until squads are

available for deployment to high ground, personnel will be assigned to secure these positions.

These personnel can thus guard against sniper fire and, if it does occur, will be in an advantageous position to attack the sniper's position. Deputies positioned properly on high ground will be to spot potential problems and provide information on the crowd's size and movement.

3. Sweeping the Area

After a successful dispersal, the remnants of the crowd should be kept moving and prevented from reforming. The area is best isolated by an extended line of road blocks surrounding it.

Even before perimeter control is established, certain key intersections should be controlled in order to:

- a. Maintain access routes for emergency vehicles.
- b. Prevent outside assistance from joining the rioters.
- c. Prevent innocent people from wandering into the area.
- d. Keep the traffic flow to a minimum within the affected area.
- e. Prevent unauthorized persons from entering and aggravating the disorder.

4. Extended Road Blocks

Station a squad or unit along a street at successive intersections. An extended road block can be designed to provide a combined staging area, personnel relief and feeding area and a blockade along a major arterial highway.

The establishment of a long line of stationary force has as its objective the isolation of the rioters from as yet, untouched looting targets. This deployment might consist only of two (2) or three (3) deputies per intersection for a distance of several miles.

Other such extended road blocks could be used throughout the riot-potential area, with a general objective of boxing in a disturbed area so that rioters cannot move freely to loot and burn.

An extended road block has the advantage of decentralization of personnel along the line, even while they are taking breaks or eating. However, it requires well-coordinated logistical support and should not be attempted until the support problems are considered resolved.

5. Sniper Control

When sniper activity is reported, the responding deputy or squad should determine the validity of the report. If the report is valid, or sniper fire is observed, the deputy or squad shall:

- Call for SWAT assistance,
- Isolate the area,
- Determine the direction and source of the sniper fire, if possible, and
- Do not return fire unless absolutely necessary to protect lives.

6. Reports of Fire and Emergency Calls for Service

The squads within the area of the disorder will verify reports of fire and will handle calls for service.

7. Fire Task Force

When a fire is confirmed within the area of disorder, the incident commander will assign a squad to accompany the fire task force consisting of firefighters and any needed utility workers. The squad will remain with the fire task force to provide security until it leaves the area of disorder.

8. Deployment Against Rock, Bottle and Missile Throwers

Since rock throwers usually operate from the back of a crowd, or from cover, a detail detached to flank the crowd and to watch for and apprehend them should be deployed prior to dispersal action. Spotters from the roof tops and high-ground security forces can also determine the identities of rock throwers and direct the ground forces in their apprehension.

Another technique is the deployment of undercover deputies who would infiltrate the crowd in the vicinity of the rock throwing, and either direct uniformed or plainclothes deputies to the violators by signal, or wait for the opportunity and affect the arrest themselves.

9. Chemical Agent Tactics

A squad designated as a chemical agents squad will be provided with chemical agents and related equipment. Squad members must be familiar with procedures for the safe use of protective gas masks, gas grenades, smoke grenades and other riot control agents.

Tactics include the use of smoke grenades for cover operations, utilization of smoke and gas grenades against unruly groups and application of gas to discourage the looting of business establishments.

All deputies should be aware of decontamination methods to deal with accidental discharge and to assist citizens in their request for information regarding the decontamination of their premises.

10. Chemical Agents

Chemical agents can minimize the numerical superiority the mob has over the law enforcement force. It is an effective and humane means of achieving temporary neutralization of a mob with a minimum of personal injury.

Tear gas is a white powder than can be dispensed in several ways:

- by prepared containers, such as grenades or small projectiles,
- by a spray from a pressurized container, or
- in bulk form with compressed air dispersion.

It is immediately effective on contact with the eyes, the respiratory tract, and the skin, and will render the receiver incapable of concerted aggressiveness while he / she is in contact with it.

Precautions in the Use of Tear Gas

Those who employ tear gas must wear protective masks to avoid incapacitation, either inadvertently or in the case of a sudden wind shift. If utilized in grenade form, inspect the area as soon as practicable to see that a fire is not started. Special attention should be paid to the use of tear gas in the vicinity of hospitals and schools.

Decontamination of persons who have tear gas in their skin is carried out by washing with cool water; the respiratory tract is cleared in 10 to 20 minutes by breathing fresh air. Flush the eyes with cool water - this tends to relieve the sensation. Clothing should be aired out for several hours. Ordinarily, exposed foods should be destroyed. Canned and bottled foods should be washed.

Fans used to remove smoke from fire-damaged buildings also may be used to ventilate stores and other places of business where tear gas has been used. Members of a decontamination squad, if established, should be protected with masks and gloves. Exposed skin area should be minimized. Decontamination personnel should wash thoroughly after completing their duties.

11. Communications

Deputies shall use their portable radio on the tactical channel assigned by the Incident Commander as their primary communications.

The 911 Center can group channels of assisting agencies together on the tactical channel for person-to-person communications. The agencies that can be grouped together include:

- a. Forsyth County Fire Department

- b. Forsyth County Public Works Department;
- c. Forsyth County Court Services Department;
- d. Forsyth County Traffic Engineering Department;
- e. Cumming Police Department; and,
- f. Georgia State Patrol;
- g. Forsyth County Emergency Management
- h. Contracted Emergency Medical Service

Whenever other law enforcement agencies such as the Georgia State Patrol or military agencies are involved, an attempt shall be made to have law enforcement communications equipment assigned to each unit. The assignment of equipment will be made through the CTOC Team.

12. Situation Maps

The Forsyth County Geographical Information Systems Department (GIS) may provide maps to the agency. These maps may list residential and commercial locations within the county. These maps may be obtained during regular work hours, or in an emergency they may be obtained through the Forsyth County Administrator's Office.

13. Field Command Post

The incident commander shall select a field command post site when needed with particular attention to the safety of personnel and the ability to protect that site. The site may change if a situation escalates or the problem shifts to another location. Whenever possible, the command post will be designated in advance of the action plan.

14. Chain-of-Command

To provide for unity of command during unusual occurrence operations, which may involve personnel from other agencies, an incident commander is necessary. Unified Incident Command can also be established with representatives of our responding agencies. Incident Command exercises command and control over all civil law enforcement resources committed to an operation within the county. The on-scene watch commander will be in charge until relieved by an incident commander of equal or higher rank. The incident commander shall be in charge of the over-all scene, and of all law enforcement resources at the scene of any civil disturbance until relieved. This will include all law enforcement and civilian resources from other law enforcement agencies.

Whenever an SWAT call-out is necessary for additional specialized manpower, hostage, or high-risk situations, the incident commander will be in charge, unless the Sheriff or designee assumes overall command.

15. Community Relations / Public Information (Media Briefings)

The Sheriff or an agency PIO has the responsibility of public dissemination of information which may pertain to any man-made or natural disaster or civil

disturbance. This dissemination will include response to any rumors which have the potential to add to the scope of the disaster or which give erroneous information. Information designed to control rumors will be promptly disseminated to the news media, as well as responses to inquiries by the news media.

Casualty information shall be released through the PIO, incident commander or designee.

16. Legal Considerations

In dealing with emergency situations, all deputies should be aware of state laws which give additional powers to law enforcement officials for dealing with these circumstances:

- a. Official Code of Georgia Annotated OCGA 36-69-1 authorizes governmental public safety officials (law enforcement, fire and emergency management services) to assist and provide mutual aid during local emergencies.
- b. Under OCGA 36-69-2., a local emergency is defined as the existence of conditions of extreme peril to the safety of persons and property within the territorial limits of a political subdivision of the state caused by natural disasters, riots, civil disturbances, or other situations presenting major law enforcement and other public safety problems, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision of the state and which require the combined forces of another political subdivision of the state to combat.
- c. Under OCGA 36-69-4., whenever personnel from outside the agency's jurisdiction are assisting, such employees shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in their own jurisdiction.
- d. The request for Federal Military assistance shall be made by the Sheriff or incident commander to the FCEMA Director who shall in turn notify the Georgia Emergency Management Agency (GEMA). The request for National Guard assistance shall be forwarded to the FCEMA Director who shall in turn notify the Georgia Emergency Management Agency (GEMA).

17. Other Law Enforcement Agency Support

Mutual aid assistance shall be requested through proper channels as outlined in OCGA Title 36 Chapter 69 and the guidelines of this plan. Formal requests for mutual aid may be made telephonically or by teletype on the GCIC computer system when time allows.

18. Liaison with Non-Law Enforcement Agencies

The agency will maintain a liaison with all of the Forsyth County Departments and various legislative court and prosecutorial authorities to keep them aware of any needed resources. The agency shall use social agencies, church and community

leaders, and any other group which will offer positive assistance to quell or reduce civil disturbances. In particular, minority leaders shall be consulted whenever the civil disturbance involves a racial problem.

19. Transportation

The incident commander or designee will immediately assess the transportation needs of the situation and take what action is necessary to secure the required transportation. Forsyth County Sheriff's Office or Forsyth County owned vehicles will be used as the primary source of transportation. However, when mutual aid is requested, all personnel responding from other agencies will be requested to provide marked law enforcement vehicles to assist with transportation needs. When required, the Detention Center prisoner transport vehicles and other specialized vehicles (such as Forsyth County Board of Education buses) may be requested.

20. Public Facility Security

Any public facility becomes a primary target during civil disturbances/natural disasters/unusual occurrences. As soon as possible, security of the Forsyth County Government Buildings will be instituted. Normally, personnel requested on mutual aid from other agencies will be used to provide security for these facilities.

21. Traffic Control

It shall be the responsibility of the agency to take charge of traffic control. The perimeter of the disturbance area must be secured and traffic may need to be routed around the scene. The decision about traffic control should be made by the incident commander or his designee.

- a. Uniformed deputies should be used on all traffic posts. If additional deputies are needed at the disturbance scene, Mutual Aid should be requested from adjacent agencies to man these traffic posts.
- b. It shall be a responsibility of the traffic posts to ensure that only authorized and necessary persons are permitted to respond to the scene. Unnecessary personnel at the scene only contribute to confusion and are usually counter-productive.
- c. At first opportunity, the routes prohibited to traffic shall be blocked with moveable barricades, flashing lights and other visible barriers until traffic permitted access again.

22. Equipment Requirements

Deputies shall report in uniform with gun belt, radio and personal equipment from their own when called in for mutual aid or emergency mobilization. The incident commander or designee will immediately assess the equipment needs of the situation and see that any equipment in addition to that issued to every deputy is distributed, such as riot shields, helmets, tear gas or gas masks, if applicable. If specialized firearm or other hostage rescue equipment is necessary (i.e., chemical agent masks

and automatic weapons) the SWAT Team will be activated. Specialized equipment designated for use during unusual occurrences is inspected for its operational readiness through quarterly inspections by the SWAT Team.

23. De-Escalation Procedures

At the time when the Sheriff and other authorities conclude that the civil disturbances/natural disaster/unusual occurrence operation has concluded, they will advise all personnel of the return to normal operations and will institute all post-disturbance procedures. A GCIC teletype will be made to all involved agencies.

24. Post Occurrence Duties / After-Action Reports

All primary, back-up, and supporting agencies will meet to critique the operation as soon as possible after the conclusion of any civil disturbance. A thorough inspection of the county will be conducted to ascertain if any damage has been done attributable to the civil disturbance.

After-action reports will be submitted by all command personnel involved. These reports will be reviewed at the after-action critique, and will contain as attachments:

1. All logs, assignment sheets, and summaries of significant events during the operation;
2. All use of force, deputy statements, citizen complaints, and internal investigative reports;
3. All damage reports to law enforcement equipment and a list of all expended supplies that need to be replaced;
4. Lists of all damages incurred to civilian property as a result of the civil disturbance; and,
5. A copy of all arrest / booking reports and case summaries, for review for completeness in preparation for court presentation.

I. MASS ARREST / PROCESSING / CONFINEMENT PROCEDURES

Although alternatives to mass arrests should be sought, contingency plans are made in the event such action becomes necessary to facilitate the restoration of order.

1. Adult Offenders

- a. Persons arrested will be removed as soon as possible from the scene to a nearby holding area for initial processing and to await transportation to the Detention Center or a temporary holding area.
- b. Upon arrival at the holding area, persons arrested will be identified, if possible, and photographed. The following information will be noted on each photograph:

- Date and time;
 - Defendant's name, date of birth and social security number;
 - Location of arrest;
 - Charge(s); and
 - Arresting deputy's name.
- c. Photos will be sent along with the prisoners when they are transported for booking at the jail or a temporary detention area.

2. Juvenile Offenders

Whenever possible, juvenile offenders will be processed through and released to their parents or other responsible adults, rather than incarcerated. Only in exceptional circumstances, or for serious violations will juveniles be taken to the Regional youth detention Center (RYDC). In instances where parents of young children are arrested, an attempt will be made to locate a responsible adult that can assume custody with parental permission. When all else fails, the Forsyth Department of Family and Children Services will be contacted to intervene and make temporary custody arrangements.

3. Transportation of Detainees

Transportation requirements that exceed the capacity of the agency will be addressed by the utilization of Detention Center transportation vehicles, Forsyth County Board of Education buses or by utilization of the Georgia Mutual Aid Act.

Two detention deputies will be assigned to transport prisoners from the holding area to the Detention Center, or to a designated medical facility for treatment of any injured prisoners.

4. Temporary Detention Facilities

Arrangements will be made for the use of a relatively large and conveniently located facility should the Detention Center become filled to capacity, or the need arise for a temporary detention area.

A detention deputy will be assigned as the booking deputy at the jail or the temporary detention area to complete the required paperwork for the arrest procedure based upon information on the photo labels as well as other information relayed by the transporting deputies. Upon completion of the booking process, the prisoners may be released on bond, taken for court appearance if during hours of court operation, confined in a jail cell, or transported to the Detention Center or other nearby facility for confinement.

5. Detention Facility Security

Should the nature and size of the incident require assistance from other law enforcement agencies, those deputies will be assigned first to provide security at the holding area, the temporary detention area, and the designated medical

facility when any prisoner is taken there for treatment. This will permit agency deputies to resume prisoner transport duties in a timely manner.

Deputies from other agencies will be assigned additional duties as needed. Consideration should be given to using them primarily where detailed knowledge of the county geography and agency policies and procedures are not essential.

6. Evidence Collection

The Forsyth County Sheriff's Office shall maintain the responsibility for evidence collection, preservation, and storage during a civil disturbance where arrests are made and / or crimes committed. Evidence collection shall be in accordance with normal procedures outlined in SOP 3-5.100 of this Manual.

7. Identification of Offenders

During the operation at the incident scene, a crime scene technician will be assigned to provide evidence collection work, in addition to other duties as determined by the on-scene commander. Consideration may be given to having the scene and participants photographed for possible future use in identifying participants as well as for evidence in subsequent court proceedings.

8. Special Consideration

Should the need for the use of a temporary detention facility arise, additional issues which are normally addressed at the Detention Center will have to be dealt with at the temporary facility. This may include:

- a. Defense counsel access. When the incarceration of an individual at the temporary facility exceeds what would normally be necessary to accomplish the booking process, it may become necessary to provide access to legal counsel. This will be done only when requested by counsel and with the approval of the site supervisor. The site supervisor will make certain that all security concerns are addressed before allowing the visit.
- b. Food, water and sanitation. When the use of a temporary facility is necessary, arrangements will be made via the Detention Center to assure that food, water, and sanitation requirements are fulfilled.
- c. Medical treatment. Any necessary medical treatment at the temporary facility will be arranged by the site supervisor. In most circumstances, this will be accomplished through the response of EMS. In exceptional cases, it may be necessary to transport the arrestee to the emergency room.

**PROCEDURE: SOP 1-6.102 EMERGENCY
MOBILIZATION PLAN**

Rescinds/Amends: SOP 1-6.102

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I EMERGENCY MOBILIZATION PLAN

In the event of an unusual occurrence, the planned response of agency personnel is imperative. Call-in of off-duty personnel will be conducted by the 911 Center and the Office of the Sheriff. Stages of alert, or "Phases", are based upon the established system of progressive readiness conditions declared by the Forsyth County Emergency Management Agency (FCEMA).

A. INITIATION OF AN ALERT

To initiate an alert, the highest shift commander on the scene shall furnish the 911 Center with the following information:

1. The fact that an emergency mutual aid request is being made;
2. The number of personnel requested;
3. The OPCON phase designation of the emergency;
4. The primary and alternate (if needed) assembly areas;
5. Equipment requests;
6. Activation of SWAT or any other specialized task force;
7. Key personnel designations;
8. Vehicle and transportation requirements; and
9. Management control measures.

B. COMMUNICATIONS

The 911 Center, upon the initiation of an emergency mobilization shall send a GCIC teletype message to all law enforcement agencies in the area, making notification of the emergency

and of the mutual aid request. The incident commander will assign a tactical channel for all personnel involved in the emergency operations to communicate on.

C. RESPONSIBILITIES OF AGENCY PERSONNEL IN AN ALERT SITUATION

The incident commander, as outlined in the chain-of-command, will, within a reasonable period of time issue orders placing personnel on standby alert in cases of pending need or shall activate all members as the situation requires.

1. Upon notification of an "ALERT" condition, employees will place themselves in readiness and maintain this condition until otherwise notified. They will immediately provide for or ascertain that transportation is available in case of recall, and at no time place themselves in a position where they are not able to be contacted by telephone or other means as conditions dictate and respond immediately.
2. Employees will at all times maintain a complete uniform and associated equipment in readiness to report for duty properly equipped without delay.
3. In cases of immediate recall, the dispatchers will immediately contact as many members as ordered by the shift commander by the most expedient means available and order them to report for duty. This will include an all-call alpha-numeric page on the department's pagers, radio broadcast and contact by telephone.

D. STAGES OF ALERT / OPERATION CONDITIONS (OPCONS)

OPCONS are designated by the phases shown below:

<u>OPCON</u>	<u>LEVEL OF READINESS</u>
1	Day-to-day operations (normal)
2	First stages of a possible emergency condition. (Employees placed in "ALERT" condition.)
3	Emergency situation imminent/ or coming out of emergency situation. (May activate/deactivate EOC as warranted)
4	Emergency situation confirmed and ongoing (Activation of EOC if warranted)

OPCONS will not necessarily progress in sequence from 1 through 4. The OPCON can be placed in effect at any given time and will be the appropriate one for the state of emergency existing at the time of its initiation. Deputies upon call-in will report to the field location or command post nearest the emergency situation location. If this is not feasible, alternate assembly areas will be selected. During OPCON 3 and 4 the Watch Commander or Incident Commander, as outlined in the chain-of-command, may hold any units from ending their tour of duty or call in additional manpower as needed to handle the situation.

E. EQUIPMENT DISTRIBUTION

Equipment distribution shall be the responsibility of the incident commander or his designee. Additional equipment and supplies will be provided by the Supply Unit. If specialized equipment is necessary, such as tear gas or automatic weapons, the SWAT Team will be activated.

F. KEY PERSONNEL DESIGNATIONS

Notification of emergency conditions shall follow in the chain-of-command to key personnel in descending order:

1. Sheriff;
2. Chief Deputy
3. Division Directors;
4. Division and Section Commanders; and,
6. Supervisory personnel.

G. MANAGEMENT CONTROL MEASURES

Depending on the nature of the mobilization and duration of manpower commitment, all deputies may be temporarily reassigned to different shifts, sectors, off-days and duties.

1. The watch commander may restrict the type of calls that will be responded to by the agency in an emergency situation. An example of this would be holding non-priority calls for a period of time while a tactical emergency or county wide emergency (i.e., weather related) is handled, or asking an adjacent agency to cover a call for service under mutual aid assistance.
2. The 911 Center is responsible to keep the watch commander aware of calls for service load status. The shift commander is responsible to decide when calls will be held and when normal operations will resume.
3. Commanders will attempt to permit adequate and timely relief to personnel assigned to the mobilization without endangering the public.

H. REHEARSALS

Periodic rehearsals, including practical exercises in the field, and "tabletop" exercises shall be conducted in conjunction with other agencies, county departments and representatives of emergency management.

At least once each year, the agency shall conduct a "test recall" to verify employee's phone numbers and to check the numbers of personnel available for a real call-out situation. The test recall shall initiate and terminate within one hour. The division commanders shall evaluate the results of the test recall and make recommendations as to improving the efficiency of the emergency call-out system.

The Office of the Sheriff shall maintain liaison with representatives of Emergency Management in order to coordinate the agency's plans with the Emergency Operations Plan.

This liaison will provide a mutual review and updating of the contents of these plans. Equipment shall be inspected at least once each month for operational readiness, to ensure the readiness of any equipment to be used in support of emergency operations.

The Forsyth County Emergency Management Agency (FCEMA) shall maintain a database of equipment, location and contact persons for available equipment in Forsyth County.

Command and control over the Community Emergency Response Team/Disaster Response Team committed to unusual occurrence operations within Forsyth County will follow the guidelines detailed in C.E.R.T. / D.R.U. policy.

PROCEDURE: SOP 1-6.103 AIRCRAFT CRASHES

Rescinds/Amends: SOP 1-6.103

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I AIRCRAFT CRASHES

Federal law requires that the scene of the disaster must be protected and preserved for federal investigation.

A. DUTIES OF FORSYTH COUNTY SHERIFF'S OFFICE DEPUTIES

Upon being notified of the possibility of an aircraft crash, deputies will respond to the scene and take the following actions:

1. Rescue victims and provide first-aid until the arrival of the Forsyth County Fire Department. Upon arrival of the Fire Department, emergency first-aid and fire control will be their responsibility.
2. Establish an outer perimeter and clear and secure the area from spectators, souvenir hunters, looters and other on-lookers, who shall be kept as far from the accident scene as possible.
3. Allow nobody inside the accident scene unless necessary for the protection of life, fire-fighting, or similar type duties that must be performed immediately.

B. SECURING EVIDENCE AT THE SCENE

Under no circumstances, except for the protection of life, will any aircraft or portion thereof or any of its contents be moved until the National Transportation Safety Board investigators give permission to do so.

C. SECURING DOCUMENTS

If possible, secure the pilot's license, medical certificates, and any other aviation documents.

D. ASSISTING FEDERAL INVESTIGATORS

The agency will assist the General Aviation Inspectors by providing any needed resources and manpower to complete their investigation.

E. PHOTOGRAPHS

The agency shall take sufficient photographs to portray the scene accurately. If possible, the scene will be videotaped as directed by the General Aviation Inspectors.

F. SPECIAL CONSIDERATIONS FOR MILITARY AIRCRAFT

Special considerations need to be taken with military aircraft for the following reasons:

- The cargo may include atomic or automatic weapons and ammunition;
- Ejection seats may be triggered, causing explosions; and
- Rockets, bombs or other explosives may be accidentally detonated.

G. REPORTING

Official reports will be completed by the federal authorities. If possible, the on-duty supervisor shall attempt to obtain copies of their reports. In addition to the reports from the federal authorities, a report will be made by the on-duty watch commander containing the following information:

- Names and addresses of all victims, witnesses and property owners;
- The location, time and date of the incident;
- The identification number, type, class and the owner of the aircraft and type of cargo;
- The name of the pilot;
- Weather conditions; and
- Circumstances of the accident and all damage.

PROCEDURE: SOP 1-6.104 HAZMAT

Rescinds/Amends: SOP 1-6.104

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I HAZARDOUS MATERIALS INCIDENTS

A. PROCEDURES

1. Upon receiving a report of a hazardous material incident, the 911 Center dispatcher shall immediately dispatch the closest available deputy along with the shift supervisor to investigate and notify:
 - the Environmental Protection Agency Division (EPA) at (800) 241-4113 or
 - the Department of Natural Resources at (404) 656-4300.
2. Try to determine the type and form (solid, liquid, gas) of material involved from driver, chem-card in cab of truck, bill of lading, or from placards and labels on the truck and containers.
3. After the type of chemical being transported has been identified, the watch commander shall check the latest Emergency Response Guidebook to determine the type of emergency action to be taken.
4. Upon arrival at the site, provide emergency first-aid as needed and request additional assistance as needed. (Forsyth County Fire Department, Emergency Management Agency and EPA's Emergency Response Team).
5. Advise the local medical facilities and ambulance personnel that all injured individuals are assumed to be contaminated by hazardous material and should be handled accordingly. Obtain the name of ambulance service, driver and hospital where patients will be taken.
6. If there exist any obvious dangers to nearby residents, begin an evacuation of residents to a safe location.
7. Re-route traffic and restrict access to emergency personnel only. When radioactive materials are involved, the State Emergency Response Team will advise how large an area should be cordoned off.

8. Upon arrival of properly identified State Emergency Response Team, remain at the scene, maintain crowd control and assist the team as directed.

B. RADIOACTIVE AND HAZARDOUS MATERIALS

A hazardous material is defined as follows: Any element, compound, or combination thereof which is flammable, corrosive, explosive, toxic, radioactive, an oxidizer, or is highly reactive and which, because of handling, storing, processing, and packaging may have detrimental effects upon operating and emergency personnel, the public, equipment, and / or the environment. Radioactive materials are in current use in hospitals, research laboratories, and numerous industrial and military applications, and are transported throughout the state by truck, rail, air and water borne vessels. In addition, numerous hazardous materials are transported throughout the state every day. While many of these are in common use, accidents or spills present a serious threat to the health and safety of the general public, especially the deputy who happens to be first on the scene. Many accidents and other emergencies involve more than one agency and require a cooperative emergency response. It is of extreme importance for all deputies to be aware of what actions they should take during hazardous material emergencies.

Upon receipt of a hazardous material call to a building or vehicle location, or upon determination by the deputy that hazardous materials or gases are involved, the deputy's primary responsibility is the immediate notification to the 911 Communications Center that hazardous materials are suspected. The 911 Communications Center is responsible for notification of the Forsyth County Fire Department and the Forsyth County Emergency Management Agency authorities of the suspected hazardous incident.

After notification to the 911 Communications Center, the deputy's primary responsibility will be security of the scene or building to limit anyone other than Fire or Emergency Management personnel from entering the premises.

After security of the scene is established, the deputy will interview any witness(es) to assist in determining what is involved in the form of chemical or gases. Under no circumstances is the agency equipped to perform a rescue mission where hazardous materials of unknown origin are involved.

1. Steps in handling radioactive material. Complete information concerning the incident will be forwarded to the 911 Communications Center by the quickest means available. This information will include:
 - a. basic description (explosion, fire, etc.);
 - b. exact location;
 - c. if possible, all information contained on the Interstate Commerce Commission (ICC) label or labels.

Upon being notified of any incident, the 911 Communications Center will notify the Forsyth County Fire Department, which in turn will advise notification of one or more of the following:

- a. Forsyth County EMA;
- b. Emergency Medical Team;

- c. State Emergency Response Team; or
- d. EPA Emergency Response Team.

2. Atomic Weapons

When it is believed that an accident or incident has occurred involving an atomic weapon (or weapon component) or radioactive material that can be identified with a military service, the 911 Communications Center will, in addition to the notifications specified in section B1 of this SOP, request assistance from appropriate military headquarters.

3. Hazardous Material

First, and most important, is the identification of shipments considered hazardous. This is usually accomplished directly or indirectly by descriptive data in shipping documents, on containers, package labels, and vehicle placards. If this information is not readily obtainable due to an incapacitated driver, destruction of a bill of lading or other shipping papers, the 911 Communications Center will immediately contact the Chemical Transportation Emergency Center (CHEMTREC) 1-800-425-7300. CHEMTREC provides technical expertise in handling hazardous material emergencies. They can also provide additional phone numbers for emergencies, such as accidental poisoning. When in doubt, the 911 Communications Center should immediately contact CHEMTREC.

Basic information needed:

- a. name of caller and call-back number;
- b. location of problem;
- c. shipper or manufacturer;
- d. container type;
- e. truck number;
- f. carrier name;
- g. consignee;
- h. local atmospheric conditions; and
- i. vehicle placard description.

4. Isolation and Evacuation

In the case of hazardous material incidents, deputies will isolate the hazard area, evacuate non-essential personnel, and make a preliminary hazard identification (spill, leak, fire). The Forsyth County Fire Department will be notified to aid in any such matter.

PROCEDURE: SOP 1-6.105 INFECTION CONTROL

Rescinds/Amends: SOP 1-6.105

Effective Date: June 14, 2017

Committee Review - Date: May 2017

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I INFECTION CONTROL

Purpose:

To identify personnel who have a potential for occupational exposure to blood borne, airborne, or other infectious materials and minimize or eliminate employee exposure to communicable diseases.

Policy:

Forsyth County Infection Control Policy #1, confirmed by the Forsyth County Board of Commissioners on October 6, 2016 is hereby adopted and made a part of the Forsyth County Sheriff's Office Policy Manual. The policy is available on PowerDMS. It may also be viewed on the "S" drive folder (S/Forsyth County Policy/Infection Control Policy 1).

PROCEDURE: SOP 1-6.300 BOMB THREATS

Rescinds/Amends: SOP 1-6.300

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I BOMB THREAT PROCEDURES

IF A SUSPECTED EXPLOSIVE DEVICE IS FOUND IN AN OCCUPIED BUILDING, EVACUATE THE BUILDING!

When any suspected explosive or incendiary device is located, it will be left untouched and the **area** will be evacuated.

Upon location of a suspected device, the first deputy on the scene or watch commander will notify the person responsible for the site and provide assistance with the evacuation, if necessary. The watch commander will establish a security perimeter at a safe distance from the device (minimum of 1000 feet) and restrict access to all personnel except bomb disposal personnel.

The locating of an actual device shall serve as a warning for the potential existence of additional explosive devices. Additional devices are sometimes employed to cause injury/death to emergency personnel who have responded to the initial threat. As soon as the security perimeter is established around the known device, the watch commander shall coordinate a continued search for additional devices outside the security perimeter as necessary based on the circumstances.

A. HANDLING OF BOMB THREATS

1. Required Information

When a bomb threat is received by the 911 Center or by other agency personnel, the information shall be obtained following the Dept. of the Treasury's Bureau of Alcohol, Tobacco and Firearms Bomb Threat Checklist. If the information is obtained or sufficient information to dispatch a unit is obtained, a unit will be dispatched at this time. Prior to completion of the call, all information will be gathered for inclusion in the incident report. Have caller remain on-line so as to have a means of communication with responding unit(s) once on-site.

In the event of a bomb threat, the watch commander will be notified and a command page shall be sent. The FCFD shall be dispatched to a location to be determined by the incident commander.

2. Responsibility at the Scene

Upon arrival, patrol or other units responding shall turn off all radio and digital equipment, including CB radios, cellular phone, and MDT modems within 300 feet of the scene, since it might trigger the explosive device. Next, the deputy shall contact the owner / person in authority to determine if he / she wants the building evacuated. If the building is a public facility (e.g., County Administration, City Hall, school, civic center), then the individual in charge of the facility should be contacted to determine the procedures which will be followed.

Unless a suspected explosive device is actually discovered, the deputy can never order the property owner or manager to vacate the area - the deputy can only advise him / her to make that decision.

If the building is to be evacuated, the watch commander will call for additional assistance if needed, (by land-line telephone if at all possible) and will request the owner or person in authority to attempt to solicit company employees to assist in searching the building (maintenance and building engineers are preferred).

If the building is not evacuated, permission will be obtained from the owner or person in authority, to conduct a discrete search of the premises, especially restrooms and areas that are accessible to the general public. The aid of maintenance and building engineer personnel will be solicited to assist in the search.

The deputy will advise all people involved not to answer phones, turn light switches on or off or anything which might activate an explosive device.

3. Searching for the Bomb

Establish an initial command post at a location in proximity to the suspected device. This location should be close enough to the device to maintain effective communication but it must be a distance from the device that provides for the safety of involved personnel. Any decision concerning the re-location of the command post shall be at the discretion of the incident commander.

It should be remembered that the best people to search are employees familiar with the area. They are most aware of items that are out of place or alien to the location. If on-site personnel are available and willing to assist in the search, the ideal team composition will be one (1) deputy and one (1) on-site person. If enough on-site personnel are not available, the incident commander will formulate a plan to accomplish the mission with the manpower available. Personnel involved in the search will be instructed to leave any suspect item untouched until such time as an evaluation of the item can be made by the Bomb Disposal Team.

When searching a building, always start from the outside and work inside. Public areas shall be searched first (lobbies, restrooms, elevators, stair wells). The search shall proceed from the lowest public access area to the highest in multi-story locations.

4. Building Searches

The search of the building should be broken into three (3) steps:

- a. Exterior The exterior search begins at the ground level. Close attention should be given to piles of leaves and refuse, shrubbery, trash cans and parked vehicles. (Outside accessibility is unlimited)
- b. Public Area Extended outward from the building to some natural divider (curb or wall, usually 25 to 50 feet).
- c. Interior Room Special attention should be given to utility rooms or areas where access is unlimited. Begin at the lowest level and work upward, making a complete search before changing floors.
 - Floor to waist: check chairs, desks, trash cans, anything in this level that could conceal a bomb.
 - Waist to eye level / top of head: behind pictures, cabinets, miscellaneous on walls.
 - Eye level to the ceiling: light fixtures, any item suspended from the ceiling, e.g., heater ducts, ceiling fans.

When first entering a room, remain completely calm and immobile. Listen for any unusual sounds. Many times such actions will pick up sounds indicating a device.

5. Vehicle Searches

With a vehicle, you are looking for a device that is designed to kill rather than harass. Whereas a bombing in a building is normally set to detonate at a specific time, an auto bomb usually has a triggering device.

The initial action in a vehicle involved incident is to evaluate and secure as much information as possible from the driver / owner. (Any threats, evidence of tampering, suspicious noises, unfamiliar objects). Find out when the vehicle was last operated, was it locked, who is to be the next person in the vehicle. (Who is the intended target, driver or passenger?)

Check the area around the vehicle for signs of tampering. (Marks on the ground, bits of tape, wire insulation, etc.)

NOTE: A vehicle bomb can be installed in 15-30 seconds. A detailed search emphasizing safety may take several hours depending on the situation. Only members of the GBI's Bomb Disposal Unit will conduct vehicle searches.

6. Search Procedure Delay if too Close to Detonation Time

If the search cannot be completed within 15 minutes prior to the time the threat maker indicated the device was to detonate, all law enforcement personnel will be evacuated to a safe distance and will remain until at least one (1) hour past the time the device was to detonate before resuming the search, if it is necessary to continue.

7. Communications During Searches

During periods of radio silence, necessary to conducting a search for, or disarming a suspected device, communications will be made by telephone if possible. Search teams will communicate with the watch commander by sending a runner. The watch commander may use a public address or megaphone for issuing commands or giving directions or for any other purpose where its use would be beneficial.

B. ACTION TO BE TAKEN UPON LOCATING A SUSPECTED BOMB

If a suspected bomb is located, it will be left untouched. At no time will any deputy attempt to move or render safe any suspected explosive device. The actual "handling" of any suspected explosive device shall be the responsibility of the bomb disposal unit.

The Forsyth County Fire Department will be staged at a location to be determined by the incident commander. The incident commander will assign responsibility to the Fire Department for dealing with any hazards resulting from the actual detonation of an explosive device.

The supervisor will make sure that the appropriate reports have been completed and all units are back in service.

C. BOMB DISPOSAL

This agency relies upon personnel and equipment of the Georgia Bureau of Investigations Bomb Disposal Unit to assist in the disposal of bombs or explosives.

PROCEDURE: SOP 1-6.400 EXECUTIVE PROTECTION

Rescinds/Amends: SOP 1-6.400

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I EXECUTIVE PROTECTION

- A. In the event of a "Very Important Person" (VIP) defined as a dignitary, famous personality, notorious person, or any other person in need of special security, visits or stays overnight in the County, the following provisions and considerations will be addressed, prior to their arrival:
1. The incident commander shall be designated and will be the supervisor and coordinator of any given security detail, unless otherwise designated by the Sheriff.
 2. Consult local, state and federal intelligence agencies for known or suspected personalities residing in the county area who might pose a threat to the VIP.
 3. Coordinate VIP itinerary with other adjacent law enforcement agencies that might be affected.
 4. Arrange for primary and alternate motor routes within Forsyth County.
 5. Inspect building and concealment sites along motor routes and at destinations prior to VIP arrival.
 6. Alert Forsyth County Fire Department and Northside Forsyth of impending VIP visit for emergency medical response.
 7. If necessary, SWAT personnel shall be placed at strategic vantage points (buildings, etc.) and equipped with rifles. SWAT personnel assigned to close security will wear concealed firearms, if in civilian clothes, or agency issued firearms if in uniform.
 8. All agency personnel assigned to VIP escort duty will be equipped with portable radios and body armor. Body armor shall also be available to the VIP, if necessary.
 9. The Incident Commander will coordinate methods of identification of escort deputies not in uniform with other participating agencies.
 10. Armored or other special vehicle requirements will be coordinated with the VIP escort agency in sufficient time prior to VIP arrival, if a need exists.

B. AFTER-ACTION ACTIVITIES

At the conclusion of the security detail, an after-action debriefing and critique will take place. The incident commander shall be responsible for completing a detailed narrative report of the operation, with copies of all logs, case reports, witness statements, and other documentation attached.

PROCEDURE: SOP 1-6.500 HOSTAGE NEGOTIATIONS

Rescinds/Amends: SOP 1-6.500

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I HOSTAGE NEGOTIATIONS / BARRICADED PERSON

Actions by law enforcement in barricaded person situations will vary depending upon the aggressiveness, mental condition, emotional state, or criminal background of the barricaded person. Deputies who come into contact with hostile, barricaded persons, or persons with hostages should attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained tactical and / or hostage negotiation personnel. Unless emergency conditions exist, a search warrant shall be obtained prior to entry or assault on the hostage taker or barricaded subject.

A. INITIAL RESPONDING DEPUTY'S RESPONSIBILITY

When a deputy is confronted with a situation in which a potentially armed suspect has seized control of a dwelling, structure or place, immediate steps must be taken to ensure the safety of bystanders and responding deputies.

1. The primary responsibility of the first deputy on the scene is to establish a perimeter at a safe distance to prevent innocent parties from entering the area.
2. Additional responding deputies should be directed to assume positions on the perimeter to deny unauthorized entry and to block escape.
3. As soon as possible, an attempt must be made to evacuate any injured persons and bystanders in the line of fire. Evacuation routes should not expose evacuees to any offensive action by law enforcement or the barricaded person.
4. If possible, the responding deputy should identify and isolate witnesses or any other persons with knowledge of the identity of the barricaded person or the situation in order to obtain additional tactical information.
5. Indiscriminate firing into the position of a barricaded suspect is forbidden. Although unnecessary aggression is forbidden, a deputy may need to take action to save a life or contain the situation in accordance with use of force guidelines.
6. The watch commander on duty will be notified as soon as possible and will assume responsibility for the scene upon arrival.

B. CONTROL OF SCENE

The watch commander will establish a central command post in a safe area and shall establish both an inner perimeter (to contain the suspect), and an outer perimeter (to prohibit unauthorized access to the area). When it appears that the situation cannot be resolved promptly and there is the possibility of danger or injury to the deputies or general public, a request for SWAT shall be made.

1. When such a situation develops, the on-duty watch commander will make the decision to activate SWAT.
2. The rest of the SWAT team and hostage negotiators will be notified by paging an all-call and advising them of the situation and the staging or assembly area to respond to by alpha-numeric message on the pager. Additionally, the 911 Center shall immediately send a command page.
3. The watch commander will remain in command and act as the Incident Commander until relieved by a trained Incident Commander. A trained Incident Commander shall be defined as someone who:
 - Holds the rank of lieutenant or higher; and
 - Has completed the NIMS modules as required by FEMA; and
 - Has completed the 16 hour FCSO Incident Commander course.

C. EMERGENCY MEDICAL TREATMENT AND FIRE APPARATUS CARE

The Forsyth County Fire Department and EMS should be notified so they are on stand-by and ready to respond if needed. In the event injuries have already been sustained, arrangements should be made to transport the injured to a safe area where treatment or transport arrangements can be made.

D. SURVEILLANCE EQUIPMENT

If specialized surveillance equipment is required, it will be provided by the CIS Narcotics Unit for SWAT personnel.

E. SWAT RESPONSIBILITY AND COMMAND

The tactical members are responsible for the security of the inner perimeter. The team leader, as designated by SWAT Commander is responsible for directing and establishing a line of communication with the suspect. Attempt to limit the suspect's means of communication with other persons to avoid jeopardizing the operation or providing a forum for the offender.

If a telephone number is needed, contact the telephone company. If unable to communicate via telephone, resort to a bullhorn or a public address system. Make certain the perpetrator knows with whom he is communicating and negotiating. Keep the perpetrator talking as long as possible, since the longer the conversation, the greater the opportunity for a successful

negotiation. If possible, have a wire tap installed on the perpetrator's telephone or have a listening device directed toward his area of control.

The crisis negotiators will be specially trained and have excellent verbal skills and problem solving abilities. The crisis negotiator's primary responsibility is to affect the release of hostages unharmed through a negotiating process utilizing guideline set out elsewhere in this chapter. Carrying out the primary responsibility, the crisis negotiator will keep the SWAT Commander fully informed as to the progress or lack of progress of the negotiating process. The crisis negotiator will provide an evaluation of the mental state of the hostage taker(s) to the SWAT Commander.

The crisis negotiator will immediately inform the SWAT commander if harm has come to a hostage or if a hostage has been killed so that action may be taken to save the lives of any remaining hostages because once a hostage taker kills one, he is likely to kill again.

There will be no contact by uninvolved, outside persons during the negotiating process with the SWAT Commander, his designee or the Incident Commander.

F. SUGGESTED NEGOTIATING PROCEDURES

1. Attempt to describe to the perpetrator the futility of his actions.
2. Make every effort to persuade the suspect to surrender voluntarily, before force is used.
3. Only agree to trade the release of a hostage in return for the suspect's safety.
4. Avoid accepting explicit deadlines a suspect may seek to establish.
5. Consider obtaining anything within reason demanded by the suspect, except firearms and ammunition, alcoholic beverages, or drugs.
6. If food is demanded, develop a plan for distribution which is mutually acceptable to the agency and the perpetrator, and attempt to trade food for hostages.
7. Generally, drugs will not be introduced into the perpetrator's food or beverages. Suspect will not be provided with alcoholic beverages or drugs.
8. Never permit a person to enter the suspect's area of control, except a physician who may volunteer his services, and is approved by the SWAT Commander.
9. Ask to see hostages, to assess their well-being, but avoid creating the impression of over-concern.
10. If hostages are law enforcement personnel, anticipate possible independent action.
11. Persist in attempts to negotiate the suspect's demands while trying to convince him that yielding the hostage is a guarantee of his safety.

12. Never consent to release a person in agency custody in exchange for the release of a hostage.
13. If firmly convinced that a suspect will harm a hostage consider yielding to a demand for an escape vehicle. Every attempt should be made to resolve the situation without allowing it to go mobile.

G. NEGOTIABLE / NON-NEGOTIABLE ITEMS

If during negotiations, the hostage-taker makes demands, these items **will be** considered negotiable, when approved by the Incident Commander:

- Hostages;
- Cigarettes;
- Food and / or water;
- Time;
- Utilities; and
- Prescribed drugs.

If during negotiations, the hostage-taker makes demands, these items **will not be** considered negotiable:

- Deputy exchange for hostage;
- Weapon(s) and ammunition;
- Non-prescribed / illegal drugs / alcohol; and
- Other persons as exchange for hostage, i.e., family, friends, etc.

H. JURISDICTIONAL RESPONSIBILITIES

As defined in subsequent sections of this Chapter, the SWAT Commander or the ranking deputy taking command of a hostage, barricaded person, sniper, or other unusual occurrence will retain such command until some other jurisdictional responsibility arise.

I. ASSAULT ON A SECURED AREA AND USE OF FIREPOWER

Continued negotiating, a lessening of demands and the uneventful passage of deadlines imposed by the perpetrator may indicate he is beginning to weaken. The negotiations will continue to consume time.

If convinced that the suspect has become destructive and irrational, the SWAT Commander, or his designee, should prepare for an assault action. The authority to commence an assault, deploy chemical agents, and / or to employ firepower will only be given by the SWAT Commander in conjunction with the Incident Commander.

J. PUBLIC INFORMATION AND MEDIA CONTROL

The release of information will be according to the procedures established in section 1-7.100 of this Manual.

Agency members involved in barricaded suspect situations will not release information to the media or general public without approval of the Incident Commander who will confer with the SWAT Commander.

Representatives of the media will be permitted to enter only the outer perimeter area and assemble at the media staging area which is determined by the Incident Commander. They will not be permitted to enter or approach the inner perimeter area without approval of the Incident Commander, in which case they must be accompanied by a deputy.

K. CRIMINAL INVESTIGATION SECTION RESPONSIBILITIES

The scene commander has the authority to call out the number of investigators that are necessary to assist with the on-site and supportive investigative duties. Investigators will have responsibilities to gather intelligence, interview witnesses, process crime scenes, and handle charge preparations for anyone arrested as a result of the incident. CIS personnel called to the scene, under this situation, will be under the direct supervision of the overall Incident Commander.

L. SUPPLEMENTAL PERSONNEL AND EQUIPMENT

Additional equipment available for hostage situations includes:

1. Canines: The Sheriff's Office K-9 Team

Possible uses include:

- a. To dislodge and remove persons prior to directing firepower or other aggressive action against a building; and
- b. To effect apprehension if the suspect attempts flight from a structure.

2. Helicopters:

Metro-Atlanta law enforcement agencies have helicopters that may be available to the agency for air support. The SWAT Commander or designee will determine if they are to be called upon to assist.

M. AFTER-ACTION REPORTS

Immediately after a barricaded person or hostage situation, an after-action debriefing and critique will take place. The SWAT Commander of the incident shall be responsible for completing a detailed narrative report of the operation, with copies of all logs, case reports, witness statements, and other documentation attached.

N. COOPERATION AND COORDINATION BETWEEN OPERATIONAL UNITS

The Division/Section Commanders shall meet on a periodic basis to discuss special operations and the role of the SWAT teams, field patrol operational, and criminal investigation components. Procedures shall be reviewed and updated to address the following concerns:

- In order to alleviate potential misunderstandings among all components;
- In order to provide for the safety of deputies and ensure the success of the mission; and
- In order to design training for agency personnel to understand their role in barricaded person and hostage situations.

PROCEDURE: SOP 1-6.600 EMERGENCY MANAGEMENT

Rescinds/Amends: SOP 1-6.600

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I EMERGENCY MANAGEMENT

Emergency Management is a term used since 1978 to describe the initiatives taken by governments to organize and prepare for the actions necessary to save lives, limit damages and speed recovery in the event of a major emergency or disaster. In the past years, a myriad of other titles have been applied for Emergency Management.

Some of the substituted titles have included "Civil Defense", "Civil Preparedness", "Emergency Planning and Operations," etc. The Federal Government presently uses the term "Emergency Management". Within Forsyth County and other jurisdictions in Georgia, "Emergency Management" is the correct title because our legal authority stems from the State Emergency Management Act of 1981.

Emergency Management is not an isolated function, separate from the normal responsibilities of government, but involves the existing agencies of government performing emergency actions related to those they perform under normal conditions.

The Forsyth County Emergency Management Agency (FCEMA) functions as a planning and coordination organization (not as an operating agency) for emergency actions.

It is important to realize that emergency operations occur whenever a local government responds to any extraordinary emergency, such as a tornado, earthquake, flooding or other natural disaster; a major explosion or accident; the release of radioactive or toxic chemicals; or civil disorder. Emergency Management operations would also be required as a result of acts of war against the United States.

A. NEED FOR EMERGENCY MANAGEMENT SERVICES

The ever present danger of an actual emergency or disaster beyond routine day-to-day accidents and incidents establishes a need for effective prior planning and coordination to warn the public, save lives, protect property and to obtain assistance when the magnitude of damage exceeds the response capability of the local jurisdiction. A viable emergency management organization fulfills this need and enables local governments to plan for and cope with natural and man-made disasters, terrorist threats, major accidents, and acts of war.

B. AUTHORITY FOR EMERGENCY MANAGEMENT SERVICES

FEDERAL GOVERNMENT

Authority for emergency management is provided by the Federal Civil Defense Act of 1950 (PL 81-920) as amended, the Disaster Relief Act of 1970 (PL 91-606) as amended, and the Disaster Relief Act of 1974 (PL 93-288). The actions mandated by these and related federal statutes are administered by the Federal Emergency Management Agency (FEMA).

FEMA, established by executive order of the President of the United States of America in 1978, replaced five previous agencies and has consolidated a dozen different federal emergency-related activities. FEMA provides a single point of contact for state and local governments on emergency matters. It enhances multiple uses of resources in preparedness for, response to, and recovery from emergencies and it supplies an improved basis for measuring costs and benefits in emergency operations.

STATE GOVERNMENT

In every state there is an official charged with the general responsibility for emergency management operations within the state. These responsibilities include advising the Governor and other state officials on emergency or disaster preparedness and assisting political subdivisions in establishing and maintaining a local emergency management organization.

The State of Georgia's authority for emergency management is the Georgia Emergency Management Act of 1981. This Act establishes an Emergency Management Division within the State Department of Defense; designates the State Adjutant General as Director of Emergency Management; directs that each political subdivision having a population in excess of one thousand (1,000) will establish and maintain a local organization for emergency management; and provides political subdivisions the power and authority for establishing and maintaining local organizations for emergency management services.

LOCAL GOVERNMENT

The Forsyth County Emergency Management Agency (FCEMA) is responsible for emergency management for Forsyth County and the City of Cumming.

The FCEMA provides a comprehensive emergency plan to ensure mitigation / preparedness, appropriate response and timely recovery from natural or man-made hazards affecting Forsyth County.

C. EMERGENCY MANAGEMENT PLAN

The Forsyth County Emergency Mitigation Plan is organized based on the organizational structure of Forsyth County governments and several private sector agencies and is keyed to the functions that must be performed during emergencies. Special procedures for the accomplishment of functional assignments that are outlined in this plan will be prepared by each agency having primary responsibility.

D. PURPOSE AND GOALS OF THE EMERGENCY MANAGEMENT PLAN

The purpose of the plan is to provide the basis for a comprehensive emergency management program that will enable the Forsyth County to respond quickly and effectively to an

emergency or disaster. The goal of the plan is to minimize the loss of life and property in the community and to return the community to normal conditions as soon as possible.

E. BENEFITS FROM EMERGENCY MANAGEMENT PROGRAMS

“Emergency Management means the preparation for the carrying out of all emergency functions other than functions for which military forces are primarily responsible to prevent, minimize and repair injury and damage resulting from emergencies, energy emergencies, disasters or the imminent threat thereof, of manmade or natural origin”. These functions include, without limitation, fire-fighting services; law enforcement services; emergency medical services; rescue; engineering; warning services; communications; defense from radiological, chemical, biological, and other special weapons to include weapons of mass destruction; evacuation of persons from stricken areas; emergency welfare services; consequence management functions to include victim services; emergency transportation; plant protection; temporary restoration of public utility services; and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions” (O.C.G.A. 38-3-3).

1. Local organization for Emergency Management

Forsyth County has an organization for emergency management; such organization shall include participation by the City of Cumming for emergency management, with the approval of the Georgia

Emergency Management Agency director. The executive officers of the governing bodies of the political subdivisions are authorized to nominate a local director whose nomination must be endorsed by the State Emergency Management Director. Upon appointment, the local emergency management director shall have direct responsibility for the organization, administration and operations of the local organizations for emergency management, during emergencies and/or disasters, subject to the direction and control of the executive officers or governing bodies and shall serve at the pleasure of such executive officers.

2. Duties of Emergency Management Agency (EMA) Director

The local EMA Director shall:

- a. maintain an emergency management office in a building owned or leased by the political subdivision and the director or designee shall be available or on call at all times beyond working hours;
- b. develop, in conjunction with public and private agencies/organizations that have responsibility for designated emergency support functions, plans for responding to and recovering from disasters [and/or emergencies];
- c. respond to emergency response of public and private agencies and organizations;
- d. attend training and meetings convened by the appointing authority or the (state emergency management) director;

- e. develop or cause to be developed, in collaboration with other public and private agencies within the state, mutual aid arrangements, consistent with state plans and programs, for reciprocal emergency management aid and assistance in case of emergency or disaster too great to be dealt with unassisted; and,
- f. enter into mutual aid agreements, subject to approval of the Governor, with emergency management agencies or organizations in other states for reciprocal emergency management aid and assistance in case of emergency or disaster too great to be dealt with unassisted (O.C.G.A. 38-3-27:29)

PROCEDURE: SOP 1-6.601 NIMS

Rescinds/Amends: SOP 1-6.601

Effective Date: August 1, 2018

Committee Review - Date: May 2018

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I NATIONAL INCIDENT MANAGEMENT SYSTEM

The Sheriff or his designee will maintain a liaison with the County Emergency Management Agency director that will be responsible for planning, and in the actual event of natural or man-made disasters, will work directly with the director and command the role of law enforcement as prescribed in the Local Emergency Operations Plan of the Forsyth County Government. The Emergency Management Agency director has the responsibility of coordinating the efforts of all County Emergency Support Functions, to include law enforcement, in such emergency situations. The unified command has primary responsibility for response in emergency situations and will commit all available resources.

As appropriate, State and Federal governments, plus adjacent jurisdictions will assist the County when disaster response and recovery become necessary. The Sheriff will exercise command and control over all civil law enforcement resources operating within Forsyth County's jurisdiction.

Emergency Management is responsible for the maintenance and annual review of the Emergency Operations Procedures. Copies of the Local Emergency Operations Plan will be maintained by the NIMS coordinator and disseminated to all division directors.

A. UNIFIED COMMAND

The Unified Command organization consists of the incident commanders from the various jurisdictions or agencies operating together to form a single command structure. As a team effort, Unified Command overcomes much of the inefficiency and duplication of effort that can occur when agencies from different functional and geographic jurisdictions, or agencies at different levels of government, operate without a common system or organizational framework. The Forsyth County Sheriff's Office will always participate in a Unified Command structure with other responding agencies.

B. TERMINOLOGY IN THE EOC

The ability to communicate effectively within the EOC is critical. Positions within the EOC are staffed with personnel from many different disciplines who use a wide range of terminology on a daily basis. This can lead to misunderstandings and delays in response actions. It is essential that everyone working in the EOC and all agencies and departments

communication with the EOC use common terminology and clear text. Radio codes should not be used in the EOC or Joint Information Center.

C. INCIDENT ACTION PLAN

The Incident Action Plan (IAP) is an oral or written plan containing general objectives reflecting the overall strategy for managing an incident. Incidents that require an IAP must contain current information that accurately describes the incident, predictions of the probable course of events, realistic goals and objectives for the operational period, and resources required for goals and objectives. The IAP must also designate incident command staff positions, manage span of control, display a clear chain of command, and discuss the use of plain language.

D. INCIDENT COMMANDER

The highest ranking official who assumes command shall be the incident commander. The incident commander may be relieved and replaced at any time by a deputy of equal or higher rank, unless the situation is being scaled down. In such instances, an incident commander may be of lower rank. For the purpose of assuming command, the highest ranking official shall announce the command change via radio and all dispatch logs and official transcripts shall note the official change in command.

Responsibilities of the incident commander:

- Ensuring clear authority and knowledge of agency policy.
- Ensuring incident safety.
- Establishing an Incident Command Post.
- Obtaining a briefing from the prior incident commander and/or assessing the situation.
- Establishing immediate priorities.
- Determining incident objectives and strategies to be followed.
- Establishing the level of organization needed, and continuously monitoring the operation and effectiveness of that organization.
- Managing planning meeting as required.
- Approving and implementing the Incident Action Plan.
- Coordinating the activities of the Command and General Staff.
- Approving requests for additional resources or for the release of resources.
- Approving the use of students, volunteers, and auxiliary personnel.
- Authorizing the release of information to the news media.
- Ordering demobilization of the incident when appropriate.
- Ensuring incident after-action reports are complete.

E. PREDESIGNATED FACILITIES AND AREAS

Several kinds and types of facilities may be established in and around the incident area. The requirements of the incident and the desires of the incident commander will determine the specific kinds of facilities used and their locations and may consist of the following designated facilities.

1. Incident Command Post

If appropriate, an Incident Command Post will be established by the on scene incident commander. The incident commander will assume on-scene direction and control of law enforcement services. An Incident Command Post utilizing National Incident Management System (NIMS) principles will be established near the scene of the incident. Situation maps depicting the affected area(s) will be located and maintained at this post. If the Emergency Operations Center is not activated, the Incident Command Post may perform local EOC-like functions, they should include operations, planning, logistics and finance/administrative functions. NIMS principles will be expanded or reduced as necessary, realizing that smaller incidents may allow some roles to be consolidated within assigned personnel as long as there is no loss of effectiveness or operational capability.

a. The Operations function will:

- Establish a perimeter
- Conduct evacuations
- Maintain security at the scene
- Maintain security at the command post
- Provide detainee transportation, processing and confinement
- Direct and control traffic
- Conduct post-incident investigation

b. The Planning function will:

- Prepare a documented incident action plan
- Gather and disseminate intelligence and pertinent information
- Plan post-incident demobilization

c. The Logistics function will:

- Maintain the communications system
- Assure that transportation needs are met
- Coordinate medical support at the scene
- Assure that food, supplies and other materiel needs are met
- Assure that specialized team and equipment needs are met

d. The Finance/Administration function will:

- Record personnel work time, including volunteers, if applicable
- Procure additional resources, when required
- Record expenditures of all funds
- Document any injuries and note any liability issues.
- Prepare appropriate reimbursement documents, if applicable

2. Incident Base

An Incident Base is the location at which primary support activities are conducted. A single incident base is established to house all equipment and personnel support operations. The Logistics Section, which orders all resources and supplies, is also

located at this base. The Incident Base should be designated to be able to support operations at multiple incident sites.

3. Camps

Camps are separate from the Incident Base and are located in satellite fashion from the Incident Base where they can best support incident operations. Camps provide certain essential auxiliary forms of support, such as food, sleeping areas, and sanitation. Camps may also provide minor maintenance and servicing of equipment. Camps may be relocated to meet changing operational requirements.

4. Mobilization and Staging Areas

Staging areas are established for temporary location of available resources. Staging areas will be established by the Operations Section to enable positioning of and accounting for resources not immediately assigned. A staging area can be any location in which personnel, supplies, and equipment can be temporarily housed or parked while awaiting operational assignment. The Operations Section will assign managers for each staging area. Depending on the size of the incident, personnel will check in with the Resources Unit at the staging area, while supplies and equipment are checked in with the Supply Unit. If the incident is not large enough to warrant either of these functions, both personnel and supplies report to the staging area manager for direction.

F. NIMS INCIDENT COMMAND SYSTEM TRAINING

The following matrix outlines agency training requirements by position/rank:

ICS Training Class Level	100	200	300	400	700	702	703	800
Sheriff & Chief Deputy	X	X	X	X	X		X	X
Majors/Captains	X	X	X	X	X		X	X
Lieutenants	X	X	X		X		X	X
Sergeants	X	X			X			
CPL's/DFC's/DSII's/DSI's	X				X			
Admin (PIO)						X		

The National Incident Management System mandates training for all personnel within the agency. The Training Section shall coordinate the agency's annual training curriculum for ICS with the Forsyth County Emergency Management Agency. The training shall include all applicable divisions, sections, and units to participate in the agency's critical incident readiness training. In addition, the Training Section shall be responsible for designing critical incident training for agency employees, based in part on Corrective Action Reports.

G. RESOURCE INVENTORY

The NIMS coordinator shall maintain a complete inventory of resources. Said inventory will consist of Local Emergency Team and Task Force Resources and Equipment Resources by type. Definitions and typing will be defined by the State of Georgia Office of Homeland Security. The inventory will be kept in electronic format on the state's resource database. The NIMS coordinator will ensure all divisions/sections within the Sheriff's Office compile information for the inventory for submission every October. Division commanders shall be responsible for providing the needed information to the NIMS coordinator upon request.

H. CORRECTIVE ACTION PROGRAM

All Operations Orders, Incident Action Plans, After Action Reports, and/or Lessons Learned Reports, once approved by the division director, will be forwarded to the NIMS coordinator. The NIMS coordinator will make copies to provide to the Training Unit and Policy/Certification Unit.

The NIMS coordinator will review all reports for NIMS compliance, request information from the Training Unit regarding training issues, and the Policy/Certification Unit regarding policy issues, and provide the Senior Command Staff with a Corrective Action Report to be reviewed. The Corrective Action Report can indicate changes needed in policy and/or agency training practices.

PROCEDURE: SOP 1-6.602 WINTER WEATHER PLAN

Rescinds/Amends:

Effective Date: January 1, 2017

Committee Review - Date: December 2014

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I WINTER WEATHER PLAN

A. PREPAREDNESS ACTIVITIES

1. Vehicle Snow Chains

- a. Snow chains are purchased by the Forsyth County Sheriff's Office Supply Unit. Snow chains should be available for Chargers (2 wheel drive), Crown Vics, Impalas, Caprices, Grand Marquis, and Tahoes.
- b. Within 48 hours before predicted winter weather arriving, all agency spare vehicles should be delivered to Fleet to have snow chains installed. Once installed, these vehicles should be staged at North Precinct.
- c. Once winter weather begins, Fleet Maintenance will provide extended hours to facilitate installation of snow chains as needed.
- d. Snow chains are intended for low speed driving (<35 MPH).

2. Agency Four Wheel Drive Pickup Trucks

- a. All personnel issued a take home vehicle that is a four wheel drive pickup truck (not AWD Chargers) and are not scheduled to work during any period of the winter weather event will make the vehicle available for general agency use. The deputy will communicate with the on-duty watch commander to determine if the vehicle will be needed.
- b. All agency four wheel drive pickups that are recalled will be stationed at North Precinct prior to the winter weather event starting and made available for general agency use.
- c. Watch Commanders will issue four wheel drive vehicles as needed. These vehicles can be issued to deputies in all sections of the Sheriff's Office.

3. Bagged Salt

- a. Bagged salt will be available for deputies to utilize. The purpose of bagged salt is not to treat a roadway. It is intended to give vehicles stuck on the roadway traction so the motorist can continue down the roadway and prevent a roadway obstruction. Additional extra weight in the patrol vehicles trunk will provide extra traction for rear wheel drive vehicles.
- b. Two pallets (50-80 lb. bags) of bagged salt will be maintained in stock during the winter months. The ordering of bagged salt will fall upon the Forsyth County Sheriff's Office Supply Unit.

B. RESPONSE ACTIVITIES

Forsyth County Sheriff's Office will incorporate the following activities into their daily operations.

1. Emergency Operations Center

- a. The purpose of the Emergency Operations Center (EOC) is to provide a centralized location where public safety and emergency services personnel can work together in preparation for and in response to a potential or actual disaster, or a potential or actual major emergency. This facility is the primary local resource for managing and controlling emergency operations before, during and after an event. The EOC is located at the Forsyth County Public Safety Complex. When the EOC is activated, only essential personnel shall be allowed access. Personnel must be able to show proper identification and a legitimate reason for entry. Persons entering the EOC must wear appropriate ID badges or passes. The Forsyth County Sheriff's Office is charged with the security and protection of an activated EOC.
- b. The Sheriff's Office representative for the EOC will serve as the Incident Commander over the Sheriff's Office assets during the winter weather event. Additionally, a team from the Sheriff's Office will be present at the EOC to support the Incident Commander.
- c. The Incident Commander will serve as a centralized point of information/requests. The Sheriff's Office Incident Commander will work with other county resources, and state and federal agencies to facilitate the needs of the Sheriff's Office and citizens of Forsyth County.

2. Uniform

It is permissible to wear a Class A, Class B or TDU (5.11) uniform during winter weather operational periods. Body armor must be worn at all times by all personnel in uniform. It is strongly encouraged that deputies wear/bring appropriate cold weather clothing/accessories. An all-black in color knit form fitting hat will be acceptable. Supervisors will monitor headgear for professionalism.

3. "Tagging" Vehicles

- a. When a vehicle has been checked and/or left unoccupied off of the roadway, deputies are to tie a visible amount of crime scene tape onto the highest part of the vehicle.
- b. 911 call takers will ask callers if they see yellow tape to help cut down on repeat dispatches.

4. Radio Traffic

- a. The Watch Commander for UPS is encouraged to monitor radio traffic. If radio traffic becomes too busy that deputies are not permitted to get on the radio or dispatch is not able to transmit calls, the Watch Commander is encouraged to split radio traffic for the county. Due to the number of extra deputies working UPS calls, the radio traffic can be more easily managed by dispatch if Patrol 1 handles calls north of Hwy 20 and Patrol 2 handles calls south of Hwy 20.
- b. Deputies are encouraged to "10-25" additional responding deputies to a scene once the situation is under control.
- c. To minimize unneeded radio traffic, deputies are encourage to cancel welfare checks once the situation is under control. If the deputy on scene believes welfare checks are required, then the deputy should not cancel the checks.
- d. With additional manpower and hazardous road conditions, it is more efficient to utilize 2 person units. With the use of 2 person units, a back-up unit will typically not need to be assigned to calls. Any car that is a 2 person unit will use the suffix of "b, bravo" at the end of their radio number (i.e. "3170 bravo").

5. High Call Volume Periods

During high call volume periods and calls for service that are pending, the watch commander will assign a supervisor to the 911 center to screen calls and prevent the 911 center from dispatching calls that do not need a law enforcement response.

6. Degradation Or Failure Of The Radio System

a. Uniform Patrol

If the primary channels (Patrol 1 or Patrol 2) degrades, the following plan should be utilized:

- Patrol 1 BU 1 and Patrol 2 BU 1;
- Patrol 1 BU 2 and Patrol 2 BU 2;
- Patrol 1 DIR and Patrol 2 DIR

b. Detention Center

If the primary channel degrades, the following plan should be utilized:

- Jail BU1
- Jail BU2

c. Court House

If the primary channel degrades, the following plan should be utilized:

- Court BU 1
- Court BU 2

7. Public Information

- a. As winter weather arrives and the Forsyth County EOC is activated, a member of the Public Information Unit will be stationed at the EOC. The PIO will utilize social media, such as Facebook and Nixle, to keep the public informed of the event.
- b. Deputies are encouraged to send the PIO photos or video to assist in keeping the public informed.

8. Wreckers & Towing Vehicles

When calling for wreckers, deputies must provide the dispatcher with a tag number and vehicle description. If a vehicle is left abandoned in the roadway and poses a hazard to other motorists or would prevent an accurate response of public safety vehicles (i.e. fire truck or med unit), deputies should have the vehicle towed if there are no other options. When towing an abandoned vehicle, deputies must inform dispatch that the tow is an abandoned vehicle. The 911 center will send a tow truck from the Abandoned List to the call. Deputies must take a picture or activate their in-car video camera to document such roadway obstruction for later complaints.

9. Coordinate With Forsyth County Roads And Bridges And Georgia Department Of Transportation

- a. As hazardous conditions present, the Forsyth County Sheriff's Office Incident Commander will communicate with agencies responsible for clearing roadways of hazards and evaluate the need for detour operations or other strategic operations.
- b. At times, law enforcement will escort removal crews to major hazards to alleviate major traffic congestion.

10. Provide Security And Support For Other Response Operations

- a. Other responding operations include but are not limited to Sawnee EMC, GA Power, Forsyth County Water Department, etc.

- b. The mission of the Forsyth County Sheriff's Office will include providing security to other responding operations within Forsyth County.
- c. As the need arises, requests will be disseminated through the EOC and to the representative of the Sheriff's Office for security details.

11. Provide Spot Reports On Road Conditions

As the weather event unfolds, the Incident Commander will make contact with the UPS watch commander for assessment of road conditions.

12. Assisting Senior Center

If contact cannot be established with homebound seniors, the Senior Center will call on the Sheriff's Office to conduct welfare checks. These requests will come from the Incident Commander.

13. Transportation Requests

The Sheriff's Office must be prepared to transport essential county employees and other essential emergency personnel to work to include:

- Dispatchers
- Fleet Employees
- Medical Doctors to Hospitals

14. Salt For Pickup Truck Beds

If needed, Sheriff's Office pickup trucks can receive a bucket load of salt/sand from Roads and Bridges to:

- Provide extra traction for pickup trucks.
- Assist with spot treatments of the roadway to give motorist traction similar to bagged salt.

15. SR-13 Forms

If calls for service are backed up, an SR-13 can be used in the following situations:

- A single vehicle crash
- No property damage is present other than the vehicle involved in the crash.

16. Chainsaws

- a. Individuals from the Operations Division who have received county chainsaw operating training will be issued a chainsaw.

- b. If Road Department has an extensive ETA, chainsaws will be utilized for downed trees that are blocking the roadway.
 - c. A deputy with a chainsaws should assigned to each the North and South portions of the county.
- C. RECOVERY
- 1. Resupplying snow tire chains and bagged salt will be a function of Forsyth County Sheriff's Office Supply Unit.
 - 2. As the event comes to a conclusion and road conditions no longer require snow chains, deputies can travel to Fleet to remove the snow chains. Spare vehicle chains can be removed the following day(s) as Fleet has an opportunity to recover from the event.
 - 3. The Operations Division will verify that all chainsaws are in working order and oil stocks are replaced.

PROCEDURE: SOP 1-6.800 CTOC

Rescinds/Amends:

Effective Date: January 1, 2017

Committee Review - Date: December 2015

Related Policy(s): GO 1-6

Authorized by: Sheriff Ron H. Freeman



I COMMAND AND TACTICAL OPERATIONS CENTER TEAM (CTOC)

The purpose of this directive is to establish the procedures, guidelines and composition of the Command and Tactical Operations Center Team, hereinafter referred to as the CTOC Team.

A. FUNCTION

The role of the CTOC Team, functioning as part of the Enforcement Division, is to support the SWAT Team and the incident commander of any critical incident with accurate and timely documentation of the events during high-risk operations, critical incidents and mass casualty incidents. Inherent in this responsibility will be the processing and posting of tactical and operational information, including communication procedures to support the command and control protocol for conducting operations at critical incidents.

1. CTOC Team personnel will be equipped and trained in the skills and knowledge necessary to:
 - a. understand/decipher tactical communication traffic;
 - b. receive, verify and disseminate information/intelligence relative to the operation;
 - c. direct and/or brief critical information to specific commanders based on their duties and responsibilities;
 - d. understand the Standard Operating Procedures and Policies regarding agency protocol for tactical operations; and
 - e. understand field deployment procedures and policies of all resources utilized in a tactical environment including, but not limited to, the SWAT Team, the CNT Team, the Public Information Officer and Command Post staff.
2. The CTOC Team will be responsible for maintaining a monthly vehicle inspection checklist to ensure proper upkeep on tactical and command vehicles is performed. All CTOC Team members will be trained on the proper operation and handling of these vehicles.

B. ORGANIZATION

The CTOC Team shall consist of the team leader and not less than four team members.

1. CTOC Commander

- Responsible for overall supervision of the CTOC Team Members.
- May serve as incident commander during critical incidents.

2. CTOC Team Leader

- Responsible for training and direct supervision of the CTOC Team members.

3. CTOC Team Members

- Members report to CTOC Team leader and incident commander.
- Provide logistical and communications support to the SWAT and CNT Teams during critical incidents.

4. Team Assignments

- One member may be assigned to the SWAT Team commander.
- Two members will be assigned to the Mobile Command Post. One will monitor and log all radio traffic for SWAT operations. The other member will monitor and log all radio traffic for the incident commander.

C. DUTIES AND RESPONSIBILITIES OF THE CTOC TEAM

When responding to an incident involving the SWAT and/or CNT Teams, the team members will report directly to the command post to receive a briefing from the SWAT Team commander and/or the incident commander. The CTOC Team members will be provided with a listing of personnel assignments including, but not limited to: entry team, sniper team positions, containment team, etc.

1. Upon receipt of the briefing information, the CTOC Team will commence their operations which shall include handling radio traffic, posting, and updating the following information:

- Criminal activities;
- Suspect information;
- Threat conditions (weapons, hostages, threats) and/or demands;
- Incident site information (maps, diagrams and sniper plots);
- Tactical/operational deployment charts (to include communication nets/cell phone numbers and any other pertinent information);
- Incident log;
- Positions of officers/teams on scene.

2. The CTOC Team shall also be responsible for the notification of the following resources as deemed necessary:

- Fire Department;
 - EMS units;
 - Utilities;
 - Hospitals;
 - Detention facilities;
 - Victim services; (Red Cross) and/or
 - Miscellaneous resources as requested by the SWAT Commander or Incident Commander.
3. At no time shall the CTOC Team interject opinions or unwanted comments regarding the decisions/actions of the Incident Command staff. **Also, at no time shall the CTOC Team violate the confidentiality of the SWAT Team/CNT operations.**
 4. The CTOC Team shall always be prepared to provide concise, positive accurate evaluations of the area of their involvement and/or expertise.
 5. At the conclusion of the incident, the CTOC Team shall secure all documents pertaining to the incident being careful not to leave **anything** at the command post location. All documentation shall be delivered to the SWAT Team commander and shall be considered (if necessary) historical and/or court documents.
 6. The CTOC Commander or Team Leader shall attend the debriefing at the conclusion of operations.

D. SELECTION

1. Candidates must meet the following qualifications:
 - POST Certified Peace Officer;
 - Full-time employee;
 - Completion of probationary status;
 - Satisfactory performance evaluation on last rating period;
 - Availability to respond 24 hours a day; and
 - Availability to respond for training.

Desirable characteristics such as a positive attitude, the ability to be a team player, and reliability will also be taken into consideration during the selection process.

CTOC Team members will be selected by the CTOC Team.

E. TRAINING

New candidates must attend a tactical dispatch class as soon as practical.

1. In-service training will include but is not limited to:
 - Mock call-outs with the SWAT and CNT Teams;
 - Table top exercises;
 - Advanced skills training;

- Review of basic skills training; and
- Review and improvement of existing procedures.

2. Additional training may include:

- Attending any available advanced tactical dispatcher training;
 - Review and updates of contemporary procedures,
 - Case studies of high risk incidents.
- Obtain a working knowledge of mutual aid agencies;
- Maintain current certification on all equipment.

Removal from appointment during the specified period is at the discretion of the CTOC Team Commander.

The CTOC Team roster designating the name, address, home telephone number and regular duty assignment for each member will be maintained by the CTOC Team leader. A copy of this roster shall be kept in the 911 Center.

F. SCHEDULE/EQUIPMENT

Personnel assigned to the CTOC Team will work their normal tour of duty, except when the CTOC Team is activated for a tactical situation, critical incident or a regular training session.

All CTOC Team members will be assigned an agency "take home" vehicle and a County issued cellular telephone.

PROCEDURE: SOP 1-7.100 PUBLIC INFORMATION

Rescinds/Amends:

Effective Date: May 14, 2018

Committee Review Date: April 2018

Related Policy(s): GO 1-7

Authorized by: Sheriff Ron H. Freeman



I PUBLIC INFORMATION UNIT

A. FUNCTION

The Public Information Unit of the Forsyth County Sheriff's Office is assigned to the Office of the Chief Deputy. The Public Information Officer will be responsible for all matters of public information with the Forsyth County Sheriff's Office. In the absence of the Public Information Officer, public information relating to law enforcement matters will be handled as set forth in this procedure.

The Public Information Officer shall inform all local news media of policy or procedure changes concerning the release of information or media access and shall encourage local news agencies to participate in the formulation of information policy. He / she will provide local news agencies with updated news release policies and procedures.

B. Duties of Public Information Officer (PIO)

Duties of the Public Information Officer as they relate to law enforcement matters will include, but not be limited to, the following:

1. Assists news media personnel at the scene of law enforcement incidents and in the coverage of newsworthy items;
2. Being available for on-call responses to the news media;
3. Preparing and distributing agency news releases;
4. Arranging and assisting with news conferences;
5. Coordinating and authorizing the release of information about victims, witnesses and suspects when appropriate;
6. Assisting in crisis situations within the agency;
7. Coordinates and assists news media photographers in preparing photo sessions;
8. Participates in the preparation of open houses, dedications and other agency special events and meetings;
9. Coordinates with the appropriate agency personnel for the release of any information concerning confidential agency investigations and operations;
10. Periodically solicits input from and involves news media personnel for the development of changes in agency policy and procedures relating to news media matters;

11. Establishes and maintains a close and effective working relationship with the Sheriff, Chief Deputy, Bureau Commanders, Division Commanders, agency employees, other County officials and employees, other agencies, civic leaders, employees of the press and the general public; and
12. Acts as Coordinator between the Forsyth County Emergency Management Agency and the Forsyth County Sheriff's Office regarding public information and media releases during emergency situations as well as general releases regarding emergency management functions.

C. NEWS RELEASES, FEATURES AND ANNOUNCEMENTS

Responsibility for planning, developing, writing and distributing informational releases and articles about the programs and activities of the Forsyth County Sheriff's Office and its employees rest with the Public Information Officer (PIO). Press releases shall be prepared as needed by the PIO and disseminated to local media recipients on an equal access basis. When time permits, information concerning promotions, projects, programs or other activities, should be forwarded to the PIO in writing in advance of effective dates, or by telephone when time does not permit or there is an urgent need to release the information by the PIO. Subject matter in press releases shall conform with guidelines described in this procedure.

1. Notification Requirements

Certain particularly newsworthy incidents require immediate notification by the watch commander or deputy in charge of an incident to the appropriate Division Commander(s), Bureau Commander(s), Chief Deputy and the Sheriff through the 911 Communications Center:

- a. Any death investigation;
- b. Natural or manmade disasters;
- c. Aircraft accidents;
- d. Deaths of persons in custody;
- e. School bus accidents involving any injuries;
- f. Manhunts when extensive search is involved;
- g. Strikes, riots, or disorders;
- h. Shootings involving law enforcement officers;
- i. Bomb threats when a device is found;
- j. Hostage, barricade situations where life is threatened or endangered;
- k. Drownings;
- l. Serious accidents involving injuries, hazardous materials or activation of the Traffic Specialist Unit; and
- m. Robberies or rapes.

2. Telephone List

News media may contact the 911 Communications Center at (770) 781-2222 when necessary to verify an occurrence, time and location. However, the news media will be encouraged to contact the Public Information Officer.

D. Training

Due to the highly visible, public nature of the function, personnel assigned to the duties of Public Information Officer shall receive all necessary training for the position as determined by the Sheriff or designee.

II INCIDENT REPORTS; RECORDS MANAGEMENT SYSTEM (RMS)

The Forsyth County Sheriff's Office has an automated indexing system for reports generated by the various components within. This system consists of computerized indexes to provide a means to locate law enforcement reports by the name of any person related to the incident, the incident location by street address or beat / grid numbers or by the case number assigned by the computer to the incident.

It is the responsibility of the Records Unit, to ensure that all necessary information pertaining to reports generated by any component of this agency be entered into the computerized in-house computer system (RMS).

Any agency employee seeking information regarding reports maintained by the Records Unit will, if at all possible, make use of the indexes provided through RMS for such research. This capability is available through inquiry on any network computer maintained throughout the agency. The information contained in RMS should be treated with the same privacy considerations and/or restrictions as the actual reports filed in Records.

A. AVAILABILITY AND COST OF PUBLIC RECORDS

This section applies to public records obtained directly from the Forsyth County Sheriff's Office. Costs for records obtained from private vendors, such as "Buy Crash" are set by the vendor.

1. Private individuals (Non-Forsyth County Residents) and all public and private companies will pay the following for copies of reports from the Records Unit that are a matter of public record.
 - a. Incident Reports - \$2.00
 - b. Crash Reports - \$5.00
2. The following are exempt from the required fee for copies of law enforcement incident and crash reports:
 - A. Forsyth County Residents
 - B. Local, State and Federal government employees and/or agencies

B. RELEASE OF AGENCY RECORDS TO THE PUBLIC

1. Incident Reports (With or without an arrest)

These reports are a matter of public record and are available to the public at the Records Unit for the fees listed in this policy.

EXCEPTIONS: Reports and records of the Sheriff's Office that are exempt from public disclosure as described mainly in O.C.G.A. 50-18-72, the Open Records Act and other relevant sections of O.C.G.A. will not be released to the public.

2. Traffic Accident Reports

Georgia Uniform Motor Vehicle Accident Reports are only subject to public disclosure under the Open Records Act upon the receipt of a "written statement of need" by a person(s) or entity entitled to the report. The "statement of need" form is provided by the Records Unit.

3. Supplemental Reports/Case Files

- a. Without an Arrest: A law enforcement supplemental or follow-up report, where no arrest has been made and the case has been closed, is a matter of public record and should be available to the public upon request. Any investigative case that is still open, pending an arrest or final determination, is exempt from release to the public under the Open Records Act and is to remain within the Detective's case files and / or the Records Unit. Exceptions to this are the same as those listed under Incident Reports.

Whenever a Detective has an open case, pending an arrest or the development of a suspect and an official open records request is made for records from the file pursuant to the "Georgia Open Records Act" or the file is requested pursuant to a court subpoena, the investigator in charge of the investigation will consult with the Internal Affairs Unit, who shall determine if the records are releasable to the public or the courts.

- b. With an Arrest: A law enforcement investigative report, where an arrest has been made and the case is pending prosecution, is not a matter of public record and is exempt from release to the public under the Open Records Act.

4. Criminal History and Driver's History Files

These files are not generally a matter of public record and State and Federal Laws governing the security and privacy of criminal justice information systems require that access and dissemination of Criminal History and Driver's History information be restricted to authorized persons.

Georgia Crime Information Center (GCIC) or other state, federal, or international criminal history compilations must be withheld, except for any portion of a history containing Georgia felony convictions, which must be disclosed. But, when a criminal history record is in a closed investigatory case file, it is subject to the Open Record's Act's disclosure requirements.

Criminal History and Driver's History information may be viewed by authorized personnel at any terminal that is capable of displaying such information, however, the inquiry must be logged. Notes may be made from this display, but again, these notes

should be safeguarded against possible misuse by unauthorized persons and will not be released to any third party. It should be noted that GCIC also keeps a log of inquiries and compares it to the Forsyth County Sheriff's Office logs.

Criminal History and Driver's History information may only be obtained by those individuals authorized by GCIC regulations showing an actual "need to know, based on a criminal justice interest".

It should be noted that O.C.G.A. 35-3-38 provides that anyone who "knowingly" or "negligently" releases or allows information to pass to unauthorized persons is guilty of a felony. Violations of this policy could result in severe disciplinary action, up to and including termination, and may result in criminal prosecution.

5. Personal, Vehicle and Property Wanted Checks and Registration

These files are not a matter of public record and are prohibited from being disseminated by State and Federal laws. This information is restricted to authorized personnel.

6. Employee Personnel Files

Personnel records of law enforcement personnel are generally subject to public disclosure with redactions as specified in O.C.G.A. 50-18-72 and other applicable laws.

7. Employee Internal Affairs Files

Investigative records of a government agency relating to the suspension, firing, or investigation of complaints against a public employee are subject to the Open Records Act's disclosure requirements ten (10) days after the investigative record is submitted to the agency for action or the investigation is otherwise concluded or terminated.

8. Agency Photographs and Videos

Photographs taken by agency personnel concerning any law enforcement related incident, i.e., crime scenes, fires, traffic accidents, etc., in "closed cases" may be disclosed under the Open Records Act's disclosure requirements.

9. Command Directives, General Orders, Personnel Orders, Special Orders Agency Communication

10. Text Message Communication (MMS or SMS)

All messages on county-issued cell phones or devices, including photographs sent via SMS or MMS, are county records and must be retained in accordance with the State of Georgia Records Retention Schedule. Additionally, messages on personal phones or devices that relate to county / Sheriff's Office business, including photographs sent via SMS or MMS, are likewise county records and must be retained in accordance with the

State of Georgia Records Retention Schedule. Employees of the Forsyth County Sheriff's Office utilizing personal or county-issued cell phones or other electronic devices are required to convert any county records to a PDF or email format such as HTML and forward these records to their county email address before deleting any county record from any device.

These records, including emails and electronic versions of all agency records, are a matter of public record.

All agency records prior to release to the public will be redacted and/or excluded from public disclosure as described in O.C.G.A. 50-18-70, the Open Records Act, and other relevant sections of O.C.G.A. as instructed by the Records Unit Supervisor.

PROCEDURE: SOP 1-8.100 COMMUNICATIONS

Rescinds/Amends: SOP 1-8.100

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-8

Authorized by: Sheriff Ron H. Freeman



I 911 COMMUNICATIONS CENTER

A. 911 COMMUNICATIONS CENTER DIRECTOR

The 911 Communications Center shall be headed by a director who shall report directly to the Deputy County Manager. The 911 Communications Center will handle the following functions:

Emergency 911 Dispatch, False Alarms, Radio System, Computer Aided Dispatch, Computer and Radio Maintenance, Telecommunications and Training of 911 Communications Center Personnel.

The 911 Communications Center director will be responsible for the overall day-to-day operations of the Center and will develop and implement policies and procedures, which ensure conformance to established operational standards. The major responsibilities of the 911 Communications Center are logically divided into several categories:

- Field and emergency communications for the Sheriff's Office, fire, rescue and emergency services of Forsyth County;
- Investigative communications;
- Administrative communications;
- Internal communications;
- Inter-system point-to-point communications; and
- Emergency preparedness.

B. 911 COMMUNICATIONS CENTER ASSISTANT DIRECTOR

The 911 Communications Center Assistant Director will report directly to the 911 Communications Center Director and is responsible for the direct supervision of E911 Dispatch personnel.

C. 911 COMMUNICATIONS CENTER PERSONNEL

The authority and responsibilities of personnel assigned to the 911 Communications Center are based upon written job descriptions. The written job descriptions are specific in nature and provide for:

- Standardization of services rendered;
- Error reduction;
- An aid to the training effort; and
- Reduction of confusion during emergency situations.

These written job descriptions are maintained on file at the Forsyth County 911 Communications Center.

D. TRAINING

In-service training and on-the-job training will be coordinated through the 911 Communications Center Training Officer. Any personnel receiving on-the-job training will be supervised by an operator qualified to monitor and instruct in the techniques and skills required to perform the job duties.

Each employee assigned to the 911 Communications Center will be assigned a Communications Operations Manual which will include, but not be limited to, established procedures and policies for performing radio, telephone, teletype and automated data communications functions.

E. RESPONSIBILITIES

The 911 Communications Center will be responsible for the planning, programming, installing, transferring and operation of the E-911 telephone system. All other telephones within the Sheriff's Office will be conducted by the Forsyth County Information Technology Department. The 911 Communications Center will also coordinate with the telephone company concerning telephone usage within the E911 Communications Center. The required reports to Bell South of the E-911 system will also be a responsibility of this Center.

A database of all false alarms reported will be maintained and all dealings with the public concerning false alarms will be a responsibility of the Alarms/Permits/Alcohol Unit within the Operations Division.

The 911 Communications Center is considered a restricted area and access will be limited to 911 Communications Center personnel or personnel having official business within the center. Entrance to the secured 911 Communications Center will be controlled by a keyless entry security system. Transmission lines and power sources are protected and secured in locked rooms within the 911 Communications Center. Antennas are located in remote locations secured by a fence.

Anyone desiring a tour of the 911 Communications Center will be accompanied by a supervisor or designated agency employee. Visitors will not be unescorted in the 911 Communications Center.

F. TELEPHONE PROCEDURES

911 Communications Center personnel shall have immediate access to at least the following resources:

- Watch Commander;
- Duty roster of all on-duty personnel; and
- A telephone roster for all Sheriff's Office employees.

All employees shall keep their immediate supervisor advised of his current telephone number and address. It shall be the immediate supervisor's responsibility to forward this information to the Personnel Unit immediately upon receipt. The Personnel Unit shall then forward the employee's telephone number to the 911 Communications Center. This information must be provided in the event a major situation occurs that may require personnel to be called in to work.

All in-coming and out-going telephone calls within the 911 Communications Center are recorded with the exception of the 911 Communications Center director and assistant director's lines. Often times these recordings have to be used in a court of law as evidence in a case. Therefore, personal phone calls should be limited.

Anyone desiring telephone contact with any 911 Communications Center personnel during business hours will use the 770-781-2222 telephone line. Any agency employee desiring to report a non-emergency incident or any employee needing information from the 911 Communications Center will use 770-781-2222.

In order to provide prompt assistance in situations, especially in emergencies, pre-programmed emergency telephone numbers are available at the dispatch consoles in the speed dialer. These numbers provide services that are external to the agency such as:

- Fire Equipment;
- Ambulances;
- Environmental Services;
- Wreckers;
- Utility Companies;
- Department of Transportation;
- Aviation Support; and,
- Other Agencies
-

II REQUIRED CALL INFORMATION

It is very important for an operator to get as much information as possible from a caller requesting law enforcement services. The amount of information required will depend on the type of call, seriousness of the call, urgency of the call, risk potential to responding deputies, etc. At times, persons will call in and not provide certain required information. The operator should make all attempts to extract as much information as possible.

Each call will be assigned an event or case number by the computer system to serve as the basis for filing and retrieving subsequent reports of the incident. The CAD system assigns an event number to each call for service that serves as a control number. Each call for service should have the following information recorded on the computer system, at a minimum:

- date and time of request;

- name, address and callback phone number of complainant (if possible);
- Type of incident reported;
- Location of incident reported;
- Identification of deputy(s) assigned as primary and backup;
- Time of dispatch, deputy arrival and return to service;
- Disposition/status of reported incident.

Since each 911 call is different in nature, the call taker must be able to adjust accordingly, in order to obtain the information needed to promptly handle the call. The call taker must judge the characteristics of the call to determine whether an emergency or non-emergency response is required. Anytime a citizen requests law enforcement service, a knowledgeable and favorable impression must be made. The call taker should attempt to establish a more personal contact whenever possible by addressing the caller by their name (i.e., Mr. or Mrs. Smith).

Whenever applicable, if the victim or witness is requesting general information or services, the call taker will refer the victim or witness to other agencies, private or public to seek such assistance.

III COMMUNICATIONS WITH FIELD PERSONNEL

The Forsyth County 911 Communications Center was established for the expressed purpose of providing service to the citizens of Forsyth County. The 911 Communications Center has 24-hour two-way radio capability providing continuous communication between the Center and personnel in the field. As policies change from time to time, it is imperative that a uniform set of rules be followed. The following operating procedures are effective until further notice:

1. Each 911 employee will be provided with a manual containing a copy of all current procedures. It shall be the responsibility of each employee to maintain the manual with proper materials as deletions or additions occur.
 - a. The material contained will assist with in-service training to assure that 911 Center personnel are informed of current policies and procedures.
 - b. Materials for these procedures will be gathered from agency operating policies. It should be understood that no policies or procedures contained within are constructed to conflict with the policies and procedures established by Forsyth County, the Sheriff's Office, or effected departments.

The following manuals and forms are available for use by operators in the 911 Communications Center. This information is available to simplify the flow of information to personnel in the field:

- National Crime Information Center (NCIC) Manual;
- Georgia Crime Information Center (GCIC) Manual;
- Forsyth County maps;
- Hazardous Materials Emergency Response Guide
- National Insurance Crime Bureau (NICB) Manual; and

- Look-out Forms.

A. EMERGENCY 911 DISPATCH

The 911 Communications Center will be responsible for the daily operation of the agency's radio communications. This responsibility will include, but not be limited to, receiving and dispatching emergency calls via E911, other non-emergency telephone numbers and the County radio system; coordinating communications with and by the Uniform Patrol Section, CIS, Operations Division, Court Services, Forsyth County Fire Department, EMS, EMA, Road Department and other outside agencies such as GSP; monitoring the alarm board with designated alarmed facilities; and receiving and dispatching teletypes concerning NCIC / GCIC information.

The 911 Communications Center will ensure that the communications function is operational 24-hours a day, seven-days-a-week. Each shift will consist of 911 Operators who will be responsible for the day-to-day operations. All radio operations will be conducted in accordance with all agency policies and procedures, 911 Communications Center Training Manual and in accordance with all policies, procedures and requirements of the Federal Communications Commission (FCC). The purpose of the FCC is to govern radio station licensing, frequency assignments, operating procedures and general technical requirements and standards. Public Safety Radio Services are addressed in Part 9 of FCC Rules and Regulations.

B. CALL PROCEDURES TO DEPUTIES / DEPUTY STATUS

A deputy assigned to a beat/zone will remain in that beat/zone unless he is relieved by his supervisor or is instructed by the dispatcher to leave the beat/zone.

Dispatchers are instructed to issue calls for service during shift change to the "early car" unless instructed by the on-duty supervisor to hold the call for the shift coming on duty.

When a unit is available to answer a call, the deputy will answer calls until the time he is relieved of duty. If a call appears to be lengthy, the dispatcher or supervisor will obtain relief. There is no period of time, from time on duty until officially out of service that the deputy is exempt from receiving calls. It is the 911 Communications Center Dispatcher's responsibility to notify the 911 Communications Center Director anytime any of the above provisions are violated by deputies.

At any time there is not a uniformed patrol unit available to answer a call, the call will be given to the on-duty Uniform Patrol Section (UPS) sergeant or lieutenant.

The CAD system provides a recording of the status of deputies when out of service on a call, or in-service. The CAD system also prompts the dispatcher to check on the current status of deputies out of service periodically.

This permanent status recording permits the agency to:

- evaluate non-patrol time for planning purposes;
- maintain a level of security for the deputies; and
- retain records of vehicles and persons stopped by deputies.

One deputy will be dispatched to all types of calls for service. It is up to the watch commander or sergeant to dispatch additional units.

The above procedure is established to allow the responding units to deal effectively and safely with any problem that may exist. Information regarding the assignment of back-up deputies will be recorded by the CAD system. The primary deputy assigned to the incident will be assigned the case number; with the CAD system record reflecting those deputies assigned as back-up.

C. ZONE / BEAT DESIGNATIONS / UNIT ASSIGNMENTS

Each geographical zone within the county is assigned an alpha-numeric identifier for the purposes of incident reporting and CAD procedures.

Each patrol unit assigned coverage of a certain zone will be addressed by the numeric identification number of that particular zone. Each shift will have a number designation that will be used in front of the precinct number and zone assignments. The number will be different for each shift. North and south precinct will be assigned a number that will be used after the shift number and before the zone assignments.

D. RADIO SYSTEM / CHANNEL USAGE

The Forsyth County 911 Communications Center Radio System is engineered to produce a greater than 12-Decibel SINAD ratio to the radio receivers in greater than ninety-five percent (95%) of the agency's service area. The agency radio system is a part of the County 800 MHz radio system and has multichannel mobile and portable equipment capable of two-way operation on a joint Public Safety frequency or frequencies.

The Forsyth County system currently utilizes twenty-eight (28) talk groups.

North Patrol	South Patrol	Supervisor
North TAC	South TAC	Investigations
CIS North	CIS South	CIS Supervisor
Spec Operations	Special Services	Narcotics
Traffic	Support Services	Jail
Animal Control	Court	Transport
Schools	Civil	Jail TAC
SWAT 1	Warrant	Training
SWAT 2	Command 1	Command 2
Crisis		

The Forsyth County Sheriff's Office shares five (5) talk groups with all County users:

Emergency	County 1	County 2
County 3	County 4	

During unusual occurrences/operations where communication with other agencies may become necessary, deputies shall use their portable radio on the tactical channel assigned by the 911 Center as their primary communications.

The 911 Center can group the channels of assisting agencies together on the tactical channel for person-to-person communications. The agencies that can be grouped together include:

1. Forsyth County Fire Department
2. Forsyth County Public Works Department;
3. Forsyth County Court Services Department;
4. Forsyth County Traffic Engineering Department;
5. Cumming Police Department; and,
6. Georgia State Patrol;
7. Forsyth County Emergency Management
8. Contracted Emergency Medical Service

Whenever other law enforcement agencies such as the Georgia State Patrol or military agencies are involved, an attempt shall be made to have law enforcement communications equipment assigned to each unit. The assignment of equipment will be made through the CTOC Team.

E. MONITORING AND RESPONDING TO PRIVATE SECURITY ALARMS

The 911 Communications Center does not monitor private security alarms. However, the agency does respond to call received from private alarm companies that handle burglary and holdup alarms for businesses, financial institutions and private residences. Calls received on these lines are handled and dispatched in accordance with the procedures in the Law Enforcement Radio Procedure Policy Manual.

IV EMERGENCY MESSAGES

Upon receipt of an emergency or death message call, the operator should obtain all the information he / she can regarding the emergency or deceased and the person to be notified. The following would be the minimum information acceptable:

- Full and complete name (deceased and party to be notified);
- Complete address (deceased and party to be notified);
- Age (deceased and party to be notified);
- Relationship;
- Date, time, location and cause of death, or nature of emergency;
- Full name, address, telephone number(s) and relationship (or position) of person requesting the contact; and
- Physical and mental condition of person to be contacted.

Write down all the information available and relay the information by phone to a superior deputy for handling. If a death message is received from another agency, the dispatcher should request a confirmation via teletype if possible.

V BACK-UP RESOURCES

A. RADIO SYSTEM

It is unlikely that the Forsyth County radio system will ever fail given the numerous alternate power sources, however, the entire radio system is fully backed up by local base stations.

B. 911 TELEPHONE SYSTEM

In the unlikely event that the Forsyth County 911 telephone system fails, or reaches its capacity, all incoming 911 lines will be transferred to the Hall County 911 Center.

C. ALTERNATE SOURCE OF ELECTRICAL POWER / EMERGENCY GENERATOR

The 911 Communications Center's alternate source of electrical power comes from a 350 Kilowatt diesel generator located on the premises. The generator will ensure electrical power for continuous operation of the following in the event of failure of the primary power source:

- Entire 911 Communications Center, including air conditioning and heating;
- Computer Room, including air conditioning and heating;
- Detention Center, including air conditioning and heating; and
- All exterior lighting of the Detention Center, limited interior lighting, electrical power at all outlets that are colored red and limited heating. No air conditioning.

The readiness of the generator is inspected weekly and tested monthly. The responsibility of the maintenance and care of the generator rests with the 911 Communications Center director.

VI CALL RECORDINGS / STORING OF TAPES

All incoming E-911, non-emergency calls and all outgoing calls from the 911 Communications Center will be recorded and capable of immediate playback in the event that the call was not clear and the caller is unable to repeat an emergency conversation. Additionally, all primary radio frequency traffic will be recorded. These recordings are an indispensable source for criminal and traffic investigations, internal investigations, training and audits, or the agency's service delivery system. All recordings will be maintained for a minimum period of 120 days. Recorded DVDs may only be reviewed and copied upon the approval of the 911 Communications Center director or designee. All recordings of radio transmissions or telephone communications will be done in the 911 Communications Center by communications personnel.

All agency radio transmissions and emergency and non-emergency telephone conversations shall be recorded onto DVDs and stored within the 911 Communications Center in accordance with the Wygant Systems Operations Manual.

Access to recordings shall be limited and available only through a specific procedural method.

All requests for 911 recorded information by Sheriff's Office personnel should be submitted via email to the 911 Communications Records Custodian.

Citizens in Forsyth County will also have toll-free access, 24-hours-a-day, from any pay telephone in the county. Should any incoming 911 call be misdirected from another agency to Forsyth County, the 911 operator will immediately transfer such call to the proper agency via the 911 system transfer buttons provided on each console. If the call is a non-emergency call, the caller will be directed to hang-up and call the Forsyth County Sheriff's Office non-emergency number (770-781-2222) for other assistance.

The 911 Communications Center is equipped with the Enhanced 911 System. The ability of citizens to telephone quickly and easily for emergency service is critical. In addition, the Enhanced 911 System provides the address of the caller.

The 911 emergency number is prominently displayed in the phone book, on all marked patrol vehicles, in public phone booths and on roadway signs.

**PROCEDURE: SOP 1-9.100 SUPPLY/FLEET
MANAGEMENT**

Rescinds/Amends: SOP 1-9.100

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-9

Authorized by: Sheriff Ron H. Freeman



I SUPPLY UNIT

A. RADIO INVENTORY PROCEDURE

1. All agency radios that have not been issued or installed in vehicles will be kept in inventory at the Supply Unit. Supply Unit will record the serial number of each radio in inventory.
2. When a radio is uninstalled from a vehicle or when a portable radio is turned in to the Supply Unit, Supply will notify the Radio Group via email that the radio has been turned in. The Radio Group is identified at the end of this memo. The Supply Unit will obtain the serial numbers of each install/uninstall from the manager of the Fleet Department.
3. At the time a radio is turned in, the Supply Unit will make certain that IT "inhibits" the radio. This applies to both mobile and portable radios.

B. RADIO INSTALLATION PROCEDURE

1. When a radio is installed in a vehicle or issued to an individual, the Supply Unit will notify the Radio Group and notify IT to program the radio.
 - a. IT will "flash" the proper template level into the radio.
 - b. The Supply Unit will record the issuance of the portable radio, including the serial number, in the individual's issued equipment record.
 - c. It will be the responsibility of the Supply Unit to see that each issued/installed radio is flashed with the correct programming.

C. VEHICLE REASSIGNMENT

Whenever a vehicle is reassigned for *any reason*, e.g. from Precinct to Precinct or from supervisor to deputy or vice versa, an email must be sent to fcsoradiostatus@forsythco.com indicating the vehicle number and the vehicle's new assignment.

D. PERSONNEL REASSIGNMENT

Anytime an employee is promoted or demoted, the affected employee must have his or her portable and/or mobile radio "flashed" with the correct radio template level.

E. RE-FLASHING OF RADIOS

It is the responsibility of the Supply Unit to follow through to see that this procedure is followed on each radio. When a radio is re-flashed the Supply Unit shall notify the Radio Group of the change via email at fcsoradiostatus@forsythco.com

PROCEDURE: SOP 1-10.102 DEALING WITH THE HEARING IMPAIRED

Rescinds/Amends: SOP 1-1.601

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 1-10

Authorized by: Sheriff Ron H. Freeman



I DEALING WITH THE HEARING IMPAIRED

A. COMMUNICATING WITH THE HEARING IMPAIRED

It is the policy of the Forsyth County Sheriff's Office to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. This agency has specific legal obligations under the Americans with Disabilities Act and the Rehabilitation Act to communicate effectively with people who are deaf or hard of hearing. To carry out these policies and legal obligations, the agency instructs its employees as follows:

1. People who are deaf or hard of hearing are entitled to a level of service equivalent to that provided to other persons.
2. The agency will make every effort to ensure that its employees communicate effectively with people who are deaf or hard of hearing.
3. Effective communication with a person who is deaf or hard of hearing involved in an incident; whether as a victim, witness, suspect, or arrestee; is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
4. Various types of communication aids; known as "auxiliary aids and services;" are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of an assistive listening system or device to amplify sound for persons who are hard of hearing; or use of a qualified oral or sign language interpreter.
5. The type of aid that will be required for effective communication will depend on the individual's usual method of communication, and the nature, importance, and duration of the communication at issue.
6. In many circumstances, oral communication supplemented by gestures and visual aids or an exchange of written notes will be an effective means of communicating with people who are deaf or hard of hearing. In other circumstances, a qualified sign language or oral interpreter may be needed to communicate effectively with persons

who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication.

- a. If there has been an incident and the deputy is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language. A qualified oral interpreter may be required to communicate effectively with someone who has been trained to speech read (read lips).
 - b. If a person is asking a deputy for directions to a location, gestures or an exchange of written notes will likely be sufficient to communicate effectively.
7. To serve each individual effectively, primary consideration should be given to providing the type of communication aid or service requested by the individual. Deputies should find out from the person who is deaf or hard of hearing what type of auxiliary aid or service he or she needs. Deputies should defer to those expressed choices, unless:
- a. There is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing; or
 - b. Doing so would fundamentally alter the nature of the law enforcement activity in question or would cause an undue administrative or financial burden; only the Sheriff or his designee may make this determination.
 - c. The input of people who are deaf or hard of hearing who are involved in incidents is just as important to the law enforcement process as the input of others. Deputies must not draw conclusions about incidents unless they fully understand - - and are understood by -- all those involved, including people who are deaf or hard of hearing.
 - d. People who are deaf or hard of hearing shall not be charged for the cost of an auxiliary aid or service needed for effective communication.
 - e. Authorization for the procurement of an auxiliary aid or service shall be at the discretion of the watch commander.
8. Employees may utilize the following auxiliary aids, when available, to communicate effectively:
- Use of gestures;
 - Use of visual aids;
 - Use of a notepad and pen or pencil;
 - Use of a computer or typewriter;
 - Use of an assistive listening system or device;
 - Use of a teletypewriter (TTY);
 - Use of a qualified oral or sign language interpreter.

Deputies shall review and have a working knowledge of the publication [Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers](#). This document reviews how officers should communicate effectively in the types of situations deputies will encounter.

B. ON-CALL INTERPRETIVE SERVICES

The agency will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors such as cost. This list will be maintained at the 911 Center.

A qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who speech reads) what is being said by the deputy and be able to voice to the deputy what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases.

1. Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is deaf may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality.
2. Additionally, although a "qualified" interpreter may be certified, a certified interpreter is not necessarily "qualified," if he or she is not a good communications match for the deaf person or for the situation. For example; cases where the deaf person uses Signed English and the interpreter uses American Sign Language, or where the interpreter is unfamiliar with law enforcement vocabulary.

C. TTY AND RELAY SERVICES

In situations when a nondisabled person would have access to a telephone, employees shall provide persons who are deaf or hard of hearing the opportunity to place calls using a teletypewriter (TTY, also known as a telecommunications device for deaf people, or TDD). Agency employees are authorized to accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service.

CHAPTER TWO

PERSONNEL

**PROCEDURE: SOP 2-1.100 EXTRA DUTY/
SECONDARY EMPLOYMENT**

Rescinds/Amends:

Effective Date: July 8, 2022

Committee Review - Date: December 2017

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I EXTRA DUTY/SECONDARY EMPLOYMENT

This policy is intended to set forth the duties and responsibilities for civilian and sworn law enforcement personnel who are employed by any private or public person, firm, corporation, charitable organization or government organization to perform in a law enforcement or a non-law enforcement capacity during their off-duty hours. It is recognized that policy cannot anticipate the circumstances for all extra duty/secondary employment. Therefore, the Sheriff, or designee, may authorize variances for unique situations.

A. DEFINITIONS

Extra-duty employment: Extra duties which are performed by a deputy for a public or private enterprise which may be appropriate for on-duty deputies, but which cannot be provided by the agency due to possible impropriety in diverting personnel from protective duties of the general public to provide extra protection to a specific employer. These extra duty employment assignments may include: traffic control, crowd control; and additional security for protection of life and property.

Secondary Employment (not related to primary job): All other public or private off-duty employment or business ownership for which a person receives compensation, but which is not related to the employee's primary job duties and which does not involve or require any exercise of law enforcement powers or authority.

B. PRIOR APPROVAL REQUIRED

Any civilian employee or deputy desiring to work an extra-duty job or a secondary job must complete a Part-Time Job Request form and submit it for approval through the chain-of-command to the bureau commander.

Part-time employment requests must be approved by the bureau commander. If sufficient time is not available for the normal approval procedure, the deputy's watch commander, unit commander, or secondary employment coordinator, may grant temporary approval prior to the request being forwarded through the chain-of-command to the bureau commander.

All approved forms will be filed with the Internal Affairs Unit. All approved part-time employment requests will expire on December 31st of each year and will be resubmitted no later than January 15th of the new year if the job is still in progress.

C. SECONDARY EMPLOYMENT COORDINATOR:

The Secondary Employment Coordinator will serve as the point of coordination for the agency's Extra-Duty/Secondary Employment Program. Specifically, he/she will:

1. Oversee adherence to the procedures outlined in this directive;
2. Receive requests from business, citizens, etc., for off duty employment of deputies;
3. Coordinate the scheduling of deputies for off duty jobs; AND
4. Handle other matters associated with the program as directed.

D. PROHIBITED ACTIVITIES

In general, extra duty and secondary employment requests that do not directly interfere with the primary job of the employee should be granted. However, all employees are prohibited from working at any of the following:

1. Employment for a person, firm or corporation involved in any type of "game of chance" such as carnivals, bingo parlors, etc., except when such employment is solely traffic or crowd control outside the business establishment.
2. Employment for a person, firm or corporation wherein the nature of the activity creates a high probability of a conflict of interest arising out of that employment. Such employment includes, but is not limited to, bonding companies; private detective or security agencies; investigative work for attorneys; insurance companies or collection agencies.
3. Employment of any type wherein any deputy receives compensation for acting as coordinator, personal manager or supervisor of other deputies. All part-time employment situations where more than one deputy is employed will conform to established departmental policy regarding supervision and chain-of-command. At all times, the ranking deputy present will be responsible for general discipline and actions of the other deputies.

4. Employment of any type wherein any deputy is required to accept supervision or direction from any person who is not duly authorized to exercise law enforcement authority in Forsyth County. Deputies will, within the limits of agency policy, attempt to comply with instructions of the employing individual; however, deputies will be held strictly and solely accountable for their actions.
5. Any employment in a law enforcement or related capacity outside of Forsyth county unless approved by the Chief Deputy.
6. Employment of any type which, in the opinion of the approving authority, may:
 - a. Render the deputy unavailable during an emergency
 - b. Physically or mentally exhaust the deputy to the point that on-duty performance may be affected
 - c. Bring the agency into disrepute or impair the operation or efficiency of the agency
 - d. Present an unnecessary safety hazard to the deputy, or
 - e. Cause undue liability issues for the agency.
7. Employment of any type while the deputy is being carried by the agency as suspended, sick, injured, on restricted duty or any type of workman's compensation status. During the period of time the deputy is away from the agency for any of these reasons, all permission to work part-time jobs will be suspended.

E. IMMEDIATE REVOCATION

An extra duty or secondary job authorization may be immediately revoked by the agency for any of the following reasons:

1. Any change in a condition of the original application
2. A strike, labor dispute, or other change at the employer's place of business that has the potential to place the deputy or employee in a vulnerable or controversial situation
3. Revocation as a personnel action taken by agency, or
4. Emergency mobilization of off-duty personnel.

F. DOCUMENTATION OF SIGNIFICANT EVENTS

Deputies must immediately document in detail any of the following incidents which occur while working extra jobs:

1. Any occasion where an arrest is made, force of any kind is used, or any law enforcement power is exercised

2. Any violation of criminal law or serious traffic violation
3. Any injury to a deputy or other person
4. Any property damage occurring as a proximate result of a deputy's actions (i.e., auto accident occurring while a deputy is directing traffic)
5. Any complaints concerning the actions or behavior of a deputy
6. Any occasion where an employer asks for a deputy to compromise ethics, incur legal obligations, or for any impropriety on the part of the extra job employer

G. SPECIAL RULES FOR BUSINESSES SELLING ALCOHOLIC BEVERAGES

1. Employment at any bar, lounge, package store or other establishment selling alcoholic beverages either for take-out or "on-premises" consumption, will be mainly restricted to policing of parking lots for the purpose of serving as a deterrent to thefts, property damage, arguments, fights, open container violations, disorderly conduct or other violations.
2. Deputies will not patrol the interior of such establishments or act as a "bouncer" for the establishment. Deputies will enter the lounge or bar area only to enforce the law or prevent a violation thereof. Deputies may, however, station themselves at an entry door, lobby, foyer, etc., in order to prevent or control any of the activities cited in section "2" above.
3. Under no circumstances will a deputy be allowed to loiter in the lounge or bar area of such establishments before, during or after their extra job duties, while in uniform.
4. Deputies will not accept any gifts or gratuities from the owner, management or employees of such establishments other than the salary for time worked.
5. Deputies or department employees observing an undercover investigator at any such establishment will not approach or indicate any recognition whatsoever to the investigator, or to any employee, patron or management of the establishment. Failure to comply with this procedure may seriously jeopardize an investigation.
6. Under no circumstances will a deputy be allowed to block or direct traffic in the roadway for the purpose of providing ingress or egress to any such establishment.
7. All deputies should be mindful of the fact that, while in public view in an establishment which serves alcoholic beverages, their actions are under close scrutiny by both patrons and employees of the establishment. Each deputy should insure that not only do their actions conform to the rules and regulations of the agency, but also the actions of the establishment's management, employees and patrons conform with applicable state law and county ordinances.
8. Any establishment owner, manager or other employee who participates in, aids or abets any violation of this order will cause their establishment to be disallowed the benefit of employing off-duty deputies. Additionally, establishments are subject to lose this benefit for management or employee involvement in any illegal activity; failure to have proper permits; allowing the sale of alcoholic beverages to minors

or intoxicated persons; or allowing a generally unruly or disorderly condition to exist, either inside or outside the establishment.

9. Deputies are prohibited from utilizing an agency owned vehicle for secondary employment at a location involved in the sale of alcoholic beverages unless specifically authorized by the division director.

H. LIMITS OF AUTHORITY AND BEHAVIOR FOR DEPUTIES ENGAGED IN SECONDARY EMPLOYMENT

Deputies working extra-duty jobs or in any approved "extension of law enforcement" are subject to all rules, regulations, policies and procedures currently in effect by the Forsyth County Sheriff's Office and are subject to disciplinary action for infractions of these rules, regulations, procedures or policies.

Deputies working extra jobs or in any other secondary employment must conform to the same standards of conduct as applies to their on-duty activities. This specifically includes the requirement that the law be obeyed, that criminal violations be enforced, and that deputies are not bound by private rules or restrictions which an employer may wish to enforce for his / her own purposes.

I. CITIZEN REQUESTS FOR PART-TIME EMPLOYMENT OF DEPUTIES

1. The agency recognizes that citizens and businesses have legitimate needs for extra law enforcement which cannot be rightly justified as a Forsyth County Sheriff's Office expense. Where possible, the agency will assist these citizens in locating deputies who desire to work the jobs by notifying deputies who have expressed a desire for part-time employment.
2. The coordinator is usually available during normal business hours, Monday thru Friday.
3. Deputies who approach or are approached directly by a prospective employer for part-time employment may respond directly so long as the employment is approved in advance. All other requests for part-time law enforcement employment which are received by phone, mail or in person will be directed to the Secondary Employment Coordinator. The coordinator will coordinate any incoming extra job requests by using a fair and impartial system.
4. Extra Duty request schedules should be posted on the appropriate spreadsheet folder located on the "S" drive of the computer network. The Secondary Employment coordinator will notify deputies of available jobs via county email. Deputies wishing to fill the job will contact the coordinator with their requests. Deputies are responsible for working the jobs they have requested. Further, deputies are responsible for finding a replacement should they be unable to fulfill their request.
5. The Coordinator shall have the authority to adjust the number of assignments made available to each individual deputy based upon the total number of extra-duty assignments available. Deputies shall not be allowed to participate in more

details than allowed unless approved by the Coordinator or his designee. Deputies violating this section shall be denied the opportunity for accepting extra-duty employment positions. This shall include deputies who fail to work details on a consistent basis as determined by the deputies' division commander or his designee. Extra-Duty details shall be listed within the secondary employment coordinator's records. The said records shall include a coordinating supervisor, location, times, nature of detail and a list of all deputies assigned. All specified details shall be in writing from the private citizen or business. This request may be submitted via the Extra-Duty Employment Subscriber Request form, official business correspondence or by phone.

J. RATE OF PAY AND CANCELATIONS

1. HOURLY RATE OF PAY

Payment for extra duty employment will be no less than the agency's pre-established hourly rate as publicized for such activities.

- i. \$50.00 per hour general security
- ii. \$50.00 per hour in-car traffic presence
- iii. \$55.00 per hour directing traffic

Note: An additional \$5.00 per hour may be added to off duty jobs requested with less than twenty-four (24) hours' notice.

In instances such as jobs for legitimate charitable organizations, hardship, government organizations and other related situations, the minimum pay may be reduced, on a case-by-case basis, by the Sheriff or designee.

2. Minimum Hours

A four-hour minimum is usually charged for all extra duty jobs. The Sheriff or designee may authorize extra duty jobs of a shorter time frame for legitimate charitable organizations, hardship, government organizations and other related situations on a case by case basis.

3. Payment for extra-duty/secondary employment

Payment for services rendered on extra-duty and secondary employment, as described above, shall be remitted to the civilian employee or deputy. The agency will not become involved in any payroll for the employer.

4. Cancellations

Notice of cancellation for any extra-duty job must be delivered and acknowledged by the Coordinator and/or the deputy(s) scheduled no less than four (4) hours prior to the scheduled start time for the job.

All jobs canceled less than four (4) hours from the scheduled start time may be charged a four-hour minimum rate of pay per deputy scheduled.

5. Special Details

A. House Moving Compensation Rates:

The following hourly pay rates are established for house moving details:

- i. House moving escort duties: \$125.00 to show for first hour and \$40 for each additional hour per escort officer.

B. Regulations for House Moving Details

- i. House moving will be conducted in accordance with current guidelines set forth by the Georgia Department of Transportation and any local ordinance requirements adopted by the Forsyth County Board of Commissioners.
- ii. House escorts will be conducted with a minimum of four escort Deputies.

NOTE: THE RATE MAY BE ADJUSTED WITH THE PRIOR APPROVAL OF THE BUREAU COMMANDER IN THE EMPLOYEE'S CHAIN OF COMMAND.

II USE OF SHERIFF'S OFFICE OR FORSYTH COUNTY VEHICLES, UNIFORMS AND EQUIPMENT

Deputies will be responsible for notifying the 911 Center of the location of the detail and will wear the same official agency uniform as that worn on-duty, except when authorized to wear plain clothes. Agency vehicles may be used on extra jobs which are an extension of Law Enforcement when approved in advance by the division commander.

III OUTSIDE EMPLOYMENT

No employee shall engage in any other employment, or in any private business, or in the conduct of a profession, during the hours for which the employee is employed to work for the Forsyth County Sheriff's Office, or outside such hours in a manner or to an extent that affects or is deemed likely to affect the usefulness of the employee to the Sheriff's Office. In addition, no employee shall engage in any other outside employment that results in the employee or his/her outside employer providing products or services to the Sheriff's Office. All outside employment must be approved by the Sheriff or his designee and reported in writing to the Internal Affairs Unit prior to commencing any outside employment except for temporary approvals as described in Section B above. All procedures and policies outlined above regarding outside employment must be followed.

IV. HOLDING MULTIPLE POSITIONS WITH THE SHERIFF'S OFFICE OR THE COUNTY

An employee is not allowed to hold more than one full-time position with the Forsyth County Sheriff's Office or with Forsyth County Government. However, full-time sworn law enforcement officers may work part-time jobs for Forsyth County Government with the express written approval of the Sheriff or his designee, provided that the part-time job is during different hours than that required for the full-time job. Any employee electing to hold multiple positions will be paid at the rate of each respective position for the time spent working in that position. Employees must be exclusively committed to each job during the scheduled hours for the job respectively.

V LIMIT ON AMOUNT OF TIME WORKED

Deputies must be physically and mentally prepared when reporting for duty. Therefore, they shall provide for no less than eight hours of rest (non-working hours) within the previous ten-hour period prior to their regularly scheduled tour of duty. The bureau commander or designee shall have the authority to limit the number of hours that a deputy under their command may participate in extra duty details when deemed in the best interest of the deputy and/or the agency.

VI WORKER'S COMPENSATION COVERAGE

No worker's compensation coverage will be provided by Forsyth County for any employee who is injured while engaged in any private law enforcement, security employment (extra-duty) or any other secondary employment (off-duty), unless the employee has had a break in action from the extra/off duty employment in order to perform his/her lawful duty as a Peace Officer.

Employees need to clearly understand that the responsibility for workers' compensation coverage while working an extra/off duty job lies exclusively with the part-time employer, and not Forsyth County.

VII CALL-BACK TO DUTY

Any Forsyth County Sheriff's Office employee is subject to being recalled to duty if needed. Any employee that is recalled to duty and is currently working a secondary employment job will promptly leave the job and respond to the Forsyth County Sheriff's Office or the location needed as directed.

PROCEDURE: SOP 2-1.200 WORKPLACE HARASSMENT

Rescinds/Amends:

Effective Date: September 20, 2019

Committee Review - Date: April 2018

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I WORKPLACE HARASSMENT

A. Workplace Harassment Defined

It is the Forsyth County Sheriff's Office policy to provide a professional work place environment for all members of the agency. To that end the agency looks to prohibit harassment in the workplace and to provide a means by which harassment can be properly reported, including a means by which it can be reported if the offending party is in the complainant's chain of command. The agency is committed to investigating all reported complaints fairly and impartially and, when appropriate to take appropriate corrective actions.

The term harassment, includes a wide range of behaviors of a disturbing, threatening and or offensive nature which has the purpose or effect of unreasonably interfering with an employee's work performance; or affects an employee's employment opportunities or compensation. It also includes improper behaviors associated with or based on a person's race, color, national origin, religion, sex, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, pregnancy, childbirth or related medical conditions or other protected group status.

Sexual harassment is a form of harassment based upon sex. Sexual harassment and same sex harassment is a form of workplace harassment which is unsolicited offensive behavior involving sexual overtures or conduct, either verbal or physical. It refers to behavior or a series of behaviors that is unwelcome, and/or personally offensive, which may lower morale and/or disrupts the working environment.

It may include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Such may also include behaviors which require submission to such conduct either explicitly or implicitly as a condition of employment, as a basis for employment decisions or for the purpose or effect of unreasonably interfering with an individual's work performance. Unwanted intentional physical contact of a sexual or suggestive nature, such as touching, pinching, patting, grabbing, kissing, brushing, or poking of another person's body, regardless of the gender of the individuals involved

Offensive pictures, drawings, posters, reading materials, calendars, photographs or other physical objects, or communications, including e-mail, that are sexually suggestive, sexually demeaning or pornographic.

Any conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment

It is important to note that conduct may be offensive to people who happen to overhear or see the behavior, even if it is not directed at them. Employees and supervisors must be vigilant to prevent these situations which may be witnessed by third parties, even if no complaint is made.

Where interactions involve employees and supervisory employees the term "sexual harassment" may include, but is not limited to, any of the following: Offensive sexual remarks, sexual advances or requests for sexual favors regardless of the gender of the individuals involved, inappropriate touching, threatening reprisals for an employee's refusal to respond to requests for sexual favors. disciplining or retaliating against any individual in any way because he or she has resisted, reported or complained about sexual harassment preferential treatment, or the promise of preferential treatment for engaging in sexual conduct. Suggesting or inferring to any employee supervisor or Elected Sheriff (or applicant for any such position) that his or her employment, advancement, or treatment will be affected in any way by entering into (or refusing to enter into) any form of personal or sexual relationship.

Either men or women may be violators or victims of actionable workplace sexual or same sex harassment, unwanted or unlawful conduct, or discrimination.

B. PROCEDURES

1. It is intended that agency policies apply to all those who are directly involved in the workplace environments under the jurisdiction of the agency including employers, employees, contractors and volunteers. Individuals who violate policy prohibiting actionable workplace harassment, are subject to disciplinary action up to and including termination.
2. In addition to employees, these standards are applicable to persons not employed by the agency but who may have business at any of the several offices or facilities of the Sheriff's Office. Thus, vendors, contractors, or other individuals who have business with the agency are prohibited from creating a sexually hostile work environment for employees. Any member who witnesses such conduct, especially supervisors, shall take corrective action immediately.

C. REPORTING HARASSMENT COMPLAINTS

The agency prohibits the condoning of or perpetuating the conduct of those employees who display such behavior. Therefore, it is the Sheriff's Office intent to provide a means for reporting and resolving complaints of actionable workplace harassment.

If the offensive behavior is such that the offended party believes it should be reported then, he/she should inform the supervisor, unless the complaint is against the supervisor, in which case employees should make the complaint to that supervisor's superior. In order for the

Sheriff's Office to effectively deal with the problem, employees must report such offensive conduct or situation. If the employee does not feel comfortable reporting the situation via his or her chain of command, he or she may file a complaint directly with one or more of the following, as the employee deems appropriate:

Any supervisor in the complainant's chain-of-command. Complaints will be forwarded to the Chief Deputy by the supervisor within 24 hours of receipt. The complaint will be assigned to the Internal Affairs Unit for investigation. Findings will be reported to the employee's Bureau Commander, the Chief Deputy and the Sheriff.

If the employee does not feel comfortable reporting the situation via his or her chain of command, he or she may file a complaint directly with the Internal Affairs Unit. Internal Affairs will notify the Chief Deputy of the complaint as soon as possible. Within 72 hours after receiving the initial complaint, a briefing will be held to update the employee's Bureau Commander, the Chief Deputy and the Sheriff, or his designee, on the status of the investigation. A determination will be made concerning whether personnel action is desired during the course of the investigation.

The Internal Affairs Unit shall be responsible for reviewing all internal complaints of workplace harassment. This review will be conducted by the Internal Affairs Unit to assess the nature, validity and seriousness of the situation.

Where it is determined that possible criminal acts, such as sexual assault, may be involved, appropriate administrative and criminal investigatory procedures will take precedence. All investigations and corrective actions under this policy shall be in addition to, and secondary to, such criminal investigations

Anti-discrimination laws prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Retaliation against an employee by any person under the Forsyth County Sheriff's Office control for opposing workplace harassment, for filing a bona fide complaint of workplace harassment, or for providing information in good faith regarding another employee's complaint shall be grounds for immediate disciplinary action.

Where the results of an investigation reveal that a complaint of unlawful harassment is wholly frivolous or groundless, the employee having made such complaint may be subject to disciplinary action, up to and including dismissal.

D. RESPONSIBILITIES

1. Employee Responsibilities

Employees have a responsibility to conduct themselves in an appropriate manner and will act responsibly to maintain a pleasant working environment, free of discrimination, allowing each employee to perform to his or her maximum potential.

2. Complainant Responsibility

Complainants have a responsibility to make an objection to the offender and report sexual harassment through the agency chain of command and pursue their complaint to a higher authority if not satisfied with the response of anyone in their chain of command. Complainants must keep their complaints in management channels and not discuss such complaints with other employees.

3. Supervisory Responsibilities

Supervisors have a responsibility to act promptly and affirmatively when they observe behavior that violates this policy, and/or when they receive complaints of workplace harassment. Each agency supervisor is responsible for ensuring that his or her workplace is free of unlawful harassment and discrimination. These responsibilities include:

- a. Reviewing agency policies and procedures concerning workplace harassment and discrimination with all employees.
- b. Assuring employees they need not endure insulting, degrading, or exploitive treatment of any nature.
- c. Informing employees of their right to file a complaint for offensive conduct.
- d. Assuring employees that such investigations will be handled in accordance with applicable confidentiality provisions.
- e. Notifying the appropriate division director of all complaints received and actions taken relating to the complaint.
- f. The division director will, in turn, notify the Chief Deputy of all complaints received and actions taken related to the complaint.

All complaints will be investigated promptly, impartially, and discreetly and, upon completion of the investigation, the appropriate parties will be notified immediately of the findings.

E. CONSEQUENCES OF HARASSMENT

1. The complainant's Bureau Commander, with approval of the Chief Deputy or the Sheriff, may take any of the following actions to ensure that the investigation can proceed without conflict between the parties:
 - a. Issue written orders to the involved parties to avoid contact pending the investigation.
 - b. Have all parties remain in their current assignments pending the investigation, if appropriate.
 - c. Detach one or more of the involved parties to a different assignment to improve the working environment pending the investigation. The complainant will not be reassigned unless exigent circumstances exist and approval has been granted by the Chief Deputy or the Sheriff. If the complainant submits an unsolicited request for transfer, it will be considered.
 - d. Place the accused party(s) on temporary administrative leave until the investigation has progressed to a point where the complainant's Bureau Commander can

determine the best course of action to take regarding assignment of the involved parties.

2. Any employee found to have committed actionable workplace harassment while employed by the agency shall be subject to disciplinary sanctions ranging from a written reprimand up to and including dismissal.

PROCEDURE: SOP 2-1.300 GRIEVANCES & APPEALS

Rescinds/Amends:

Effective Date: December 13, 2019

Committee Review - Date: April 2018

Related Policy(s): GO 2-1

Authorized by: Sheriff Ron H. Freeman



I EMPLOYEE GRIEVANCE AND APPEAL PROCEDURES

Employees of the Forsyth County Sheriff's Office will be afforded the following methods in order to address grievances or appeal adverse actions taken by the agency. Forsyth County Civil Service Board Grievance and Appeal procedures, found in Civil Service Policy 5, are available to all agency employees.

Any employee of the Forsyth County Sheriff's Office desiring to file a grievance will submit a written statement to their immediate supervisor. The statement will include the employee's grievance and the facts upon which it is based, a description of the specific wrongful act and harm done and the remedy sought. This written statement will accompany the written request for a first level grievance hearing pursuant to policy.

The Internal Affairs Unit Supervisor, is responsible for the coordination of grievance procedures and for the maintenance and control of grievance records. All written documents, tapes, statements, photos or other items introduced as evidence during a formal grievance procedure, including formal first level grievances which are resolved at the line level, will be stored within the employee's file upon conclusion of the formal hearing.

A. GENERAL PURPOSE

The purpose of this grievance procedure is to give all employees of the Forsyth County Sheriff's Office a definitive method by which they may assert any perceived or actual grievances they might have against the agency. This grievance procedure provides a method for asserting those grievances within the confines of efficient Sheriff's Office operation and fairness to personnel. The procedure will be mandatory and failure to follow the procedure specifically will result in a waiver of further utilization of the grievance mechanisms in the agency in order to seek redress.

B. CIVIL SERVICE POLICY

A grievance shall be considered to be available for any matter concerning an employee's status or condition of employment for which appeal to the Forsyth County Civil Service Board is not otherwise provided in Civil Service Policy 5.

It is the policy of the Forsyth County Sheriff's Office to encourage discussion of any grievance on an informal basis between the supervisor and an employee. Such discussion should be held with a goal of reaching an understanding, which will resolve the matter without need for recourse to the formal grievance procedure. An employee's grievance should be presented and

handled promptly and should be disposed of at the lowest level of supervision, consistent with the authority of the supervisor. Where the supervisor does not have authority to make a binding decision, the grievance shall be heard by the next higher-level supervisor or manager with such authority.

The fact that an employee has filed a grievance under this provision shall not interfere with management's right to impose subsequent discipline where appropriate. However, there shall be no reprisals against any employee for exercising his/her rights under this Policy.

C. EMPLOYEE REPRESENTATION

An employee may designate a representative of his/her own choosing to assist in the grievance proceedings. However, representation before the Civil Service Board shall be in accordance with established procedures set forth in Policy 5.

D. GENERAL PROCEDURES

The complaint procedure to be followed by an aggrieved person is described as follows:

1. An employee may submit a complaint on a continuing condition or action at any time. For specific one-time occurrences, the employee must submit the initial complaint within five (5) working days from the date the matter arose.
2. If the employee complaint is the result of an action or decision of a management official above the first-line supervisor, the initial complaint will be submitted to that person.
3. Records will be maintained of all written material submitted by the employee or management for use at every step and shall be filed in the employee's personnel file.
4. A formal grievance must be in writing and must identify the specific policy that is alleged to have been violated as well as the remedy sought.
5. Employees cannot use this procedure to complain about any proper order, directive, regulation, or policy or administration decision issued by any supervisor or management official who is acting within their delegated authority. If there is reasonable evidence that proper authority has been exceeded, this procedure may be used to challenge this issue.

E. INFORMAL GRIEVANCE PROCEDURE

1. An employee submitting a grievance for the first time must discuss it informally with the immediate supervisor unless the complaint resulted from an action of a higher-level supervisor. In which case, the employee shall discuss the grievance with the higher-level manager and his supervisor.
2. The employee will be given an oral decision after the discussion within ten (10) business days.
3. If the employee is not satisfied with the decision or the supervisor fails to comply with the time limits established in this procedure, the employee may continue the grievance by discussing it with the supervisor's immediate supervisor in the administrative service.

4. The employee must be given an oral decision after the discussion within ten (10) business days. If the employee is not in agreement with the decision reached by informal discussion, the employee shall then have the right to file a formal grievance in writing within five (5) business days after receiving the informal decision or decisions.
5. Every effort should be made to find an acceptable resolution by informal means at the lowest possible level.

F. FORMAL GRIEVANCE PROCEDURE

1. If the employee is not in agreement with the decision reached under the informal grievance procedure, the employee may present the complaint in writing to the Sheriff or his designee.
2. The Sheriff or designee shall render the decision and comments in writing and return them to the employee within ten (10) business days after receiving the appeal.
3. If the employee does not agree with the decision reached, or if the Sheriff or designee fails to provide resolution of the grievance as outlined above, the employee may present the appeal in writing to the Civil Service Board.
4. The Civil Service Board will review and consider the grievance consistent with established Civil Service Board Policy.
5. The Civil Service Board will render its decision and comments consistent with established Civil Service Board Policy.
6. Decisions of the Civil Service Board shall be final.

G. ANNUAL ANALYSIS OF GREIVANCES, PROCEDURES, POLICIES AND PRACTICES

The Internal Affairs Unit Supervisor, or designee, shall conduct an annual analysis of the grievance system to include an analysis of procedures, supporting policies and practices. The analysis shall be submitted through the chain of command to the Sheriff for review.

**PROCEDURE: SOP 2-1.400 SERIOUS INJURY
OR DEATH OF EMPLOYEE**

Rescinds/Amends:

Effective Date: February 6, 2023

Committee Review - Date: October 2022

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I SERIOUS INJURY OR DEATH OF SHERIFF'S OFFICE PERSONNEL

In the event of the death or serious injury of personnel of the Forsyth County Sheriff's Office the following procedure will be followed:

1. The name of the injured or deceased employee will **NOT** be released to the media prior to notification being made to the employee's immediate survivors or family members.
2. If there is knowledge of an existing medical problem with a family member that may be exacerbated by the notification, medical personnel will be dispatched to the residence to stand-by while notification is being made.
3. Notification will always be made in person whenever humanly possible. Whenever possible, the delivery of the notification will be made by the Sheriff, Chief Deputy, or a member of the Sheriff's Command Staff and a Sheriff's Office chaplain will be present.
4. If the residence is not within reasonable driving distance, the agency will request the services of the local law enforcement agency in the appropriate jurisdiction to make the notification. When this is the case, this agency will attempt to make arrangements to enable simultaneous telephone contact in the event the family wishes to talk to members from this agency.
5. As soon as family members see members from law enforcement agencies at their residence, they will obviously sense that something is terribly wrong. Ask to be admitted to the residence rather than deliver the notification on the doorstep.
6. Try to gather all members in the residence and have them seated when possible.
7. If the employee has already died, make that clear to the family in the most compassionate way. However, do not give them false hope if the employee has already passed away.
8. Let the family know as much of the specifics of the incident as possible; however, do not relay what may be speculation - just the facts.

9. Be prepared for the common reactions to catastrophic news; hysteria, irrational behavior, etc. and act compassionately and accordingly, pursuant to training in crisis intervention.
10. If the family wishes to go to the hospital, an agency employee will provide transportation for them. It is highly recommended that they not drive themselves to the hospital. Should there be serious resistance and the family insists on driving, an agency employee should accompany them in their car.
11. At any point the family is required to be at the Sheriff's office headquarters, or any other location to meet with County officials, agency members will transport them.
12. Should the family reside out of town or out of state, the agency shall arrange appropriate means of transportation for them (car, air, train, bus, etc.)
13. Should the family be required to stay in town for an extended time, the Sheriff's Office will place them in a nearby hotel or arrange alternate lodging for them.

A. ASSISTING THE FAMILY AT THE HOSPITAL

A deputy will be assigned by the ranking officer to act as the Emergency Room Liaison (ERL). This deputy will coordinate assistance to meet the needs of the family, as well as serving to provide medical information as soon as it is available.

It is important that if the family wishes to visit the employee at any time, that wish will be honored. This is critically important to the family, especially if the employee has not died. The ERL will do the best they can to prepare and explain to the family what they are about to see upon entering the room. The ERL will accompany the family into the room if the need arises or they request it. Should the family wish to go alone, that request will be honored, however, medical staff will be asked first.

If the family wishes to see the body of the deceased, this request should also be honored. It is important that we realize that this can be an important part of "closure", and while initially upsetting, it will likely have a long-term comforting effect. Survivors have told counselors that just by touching the body of their loved one, either prior to or after death, helped them fulfill a need. It is a good idea to not be overly protective of the family during this phase.

Arrangements shall be made to transport the family members back to their residences once they have concluded their visitation at the hospital. Prior to departing, the ERL will meet the hospital staff to ensure that all medical bills are sent directly to the Forsyth County Sheriff's Office.

B. PLANNING RESPONSIBILITIES AND COORDINATING THE FUNERAL

The Chief Deputy shall assume command and responsibility for the overall planning of the funeral service. As soon as practical, the Chief Deputy shall meet with his command staff to delegate some of these responsibilities. In planning and coordinating the funeral and burial services, the following areas will be considered:

- Appointment of an incident commander, if not himself
- Appointment of the Family Liaison Deputy (FLD)
- Assignment of the Forsyth County Sheriff's Office Honor Guard
- Assignment of the Media Relations Unit or Public Information Officer
- Appointment of a Local Logistics Officer to coordinate traffic, communications, special activities, vehicle or equipment rentals, etc.
- Appointment of a Travel Logistics Officer to coordinate out-of-town arrangements, travel arrangements, vehicle or equipment rentals, etc.
- Appointment of a Benefits Coordinator

1. Responsibilities of the Family Liaison Deputy

The Family Liaison Deputy (FLD) will only act in the role of "Facilitator" between the family and the Agency and will not be in a decision-making position. This appointment is a critical assignment. Ideally, the deputy should know the deceased employee and be aware of the family relationships. It is equally important that the deputy not be so emotionally involved with the loss that he / she would become ineffective.

If not already assigned one, the FLD will be immediately issued a pager and / or cellular phone to insure there is an immediate line of communication with the Sheriff's office and the family.

The FLD will meet with the family and explain his / her responsibilities. The FLD shall know all information concerning the death and continuing investigation to answer any questions from the family. The FLD will be constantly available to the family throughout the duration and will ensure that the needs of the family will always come before the wishes of the agency.

2. Responsibilities of the Forsyth County Sheriff's Office Honor Guard

The Honor Guard will be assigned to handle the duties related to the guarding and escorting of the Deputy's body, posting colors, pallbearer duties, family escort and flag folding ceremonies.

3. Responsibilities of the Media Relations Unit or PIO

The Forsyth County Sheriff's Office Media Relations Unit or PIO will be to handle the duties of release of information to the public. In most cases, the PIO will handle the release of information related to the funeral arrangements and limited reports on the progress of the investigation.

In the event the death is related to a criminal act, the law enforcement agency conducting the investigation will normally handle the release of information related to the case. The Sheriff's Office PIO will work closely with the other agency's PIO to ensure information is released in a coordinated effort, with no contradictions.

At the wishes of the family, the PIO may represent the family during the release of information on their behalf.

4. Responsibilities of the Local Logistics Officer

A Sheriff's office employee will be appointed as a logistics officer to coordinate events **locally** that are related to the setup and operation of the funeral detail. These duties include, but are not limited to:

Traffic flow: Planning traffic routes of the funeral procession, parking of law enforcement vehicles, staging areas, intersection control, etc.

Communications: Evaluating and planning communications before, during, and immediately after the event.

Special Activities: Coordination of aviation assistance, gun salute, taps, etc.

VIP Arrangements: Coordination of any special needs related to VIP attendance, such as parking, seating, etc.

Vehicle / Equipment: Coordinating needs for special vehicles (passenger vans, handicap access vehicles) and any equipment rentals that may be necessary.

5. Responsibilities of the Travel Logistics Officer

An agency employee will be appointed as a logistics officer to coordinate events **outside** of Forsyth County that are related to the setup and operation of the funeral detail. These duties include, but are not limited to:

Traffic flow: Planning traffic routes of the funeral procession to the location and parking of law enforcement vehicles.

Communications: Evaluating and planning communications during travel route and upon arrival at the destination.

Special Activities: Assisting with coordinating aviation assistance, gun salute, taps, etc. at the distant location.

VIP Arrangements: Coordination of any special needs related to VIP attendance at the distant location, such as parking, seating, etc.

Vehicle / Equipment: Coordinating needs for special vehicles (passenger vans, handicap access vehicles) and any equipment rentals that may be necessary.

Lodging / Meals: Coordinating with area hotels at the distant location to ensure the best and lowest priced accommodations for the agency attendees. If meals are not paid directly by the Forsyth County Sheriff's Office, this person will assist in collecting receipts and in arranging reimbursement.

Air Travel: Should it become necessary to fly family members or agency representatives to another destination, this person will negotiate with airline representatives to obtain ticketing at the lowest possible price.

6. Responsibilities of the Benefits Coordinator

The Benefits Coordinator will be responsible for arranging research and filing of all benefits due the survivors. The Benefits Coordinator shall be responsible for filing all necessary paperwork and following up with the family to ensure that the survivors have received their benefits.

C. SUPPORT FOR THE FAMILY DURING THE FUNERAL

The Family Liaison Deputy (FLD) is a critical assignment. The FLD will be supportive of the family during the funeral and will be responsible for handling the following details:

- Ensure that the needs and wishes of the deceased and the family come before the wishes of the agency.
- Offer assistance to the family during the funeral arrangement process. If the funeral is to be a military-style with full honors, let the family know that the Sheriff's Office will handle everything.
- Brief the family on the order of service and what to expect. (E.g., fly-overs, gun salute, playing of taps, folding and presentation of the flag, etc.)
- Ensure that survivors are afforded recognition and will have proper placement arranged for them during the funeral / wake appearances and processions.
- Act as an intermediary with the funeral home to handle any details.
- Ensure that the family's home, if local, is prepared for the influx of persons that may be visiting immediately after the funeral. Arrange for screening of telephone calls and babysitting, if necessary.
- If the family's choice of church cannot accommodate a large funeral, help offer and / or arrange for a larger venue for the service. However, it is important to note that the wishes of the family will come before the agency.
- Coordinate the transportation for the family that is arranged by the agency.
- The FLD shall make periodic visits and calls to the family for 6-8 weeks following the funeral to assure all needs have been met.

D. COORDINATING ARRANGEMENTS FOR FEDERAL, STATE, COUNTY AND OTHER DEATH BENEFITS / WORKER'S COMPENSATION

The Benefits Coordinator will research and gather all information related to death benefits and funeral payments due the survivors. Death benefits shall include insurance payments, government payments and funeral payments (payments received for the purpose of funeral and burial expenses). During this process, the coordinator will have the full support of the Forsyth County Sheriff's Office.

In conducting the research for benefits, the coordinator shall work closely with the family to determine the existence of any life insurance policies outside of employment, to include researching any personal memberships or credit card companies that the deceased may have had for many companies provide supplemental life insurance policies at no extra cost.

The Benefits Coordinator shall also work closely with the Forsyth County Sheriff's Office Human Resources Unit and Forsyth County Human Resources in coordinating all benefits

due from the Sheriff's Office and the County to include, worker's compensation, life insurance, funeral payments, vacation pay, etc.

The Benefits Coordinator shall visit with the surviving family to discuss the benefits they will receive within a few days following the funeral. The coordinator shall be responsible for filing all the necessary paperwork to obtain the benefits and shall provide a listing of all benefits and payments to the survivors. If there are surviving children from a former marriage, the guardian of those children should also receive a listing of what the children will be receiving.

The Benefits Coordinator shall pay special attention to the problems with possible revocation of health benefits to the surviving family. The vast majority of survivors are given a 30-day grace period before being canceled from the coverage or being responsible for monthly payment for the coverage. The coordinator will follow through to ensure that the survivors have received all benefits.

E. FOLLOW-UP AND SUPPORT

The agency shall remain sensitive to the needs of the spouse and other survivors. Adult-aged or younger children, parents, siblings, etc. are all experiencing grief. Grief is a process that affects people in different ways. It has no timetable and many survivors may experience a complicated grief process. It may be beneficial to have the psychologist see the entire family for a "supportive service" session shortly after the funeral.

During the follow-up and support phase, the entire family will be considered. Children from a former marriage will always be considered as a part of the family. Although they may have been living at a different home than the employee, they are still that employee's children and need personal memorabilia of their parent. When plaques or other memorabilia are given to the surviving spouse, the surviving parents will also receive the same. They have lost a child that can never be replaced.

The agency will continue to keep in touch with the family through monthly telephone calls the first year and then quarterly after that. On the anniversary date of the employee's death, the Sheriff or Chief Deputy will write a short note to the family and arrange for flowers to be placed at the grave.

Close co-workers of the deceased employee should drop by the home periodically, whenever possible. The surviving family will always be included and invited to future activities sponsored by the Sheriff's Office. This type of support shall continue as long as the family feels this need, or until the family is ready to move on with their lives without agency assistance.

F. AGENCY SUPPORT FOR THE FAMILY AWAITING TRIAL OF THE SUSPECT

The family should never hear of court or parole proceedings through the newspaper or television news. It shall be the agency's responsibility to keep the family informed of the legal proceedings. In fulfilling this obligation, the Forsyth County Sheriff's Office may have the District Attorney assist in the information process.

As soon as possible following the trial, the case investigators shall confer with the family and answer all questions they may have. The Forsyth County Victim-Witness Assistance
SOP 2-1.400 Serious Injury or Death of Employee

personnel will be assigned to advise the family of their rights as a victim, and also keep them informed as to case progress.

The family will be encouraged to attend the trial. Many family members will want to attend the trial in order to find out all of the details of the incident. The Family Liaison Deputy (FLD) will be assigned to accompany the family to the trial. If physical material evidence is going to be presented that will be upsetting to the family, the FLD can suggest that the family leave the courtroom for that portion of the trial or prepare the family for what they will be seeing.

The agency will show its support by having staff representatives and as many co-workers as possible attend the trial.

G. FUNERAL SERVICE AND CEREMONY

The Forsyth County Sheriff's Office shall consult with the family of the deceased deputy or employee to ascertain if they wish to have an agency assisted funeral service. If the family does not wish assistance, their wishes shall be honored.

When an agency assisted service is not desired and such death occurred in the line of duty, the Sheriff's Office should conduct a memorial service. Such a service allows agency personnel, area law enforcement personnel and the community to pay their last respects to the deceased member. Should a service be conducted, the family shall be invited to attend.

In carrying out the protocol below, all circumstances will be taken into consideration. Again, at all times, the wishes of the family shall be respected and followed.

1. Funeral Services for Deputies Killed in the Line of Duty

The funeral for a deputy killed in the line of duty shall be conducted with the highest law enforcement officer honors. Those honors shall include:

- a. Forsyth County Sheriff's Office Honor Guard (to be maintained during times of viewing and on the day of the funeral service)
- b. United States of America Flag draped casket
- c. Six to eight agency deputies to act as pallbearers (if the family wishes to use non-agency pallbearers, a representative of the Honor Guard shall be available as honorary Pallbearer)
- d. Firing detail (performed by Honor Guard)
- e. Pipe and drum corps (if available)
- f. TAPS performed by trumpeter or bugler
- g. Last radio call (10-42)
- h. Helicopter flyover with missing man formation (if available)
- i. All sworn personnel present at the service shall wear black or royal blue badge mourning bands placed horizontally across the center of the badge.

2. Funeral Services for Active Deputies Who Died Off-Duty

A funeral service for an active deputy who dies while off-duty, not in the line of duty, is often difficult to conduct because of the feeling for that member. While full respect needs to be accorded to the deputy, the fact remains that they were not killed in the performance of their law enforcement duties. Honors shall include:

- a. Forsyth County Sheriff's Office Honor Guard (to be maintained during times of viewing posted one hour prior to funeral service)
- b. United States of America Flag draped casket
- c. Six to eight agency deputies to act as pallbearers (if the family wishes to use non-agency pallbearers, a representative of the Honor Guard shall be available as honorary Pallbearer)
- d. Firing detail (performed by Honor Guard)
- e. Piper (if available)
- f. TAPS performed by trumpeter or bugler (if available)
- g. All sworn personnel present at the service may wear black or royal blue badge mourning bands placed horizontally across the center of the badge.

3. Funeral Services for Retired Law Enforcement Officers

The funeral for a retired deputy deserves special attention. The years of dedicated service that the employee gave to the Forsyth County Sheriff's Office and his/her community are commendable. Honors shall include:

- a. Forsyth County Sheriff's Office Honor Guard (to be posted one hour prior to funeral service)
- b. United States of America Flag draped casket
- c. Six to eight agency deputies to act as pallbearers (if the family wishes to use non-agency pallbearers, a representative of the Honor Guard shall be available as honorary Pallbearer)
- d. Firing detail (performed by Honor Guard)
- e. Piper (if available)
- f. TAPS performed by trumpeter or bugler (if available)

PROCEDURE: SOP 2-4.100 EVALUATIONS

Rescinds/Amends:

Effective Date: May 14, 2018

Committee Review - Date: April 2018

Related Policy(s): GO 2-4

Authorized by: Sheriff Ron H. Freeman



I EVALUATIONS

The immediate supervisor is in the best position to observe the employee and to determine how well he / she is performing the job. Consequently, the immediate supervisor shall conduct the performance evaluation. However, there are some cases where it is not clear who the supervisor is, such as when the employee works on rotating shifts or when the employee works for more than one person during the rating period. In such cases, the Division/Section Commander will assign the most familiar supervisor to conduct the performance evaluation, or multiple supervisors may be assigned to conduct the evaluation jointly.

A. EVALUATION PROCEDURES

Performance evaluations can be classified into three types:

1. Probationary

Probationary performance evaluations are conducted during an employee's probationary work period. The evaluation should emphasize helping the new employee understand the job assignment and the expectations of the agency. Probationary performance evaluations shall be conducted quarterly throughout the probationary period and shall constitute a principal consideration in the decision to offer permanent status.

2. Annually

An annual evaluation of all employees will be conducted by agency supervisors. The completed annual evaluation will be submitted to the Records Unit.

B. DOCUMENTING PRODUCTIVITY

To assist the supervisor in monitoring and recording an employee's performance during the evaluation period, a performance log/file should be maintained on each employee to be evaluated. A performance log/file is a management tool used by the supervisor to record the necessary information from which to prepare the performance evaluation report. A performance log/file should be maintained on all employees.

The performance log/file is not the same as the official personnel file maintained on each employee by the Sheriff's Office Records Unit. The purpose is to serve as a database for the performance evaluation, and contents of the log/file from previous evaluation periods should not be used in preparing the performance evaluation for the current evaluation period.

The contents of the performance log/file should consist of recorded observations and actions which will assist the supervisor during the actual evaluation, e.g., exceeding job expectations, areas of improvement, exemplary conduct, performance plans, informal counseling, etc.

Before the supervisor can adequately monitor and document an employee's performance, the supervisor must be in a position to fairly evaluate the employee's performance. This means that for entry level employees, the supervisor should observe the employee's performance. In this manner, the supervisor will be able to document from first-hand experience incidents of good and bad performance of job tasks critical to the employee's job function. Monitoring all aspects of the employee's performance should be a continuous process throughout the evaluation period and recording critical incidents of performance is necessary to attain a valid and reliable performance evaluation. By documenting these incidents as well as other indicators of performance in a performance log/file, the supervisor's job in conducting a performance evaluation becomes simpler, and the resulting performance evaluation is a more valid and reliable measure of an employee's job performance.

C. PRODUCTIVITY FEEDBACK

Supervisors should talk to each subordinate informally, at least once each quarter, concerning work performance. The performance evaluation system should assist in communicating approval of progress and work accomplished but should not take the place of communication between supervisors and employees. In cases where a significant decrease in quality of performance has been noted, the supervisor should formally counsel the employee and notify the employee in writing that his / her performance is unsatisfactory. This step should be taken at least 90 days prior to the next scheduled evaluation in order to provide the employee with adequate time to correct deficiencies in performance.

D. USE OF FORMS

Personnel Performance Evaluations shall be documented on the Forsyth County Sheriff's Office Performance Evaluation Form.

Raters will provide explanatory comments in the space provided on the evaluation form, if necessary.

Individual items on the annual evaluation form are graded on the following numeric scale of 1 to 5 with a behavioral statement setting the criteria for the value assigned:

- 1:** Unsatisfactory: Does not meet acceptable level of performance expectations;
- 2:** Needs Improvement: Performance standards only partially met;
- 3:** Good: Consistently meets standards with acceptable performance;

- 4:** Excellent: Often exceeds the standard requirements of the job;
- 5:** Superior: Consistently exceeds standards of job with outstanding performance.

E. USE OF PERFORMANCE EVALUATION DATA

The results of each evaluation shall be used as an aid in:

- Counseling;
- Training;
- Assignment; and
- Personal and professional development activities. (remedial training, additional specialized training, etc.)

F. RETENTION OF EVALUATION FORMS

Quarterly (probationary) Performance Reviews and Annual Performance Evaluations shall be placed in the employee's personnel file. The quarterly (probationary) and annual performance evaluations will be maintained by the Sheriff's Office Records Unit as required by Georgia records retention laws.

**PROCEDURE: SOP 2-7.200 FCSO
DISCIPLINARY PROCEDURES**

Rescinds/Amends: SOP 2-7.200

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 2-7

Authorized by: Sheriff Ron H. Freeman



I FORSYTH COUNTY SHERIFF'S OFFICE DISCIPLINARY PROCEDURES

The purpose of this section is to establish the disciplinary procedures to be followed when disciplinary action is warranted.

A. REPRIMANDS

A reprimand is an oral or written notice of policy violation, mistakes, inefficiency, or other factors which may adversely influence an employee's ability to carry out duties and responsibilities. Any supervisor may reprimand his/her subordinate at any time for cause.

1. Oral reprimands will be considered the normal means of correcting the actions of an employee; such reprimands will not affect the employee's privileges or status.
2. Written reprimands will be reserved for repeated offenses or those of a serious nature. Written reprimands are required to be shown to the employee, who will acknowledge receipt of same by his or her signature. If the employee feels the written reprimand to be unjust, he/she must state so in writing giving reasons. An original copy of the reprimand, with the employee's response, if any, will be forwarded to the Sheriff's Office Human Resources Unit and filed in the employee's personnel file.

B. SUSPENSIONS

1. Suspension With Pay

The Sheriff or his designee, may, by written notice to the employee, suspend an employee with pay for investigation of alleged misconduct. The suspension shall not exceed forty-five (45) calendar days.

2. Suspension Without Pay

The Sheriff or his designee, may, by written notice to the employee, suspend an employee without pay for investigation of alleged misconduct or violation of these policies. An employee may also be suspended without pay for failure to secure or maintain a license or certificate required by law, regulatory authority, or the appointing authority. The total period of suspension without pay shall not exceed fifteen (15)

calendar days (based upon an eight hour work day). At the expiration of fifteen (15) calendar days, the employee will either be terminated or directed to return to work.

CHAPTER THREE

FUNCTIONS

PROCEDURE: SOP 3-2.201 ESCAPES

Rescinds/Amends: SOP 3-6.101

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 3-2.2

Authorized by: Sheriff Ron H. Freeman



I ESCAPES

It is the responsibility of each deputy who takes custody of any prisoner to take all prudent and reasonable action to prevent the escape of the prisoner.

In the event of an escape, the deputy's immediate actions should be governed by existing conditions. A deputy in an escape situation must consider many factors before action. These factors include, but are not limited to, the following:

1. The presence of a crowd. The chasing of an escaped prisoner through a hostile crowd may present a greater potential for violence by agitating the crowd than allowing the prisoner to continue flight.
2. The identity of the prisoner. If the prisoner has been satisfactorily identified and his home address is known for example, it may be more prudent to await assistance and capture the prisoner at a later time than to pursue the prisoner into a hazardous situation without backup.
3. The seriousness of the charges pending against the prisoner.
4. The threat that the prisoner may present to innocent persons he might encounter.
5. The past history of the prisoner.
6. The safety of the prisoner, the public and other law enforcement personnel.

Unless extraordinary conditions exist, the following procedures will be followed upon the escape of a prisoner.

1. The 911 Communications Center will be immediately notified with the following information, if available:
 - The fact that a prisoner has escaped;
 - A complete description of the escapee including whether the prisoner was wearing restraints;
 - Notification as to whether the escapee is or is not armed;

- The direction and mode of travel;
 - Time lapse since the escape;
 - Any probable destination;
 - The crime with which the escapee was last charged;
 - The escapee's potential for violence;
 - Location and time lapse since the escapee was last seen; and
 - A request for needed equipment and manpower and the location at which the items would be most effective.
2. The closest supervisor should be notified and should take control of the situation until higher authority arrives.
 3. All radio communications will be made on the primary radio frequency or channel in use by the patrol units in the geographical area in which the escape has occurred until and/or unless otherwise directed to switch to a tactical frequency by the supervisor in charge of the situation.
 4. The supervisor in charge will direct the disbursement of equipment and personnel in order to contain the escapee and block escape routes.
 5. In the event a foot search is required in wooded or other dangerous areas, no deputy will enter such areas alone without first obtaining permission from the supervisor in charge.
 6. No deputy will leave an assigned location without the permission of the supervisor in charge.
 7. Emergency radio operation procedures will be followed unless and/or until otherwise directed by the supervisor in charge.
 8. Any further notifications will be determined by standard police and E-911 Communications Center guidelines.
 9. Upon completion of the situation, a report regarding the escape and other pertinent circumstances will be completed by the end of that tour of duty.
 10. A review of the escape incident will be conducted by the involved deputy's supervisor and a written report will be completed by that supervisor and submitted to the next step in the chain-of-command for consideration.
 11. If an escape occurs outside the county, the actions of the transporting deputy will be governed by the procedures and laws in force in that jurisdiction. As soon as practical the transporting deputy will notify his/her supervisor and appropriate reports and reviews will be completed.

**PROCEDURE: SOP 3-3.101 LAW ENFORCEMENT
BUREAU INVESTIGATIONS**

Rescinds/Amends: SOP 3-7.101

Effective Date: November 27, 2017

Committee Review - Date: November 2017

Related Policy(s): GO 3-3.1

Authorized by: Sheriff Ron H. Freeman



I UPS INVESTIGATIONS

A. PRELIMINARY INVESTIGATIONS

The Law Enforcement Bureau Patrol Divisions are responsible for conducting preliminary investigations of all incidents and categories of crime. The patrol deputy will follow the procedures listed below when conducting a preliminary investigation:

1. Upon arrival at scene, the deputy will observe all the conditions, events, remarks and:
 - provide aid to the injured;
 - determine if an offense has actually been committed, and if so, the exact nature of the offense.
2. Locate and identify witnesses:
 - full name;
 - telephone number(s); and
 - address.
3. Identify suspect (s)
 - description
 - full name
 - locations frequented by suspect
 - friends and acquaintances
 - Interview suspect (if applicable)
4. Maintain the crime scene and protect evidence:
 - contact a crime scene technician, if necessary.
5. Interview the complainant, victim and witnesses to:
 - obtain description, name, address, physical, etc. of suspect(s);
 - determine what information is known by witnesses, victim or complainant;

- broadcast a lookout including method and direction of flight and other relevant information concerning persons or vehicles wanted.

6. Secure evidence and:

- notify supervisor if it is determined by the Crime Scene technician that the CID Crime Scene Unit is needed for further evidence collection (during normal duty hours contact the crime scene supervisor, after hours contact CID on-call supervisor).
- if there is no need to notify CID, collect evidence;
- complete the evidence report form and place in evidence locker.

7. Disseminate Stolen Vehicle Information

All stolen vehicle information will be disseminated to other law enforcement agencies surrounding Forsyth County, as well as being entered into the GCIC / NCIC computer network.

When a deputy is available at the precinct screening desk, certain types of reports may be taken from a walk-up complainant or by telephone. These reports shall be limited to those cases where the physical presence of a deputy is not necessary at a scene. Reports to be handled on the telephone may include:

- Lost property
- Reports requested for "Documentation Purposes"
- Suspicious/unwanted telephone calls
- Supplemental property lists
- When directed by a UPS supervisor

B. FOLLOW-UP INVESTIGATIONS

1. Follow-up investigations of incidents will be the primary responsibility of the Criminal Investigation Division (CID). However, patrol deputies who acquire additional information on incidents may conduct follow up investigation and complete a supplemental report and forward the information to CID if an arrest is not made.
2. The following incidents require immediate response of the patrol supervisor and notification of investigative personnel by the patrol supervisor:
 - All death investigations * (unless determined to be an attended death with no suspicious circumstances - shift supervisor or watch commander will make determination)
 - Rape
 - Aggravated Assault (determination by shift supervisor/watch commander)
 - Kidnapping
 - Burglary (where latent prints or other physical evidence is available determination will be made by shift supervisor/watch commander)
 - Family Violence Acts

- Juvenile Offenses
- Child Abuse Cases (any physical or sexual abuse, CIS will be notified)

* Also requires notification of the Medical Examiner by the investigating deputy or supervisor.

C. CIVIL ACTIONS

On occasion, personnel may respond to complaints that are of a civil nature. When in doubt of the appropriate agency response, the deputy shall seek guidance from their supervisor and/or a deputy assigned to the Civil Unit. In those cases, involving the repossession of motor vehicles where a deputy is called upon to preserve the peace during the repossession process, the following procedures shall be followed:

1. Persons authorized to repossess personal property are: Sheriffs and/or their lawful deputies.
2. Persons authorized to repossess personal property must have in their possession a Writ of Possession.
3. When a deputy is called upon to preserve the peace during the repossession of a vehicle, the deputy is to ascertain that the person attempting to repossess the vehicle is authorized to do so.
4. If the deputy finds that the person attempting to repossess the vehicle is authorized, the deputy shall allow the vehicle to be repossessed and preserve the peace while it is being done.
5. If the deputy finds that the person attempting to repossess the vehicle is not authorized, the deputy shall:
 - a. Advise the person attempting to repossess the vehicle that under Georgia Law; Code Title §44-14-262, he is not authorized to take possession of the vehicle.
 - b. When on private property, the deputy shall further advise the person attempting to repossess the vehicle that in order to preserve the peace, he must leave without taking possession of the vehicle and obtain legal process through court action, and that any further action at this time may result in the arrest of the person attempting to improperly repossess the vehicle.
 - c. When on public property, the deputy shall advise the person attempting to repossess the vehicle that under O.C.G.A. §44-14-230 and §44-14-231, he is not authorized to take possession of the vehicle and that said person should obtain legal process through court action, and any further attempt at this time to take possession of the vehicle may result in the arrest of the person attempting to improperly repossess the vehicle.

6. The deputy must not become involved in any civil dispute between the parties; either the person attempting to repossess the vehicle is authorized or is not authorized, but the deputy must preserve the peace.

PROCEDURE: SOP 3-3.103 PERSONS WITH MENTAL ILLNESS

Rescinds/Amends:

Effective Date: December 17, 2021

Committee Review - Date: October 2021

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman

**I RESPONSE TO PERSONS WITH MENTAL ILLNESS**

Most law enforcement officers have some experience with one or more persons who exhibit behavior that is characteristic of mental illness. This policy gives guidelines for the recognition of persons suffering from mental illness and provides suggestions to all agency personnel who might encounter a person in crisis due to a mental illness.

A. Definitions

1. 1013 / 2013 Involuntary Committal: Forced short-term evaluation and stabilization, as permitted by Georgia Law, for individuals believed to be suffering from mental illness, alcohol or drug addiction / dependency and who are in need of emergency intervention for the well-being of themselves or others.
2. Community Resource: Any facility, program, or service offering assistance, support, or intervention for individuals believed to be suffering from mental illness, alcohol or drug addiction / dependency.
3. Adult Protective Services (APS)- A division of the Georgia Department of Human Resources mandated by law to investigate reports of abuse, neglect, or exploitation of individuals with mental or physical disability and/or over the age of 65 who are not residents of long term care facilities. Law Enforcement Officers are mandated by law to report to APS within 24 hours of finding reasonable cause to believe that abuse, neglect, or exploitation is occurring. (O.C.G.A. §30-5-4)
4. Developmentally Challenged:
 - a. Mental Retardation: significantly sub average general intellectual functioning.
 - b. Pervasive Developmental Disorders: severe and pervasive impairment in several areas of development.
 - c. Mental Illness (mental disorder): a disorder of thought or mood which significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life. Mental illness can occur at any time during a person's life and may be long lasting, or it may be a short-lived episode.

5. Alzheimer's disease- a progressive, degenerative disease or condition that attacks the brain and results in impaired memory, thinking, and behavior. (O.C.G.A. §16-5-100)
6. Dementia- An irreversible global loss of cognitive function causing evident intellectual impairment which always includes memory loss, without alteration of state of consciousness, as diagnosed by a physician, and is severe enough to interfere with work or social activities, or both, and to require at least intermittent care or supervision; or the comatose state of an adult resulting from any head injury. (O.C.G.A. §16-5-100)

7. Tactical Disengagement

Tactical disengagement is a tactical decision to leave the scene, delay contact, delay the attempt to arrest or plan to make contact at a different time under different circumstances due to the emotional state of person(s) involved. The decision to tactically disengage shall be made by a Watch Commander and should be based on factors such as but not limited to the severity of the situation, if other persons are in danger, whether a crime has occurred and the type of crime that may have occurred.

When a decision to tactically disengage is deemed appropriate, a supervisor shall notify Crisis Intervention Response Team (CIRT) personnel who shall conduct a review within three (3) business days to determine if further action is warranted. Factors considered in making the decision to tactically disengage shall be included in an incident report.

B. Guidelines for Recognition of Mental Illness

These symptoms can be behavioral and/or physical or can be indicated by the information that the person reports regarding his or her feelings, emotions, and perceptions. This is not an inclusive list of every possible behavior or symptom of mental illness:

1. Sudden Changes in Lifestyle
2. Major Changes in Behavior
3. Extreme Anxiety, Panic, or Fright
4. Feelings of Paranoia
5. Hallucinations
6. Delusions
7. Depression
8. Obsessions
9. Unexplained Loss of Memory
10. Confusion
11. Physical or Motor Symptoms

The following are Specific Physical Indicators of Possible Mental Illness:

1. Hyperactivity in the hands, arms, and feet: Tremors, purposeless movements, "pill rolling", shifting from foot to foot, and hand wringing.
2. Movement of the head: Severe tic-like movements, looking around as if looking for/at something, or cocking the head to one side as if listening to someone / something.
3. Eyes: avoiding eye contact, eyes wide open and/or unblinking, shielding the eyes from some perceived bright light that is not present.
4. Mouth and tongue: Continuous chewing movement with no food or gum present, tongue movements – sticking out etc., or wetting the lips or moving them as if to speak without voice or sound.
5. Walking style or gait: Shuffling, small rigid steps or rigidity in the elbows or knees (no evidence of injury or other impairment is present to explain the gait).
6. Body posture: Rigidity, or catatonic posture that may be bizarre in nature.
7. Speech and Verbal Expression: The style of the speech may be unusually soft and monotone. The speech may be loud and explosive and may include obscenities when provocation for such speech seems to be absent. The content of the speech may imply hallucinations or delusions. The person may speak in loose associations – stating words, phrases, or sentences that seem to have no connection to each other and seem not to make common sense to the hearers.
8. Emotional Mood and Affect: The person may display emotional moods, which seem out of place with the surroundings. This may include laughing, weeping, shouting, etc. in settings that seem inappropriate to others. The person may seem totally flat and may lack the ability to respond typically to emotional stimuli. The person may display a lack of awareness to his surroundings and may have difficulty responding to others when approached or addressed.

C. Recommendations for Handling Persons Suspected of Suffering from Mental Illness

1. Gather as much information as possible before arriving at the scene.
2. Upon arrival at the scene, be discreet and avoid attracting attention. Be calm, avoid excitement, but calmly portray a take-charge attitude. Approach cautiously, observing the person's behavior. Be alert for any weapons that the person may have in their possession.
3. Tactfully remove as many distractions or upsetting influences from the scene as possible. This includes bystanders, disruptive friends and family members.
4. Use the contact time with family members and friends to gather as much information as possible about the person's behavior. Other witnesses who are casual observers may be able to provide valuable insight that may assist you in handling the situation.
5. Remember the principles associated with officer safety. Though involvement with a mentally ill person is usually not dangerous and the likelihood of violence is not any higher in this situation than in other citizen encounters, the officer must remain aware of the potential. If the person is known to be suffering from paranoid delusions of a persecutory nature, extra caution should be observed.

- Observe the subject's reactions to your approach and your statements. Be prepared to change strategy as needed to get the desired results.
6. Introduce yourself by name and explain the reason for your presence. You should state that you are there to determine what the problem is and how it can be solved without harming or inconveniencing anyone. Establish a tone of helping and caring. Keep your verbal and nonverbal behavior consistent.
 7. Uniformed personnel must be aware that the police uniform, handgun, handcuffs, and impact weapons may frighten the person. The deputy should explain that they are necessary to his or her job and are not intended to hurt or frighten the person.
 8. Verbal communication may be difficult. When speaking, speak clearly, slowly, and in a normal tone of voice. Avoid asking rapid-fire questions. Ask simple questions that seek only one piece of information. This is especially important when dealing with someone on the telephone.
 - a. Allow the subject time to think between questions and allow them sufficient time to state their answers and tell their story.
 - b. If a subject does not seem to hear or understand; repeat the statement or question.
 - c. Avoid expressing impatience or frustration if the person is slow in responding to initial inquiries.
 - d. The person may have difficulty focusing his or her attention on the current interaction.
 - e. Tactfully work to keep the discussion focused on solving the current problem rather than discussing past experiences.
 - f. If the person makes an effort to provide the desired information give them some positive feedback.
 - g. Evaluate the nonverbal and emotional content of the person's statements.
 - h. Some mentally ill and developmentally disabled persons may have difficulty responding to questions and requests that are stated in an indirect way or that have an abstract component.
 9. Avoid "why" questions, especially when you are attempting to establish an initial rapport with the subject. Many people experiencing the symptoms of mental illness may have difficulty explaining their conduct. Asking "why" questions may increase the level of agitation being experienced by the person. A good opening greeting is "My name is Deputy Sheriff Joe Jones; what's going on today?" rather than "Why are you doing this?"
 10. When discussing options with the person use "I" statements rather than "we", "the police", or "my supervisor." "I" statements let the person know that you have made a personal commitment to helping with the problem or finding a solution. When possible, allow the subject to "save face." Avoid lying to the person or making promises that you know you cannot keep in order to gain the initial cooperation of the individual.

11. Avoid rushing the person or crowding his or her personal space.
 - a. Do not touch the person unless you are prepared for a use of force response. Any attempt to force an issue may backfire in the form of violence.
 - b. Some individuals who are delusional may maintain a larger personal body space than other people. If the person tells you that you are too close and demands that you move back comply with request if doing so does not compromise safety.
 - c. In most situations you should maintain a leg's length distance from the subject, maintain a non-threatening but safe stance, and keep your hands out and your palms up.
 - d. Good eye contact with the person is usually helpful.

12. If the person is shouting or acting out other disruptive behavior but is not directly threatening any other person or himself, the person should be given time to calm down.
 - a. Disruptive outbursts are usually of short duration.
 - b. It is better that the officer spent 15 to 20 minutes waiting and talking than to spend 5 minutes struggling to subdue the person.
 - c. One way to help calm the person is to convince the subject to sit down. This may sometimes reduce the level of agitation.
 - d. The deputy may also decide to sit at some point. If in a residential setting, the deputy should sit backwards in a straight-back chair if one is readily available.

13. Avoid projecting the image of the "tough guy."
 - a. Tough methods and tough talk may frighten the person and cause a defensive reaction and could lead to violence.
 - b. Threatening negative consequences, especially going to jail, may not be effective in getting the person to alter or control their disruptive behavior.
 - c. Your approach should emphasize that you are there to offer help to the person and not to punish.
 - d. Remember that the subject did not choose to be mentally ill, developmentally disabled, or emotionally distraught.
 - e. Accept the subject as a human being in crisis and remember that your primary role is to calm the situation and offer help.

14. If the person makes claims or reports situations, events, or sensory perceptions that are obviously based on delusions or hallucinations, do not attempt to directly confront the person with the evidence that their claims and beliefs are faulty.
 - a. Such an effort usually fails.
 - b. If the subject is relating information stemming from paranoid delusions any direct attempt at refuting the beliefs may cause the subject to label the officer as "one of them".
 - c. Once an officer has been incorporated into the subject's delusional system, he or she may lose the ability to positively influence the subject's behavior.
 - d. You should also avoid participating in the delusion or the hallucination by agreeing with or "playing along" with the subject.

- e. Make statements that show concern for the subject's opinions, feelings and observations without agreeing with them.
 - f. Do not attempt to minimize fears or dismiss emotions that the subject expresses freely.
15. Do not use demeaning language that refers to the person as a "loony, nut, fruitcake, or head case" or make other inappropriate references.
- a. Using these terms to refer to the individual tells them, their friends and family members that you don't care about them and you don't consider their problem to be important.
 - b. Remember that individuals who have dealt with the police before may know the implication of the term "Signal 24".
16. Do not let the person trick you into an argument.
- a. Ignore attacks on your character, personal appearance, or profession.
 - b. Responding negatively to these characterizations may undermine your ability to communicate with the person.
 - c. Do not get into a power struggle with the person.
 - d. Remember that bizarre behavior alone is not a reason for use of physical force.
 - e. Only when the person is so dangerous or violent that there is a direct and immediate risk that the individual or another person is likely to be harmed should force be used.
 - f. As in all situations, use only the amount of force necessary to accomplish the desired goal of protecting everyone involved.
17. In situations where restraint of the person is necessary, remember that handcuffs may not be the best choice for restraint. Consider the possibility that a stretcher might be effective in providing a better method of restraint. Make sure that any restrained person is monitored at all times.
18. If communication can be established, consider requesting a CIT trained deputy. CIT deputies and clinicians are a limited resource and may not be able to respond on every mental health call for service.

D. Initial Deputy Response

1. The 911 Center shall dispatch a beat unit and supervisor to respond to any call for service involving a person in a crisis or a person believed to be displaying indicators of mental illness.
2. The initial on-scene deputy shall maintain responsibility for the call or incident until completed or relieved by the supervisor. When the deputy responds, he or she shall:
 - a. Determine if the person in question is displaying indicators of mental illness; and,

- b. Decide whether or not the person needs to be transported to an appropriate community resource facility for further evaluation in coordination with their supervisor and any Fire and EMS units at the scene.
3. If the deputy determines that the subject is not displaying indicators of mental illness, the deputy may remain on-scene as is necessary for the safety of other public safety personnel at the scene and/or to witness a patient refusal.
4. A deputy should make a lawful arrest when a violation occurs in his presence and transport the person to nearest medical facility for treatment. If EMS has been contacted the responding deputy shall escort the prisoner to the nearest medical facility. The deputy shall remain at the hospital with the subject until he/she is examined and admitted or released. If the subject is admitted, the deputy shall transport the subject in accordance with the physician's 10-13 involuntary transport to a mental health facility. If the subject is released, the deputy shall transport the subject to the Detention Center. When an arrest is not made, a responsible person is not available, and/or the subject is unruly or is considered potentially dangerous, the deputy, upon approval of the CIT supervisor, may transport the person to Northside Forsyth Emergency Room for evaluation. If the person is violent or has injuries, EMS should be called to transport.
5. Deputies shall use only that force necessary for the protection of the public, the protection of the officer, and to enforce the removal and protection of the mental health consumer.
6. The investigating deputy, using an Incident Report, should describe the incident, subsequent investigation, and all law enforcement action taken. A copy of this report shall be given to the mental health clinician who conducts the evaluation of the individual so that it may be made part of the consumer's clinical record per O.C.G.A. 37-3-42(a).
7. Deputies, with supervisor approval, have the authority to remove mentally ill persons from their homes if:
 - a. The person commits a violation of the law. Georgia Statute requires that there be some violation of the law even if the deputy does not follow through with charges on the offense, and
 - b. The subject appears to present a substantial risk of imminent harm to himself or others as manifested by recent overt acts or recent expressed threats of violence which present a probability of physical harm to himself or other persons, or
 - c. The subject appears to be so unable to care for his own physical health and safety as to create an imminently life-endangering crisis.
 - d. There is a court order or a valid order from a physician that directs law enforcement to take the subject into custody.
 - e. Cases involving Family Violence: Charges of Simple Battery or Simple Assault under the Family Violence Act, as authorized by O.C.G.A. 17-4-20, may be brought against the subject should the deputy have probable cause to believe that an act of domestic violence has been committed.

- f. Cases involving reasonable suspicion that the abuse, neglect, exploitation, or self-neglect of an adult who is mentally or physically disabled and/or over the age of 65 shall complete and transmit a referral to Adult Protective Services Central Intake by telephone or fax within 24 hours (O.C.G.A. §30-5-4).
8. Should a deputy find a complainant in such an intoxicated condition, (mere drinking not being the intention of this procedure) which any information from him is doubtful or unfounded, and in total absence of witnesses and/or physical evidence, the deputy shall precede as follows:
 - a. Make an Incident Report noting the condition of the Complainant, the allegation, and the lack of corroborating evidence or information.
 - b. If the complainant is arrested, his complaint shall be noted in the narrative of the Incident Report.
 - c. Exceptions:
 - I. There is visible injury to the complainant or another person present;
 - II. The offense was witnessed by a sober person;
 - III. Substantial corroborating evidence exists to support the allegation(s).
 - d. If there is continued harassment (continued unfounded calls by the intoxicated complainant) refer to the Criminal Code to prefer charges and/or have him admitted for psychiatric evaluation depending on the circumstances.

9. Barricade Situation

If a subject has barricaded themselves, consider the severity of the situation, whether a crime has occurred and the type of crime that may have occurred. Keep in mind the presence of law enforcement may aggravate a person's mental health situation.

- a. If no crime has occurred or only a misdemeanor crime has occurred, no citizens are in danger and the subject refuses to communicate with law enforcement, the Watch Commander should consider a Tactical Disengagement.
 - i. If probable cause exists for an arrest, the appropriate warrant(s) should be obtained. The Warrant Unit should be notified of the existing warrants and the factors surrounding the decision to Tactically Disengage.
 - ii. The call information should be sent to the CIRT Unit for Follow-up.
- b. If a felony crime has occurred and danger exists to citizens, the watch commander should consider utilizing available including as SWAT/CNT.

E. Supervisor Response

A supervisor shall be dispatched to all calls or incidents involving a confirmed or suspected mentally ill person in crisis. A crisis could consist of a person having delusions, refusing to take prescribed medications, erratic behavior, causing a disturbance, talking to themselves or other activity or behavior that causes alarm or concern to the average person.

The supervisor shall be responsible for determining and ensuring appropriate action is being taken by the deputy or deputies handling the call; as well as reviewing transport decisions where applicable. The supervisor may call for any additional back-up or resources needed on the scene after arriving and assessing the situation, or in response to requests from deputies on the scene. If the supervisor concurs with the deputy responsible for the scene that the subject is not displaying indicators of mental illness, the supervisor may remain on-scene as necessary for officer safety or to remain in command of the scene at his/her discretion.

The supervisor at the scene shall exercise overall control of the scene but may delegate authority at his/her discretion to the handling deputy if the circumstances so dictate. Supervisors are responsible for any actions taken or which fail to be taken by subordinates after their arrival at the scene or under their direction.

A decision to tactically disengage from an incident shall be determined by a Watch Commander as per Section I, A, 7 of this policy

F. Follow-Up Investigation

Interviews and interrogations of subjects believed to be mentally ill or displaying indicators of mental illness should be conducted by the Criminal Investigations Division in conjunction with Crisis Intervention Response Team (CIRT), whenever possible. During interviews and interrogations, guidelines from section C of this procedure should be followed.

G. Community Resources

Procedures for accessing available community mental health resources are as follows:

1. 1013 & 2013 Involuntary Commitments

- a. Physician Directed: (O.C.G.A. 37-3-41 or 37-7-41) Deputies shall transport adults and juveniles for involuntary medical evaluation and treatment when a physician states that they are either mentally ill, an alcoholic, drug dependent, or a drug abuser. Dependent upon the physician's instructions, the subject shall be transported to:

- I. Laurelwood Hospital, Gainesville
- II. Charter Peachford, Atlanta
- III. Northwest Regional Hospital, Rome
- IV. Georgia Highlands Treatment Services Center, Dalton

Such authorization may be given by any physician by executing either the Emergency Admission Certificate Form 1013 or 2013. Upon receiving Form 1013 or Form 2013, deputies shall ensure that it has not expired by being more than seven days old from the date it was executed. If the form has expired, deputies shall not conduct the transport unless a valid form is provided by the physician.

Deputies shall complete the "Report of Peace Officer" found on the reverse side of the form and leave a copy of the report with the hospital personnel. Deputies shall not wait at the hospital unless requested by medical officials to help control a violent individual and only upon the approval of a CIT Supervisor.

- b. Court Directed: (O.C.G.A. 37-3-41 or 37-7-41) Deputies shall transport adults and juveniles for involuntary medical evaluation and treatment when directed by a Court Order stating they are either mentally ill, an alcoholic, drug dependent, or a drug abuser.

The transporting deputy shall complete the "Report of Peace Officer" on the reverse side of the Form 1013 or Form 2013 and leave a copy with hospital personnel. Individuals shall not be transported in a marked vehicle unless an unmarked vehicle is not reasonably available for the transport. No female patient shall be transported without another female in attendance that is not a patient, unless the patient can be accompanied by her husband, father, adult brother, or adult son.

- c. Peace Officer Initiated: (O.C.G.A. 37-3-42 or 37-7-42) Deputies may take into custody any person for involuntary treatment if the individual has committed or is committing any punishable offense and the deputy has probable cause to believe that the person is mentally ill, an alcoholic, drug dependent, or a drug abuser.

The person shall be transported directly to Northside Forsyth Hospital for evaluation and treatment; and the transporting deputy shall complete the "Report of Peace Officer" on the reverse side of the Form 1013 or Form 2013 and leave a copy with hospital personnel. The transporting deputy does not have to initiate charges against the individual transported but shall complete an incident report documenting the probable cause of the offense committed and belief that the person falls under any of the applicable categories listed above. Any investigative activities, circumstances, and relevant details of the manner of restraint and transport shall also be documented.

2. Voluntary Treatment

Individuals desiring evaluation shall not be directed to any particular facility. They may be given information for available resources in and around Forsyth County.

- a. Emergency receiving facilities:
 - (1) Northside Forsyth Hospital, Cumming
 - (2) North Fulton Hospital, Roswell

(3) Northeast Georgia Medical Center, Gainesville

- b. Non-emergency treatment facilities:
 - (1) Forsyth County Mental Health
- c. Deputies observing self-neglect by a person who is mentally or physically disabled and/or over the age of 65 which jeopardizes that individual's health should call EMS for patient evaluation and advise the person to accept transport. However, the patient is entitled to refuse treatment or transport unless involuntary committal procedures apply. An APS referral should be completed and transmitted to APS Central Intake for all such incidents.

H. Training

Agency personnel who are expected to deal with individuals suffering from mental illness shall receive entry level training if they have not completed that training during POST certification training. Non-sworn personnel shall receive entry level training as part of their orientation process. Annually, all agency personnel shall receive documented refresher training on the provisions outlined in this policy.

All such training shall be documented and those records shall be maintained by the Training Section.

PROCEDURE: SOP 3-3.104 MISSING CHILDREN

Rescinds/Amends:

Effective Date: August 28, 2018

Committee Review - Date: August 2018

Related Policy(s): SOP 3-3.105

Authorized by: Sheriff Ron H. Freeman

**I MISSING CHILDREN****A. PURPOSE**

The purpose of this chapter is to establish guidelines for the preliminary and follow up investigations of missing and unidentified children, to define certain categories of missing children, and to establish guidelines for the emergency activation of alert systems and response of law enforcement.

B. DEFINITIONS/TERMS

A missing child - anyone 17 years of age and under, that is being reported as missing from his/her usual location within the boundaries of Forsyth County.

An unidentified child – a child whether living or deceased, who appears to be a child and is located unattended within the boundaries of Forsyth county.

Out of the zone of safety for their age and physical and mental condition - The zone of safety will vary depending on age. In the case of an infant, for example, the zone of safety shall include the immediate presence of an adult custodian, or the crib, stroller, or carriage in which the infant was placed. For a school age child, the zone of safety might be the immediate neighborhood or the route taken between home and school.

Mentally diminished - If a child is developmentally disabled, emotionally disturbed, or the victim of disease, they may have difficulty communicating with others about needs, identity, or address. The disability places the child in danger of exploitation or other harm.

A potential victim of foul play or sexual exploitation - Significant risk to the child can be assumed if investigation reveals indications of a possible abduction, violence at the scene of abduction, or signs of sexual abuse.

In a life threatening situation - The environment in which the child is missing may be particularly hazardous. Examples of a dangerous environment could be a busy highway for a toddler, an all-night truck stop for a young teenager, or simply an outdoor environment in inclement weather for any missing child.

Absent from home for more than twenty-four (24) hours before being reported to the Sheriff's Office as missing - While some persons may incorrectly assume that twenty-four (24) hours must pass before Sheriff's Office will accept a missing person case, a delay in reporting might also indicate the existence of neglect or abuse within the family.

Believed to be with persons who could endanger their welfare - A missing child in such circumstances is in danger not only of sexual exploitation, but of involvement in criminal activity such as burglary, shoplifting and robbery.

Is absent under circumstances inconsistent with established patterns of behavior - Most children to some degree have established routines that are reasonably predictable. Significant, unexplained deviations from those routines increase the probability that the person may be at risk.

Critical Missing Child - is any child twelve years of age and younger, that is missing or any child in poor physical or questionable mental health, or any missing child where there is an indication of foul play. Foul play is indicated if the occurrence is grossly out of character for the child, or the reporting party has sufficient reason to believe foul play has occurred. Any child missing under circumstances which would lead a reasonable person to conclude that there is danger if the child is not located immediately (i.e. child missing outdoors in extremely harsh weather or who requires medication, etc.) will also be considered a critical missing child.

NON-Critical Missing Child - is any child over the age of twelve that is missing, NOT in poor physical or questionable mental health and there is no indication of foul play. This group is most often teenagers who leave home voluntarily for a variety of reasons.

- a. RUNAWAY: Most often a teenager, who leaves home voluntarily for a variety of reasons.
- b. THROWN AWAY: A child whose caretaker makes no effort to recover the child who has run away, or who has been abandoned or deserted.

Family Abduction - A non-custodial family member flees with a child, usually in direct violation of a court ordered custody arrangement.

NON-Family Abduction - Child taken by an unknown individual, through force or persuasion, usually in furtherance of additional victimization.

C. ALERTS

A Child is Missing Alert (ACIM) - the Child is Missing alert is a system that uses the local telephone networks to alert residents, via recorded message, to be on the look-out for missing children, missing disabled adults, and/or wanted persons who pose a significant

threat to children in the community. ACIM is staffed 24 hours a day, 7 days a week, 365 days a year. ACIM can be used in conjunction with Levi's Call. ACIM can be used for the following situations: wander-off children (2-5 years); adventurers, habitual runaways where foul play is suspected; first time runaways, with or without foul play suspected, child abductions from home or other areas; and mentally/physically challenged children. The FCSO supervisor must seek approval from the Sheriff or designee prior to activating an ACIM alert. ACIM requires that the deputy be able to answer the following questions prior to contacting them, so they can broadcast an alert via a pre-recorded message:

- Case Number
- Name and description of missing person(s)
- Location last seen, zip code, county and search area
- Date and time last seen
- Sheriff's Office phone number for citizens to report sightings

Once the child has been located, the agency supervisor will notify ACIM so the case can be closed. ACIM can be contacted at 888-875-2246, or if no answer by pager at 954-492-4778. (Reference Attachment A)

Levi's Call/Georgia's Amber Alert - the Levi's Call is an alert initiated by law enforcement when a child has been abducted and is believed to be in danger of being harmed by his/her abductor. This alert system utilizes the Emergency Service Alert System and the Georgia Department of Transportation's changeable message boards, located along major highways around the state. The criteria for a Levi's Call activation consist of the following:

- a confirmed child abduction.
- circumstances surrounding the event must indicate that the child is in danger of harm or death.
- the child is under the age of eighteen (18) years.
- sufficient descriptive information is available to believe that an immediate broadcast will be beneficial.
- the abduction must be entered into the National Crime Information Center (NCIC) database.

A Levi's Call bulletin (as provided with this procedure) will be completed and presented to the Georgia Bureau of Investigation by the assigned investigator. The information required includes a description of the child; a suspect description; a vehicle description and direction of travel; where the abduction took place; where the child was last seen; and a phone number where the public can contact local law enforcement.

'Mattie's Call' - 'Mattie's Call' is an alert/lookout initiated by law enforcement for missing disabled adults (any adult who is developmentally impaired, suffers dementia, or other cognitive impairment) or critically missing children. The system utilizes three phases:

Phase I: the "Child is Missing" system;
Phase II: The Georgia Association of Broadcasters' News Net; and
Phase III: the Georgia Lottery Corporation.

Procedure: If it has been determined through a thorough investigation, that the missing disabled adult or child is in immediate danger of bodily harm or death, a 'Mattie's Call' should be initiated. Before the alert is initiated, the missing person must have been entered onto NCIC, a local and state wide BOLO activated, and the local media notified. The 'Mattie's Call' alert form must be completed. PHASE I (local alert) of the alert system is completed by initiating the ACIM Alert (see above initiation instructions). If it is believed that the missing child has traveled outside of the local area, or there have been no results from PHASE I, PHASE II of the alert should be initiated. PHASE II is completed by faxing or emailing the 'Mattie's Call' information form, along with a photo of the missing person to the Georgia Bureau of Investigation. The information will be forwarded to the Georgia Association of Broadcasters', (GAB) News Net, and may be broadcast by local news agencies. Phase III is the State-wide alert, which is activated by contacting the Georgia Lottery Corporation and providing them with the information that has been collected. The investigating investigator will provide contact telephone numbers that he/she can be reached consistently, in the numbers that he/she can be reached consistently, in the event of other required information for the alert.

Kimberly's Call - Kimberly's Call is an alert/lookout initiated by law enforcement, for criminals who are wanted for serious crimes against persons, and who pose a serious threat to the public. The system has three phases that include:

Phase I: A Child is Missing system,
Phase II: The Georgia Association of Broadcasters' News Net, and
Phase III: the Georgia Lottery Corporation.

Procedure: If it has been determined by the assigned investigator, and approved by the CID supervisor, this alert may be activated for suspect(s) that have active arrest warrants for serious crimes against persons. The suspect must pose a serious threat to the public. This alert can be used in child abduction cases to help locate a suspect if warrants have been issued for their arrest stemming from the abduction. Before the alert can be initiated, there must be an active arrest warrant for the suspect; the suspect's information must have been entered onto GCIC/NCIC; a state wide BOLO placed on the suspect; and the Kimberly's Call information sheet completed. The Phase I can be used if the suspect is believed to be in the immediate community from which the crime was committed, and where children are in danger of being harmed if the subject is not immediately arrested. In Phase I, the investigating investigator must contact ACIM and provide information recorded on the information work sheet. Phase II is intended to alert persons in the regional area where the suspect may be located. In Phase II, the investigating investigator will complete the

Kimberly's Call work sheet, and email or fax it to the GBI. The information will be forwarded to the Georgia Association of Broadcasters' News Net, and may be broadcast by local news agencies. Phase III is the State-wide alert, which is activated by the assigned investigator, by contacting the Georgia Lottery Corporation and providing them with the information that has been collected. The investigating investigator will provide contact telephone numbers that he/she can be reached consistently in the event of other required information for the alert.

D. RESOURCES

Georgia Child Abduction Response Team - The Child Abduction Response Team (CART) is a team of individuals from various state agencies who are trained and prepared to respond to a missing/endangered or abducted child. CART pulls together resources to aid in the search and rescue effort and to assist the agency of jurisdiction in its investigation.

The Georgia CART creates a mutual aid resource inventory and allows for the rapid and organized response required in missing children investigations. Agencies participating in the CART include: GBI, GSP, DNR, EMA, DOC, DHR, DJJ, Pardons and Parole, GADOT.

The occurrence of any of the following may initiate investigative and forensic Involvement, assistance or coordination by CART members:

1. A non-family abduction of a minor child (under the age of 18); or
2. The abduction of a minor child with endangerment circumstances; or
3. Any other abduction or missing child investigation that requires immediate response in order to protect the well-being of the child.

Activation of CART: *(must seek approval from Sheriff or designee)*

1. Missing child reported to local law enforcement agency
2. Local law enforcement agency contacts the **GBI Communications Center at 1-800-282-8746**
3. GBI Communications Center contacts the SAC for that region
4. SAC gathers all information pertaining to missing child
5. SAC requests activation of CART Team. Activation subject to Inspector approval.

Project LifeSaver - In an effort to reduce the risk of injury, and to rapidly locate persons (adult or child) suffering from Alzheimer's, dementia, autism, down syndrome and other cognitive-related conditions that cause them to wander, the Forsyth County Sheriff's Office become a Project LifeSaver response agency.

A person must meet the criteria of having a confirmed, medically diagnosed condition that causes them to wander. Also, the person must have a caretaker that has direct contact with them daily. Citizens enrolled in Project Lifesaver wear a small transmitter on the wrist or ankle that emits an individualized tracking signal. When a caretaker notifies the Sheriff's

Office that the person is missing, a search and rescue team responds to the wanderer's area and starts searching with a mobile locator tracking system.

“LOCATER” – provides Law Enforcement Agencies with access to create and distribute posters to other agencies, media outlets, and the public via E-Mail, Fax, or Print distribution. Access online or by calling NEMEC at 1-800-THE LOST (1-800-84678).

E. RESPONSE PROCEDURES

1. Initial Response - Upon receiving a report of **ANY** missing child or runaway, the responding deputy and supervisor should follow steps as listed below and complete Investigative Checklist for First Responders – Deputy. The shift supervisor **MUST** respond to the scene of ANY missing person(s) call.

- a. Activate patrol-vehicle-mounted video camera when approaching the scene to record vehicles, people and anything else of note for later investigative review.
- b. Interview parents, guardians, and/or person making the initial report.
- c. Confirm the child is in fact missing.
- d. Verify the child's custody status.
- e. Identify the circumstances of the disappearance.
- f. Determine when, where, and by whom the missing child was last seen.
- g. Interview the individuals who last had contact with the child.

2. Critical Missing Child - Initial Investigation

Once the initial seven steps listed in E1 have been completed and it is determined to be a Critical Missing Child case, the on-call investigator and CID supervisor will be notified to be in route, and a command page will be completed. In cooperation with assisting deputies, available investigators, and supervisors, the deputies should follow all below listed steps. Complete Investigative Checklist for First Responders– Deputy.

- a. A deputy should go to the child's home and remain in that area with relatives to protect as a potential crime scene until properly relieved.
- b. Identify the child's zone of safety for his or her age and developmental stage.

- c. Make an **initial assessment**, based on the available information, of the type of incident whether nonfamily abduction, family abduction, runaway, or lost, injured, or otherwise missing.
- d. Obtain a **detailed** description of the missing child, abductor, and any vehicles used.
- e. Secure photograph/videos of the missing child/abductor.
- f. Evaluate whether the circumstances of the child's disappearance meet Levi's Call/Amber Alert criteria and/or other community notification protocol such as ACIM. Discuss plan activation with supervisor.
- g. Relay detailed description information to 911 for a BOLO broadcast and updates.
- h. Determine need for additional personnel including CID, on-duty personnel from any division.
- i. Brief and bring up to date all additional responding personnel.
- j. Identify and separately interview everyone at the scene. Make sure their interview and identifying information is properly recorded. To aid in the process, if possible, take pictures or record video images of everyone present.
 - Note name, address, home/cellular numbers of each person.
 - Determine each person's relationship to the missing child.
 - Document information each person may have about the child's disappearance.
 - Determine when/where each person last saw the child.
 - Ask each person what they think happened to the child.
 - Obtain names, addresses, and telephone numbers of the child's friends, associates, and other relatives and friends of the family.
- k. Continue to keep 911 Center apprised of all appropriate developing information for broadcast updates
- l. Obtain and note permission to search home or building where incident took place **even if the premises have been previously searched by family member or others.**
- m. Conduct an immediate, thorough search of the missing child's home, even if the child was reported missing from a different location.

- n. A deputy or investigator will remain at the scene to seal/protect scene and area of the child's home (including the child's personal articles such as hairbrush, diary, photographs, and items with the child's fingerprints, footprints and/or teeth impressions) so evidence is not destroyed during or after the initial search and to help ensure items which could help in the search for and or to identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph or video record the area.
- o. Evaluate the contents and appearance of the child's room/residence.
- p. Inquire if the child has access to the internet and evaluate its role in the disappearance. Do NOT overlook activity on social-networking websites and teen chat lines.
- q. Ascertain if the child has a cellular telephone or other electronic communications device and obtain the most recent records of their use. Document the cellular provider.
- r. Extend search to surrounding areas including vehicles, including those that are abandoned, and other places of concealment such as abandoned appliances, pools, wells, sheds, or other areas considered "attractive nuisances".
- s. Treat areas of interest as potential crime scenes including all areas where a child may have been or was going to be located.
- t. Determine if surveillance or security cameras in the vicinity may have captured relevant information. This evidence may be used to help locate the child and/or to corroborate or refute witness statements.
- u. Interview other family members, friends and associates of the child, and friends of the family to determine:
 - When each last saw the child.
 - What they think happened to the child.
 - If the child had complained about being approached by anyone.
- v. Notify the Forsyth County Department of Family and Children Services. Obtain any previous case information.
- w. Review sex-offender registries to determine if individuals designated as sexual predators live/work in the area or might otherwise be associated with the case.

- x. Ensure information regarding the missing child is entered into NCIC Missing Person Files **IMMEDIATELY** (within two hours) of report receipt and any information about a suspected abductor is entered in the NCIC Wanted Person File.
 - y. Prepare flier/bulletin with the child/abductor photograph and descriptive information. Distribute in appropriate geographic regions.
 - z. Prepare reports and make all required notifications.
4. Critical Missing Child - Supervisor Responsibilities

Complete Investigative Checklist for *Supervisory* Deputy

The on-duty supervisor will respond to the scene of any type of Missing Person(s) call and ensure that the below steps are completed IMMEDIATELY:

- a. Obtain a briefing from the first responding deputy and other personnel at the scene.
- b. Decide if circumstances meet the protocol in place for activation of a Levi's Call / Amber Alert and/or other immediate community-notification systems if not already activated. (*seek activation approval from Sheriff or designee*)
- c. Determine if additional personnel are needed to assist in the investigation/search. Consider the following resources depending on the circumstances:
 - K9 Teams (FCSO and/or other departments)
 - Mobile Command Center (C.T.O.C. Team)
 - Available on-duty personnel from any division
 - Swift 911 (via Community Relations Unit)
 - Call-out of additional off-duty personnel from any division/team (Special Enforcement Division, SWAT Team, CNT Team, Warrant Unit, Civil Unit, etc.)
 - Marine Patrol Unit
 - Fire Department
 - Other county departments (water, roads/bridges, etc.)
 - Aviation Units (helicopter)
 - CERT Team, DRU, EMA
 - Mutual Aid from surround jurisdictions
- d. Establish a command post **away from the child's residence or incident location** to protect the integrity of the command post and scene.

- e. Assign an "ICS" radio channel (North or South ICS) for the incident.
 - f. Determine if additional assistance is necessary from:
 - The G.B.I. and CART Team (seek approval from Sheriff or designee)
 - Missing-Children Clearinghouse (see approval from Sheriff or designee)
 - F.B.I. (seek approval from Sheriff or designee)
 - Specialized units
 - Victim-Witness Services (i.e. Chaplain, Victim Advocate Unit, etc.)
 - NCMEC's Project ALERT/Team Adam (see approval from Sheriff or designee)
 - g. Confirm all the required resources, equipment and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
 - h. Ensure coordination/cooperation among all law enforcement personnel involved in the investigation and search efforts.
 - i. Verify that all required notifications are made.
 - j. Ensure all agency policies and procedures are in compliance.
 - k. Be available to make any decisions or determinations as they develop.
 - l. Use media including radio, television, Facebook/twitter and newspapers to assist in the search throughout the duration of the case.
 - m. **Activate CART for a critical missing child when no evidence is discovered or viable leads established regarding the location of the child.** (seek approval from Sheriff or designee)
5. Critical Missing Child - Criminal Investigations Division Responsibilities

Complete Investigative Checklist for *Investigative* Deputy

A CID investigator and CID supervisor will respond to the scene of ANY Critical Missing Child call.

- a. Obtain briefing from the first responding deputy and other on-scene personnel.
- b. Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.

- c. Check with the 911 Center and have them research the CAD for any suspicious person/vehicle/activity calls in the area pertaining to the incident.
- d. Conduct a GCIC/NCIC inquiry on the missing child to verify its contents, appropriate indicators (Amber Alert, Child Abduction), etc.
- e. Entering the missing child's information and photograph, if available, on the Locater Alert database by calling 1-800-THE-LOST (1800-84678) to facilitate viewing by other law enforcement agencies nationwide.
- f. Coordinate with the incident commander and initiate a neighborhood canvass using all available resources and standardized questionnaires as provided with this policy, "Missing Person Neighborhood Canvass Form".
- g. Obtain a brief, recent history of family dynamics.
- h. Correct and investigate the reasons for conflicting information offered by witnesses and other individuals, if any.
- i. Collect articles of the child's clothing for scent tracking purposes.
- j. Review and evaluate all available information and evidence collected.
- k. Secure the child's latest medical and dental records.
- l. Contact landfill management and/or vendors and request they segregate garbage and dumping containers from key investigative areas in cases where it is suspected there may be imminent danger to the missing child.
- m. Develop and execute an investigative plan.
- n. Conduct a criminal history check on all principal suspects, witnesses, and participants in the investigation.
- o. Determine what additional resources and specialized services are required.
- p. Ensure details of the case have been reported to NCMEC.
- q. Prepare and update bulletins for local law enforcement agencies, missing children clearinghouse, the GBI, FBI and other appropriate agencies.

- r. Establish a telephone hotline for receipt of tips and leads. Consider establishing an email address and other methods of electronically receiving leads as well (Facebook, etc.)
- s. Implement a Leads Management System to prioritize leads and ensure each one is reviewed and followed up on.

6. Non-Critical Missing Child (Runaway) - Initial Investigation

Personnel responding to a missing person-runaway call will initially complete the seven steps described in Section E1 of this procedure. (Required in all missing persons cases) Once this is completed, the responding deputy will:

- a. Complete a detailed report to include an initial physical description of the child and clothing description. The deputy should also inquire about and document any recent disciplinary or behavioral issues.
- b. Obtain and document any leads as to the possible location (destination, mode of travel, routes, etc.).
- c. Determine the location where the person was last seen, and the identity of the person who last saw the person.
- d. Obtain names and telephone numbers of relatives and friends, and any other information which may assist in locating the person.

The responding deputy will initiate an immediate investigation in an attempt to locate the missing person and relay such information through the on-duty shift supervisor. This investigation will include the following actions:

- a. A broadcast made over the both precinct radio channels with a description of the missing person and any known circumstances.
- b. Deputies will also disseminate information to adjacent agencies, and to the law enforcement agencies in the jurisdiction of any known or suspected destinations.
- c. Locations will be lawfully searched, if the complainant indicates a probable location or locations.
- d. The deputy will initiate and document an immediate into the NCIC/GCIC computer system WITHIN 2 HOURS from time call received. This entry will be removed if the individual is located.
- e. If appropriate, complete a Juvenile Complaint Form.

- f. Interviews with the reporting person, parents, siblings, friends, or any other persons who may have knowledge of the whereabouts of the missing person. These interviews may be made by telephone or in person, but all interviews and attempts to interview will be documented.
- g. Obtain a photograph, if possible, of the missing individual and forward the photograph to CID, so missing person posters can be generated for distribution.
- h. Complete a missing person supplemental and initiate an incident report, with a narrative summary of all actions taken by the reporting deputy, and any related actions known to have been taken by others.
- i. Email a copy of the incident report to the SRO sergeant.

7. Non-Critical Missing Child (Runaway) - Follow-up Investigation

The Criminal Investigations Section will be responsible for the follow-up investigation. The follow-up investigation will include:

- a. Contacting the complainant and completing all aspects of the initial investigation that was not completed by the first responder.
- b. Contacting the Forsyth County Department of Family and Children's Services (DFACS) to request access to any relevant information on the missing child, including: whether or not there is an active case; the name of the case worker; previous missing incidents; previous reported abuse cases; and other information which would lead to the whereabouts of the child.
- c. Contact the child's school and inquire about their attendance record and disciplinary issues.
- d. Contacting the local media and providing them with the information and a photograph, if available, regarding the missing child, to facilitate a broadcast of this information to the public.
- e. Entering the missing child's information and photograph, if available, on the Locator Alert database by calling 1-800-THE-LOST (1800-84678) to facilitate viewing by other law enforcement agencies nationwide.
- f. Contacting The National Center for Missing and Exploited Children (NCMEC) at 1-800-THE-LOST, and provide them with all available information for posting on their website.
- g. Interviewing the child within 48 hours of when he/she is located.

8. Unidentified Child – Initial Investigation

Upon receiving a report of an unidentified child the responding deputy will acquire the following information:

- An initial physical description of the child.
- The identity and location where the child was located, and the identity of the person who located the child.

The responding deputy will initiate an immediate investigation in an attempt to identify the child and relay such information through the on-duty shift supervisor. This investigation will include the following actions:

- a. A broadcast made over the both precinct radio channels with a description of the located child and any known circumstances.
- b. Deputies will also disseminate information to adjacent agencies.
- c. The deputy will initiate and document an immediate entry into the NCIC/GCIC computer system. This entry will be removed if the individual is identified.
- d. Take a photograph of the child and forward the photograph to CID, so posters can be generated for distribution.
- e. Initiate an incident report, with a narrative summary of all actions taken by the reporting deputy, and any related actions known to have been taken by others.
- f. If the child is not identified and a caretaker located within a reasonable amount of time the on-call Special Victims investigator should be summoned to take custody of the child and complete the required Protective Custody paperwork.

9. Unidentified Child - Follow-up Investigation

The Criminal Investigations Section will be responsible for the follow-up investigation. The follow-up investigation will include:

- a. Completing all aspects of the initial investigation that were not completed by the first responding deputy.
- b. Contacting the Forsyth County Department of Family and Children's Services (DFACS) to request access to any relevant information they may have discovered on the unidentified child, including: whether or not there is an active

case; the name of the case worker; previous missing incidents; previous reported abuse cases; and other information which would lead to the identification of the child.

10. Project Life Saver

Deputies will follow the "Critical Missing Person" protocol in section E2 of this procedure in addition to the following procedures concerning Project LifeSaver participants.

The Community Relations Unit is responsible for the administration and maintenance of the Project LifeSaver program. The Community Relations Unit will enter/maintain all information into the Records Management System and will be responsible for having the information entered into the 911 Center CAD System.

- a. When a "Project Life Saver" call is received at the 911 call taker will obtain the transmitter/frequency number and the last location and time the person was last seen. In addition, the call taker will determine if the missing person left on foot or by other means (vehicle, bicycle, boat, etc.)
- b. The agency supervisor will access the Records Management System to ascertain the Project LifeSaver participant's information and photos.
 - Select "search" from the top menu bar, then select "Master Name Index", then on the search screen select "Name Type" (located near the middle of the screen), when the Name Type box appears, select "ARP – At Risk Person", then click "OK", then click on "SEARCH" at the bottom of the screen. All Project LifeSaver participants should then be displayed in the "results area". Double click on the participant and all information should be displayed.
- c. The agency supervisor will confirm the name with transmitter / frequency number.
- d. Once a deputy arrives on scene he or she will confirm with the complainant the name and transmitter number .
- e. During the dispatch of the Project LifeSaver call, and once confirmation has been established there is a "Project Life Saver" missing person, dispatch will contact the opposing precinct watch commander to inform him/her of the Project LifeSaver call. The watch commander or supervisor of the opposing precinct will have the Project LifeSaver tracking equipment from BOTH precincts taken to the incident location/command post. Using two receivers will assist in "triangulating" the person's location, cutting down the search time.
- f. Once the initial responding deputy arrives on scene and confirms the transmitter number/frequency with the complainant, the on-scene deputy will inform the

agency personnel that is responding to the scene with the tracking equipment with the transmitter/frequency information AND the initial movements and direction of the missing person.

- g. The supervisor/deputy responding with the tracking equipment will stop in a safe place and enter the transmitter/frequency number into the Project LifeSaver "receiver". The receiver will then be attached to the "Omni-Directional" antenna. The Omni-Directional antenna should be placed on the roof of the patrol car and then the deputy will continue to the location the missing person was last seen.
 - The Omni-Directional antenna can pick up a signal within a quarter of a mile of the missing person depending on terrain, vegetation, etc.
- h. If the supervisor/deputy picks up a signal from the Omni-Directional antenna while responding to the incident location, the supervisor/deputy will stop and a search will be initiated from the point of the signal using the hand-held "Directional Yagi" antenna.
- i. If the supervisor/deputy with the Omni-Directional antenna receives no signal while enroute to the scene, the supervisor/deputy will continue to the last known location of the missing person. Once at the last known location of the missing person, the receiver will be hooked up to the Directional-Yagi antenna.
- j. To use a hand-held Directional-Yagi, the deputy should stand in one spot and slowly turn around 360 degrees until a signal is received.
 - If a signal is received, deputies should concentrate search efforts in the direction indicated.
 - If a signal can NOT be obtained, the second receiver should be used with the Omni-Directional antenna affixed to the roof of a patrol car. The patrol car can then be driven around until a signal is received. If a signal is received via the Omni-Directional while driving around, follow step 8 above until the missing person is located.
- k. During the initial stages of using the tracking equipment, it is imperative to verify the correct transmitter/frequency has been entered into the tracking devices.

F. REMOVAL OF INFORMATION FROM CRIMINAL JUSTICE SYSTEM

When the missing child is located, the deputy responding will verify the information, and request to have the information removed immediately from GCIC/NCIC by the GCIC Unit. If the missing child is located by the investigator completing the investigation, he/she will be responsible for requesting the removal of the missing person from GCIC/NCIC.

If the 'Mattie's Call' alert was activated and the missing person was located, the assigned investigator must notify the local media, ACIM (A Child is Missing), cancel the state wide BOLO, notify the Lottery Corporation, and notify the GBI, if News Net was utilized.

If the 'Kimberly's Call' alert or 'Mattie's Call' alert was initiated, the assigned investigator must notify the local media, ACIM (A Child is Missing), cancel the state wide BOLO, notify the Lottery Corporation, and notify the GBI, if News Net was utilized.

PROCEDURE: SOP 3-3.105 MISSING ADULTS

Rescinds/Amends:

Effective Date: August 28, 2018

Committee Review - Date: August 2018

Related Policy(s): SOP 3-3.104

Authorized by: Sheriff Ron H. Freeman

**I MISSING ADULTS****A. PURPOSE**

The purpose of this chapter is to establish guidelines for the preliminary and follow up investigations of missing adults; to define certain categories of missing persons; and to establish guidelines for the emergency activation of alert systems and response of law enforcement.

B. DEFINITIONS/TERMS

Missing Adult - A missing adult is anyone 18 years of age or older that is being reported as missing from his/her usual location within the boundaries of Forsyth County. If it is determined by the deputy or the supervisor at the scene that foul play or the possibility of foul play has occurred; or if it is determined that the missing adult is elderly, confused, depressed, suicidal, mentally challenged or danger to the missing person; the missing adult will be classified as a Critical Missing Adult.

Critical Missing Adult - A critical missing adult is any missing person in poor physical, or questionable mental health; or any missing person where there is an indication of foul play or is considered suicidal, may have been involved in a boating, swimming or other sporting accident or a natural disaster. Foul play is indicated if the occurrence is grossly out of character for the person missing, or the reporting party has sufficient reason to believe foul play has occurred.

Mentally Diminished - If a person is developmentally disabled, emotionally disturbed, or the victim of disease, they may have difficulty communicating with others about needs, identity, or address. The disability places the person in danger of exploitation or other harm.

In a life threatening situation - The environment in which the person is missing may be particularly hazardous. Examples of a dangerous environment could be an outdoor environment in inclement weather for an elderly missing person or a busy highway for a person with Alzheimer's.

Absent from home for more than twenty-four (24) hours before being reported to the Sheriff's Office - While some persons may incorrectly assume that twenty-four (24) hours must pass before law enforcement will accept a missing person case, a delay in reporting might also indicate the existence of neglect or abuse within the family.

Is absent under circumstances inconsistent with established patterns of behavior- Most adults to some degree have established routines that are reasonably predictable. Significant, unexplained deviations from those routines increase the probability that the person may be at risk.

C. ALERTS

A Child is Missing Alert (ACIM) - The 'Child is Missing' alert is a system that uses the local telephone networks to alert residents, via recorded message, to be on the look-out for missing children, **missing disabled adults, and/or wanted persons who pose a significant threat** to children in the community. ACIM is staffed 24 hours a day, 7 days a week, 365 days a year. ACIM can be used for the following situations: **elderly (Alzheimer's), and mentally/physically challenged missing adults**. The FCSO supervisor must receive approval from the watch commander prior to activating an ACIM alert. ACIM requires that the deputy be able to answer the following questions prior to contacting them, so they can broadcast an alert via a pre-recorded message:

- Case Number
- Name and description of missing person(s)
- Location last seen, zip code, county and search area
- Date and time last seen
- Sheriff office number for citizens to report sightings

Once the person has been located, the FCSO supervisor will notify ACIM so the case can be closed. ACIM can be contacted at 888-875-2246, or if no answer by pager at 954-492-4778.

'Mattie's Call' - 'Mattie's Call is an alert/lookout initiated by law enforcement for missing disabled adults (any adult who is developmentally impaired, suffers dementia, or other cognitive impairment). The system utilizes three phases:

Phase I: the "Child is Missing" system;

Phase II: The Georgia Association of Broadcasters' News Net; and

Phase III: the Georgia Lottery Corporation.

Procedure: If it has been determined through a thorough investigation, that the missing disabled adult is in immediate danger of bodily harm or death, a 'Mattie's Call' should be initiated. Before the alert is initiated, the missing person must have been entered onto NCIC, a local and state wide BOLO activated, and the local media notified. The 'Mattie's

Call' alert form must be completed. PHASE I (local alert) of the alert system is completed by initiating the ACIM Alert (see above initiation instructions). If it is believed that the missing person has traveled outside of the local area, or there have been no results from PHASE I, PHASE II of the alert should be initiated. PHASE II is completed by faxing or emailing the 'Mattie's Call' information form, along with a photo of the missing person to the Georgia Bureau of Investigation. The information will be forwarded to the Georgia Association of Broadcasters', (GAB) News Net, and may be broadcast by local news agencies. Phase III is the State-wide alert, which is activated by contacting the Georgia Lottery Corporation and providing them with the information that has been collected. The investigating detective will provide contact telephone numbers that he/she can be reached consistently, in the numbers that he/she can be reached consistently, in the event of other required information for the alert.

D. RESOURCES

Project LifeSaver - In an effort to reduce the risk of injury, and to rapidly locate persons (adult or child) suffering from Alzheimer's, dementia, autism, down syndrome and other cognitive-related conditions that cause them to wander, the Forsyth County Sheriff's Office become a Project LifeSaver response agency.

A person must meet the criteria of having a confirmed, medically diagnosed condition that causes them to wander. Also, the person must have a caretaker that has direct contact with them daily. Citizens enrolled in Project Lifesaver wear a small transmitter on the wrist or ankle that emits an individualized tracking signal. When a caretaker notifies the Forsyth County Sheriff's Office that the person is missing, a search and rescue team responds to the wanderer's area and starts searching with a mobile locator tracking system.

"Suzanne's Law" – is a Federal Statute requiring local law enforcement to notify the National Crime Information Center (entry made on GCIC/NCIC) when someone between 18 and 21 years of age reported missing was signed into law by President Bush as part of the national "Amber Alert" bill. The federal law is named after Suzanne Lyall, a State University of New York at Albany student who has been missing since 1998. Previously police were only required to report missing persons under the age of 18. This new law, sponsored by Congressman John Sweeney (R-NY) is intended to spur police to initiate prompt investigations into missing young people. (the following policy requires GCIC/NCIC entry of missing persons to be made within 2 hours on ANY missing persons case).

E. RESPONSE PROCEDURES

1. Initial Response – An on-duty supervisor **MUST ALWAYS** respond to the scene of **ANY** missing person(s) call. There is no waiting period for reporting a missing person. Missing person reports shall be taken in person or by telephone in conformance with the criteria of this policy and the criticality of the incident.
 - a. A person may be declared “missing” when the person’s whereabouts is unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject’s behavior patterns, plans, or routines.
 - b. Based on the outcome of the initial inquiries, a decision should be made concerning the potential danger posed to the missing person and the urgency of a law enforcement response. A classification on what type of missing person case should be made immediately based on the totality of the circumstances.
 - c. The first arriving deputy must gather as much pertinent information as possible in order to properly classify a missing person report and initiate the proper response. This includes the following information:
 - Name, age, and physical description of the subject and the relationship of the reporting party to the missing person.
 - Time and place of the last known location and the identity of anyone accompanying the subject.
 - The extent of any search for the subject prior to deputy’s arrival.
 - Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans.
 - Whether the individual has been involved recently in domestic incidents; suffered emotional trauma or life crises; demonstrated unusual, uncharacteristic, or bizarre behavior; is dependent on drugs or alcohol, or has a history of mental illness.
 - The current physical condition of the subject and whether the person is currently on prescription medication.
 - Obtain a photograph of the person if possible.
 - Whether medical and dental records are available.
 - A broadcast shall be made over the appropriate precinct radio channel(s) with a description of the missing person and any known circumstances. Deputies will also disseminate information to adjacent agencies, and to the law enforcement agency(s) in the jurisdiction of any known or suspected destinations.
 - Names and telephone numbers of relatives and friends, and any other information which may assist in locating the person.

2. The responding deputy will initiate an immediate investigation in an attempt to locate the missing person and relay such information through the on-duty supervisor. This investigation will include the following actions:
 - a. Locations will be lawfully searched, if the complainant indicates a probable location or locations.
 - b. The deputy will initiate and document an immediate entry into the NCIC/GCIC computer system; within 2 hours of the missing person call being received. This entry will be removed if the individual is located.
 - c. Interviews with the reporting person, a spouse, parents, siblings, friends, employers, co-workers, or any other persons who may have knowledge of the whereabouts of the missing person. These interviews may be made by telephone or in person, but all interviews and attempts to interview will always be documented.
 - d. Obtain a photograph, if possible, of the missing individual and forward the photograph to CID, so missing person posters can be generated for distribution.
 - e. Initiate an incident report, with a narrative summary of all actions taken by the reporting deputy, and any related actions known to have been taken by others.
3. Missing Adult Follow-up Investigation

The Criminal Investigation Section will be responsible for the follow-up investigation. The follow-up investigation will include:

- a. Contacting the complainant and completing all aspects of the initial investigation that was not completed by the first responder.
- b. Continue to follow up on any leads as necessary.
- c. Contacting the local media and providing them with the information and a photograph, if available, regarding the missing adult to facilitate a broadcast of this information to the public.

4. Critical Missing Adult - Initial Investigation

Complete Investigative Checklist for Missing Adult

The on-scene supervisor shall make a determination if the missing person is a Critical Missing Adult. If the case is determined to be a Critical Missing Adult, the on-call investigator will be notified to be in route, and a command page will be completed. In

cooperation with assisting deputies, available investigators, and supervisors, the deputies should follow all below listed steps.

- a. Activate patrol-vehicle-mounted video camera when approaching the scene to record vehicles, people and anything else of note for later investigative review.
- b. Interview spouse, and/or person making the initial report.
- c. Identify the circumstances of the disappearance.
- d. Determine when, where, and by whom the missing adult was last seen.
- e. Interview the individuals who last had contact with the missing adult.
- f. Identify whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans.
- g. Whether the individual has been involved recently in domestic incidents; suffered emotional trauma or life crisis; demonstrated unusual, uncharacteristic, or bizarre behavior; is dependent on drugs or alcohol, or has a history of mental illness.
- h. The current physical condition of the subject and whether the person is currently on prescription medication.
- i. A deputy should go to the incident location of the missing adult remain in that area to protect as a potential crime scene until properly relieved.
- j. If questionable mental health is a possibility, identify the person's zone of safety for his or her cognitive stage.
- k. Make an **initial assessment**, based on the available information, of the type of incident whether or lost, injured, boating/swimming incident, sporting event, or otherwise missing.
- l. Obtain a **detailed** description of the missing person, abductor, other person(s) accompanying the victim and any vehicles used.
 - Secure photograph/videos of the missing person and accompanying persons.
 - Relay detailed description information to 911 for a BOLO broadcast and updates.
 - Brief and bring up to date all additional responding personnel.

- m. Identify and separately interview everyone at the scene. Make sure their interview and identifying information is properly recorded. To aid in the process, if possible, take pictures or record video images of everyone present.
 - Note name, address, home/cellular numbers of each person.
 - Determine each person's relationship to the missing person.
 - Document information each person may have about the person's disappearance.
 - Determine when/where each person last saw the missing person.
 - Ask each person what they think happened to the missing adult.
 - Obtain names, addresses, and telephone numbers of the adult's friends, associates, and other relatives and friends of the family.
- n. Continue to keep 911 Center apprised of all appropriate developing information for broadcast updates
- o. Inquire if the person has access to the internet and evaluate its role in the disappearance. Do NOT overlook activity on social-networking websites and chat lines.
- p. Ascertain if the missing adult has a cellular telephone or other electronic communications device and obtain the most recent records of their use. Document the cellular provider.
- q. Treat areas of interest as potential crime scenes.
- r. Determine if surveillance or security cameras in the vicinity may have captured relevant information. This evidence may be used to help locate the missing adult and/or to corroborate or refute witness statements.
- s. Interview other family members, friends and associates of the missing adult, and friends of the family to determine:
 - When each last saw the missing adult.
 - What they think happened to the missing adult.
 - If the missing adult had complained about being approached, harassed or bothered by anyone.
- t. Check with 911 Center for any previous suspicious person/vehicle/activity calls in the area.
- u. Check with local Taxi Cab companies to see if the missing person was picked up by a Taxi.
- v. Check with local hospital facilities for the missing person.

- w. Ensure information regarding the missing person is entered into NCIC Missing Person Files IMMEDIATELY (within two hours) of report receipt and any information about a suspected abductor is entered in the NCIC Wanted Person File. (entry within 2 hours will ensure compliance with Suzanne's Law)
 - x. Prepare/complete all required reports.
5. Critical Missing Adult - Supervisor Responsibilities

Complete Investigative Checklist for *Supervisory Deputy*

The on-duty supervisor will respond to the scene of any type of Missing Person(s) call and ensure that the below steps are completed IMMEDIATELY:

- a. Obtain a briefing from the first responding deputy and other personnel at the scene.
- b. Evaluate whether the circumstances of the disappearance meet "Mattie's Call" or "A Child is Missing Alert" (*can be for missing disabled adults*) criteria and/or other community notification protocol (Facebook/Twitter). Discuss plan activation with watch commander.
- c. Extend search to surrounding areas.
- d. Determine if additional personnel are needed to assist in the investigation / search. Consider the following resources **depending on the circumstances**:
 - K9 Teams (FCSO and/or other departments)
 - Swift 911 (via Community Relations Unit)
 - Mobile Command Center (C.T.O.C. Team)
 - Available on-duty personnel from any division
 - Call-out of additional off-duty personnel from any division/team (Special Enforcement Division, SWAT Team, CNT Team, Warrant Unit, Civil Unit, etc.)
 - Marine Patrol Unit
 - Fire Department
 - Other county departments (water, roads/bridges, etc.)
 - Aviation Units (helicopter)
 - CERT Team, DRU, EMA
 - Mutual Aid from surround jurisdictions
- e. Establish a command post **away from the incident location** to protect the integrity of the command post and potential crime scene.
- f. Assign an "ICS" radio channel (North or South ICS) for the incident.

- g. Collect articles of the missing persons clothing for scent tracking purposes.
 - h. Obtain and note permission to search home or building where incident took place **even if the premises have been previously searched by family member or others. (be mindful of any search warrant criteria, crime scene, etc.)**
 - i. Confirm all the required resources, equipment and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
 - j. Review sex-offender registries to determine if individuals designated as sexual predators live/work in the area or might otherwise be associated with the case.
 - k. Ensure coordination/cooperation among all law enforcement personnel involved in the investigation and search efforts.
 - l. Verify that all required notifications are made. (update necessary command pages).
 - m. Ensure all agency policies and procedures are in compliance.
 - n. Be available to make any decisions or determinations as they develop.
 - o. Use media including radio, television, Facebook/Twitter and newspapers to assist in the search throughout the duration of the case.
6. Critical Missing Person – CID Follow-up Investigation

Complete Investigative Checklist for *Investigative* Deputy

A CID investigator and CID supervisor will respond to the scene of ANY Critical Missing Person call.

- a. Obtain briefing from the first responding deputy and other on-scene personnel.
- b. Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.
- c. **Conduct a GCIC/NCIC inquiry on the missing person to verify its contents, appropriate indicators, etc.**
- d. Coordinate with the incident commander and initiate a neighborhood canvass using all available resources and standardized questionnaires as provided with this policy, "Missing Person Neighborhood Canvass Form".

- e. Obtain a brief, recent history of family dynamics.
 - f. Correct and investigate the reasons for conflicting information offered by witnesses and other individuals, if any.
 - g. Review and evaluate all available information and evidence collected.
 - h. Secure the missing person's latest medical and dental records.
 - i. Develop and execute an investigative plan.
 - j. Conduct a criminal history check on all principal suspects, witnesses, and participants in the investigation.
 - k. Determine what additional resources and specialized services are required.
 - l. If applicable, ensure details of the case have been reported to "Mattie's Call" and/or "A Child is Missing" (*can be for missing disabled adults*).
 - m. Establish a telephone hotline for receipt of tips and leads. Consider establishing an email address and other methods of electronically receiving leads as well (Facebook/Twitter, etc.)
 - n. Implement a Leads Management System to prioritize leads and ensure each one is reviewed and followed up on.
 - o. Prepare and update bulletins/bolos for local law enforcement agencies, missing GBI, FBI and other appropriate agencies.
7. Project LifeSaver

Deputies will follow the "Critical Missing Person" protocol in section 4 of this policy in addition to the following procedures concerning Project LifeSaver participants.

The Community Relations Units is responsible for the administration and maintenance of the Project LifeSaver program. The Community Relations Unit will enter/maintain all information into the Records Management System and will be responsible for having the information entered into the 911 Center CAD System.

- a. When a "Project Life Saver" call is received at the 911 call taker will obtain the transmitter/frequency number and the last location and time the person was last seen. In addition, the call taker will determine if the missing person left on foot or by other means (vehicle, bicycle, boat, etc.)

- b. The on-duty supervisor will access the Records Management System to ascertain the Project LifeSaver participant's information and photos.
 - Select "search" from the top menu bar, then select "Master Name Index", then on the search screen select "Name Type" (located near the middle of the screen), when the Name Type box appears, select "ARP – At Risk Person", then click "OK", then click on "SEARCH" at the bottom of the screen. All Project LifeSaver participants should then be displayed in the "results area". Double click on the participant and all information should be displayed.
- c. The supervisor will confirm the name with transmitter / frequency number.
- d. Once a deputy arrives on scene he or she will confirm with the complainant the name and transmitter number.
- e. During the dispatch of the Project LifeSaver call, and once confirmation has been established there is a "Project Life Saver" missing person, dispatch will contact the opposing precinct watch commander to inform him/her of the Project LifeSaver call. The watch commander or supervisor of the opposing precinct will have the Project LifeSaver tracking equipment from BOTH precincts taken to the incident location/command post. Using two receivers will assist in "triangulating" the person's location, cutting down the search time.
- f. Once the initial responding deputy arrives on scene and confirms the transmitter number/frequency with the complainant, the on-scene deputy will inform the FCSO personnel that is responding to the scene with the tracking equipment with the transmitter/frequency information AND the initial movements and direction of the missing person.
- g. The supervisor/deputy responding with the tracking equipment will stop in a safe place and enter the transmitter/frequency number into the Project LifeSaver "receiver". The receiver will then be attached to the "Omni-Directional" antenna. The Omni-Directional antenna should be placed on the roof of the patrol car and then the deputy will continue to the location the missing person was last seen.
 - The Omni-Directional antenna can pick up a signal within a quarter of a mile of the missing person depending on terrain, vegetation, etc.
- h. If the supervisor/deputy picks up a signal from the Omni-Directional antenna while responding to the incident location, the supervisor/deputy will stop and a search will be initiated from the point of the signal using the hand-held "Directional Yagi" antenna.

- i. If the supervisor/deputy with the Omni-Directional antenna receives no signal while enroute to the scene, the supervisor/deputy will continue to the last known location of the missing person. Once at the last known location of the missing person, the receiver will be hooked up to the Directional-Yagi antenna.
- j. To use a hand-held Directional-Yagi, the deputy should stand in one spot and slowly turn around 360 degrees until a signal is received.
 - If a signal is received, deputies should concentrate search efforts in the direction indicated.
 - If a signal can NOT be obtained, the second receiver should be used with the Omni-Directional antenna affixed to the roof of a patrol car. The patrol car can then be driven around until a signal is received. If a signal is received via the Omni-Directional while driving around, follow step "h" above until the missing person is located.
- k. During the initial stages of using the tracking equipment, it is imperative to verify the correct transmitter/frequency has been entered into the tracking devices.

F. REMOVAL OF INFORMATION FROM CRIMINAL JUSTICE SYSTEM

When the missing person or critical missing person is located, the deputy responding will verify the information, and request to have the information removed immediately from GCIC/NCIC by the GCIC Unit. If the missing person is located by the investigator completing the investigation, he will be responsible for requesting the removal of the missing person from GCIC/NCIC. If the 'Mattie's Call' alert was activated and the missing person was located, the assigned investigator must notify the local media, ACIM (A Child is Missing), and cancel the BOLO.

PROCEDURE: SOP 3-3.106 ALARMS

Rescinds/Amends: SOP 3-7.107

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 3-3.1

Authorized by: Sheriff Ron H. Freeman

**I RESPONSE TO SILENT / AUDIBLE ALARMS**

It is the responsibility of the Forsyth County Sheriff's Office to respond to silent and audible alarms as quickly and safely as possible. Further, it is the responsibility of the Sheriff's Office to thoroughly check the structure serviced by the alarm to ensure there is no burglary or hold-up which has taken place.

In performing this function, deputies MUST ALWAYS REMEMBER that the persons who commit these crimes are **CONSIDERED DANGEROUS**. Due to this danger and the danger to private citizens, the deputy must approach these calls with the utmost alertness and professionalism.

A. GENERAL

1. Normally, at least two (2) deputies will be dispatched for silent alarms and one (1) deputy for audible alarms.
2. The deputies should inspect the premises to determine if there is any evidence of entry.
3. If the deputy determines entry has been made, the deputy will immediately notify the 911 Communications Center of such entry and request assistance. The deputy will then attempt to cover the location from the outside and wait until assistance arrives before searching the building.
4. If the owner/manager has been notified but there will a considerable time span prior to their arrival on scene, the deputy will return to service and request the dispatcher to instruct the owner / manager to call the 911 Communications Center upon his arrival so that the deputy can return.
5. In the event of storm(s) causing numerous alarms, the supervisor may have the deputies' check the calls while remaining in service or choose priority alarms such as glass breakage or high profile businesses. The deputy will consult their supervisor for instructions.

B. BANK ALARMS / NORMAL HOUR BUSINESS ALARMS

1. When the alarm is activated, The 911 Communications Center will dispatch a car immediately. Upon arrival, the deputy will take up a position where he can observe all entrances and exits if possible and still remain out of sight from persons within the business.
2. The 911 Communications Center will then telephone the bank / business and ask if the alarm is valid. If the bank / business official advises the bank / business is okay, the dispatched car will be advised immediately.
3. The bank / business official will then be asked by the 911 Communications Center to meet the responding deputy outside the bank / business in a safe location (away from the front door).
4. Prior to exiting the building, a complete description of the official, including clothing colors will be obtained by the 911 Communications Center and relayed to the deputy. If no one appears, the deputy is to treat the call as a Robbery-in-Progress, take cover and call for backup.

C. MONITORING AND RESPONDING TO PRIVATE SECURITY ALARMS

The 911 Communications Center does not monitor private security alarms. However, the agency does respond to calls received from private alarm companies that handle burglary and holdup alarms for businesses, financial institutions and private residences. Upon receipt of an alarm call, deputies will be dispatched in accordance with current procedures.

**PROCEDURE: SOP 3-3.107 MOBILE / BODY
WORN VIDEO CAMERA
RECORDING**

Rescinds/Amends:

Effective Date: June 12, 2020

Committee Review - Date: June 2020

Related Policy(s): GO 3-3.1

Authorized by: Sheriff Ron H. Freeman



Purpose: The purpose of this policy is to establish procedures for use, maintenance, and control of Forsyth County Sheriff's Office' Mobile Video Cameras (hereinafter, "MVC" [s]) and Body Worn Cameras (hereinafter, "BWC" [s]). This Sheriff's Office utilizes MVCs and BWCs for the purpose of recording audio and video accounts of interactions between members of the agency and the public. The cameras record events such as arrests, critical incidents, investigations, interactions between deputies and inmates at the Forsyth County Jail and numerous other law enforcement and detention objectives that may be deemed appropriate.

The Forsyth County Sheriff's Office recognizes that audio and video (hereinafter, "data") captured may not accurately reflect the perception of the deputy. The technology utilized cannot precisely mimic the physiology or cognitive process of a human. A deputy turning his or her head, focusing his or her vision on a particular object, or experiencing auditory exclusion MIGHT observe something NOT captured by the camera. In the same manner, a deputy might NOT observe something that IS captured by the camera. In either situation, a deputy cannot be expected to have seen and/or heard exactly what the camera recorded.

The data captured is only a two-dimensional representation of the event. Clues or interaction that deputies detect may or may not be visible such as an individual preparing to fight/run, spitting on/at the deputy, threats/fighting words muttered or whispered, muscles tensing, jaws clenching, as well as numerous other indicators. The MVCs and BWCs also have no recollection of events, no experience to draw upon, no human interaction abilities, and have no prior training; all of which a deputy relies upon when making decisions, sometimes in a fraction of a second.

MVC and BWC recordings can be invaluable to law enforcement for both evidentiary and training purposes. Proper safeguards need to be in effect which shall ensure their equitable use as well as the proper preservation of evidence. The purpose of the MVC and BWC does not include capturing audio and/or video recordings of deputies' private conversations where there is an expectation of privacy, strategy or information sharing sessions, meal breaks, and/or tactical preparations.

Policy: It is the policy of the Forsyth County Sheriff's Office to utilize Mobile and Body-Worn Video Cameras (MVC/BWC) to record and document specific categories of law enforcement interactions with the public and certain interactions with inmates at the Forsyth County Jail. This policy also institutes parameters governing the viewing, storage, and dissemination of the associated audio-visual recordings.

The Audio and Video captured by these cameras is beneficial in many ways, some of which are:

- A. As evidence in court;
- B. Review of citizen claims of misconduct;
- C. Effective defense against civil litigation;
- D. Documentation of Crime and Vehicle Crash Scenes or other events that include the confiscation of evidence or contraband; AND
- E. They provide the agency with "real world" training material.

DEFINITIONS

Mobile Video Camera (MVC): Authorized recording device mounted in/on a Forsyth County Sheriff's Office Vehicle for the purpose of recording video and/or audio of incidents.

Body Worn Camera (BWC): Authorized recording device issued by the Forsyth County Sheriff's Office, worn on the deputy's person, for the purpose of recording video and/or audio of incidents.

Data: The file created of the audio and/or video captured by the hardware portion of the MVC or BWC camera.

Download: The process of retrieving, transferring, and/or viewing data from a MVC/BWC or data storage location (local or Cloud).

Field of View (FOV): That which can be detected via the human eye or that which is detected by the lens of the hardware (camera).

Reviewing data: The process of listening to audio and/or watching video data captured by a MVC or BWC through a defined means.

Tag or tagging of data: The process of adding metadata to data that has been captured by the MVC or BWC hardware.

Upload: The process of removing or copying data from the initial point of capture on the MVC or BWC hardware and transferring to a storage location.

I VIDEO RECORDING**A. OPERATION OF MOBILE VIDEO RECORDING and BODY WORN VIDEO RECORDING SYSTEM**

MVCs and BWCs shall be utilized, when available, in accordance with agency policy for both on duty assignments and extra duty jobs. These cameras and all data captured (includes audio and video) are the sole property of the Forsyth County Sheriff's Office. The cameras are not authorized for personal use.

1. Mobile Video Recording System (MVC)

The following tasks must be accomplished each time the MVC is placed into operation:

- a) Inspect the camera to make sure that it is functioning properly and in good working order, with correct time and date and properly aligned.
- b) Inspect the vehicle windshield to ensure it is clean and free of streaks and the dashboard is free of articles blocking the camera view.
- c) The deputy shall be required to log into the vehicle's mobile video recording system using their assigned badge number plus a unique identifying number.
- d) If applicable to the MVC system installed in the vehicle, ensure the Body Mic battery is fully charged and "synced" with the recording unit to ensure the audio from the event is recorded.
- e) The deputy shall classify/tag events captured. This can be done while in the car, immediately after the event or at any computer with the digital software.
- f) At the end of each shift, the assigned deputy shall ensure that all video/audio is downloaded.
- a) All audio/video data captured on MVCs will automatically be deleted at the end of the One Hundred Eighty (180) day retention period unless the video has been properly classified/tagged.
- g) Any problems encountered with the MVC shall be reported immediately to a supervisor.

2. The following tasks must be accomplished each time the BWC is placed into operation:

- b) Insure the BWC battery is fully charged.
- c) The BWC shall be properly attached to the Deputy's uniform in an approved mounting device.
- d) The deputy shall classify/tag significant events captured. This can be done while in the car, immediately after the event or at any computer with the digital software.

NOTE: All Jail Bureau Deputies utilizing BWCs shall notify their supervisor of significant events recorded. The supervisor shall classify/tag these events in the video software.

- e) At the end of each shift, the assigned deputy shall attach the BWC to a "docking station" where all video will be downloaded.

- f) All audio/video data captured on BWCs will automatically be deleted at the end of the One Hundred Eighty (180) day retention period unless the video has been properly classified/tagged.
- g) Any problems encountered with the BWC shall be reported immediately to a supervisor.

B. USE of PERSONAL RECORDING DEVICE

In the rare occasion a personal device is needed to record audio or video, the data will, as soon as possible, be placed into evidence or attached to the incident report within the report management system (RMS). The collected data will then be immediately removed from the officer or civilian personnel's device.

C. USE OF MVC and/or BWC

Deputies may record in any place when acting within the lawful performance of his or her official duties, see O.C.G.A. 16-11-62 (2) (D).

1. Prior to Activation:

- a. MVCs and BWCs shall only be used by deputies who have successfully completed the required training.
- b. Deputies issued BWCs shall be required to wear them on duty and while working agency approved extra-duty employment. Deputies shall wear the BWC hardware in conjunction with their uniform as deemed necessary/proper, specific to the manufacturer and model of the equipment.
- c. Deputies are responsible for the care, maintenance, and security of the equipment. BWCs are sensitive electronic devices and should be treated with appropriate care. When not in use, the equipment should remain in a secure dry location which shall not expose the hardware to extreme temperatures. (An example of where NOT to store a BWC is the trunk of a vehicle).

2. ACTIVATION

Deputies shall make every reasonable effort to activate their MVC and/or BWC (audio and video) prior to initiating or as soon as practical after initiating actions such as but not limited to:

- a. All Use of Force Incidents
- b. Vehicle pursuits;
- c. Traffic stops;
- d. DUI investigations;
- e. High risk/felony stops;
- f. Whenever lights and sirens are activated;
- g. When contacting suspicious persons;
- h. Any interaction with the public or jail inmates, regardless of context, that has the potential to or does escalate and become adversarial.
- i. When backing up another deputy involved in one of the above stated activities;
- j. On-Scene Crash Investigations;
- k. During cell checks, head count, pat downs, inmate escorts and disturbances at the jail;

- l. For training purposes; and/or
- m. Any time when, at the deputy's discretion, the recording of events further the Sheriff's Office mission.

Deputies are not required to activate their MVC or BWC during routine incidental contact (i.e. giving navigational directions, civic related information, town hall meetings, general discussion with an inmate, etc.). Also, deputies shall not be required to activate or deactivate their MVC or BWC based solely on the requests or demands of a citizen, but rather rely on their training and this policy to guide them in their use.

It is not required for deputies to inform the public or inmates that they are using the equipment unless asked. Deputies shall inform those who ask that audio/video recording equipment is in use.

3. RESTRICTIONS ON ACTIVATION OF MVCs and BWCs

MVCs and BWCs shall be used only in conjunction with official law enforcement duties. They shall not be activated to record:

- a) Intelligence gathering communication between a deputy and confidential informant(s).
- b) To surreptitiously record any agency personnel or other government personnel without their consent, court order, or lawful permission by the Sheriff or designee.
- c) When on a break or engaged in personal activities.
- d) In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room, except in performance of lawful duties.
- e) Tactical briefings or other operational briefings which may discuss safety and security procedures.
- f) Strip searches.
- g) Doctor or lawyer's offices, except in performance of lawful duties.
- h) Medical or hospital facilities, except in performance of lawful duties.
- i) Federal, State and Local Courthouse where restrictions apply.

4. DISCRETIONARY USE OF MVCs and BWCs

There are limited circumstances when deputies have discretion to activate or deactivate their MVC or BWC. These include:

- a. When a deputy has reason to believe that the use of the MVC or BWC would impede or limit the cooperation of a victim or witness during an investigative contact;
- b. A victim, witness, or confidential informant requests that they not be recorded as a condition of cooperation and the interests of justice requires such cooperation.
- c. Note that if a citizen requests that a deputy deactivate a MVC or BWC during a lawful contact, the deputy has no obligation to stop recording if the recording is pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary.

- d. An encounter where the deputy is being provided confidential information. Note: The deputy may not know at the start of the recording that confidential information is to be provided. In this instance, the recording shall be stopped and the deputy shall narrate to the camera the reason for terminating the recording.

D. CONTINUITY of RECORDING

In order to ensure the integrity of the recording, the MVCs and BWCs (audio and video) shall usually remain activated until the recorded event is concluded. However, the recording may be suspended or terminated under certain circumstances such as:

- 1) When a deputy is at a scene or expected to be at a scene for an extended period of time. This may only be done after the scene is secured and there are no citizen interactions relevant to the investigation. (Examples of these situations would be a deputy posted on a perimeter of a secured crime scene or a deputy is standing-by at a detention facility or medical center with no direct contact with the detainee/arrestee.) If during this time there is incident-relevant citizen/detainee contact, the deputy shall activate the appropriate camera.
- 2) When a deputy engages in conversations with individuals with whom they have a privileged relationship (e.g. spouse, attorney, doctor, clergy, etc.).
- 3) When a deputy is at a secure crime scene and the MVC or BWC to be used periodically to capture photographs for evidence recording/processing. If during this time there is incident-relevant citizen/detainee contact, the deputy shall activate the appropriate camera to record video & audio.

Deputies should exercise sound judgment when deciding when to suspend or terminate a MVC or BWC recording. Anytime a recording is suspended or terminated prior to the end of the incident/citizen encounter, the reason(s) should be documented both on the MVC and/or BWC recording and in the subsequent incident report. If no incident report is generated, then the reasons(s) should be documented on the citation, field interview card, jail incident report or accident report.

If a deputy equipped with a MVC or BWC fails to activate the camera or fails to record the entire contact as required by this policy, the deputy shall document why a recording was not made or interrupted in an incident or supplemental report or in instances where an incident report was not completed, in a memo to their supervisor.

E. SUPERVISOR RESPONSIBILITIES

1. On at least a monthly basis, randomly review a video recording of each shift member to ensure the following:
 - a. The equipment is operating properly;
 - b. Deputies are using the devices appropriately and in accordance with policy;
 - c. To identify any areas in which additional training or guidance is required.
2. Review all videos which have triggered an 'alert' in the Video Recording System.

The MVC and BWC system software electronically records the frequency and quantity of video reviewed by users.

F. ACCESS TO STORED DATA

All data captured by the issued MVCs and BWCs is the sole property of the Forsyth County Sheriff's Office and must be retained and/or disposed of as directed by state law and this Agency's needs as defined in this policy. No deputy shall attempt to erase, edit, or otherwise alter any data captured by a BWC, other than in accordance with this Agency's policy, retention schedules and state law.

The data may be used to assist in the following instances:

1. Sheriff's Office administrative review;
2. Solicitor's Office;
3. District Attorney's office;
4. Case Deputy;
5. Sheriff's Office Investigators;
6. Training Supervisor for use in agency training;
7. The Sheriff or his designee.

The data captured must not be shown or given to unauthorized persons other than in accordance with specified exemptions. Examples of unauthorized uses of this data include but are not limited to:

1. Downloading the data for personal use (whether to a disc, drive of any kind, by use of any recording device or unauthorized computer);
2. Sharing the data with anyone for his or her personal use.

Citizens generally shall not be allowed to review data captured by a MVC or BWC. Any requests to review data shall be treated as an Open Records Request. However, special circumstances may arise, such as a civilian reviewing the data to identify property or a person. In these circumstances, supervisory approval is necessary before the data is reviewed and the incident shall be documented accordingly.

G. DATA STORAGE AND RETENTION REQUIREMENTS

1. Data shall be stored on a secured network.
2. Video Recordings shall be retained in accordance with OCGA 50-18-96.

H. MVC and BWC System Training

1. Training shall be provided:
 - a. When a deputy is newly assigned to the Field Training Program or when refresher training is deemed appropriate;
 - b. When a deputy is promoted to a supervisory position.
 - c. All deputies who are assigned a BWC, upon and after June 15, 2018, shall receive agency approved training regarding its operation and maintenance and this policy.

2. As with the adoption of any new technology or processes, there shall be oversights with regard to adherence to this policy. Any unintentional breaches of this policy should be handled through remedial training to ensure the deputy understands this policy and the processes adopted. The deputy's supervisor may contact the Training Unit to facilitate any remedial training that may need to be administered. Any willful and purposeful deviations from this policy should not be taken lightly.

PROCEDURE: SOP 3-3.108 UPS RADIO PROCEDURES

Rescinds/Amends: SOP 3-7.200

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 3-3.1

Authorized by: Sheriff Ron H. Freeman

**I UPS RADIO PROCEDURES**

UPS deputies will log on their MDT (mobile data terminal), if applicable, as well as their mobile radio at the beginning of their shift. Deputies going off-duty will log off by voice.

When a deputy receives a call from The 911 Communications Center, they will acknowledge the call immediately and proceed to the location of the call in accordance with the priority of the call.

A. RESPONSE TO CALLS CHART

The response to calls chart is available in the Forsyth County Law Enforcement Radio Procedure Policy at the end of this SOP. The chart specifies the response for primary, secondary and supervisory units as well as the necessity for dispatch to make notifications of certain supervisory personnel. The priority recommendations listed are recommendations only. Any call may be up-graded with the addition of an "I" for injured, "P" for in-progress, "E" for entrapments, or "F" for fatality. Conversely, a call may also be downgraded if additional information indicates there is no hazard to the situation. If the watch commander or other field supervisor finds it necessary to change the priority of any call, that supervisor must accept full responsibility for altering the priority of the call(s).

B. PRIORITIES OF RESPONSE

1. Priority "1" is a call of an immediate life-threatening nature. Response by the deputy will require the use of emergency equipment (blue lights and siren) except when the use of such equipment would likely result in alerting the violator and increasing the likelihood of escape or provoke the taking of hostages. The deputy may disregard traffic laws, in accordance with O.C.G.A. 40-6-6, but at no time may operate in a manner which will needlessly endanger himself or others.
2. Priority "2" is a call which requires a deputy to be on the scene as soon as possible. The deputy will respond immediately while obeying all applicable traffic laws.
3. Priority "3" is a call of a routine or less serious nature. The deputy will respond as soon as possible or may handle the call while remaining in service. This type call may be held, at the discretion of a UPS supervisor.

C. RADIO OPERATIONS

Each deputy is assigned a portable radio and a charger. Deputies will be responsible for keeping their portable radio charged and functioning. Deputies are also assigned individual radio numbers applicable to their current division assignment. Each beat deputy however will use a beat number as indicated in section "I" of this SOP. All deputies assigned portable radios will display the identification number of the deputy that the radio is assigned to, upon depressing the portable radio microphone switch. Each main radio console in the 911 Communications Center has a display screen which displays this number to the 911 Operator.

It is absolutely necessary that an deputy notify the 911 Communications Center as soon as he / she arrives at the scene of calls for service and that the deputy returns to service as quickly as possible after completing the call for service. Also, the deputy will notify the 911 Communications Center before leaving the patrol car, and on all vehicle or pedestrian stops. The deputy will provide a location and identifying information on vehicles and pedestrians.

D. DISPATCH PROCEDURES

The 911 dispatcher may upgrade or downgrade any calls for service, depending on the circumstances indicated during the request for service. If a call is upgraded or downgraded (from the set priority), the priority will be broadcast with the appropriate signal. An example of a downgrade would be when a person has requested service to investigate a hold-up (Signal 44) a length of time after the hold-up occurred.

It is absolutely necessary that the 911 dispatcher, because of knowledge and information of the request for service, control the dispatching order of calls for service. The 911 Communications Center will not issue a call for service until a deputy is available to respond. All calls for service must be dispatched by the 911 Communications Center. If any other law enforcement personnel receive a request for service, the request will be forwarded to The 911 Communications Center by the quickest means possible, either by phone or radio. The 911 Communications Center will then dispatch the request as required. If the Watch Commander or other field supervisor finds it necessary to change the priority of any call, that supervisor shall accept full responsibility for altering the priority of the call.

E. REASSIGNMENT OF CALLS

Supervisors may, at their discretion, cause calls to be reassigned to other units. Deputies may request reassignment of calls by advising their supervisor of the reason, such as when two units have been assigned calls and know that they are each closer to the other's call. At no time will a deputy take it upon himself / herself to reassign calls. The deputy must advise the supervisor, who will evaluate the feasibility of reassignment and approve the reassignment.

F. PHRASES AND WORDS

Radio users are required to incorporate the codes listed in the Forsyth County Law Enforcement Radio Procedure Policy (at the end of this SOP) in their normal operating procedures. The primary purpose of codes is to save time and to avoid confusion or misunderstanding. Codes are usually readily recognizable, easily understood and convey maximum meaning in a minimum amount of time.

G. FORMAT FOR BOLO'S

The Associated Public Safety Communications Officers have developed and refined standard personal and vehicular descriptions as follows:

VEHICLE - Using the acronym "CYMBAL" for description as follows:

C= Color **Y**= Year **M**= Make **B**= Body style **A**=And **L**= License

EX: " Black over red 91 Ford Taurus, 4 door, 91 GA. ABC-123"

If a Vehicle Identification Number (VIN) is available, it should follow the license.

PERSON

Name (if known)	Hair
Sex	Eyes
Race	Complexion
Age	<i>Plus any distinguishing characteristics</i>
Height	<i>Plus any clothing description</i>
Weight	

When a lookout is placed over the radio, this format will be used, placing the vehicle in the lookout first followed by the description of any person involved.

H. RADIO FAILURE

1. No deputy assigned to a line uniform unit will work or continue to work without a mobile or portable radio. If a failure of the mobile unit occurs, the deputy will immediately notify the supervisor to schedule repair. If the vehicle cannot be readily repaired, the deputy will obtain another vehicle, or continue to operate using his / her portable radio. If a failure of the portable radio occurs, the deputy will immediately advise the supervisor by phone or mobile radio to obtain a replacement.
2. In the event of a complete radio system failure, deputies will use the nearest available telephone to advise the 911 Communications Center of their location and stand-by at that location for calls. If dispatched, deputies will notify the 911 Communications Center as soon as possible of status and any activities taken.

I. TACTICAL DISPATCHING PLANS

911 Communications Center personnel shall have immediate access to tactical dispatching plans and material. The home and other telephone numbers are also available for a call-in of tactical personnel. The Forsyth County Emergency Management Mitigation Plans book provides procedures to be followed in directing resources in major incidents such as; civil disorder and natural or man-made disasters. SOP's in section **1-6.100** of this manual provide the procedures to be followed in directing resources in mutual aid situations, local emergencies and obtaining information on tactical operations, crimes in progress and emergency situations.

PROCEDURE: SOP 3-3.201 SELECTIVE TRAFFIC ENFORCEMENT

Rescinds/Amends:

Effective Date: October 24, 2018

Committee Review - Date: September 2018

Related Policy(s): GO 3-3.2

Authorized by: Sheriff Ron H. Freeman



I SELECTIVE TRAFFIC ENFORCEMENT

Selective Traffic Enforcement programs will be used to supplement and enhance the agency's role in traffic enforcement. Selective traffic enforcement will never supplant the duty of patrol deputies to continue to take action upon violations committed in their presence, nor will it relieve on-duty deputies of the responsibility for the overall enforcement effort in detecting, apprehending and prosecuting traffic violators.

A. SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

Selective traffic enforcement is an activity of the Traffic Unit. Selective traffic enforcement functions include the following procedures:

1. Review of traffic accidents will be done by the Traffic Unit Commander or his designee when there are a significant number of collisions to be analyzed.
2. Review of traffic enforcement activities will be performed by the Special Enforcement Division Commander or designee on at least an annual basis. The traffic complaints received will be reviewed, as well as citations written, to determine if adequate enforcement is being applied to identify high accident rate and complaint locations.
3. Selective enforcement shall be undertaken in those areas where review of traffic accidents and violations indicate that special attention is needed. Patterns of causes and / or sudden increases in the number and severity of accidents or violations are reasons for extra enforcement activity at a given location. When the agency or traffic engineering department becomes aware of a particular problem that may or may not be reflected in accident report data, communication between the agencies will occur if necessary and steps will be taken to correct the problem.

B. SPECIFIC ASSIGNMENTS

The Traffic Unit will mainly be responsible for selective enforcement, however, occasionally, the Patrol Divisions will assign a special car specifically to enforce selective violations at identified locations and for certain identified violations. This unit will exclusively enforce selected hazardous moving violations, with no responsibility for answering radio calls or for any other patrol function.

Selective enforcement information will be distributed to all agency supervisors and all supervisors should share the responsibility for ensuring selective enforcement is carried out.

C. RESPONSIBILITY FOR TRAFFIC REVIEW

The Special Enforcement Division Commander is responsible for traffic data review for the agency. Other personnel shall be assigned as necessary to conduct statistical reviews of accident and enforcement data for program evaluations.

D. TRAFFIC REVIEW FACTORS

Information is gathered from the accident summaries based upon the motor vehicle accident reports submitted by individual deputies. The review of traffic accidents will include geographic, temporal, and causative factors, such as:

1. Month, day, hour;
2. Location and directions, weather and road conditions; and
3. Intended driver action.

E. SELECTIVE TRAFFIC ENFORCEMENT ACTIVITIES

Selective enforcement activities will be based upon the review of the traffic accident data compiled from traffic accident reports to provide effective countermeasures against factors contributing to traffic accidents. Enforcement efforts will then be directed toward the behavior contributing to accidents.

Selective enforcement activities will also be based upon traffic law violation complaint areas.

F. OBSERVATION OF ACCIDENT CAUSING TRAFFIC VIOLATIONS

The Forsyth County Traffic Engineering Department conducts periodic statistical and visual surveys to determine by location, time and day of week the predominant violations that are causing accidents. The Engineering Department members shall:

1. Observe and report traffic flow;
2. Look for improper driving behavior;
3. Be alert for hazardous environmental conditions; and
4. Identify and report emergency and or other service needs.

G. DEPLOYMENT OF SELECTIVE TRAFFIC ENFORCEMENT PERSONNEL

Deployment of personnel for selective traffic enforcement shall be based on the review of traffic accidents and traffic-related calls for service covering the most recent three (3) year period. This information will be obtained from the last three annual traffic accident report summaries. These summaries will be provided once each year in order to follow any new
SOP 3-3.201 Selective Traffic Enforcement

trends. These summaries shall be examined to provide data that includes all seasons of the year and allows for variations that occur as the result of weather, population shifts and monthly or seasonal increases or reductions in the traffic volume.

H. SELECTIVE TRAFFIC ENFORCEMENT PROGRAM EVALUATION

On at least an annual basis, the Special Enforcement Division Commander will evaluate the selective traffic enforcement program. This review will attempt to ascertain whether selective enforcement efforts have met their objectives. The selective enforcement evaluation will be used in the formulation of goals and objectives of the division and the agency in the subsequent year.

I. SAFETY CHECKPOINTS

The Forsyth County Sheriff's Office will conduct periodic Safety checkpoints as a means to ensure the safety of motorists.

A. Purpose:

Checkpoints may be conducted for the following purposes:

- check driver's licenses;
- check driver's condition;
- check vehicle registration;
- ensure that vehicle safety equipment is in use (safety belts and child restraints);
- as a containment procedure in response to a critical incident (to ensure that only authorized individuals enter the area of a critical incident)
- locate a suspected criminal likely to be in the area; or
- to check other requirements of the Georgia motor vehicle and traffic code.

B. Supervisor Pre-Planning

The supervisor preparing the plan for the safety checkpoint should utilize data from available resources such as RMS, Citizen Traffic Complaints, Traffic Engineering, Agency Reports/Analysis and other available data to determine the need for the checkpoint in a particular area. The supervisor shall complete the Safety Checkpoint Pre-Planning Form.

C. Personnel Selection and Training

Once the specific site(s) for the checkpoint has been identified, the required number of personnel to properly operate it can be ascertained. Consideration should be given to the anticipated traffic volume, the number of vehicles to be stopped at any given time, the need to transport individuals placed in custody, additional personnel for individual relief, especially if inclement weather is anticipated, and the need for K-9 handlers.

Deputies participating in safety checkpoint operations must be trained in safety checkpoint procedural aspects and their assigned checkpoint duties.

D. Vehicles and Equipment

Only marked law enforcement vehicles and transport vans should be used. Personnel shall be required to have appropriate inclement weather gear, protective vests, and flashlights.

E. Safety Checkpoint Criteria

The initiation of a safety checkpoint must meet the following criteria:

1. The decision to implement the checkpoint shall be made in advance by supervisory personnel rather than by field personnel and shall include the time and location of the checkpoint. The supervisor will complete the Safety Checkpoint Pre-Planning Form.
2. The supervisor must implement the checkpoint for a legitimate primary purpose that is specific in nature and consistent with data compiled from available resources. A checkpoint will not be used for general crime detection.
3. Checkpoints must be conducted pursuant to the plan developed by supervisory personnel that establishes specific and neutral criteria for all aspects of the checkpoint.
4. The approving supervisor shall conduct a briefing with all personnel assigned to participate in the safety checkpoint. The purpose of the briefing is to educate all participants on the primary purpose and scope of the checkpoint and to review safety measures to be employed.
5. The supervisor will notify dispatch and the jail of the location and expected duration of the checkpoint.
6. Safety Checkpoints shall be conducted under the direct on-scene supervision with the rank of Corporal or above.
7. The checkpoint must be clearly identifiable as a law enforcement checkpoint. (blue lights-cruise lights, safety checkpoint signs, uniformed officers and any other identifying equipment)
8. All vehicles must be stopped as opposed to random vehicle stops. The checkpoint may be temporarily suspended to avoid unreasonable or dangerous backup and then resume after the backup is clear at the discretion of the on-scene supervisor. Any backup/checkpoint suspension data will be documented on the After-Action Form.
9. The delay to motorists must be minimal. The stop should be for a reasonable duration to make the necessary checks, unless a problem is identified that requires further investigation.
10. The screening officer's training and experience must be sufficient to qualify the officer to make an initial determination as to which motorists should be given field sobriety evaluations.

11. Use of K-9: The use of a drug dog is permissible after an officer has first established articulable reasonable suspicion that the driver and/or occupants are involved in illegal activity and further investigation is required to confirm or dispel the suspicion.
12. A drug dog shall not be used in an arbitrary, capricious or pretextual manner. Further, they shall not be employed against all vehicles directed to enter the checkpoint area.
13. All participants will wear an agency issued reflective traffic vest at all times.
14. For nighttime checkpoints, selection of the location will take sight distance and available lighting into account.

F. After Action Report

At the conclusion of the checkpoint all participants will provide the on-scene supervisor with statistical data related to the specific checkpoint. The on-scene supervisor will compile the data and complete the after-action portion of the Safety Checkpoint After Action form. The form will be forwarded to the Special Enforcement Division Commander or designee. The Special Enforcement Division Commander or designee complete an annual administrative review of Safety Checkpoints to include recommendations for training, policy revision and/or procedural changes.

PROCEDURE: SOP 3-3.202 TRAFFIC STOPS

Rescinds/Amends: SOP 3-7.150

Effective Date: November 28, 2022

Committee Review - Date: October 2022

Related Policy(s): GO 3-3.2

Authorized by: Sheriff Ron H. Freeman

**I TRAFFIC STOPS****A. TRAFFIC STOP PROCEDURES**

The following steps are intended to provide maximum safety for the deputy, the violator and other users of the roadway. Varying conditions such as weather, traffic volume, road design or the urgency to stop the violator (e.g. drinking driver) may dictate adjusting or altering the recommended procedure. These procedures are to be followed when possible and are presented from the perspective that ideal conditions exist.

1. When the deputy has positioned the patrol vehicle behind the violator to begin the traffic stop procedure, the deputy should note the license number of the vehicle.
2. The deputy should be thoroughly familiar with the area and anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample space and appropriate lighting; every effort should be made to avoid stops on hills, curves, intersections, private drives and business locations which have limited parking.
3. The deputy will notify the 911 Communications Center of the location, license number, description of and number of occupants in the vehicle prior to making the stop and exiting the Sheriff's Office vehicle.
4. The deputy should signal the violator to stop and direct him / her to the right side of the roadway if possible. The signal should be with blue light, hand signals, sounding the horn, or if necessary, the siren.
5. On multi-lane roadways, the deputy should ensure the safety of the violator during lane changes by gradually changing from lane to lane with the violator.
6. Should the violator stop abruptly in the wrong lane or in another undesirable location, he / she should be promptly directed to move to a safer location. Deputies might use the public address system to instruct violators to move to a safer location, if this equipment is available. If the patrol vehicle is not so equipped and gestures are insufficient to bring understanding, the deputy should quickly exit from the patrol vehicle and give verbal instructions to the violator.

7. Once the violator has stopped in an appropriate location, the deputy should position the Sheriff's Office vehicle approximately one-half to one car length behind, two feet to the left side of, with the remainder of the car directly behind the violator's vehicle. The front wheels of the Sheriff's Office vehicle should be turned all the way left to create cover from an assault with a firearm.
8. The deputy should exit from the Sheriff's Office vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle. The deputy can choose to have the driver exit and come back to the deputy or can proceed to the violator's vehicle if preferred.
9. If the deputy chooses to approach the vehicle, the deputy should approach from the rear of the violator's car, checking the rear seat area, checking that the car trunk is securely closed and stop at a point to the rear of the trailing edge of the left front door. Either a passenger side or drivers side approach may be used at the primary deputy's discretion. From this position, the deputy can talk with the violator, keeping them in a slightly awkward position, and at the same time keep all occupants of the vehicle in view.
10. The deputy should be aware of any unusual actions on the part of the operator or the occupants and be alert so the door cannot be used as a weapon against the deputy. The stop procedure can quickly change to the extent that the procedures listed in section C of this directive may become applicable.
11. If the deputy elects to have the violator come back to him, he will direct the driver to walk between the rear of the violator vehicle and the front of the Sheriff's Office vehicle. The driver will then be directed to the roadside if pulled to the right shoulder, or a safe location out of the way of approaching traffic.
 - a. The deputy should avoid standing between vehicles, if possible.
 - b. The deputy should attempt to maintain visual sight of the violator and their vehicle at all times.
12. In those traffic stops made by two deputy patrol vehicles, the passenger deputy should be responsible for all radio communications, writing all notes and messages relayed to or from the 911 Communications Center and, during the traffic stop, should exit from the vehicle and act as an observer and cover for his fellow deputy. Normally, the two deputies should not approach the violator's vehicle on the same side of the car.
13. At night, the procedure is basically the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop, signaling the violator, and positioning the Sheriff's Office vehicle. After the stop, the headlights should be on low beam for the safety of oncoming traffic, and emergency lights should be in use on the patrol vehicle, unless the stop is off the roadway and emergency lights are not needed for safety purposes. Alternating headlights should be deactivated upon stopping.

14. When practical, the deputy should greet the violator with appropriate title in a courteous manner, request the driver's license and proof of insurance and tell the driver why he /she was stopped when asking for the driver's license and proof of insurance. The deputy should be well groomed and properly dressed in full uniform and will maintain a professional image using a professional bearing, displaying emotional stability and using courteous language. After the stop, if necessary, the deputy will assist the motorist to reenter the traffic flow safely.

B. STOPPING A KNOWN OR SUSPECTED FELON

1. When a vehicle driven by a known or suspected felon is located, the deputy will notify the 911 Communications Center immediately. The deputy will inform the 911 Communications Center of the location, a thorough description of the vehicle and a description of the occupants.
2. The deputy will keep the suspect vehicle in view and request sufficient assistance in making the stop. The deputy will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment.
3. The suspect vehicle will not be stopped unless absolutely necessary until adequate support is available and in position. The following procedures will be used in effecting the stop:
 - a. The deputy will plan to stop the suspect vehicle in a location which provides minimal danger to other citizens.
 - b. When conditions are appropriate and support units available, the deputy will move into position to the rear of the suspect vehicle.
 - c. The deputy will signal the violator to stop, utilizing all emergency equipment to warn other traffic if necessary. This deputy will normally become the primary deputy, giving verbal direction to the occupants of the suspect vehicle.
 - d. The violator will be stopped on the right side of the road.
 - e. When the suspect vehicle begins to stop, the primary deputy will turn off the siren and activate the public address system, if necessary.
 - f. The primary deputy will position the Sheriff's Office vehicle so that it provides maximum protection and cover. The backup vehicle will be positioned left and about one car width from the initial vehicle, at approximately a 30-45 degree angle toward the suspect vehicle.
 - g. The primary deputy will remain in the vehicle, behind the doorpost, with his weapon aimed toward the suspect vehicle.
 - h. The primary deputy will direct each occupant to remove himself from the vehicle individually, according to specific directions. The deputy will have them hold their hands up high, turn around slowly for a visual weapons inspection and direct them

to move backward to the Sheriff's Office vehicles to be handcuffed and then searched. Each occupant will be secured before the next occupant is instructed to exit.

- i. The backup deputy will cover the arresting deputy and remain behind cover of the Sheriff's Office vehicle doorpost until all occupants have exited, unless handcuffing and searching the suspects.
- j. After all known occupants are secured, a proper search of the vehicle will be performed.

NOTE: All felony traffic stops will be performed according to the training received in *addition* to these guidelines. Every stop will be different and may require modification of the stop and extrication procedures. Always, act as you have been trained in practical exercises including proper exit, handcuffing and search procedures.

**PROCEDURE: SOP 3-3.203 TRAFFIC
DIRECTION AND CONTROL**

Rescinds/Amends: SOP 3-7.152

Effective Date: January 1, 2017

Committee Review - Date: March 2015

Related Policy(s): GO 3-3.2

Authorized by: Sheriff Ron H. Freeman



I TRAFFIC DIRECTION AND CONTROL

Emergency conditions may dictate the manual control of traffic. These include but are not limited to:

- at the scenes of traffic accidents;
- at the scenes of fires (firefighters might also be utilized);
- malfunctioning traffic signals as a result of power outages or signal damage;
- during periods of adverse road and weather conditions;
- road construction; and
- special events and functions.

A. HIGH VISIBILITY EQUIPMENT

Deputies will wear high-visibility equipment for safety when directing traffic in the roadway. The following issued equipment will be utilized:

1. Reflective vest, reversible jacket or reflective rain gear.
2. Approved headgear (optional unless directed otherwise)
3. Flashlight and traffic cone (low light conditions)

NOTE: 1 and 3 will apply at ALL times when directing traffic on or off duty.

EXCEPTION: An exception to the above will be made only when the urgency of the situation requires that first responder deputies immediately administer first aid, relieve congested traffic or secure the scene. As soon as the emergency situation stabilizes or assistance arrives on the scene, the deputy must don his / her high visibility equipment.

B. TRAFFIC CONTROL AT FIRE SCENES

1. Deputies engaged in traffic direction and control services at fire scenes will ensure ingress and egress from the scene by emergency vehicles.

2. No vehicles will be allowed to cross fire hoses without the approval of the senior fire official on scene.
3. Parked vehicles which interfere with fire operations may be towed as needed.

C. TRAFFIC CONTROL DURING ADVERSE ROAD AND WEATHER CONDITIONS

1. The supervisor will request dispatchers to notify the local radio stations, public works, Forsyth County Fire Department, Forsyth County Sheriff's Office Public Information Officer and other public safety agencies of adverse road conditions that will affect the motoring public.
2. Agency personnel will provide traffic direction and control services at the scene of downed power lines, broken gas lines and water mains or construction sites when the lack of traffic control would endanger the safe movement of traffic through the area.
3. The supervisor may close a street if the surface conditions and terrain create an unusually hazardous condition. The commander should request assistance from the proper agency in alleviating the problem and request public service radio announcements be made in reference to the closure. Other public safety agencies will also be notified.

D. ESCORTS

1. Funeral escorts are provided when requested and when Traffic Unit personnel are available. Escorts will only be provided by marked uniform patrol cars or motorcycles. The patrol vehicle(s) will utilize its emergency blue lights and alternating headlights at all times during the escort. The patrol vehicle with its escort may proceed past a red traffic signal or a stop sign only after coming to a complete stop and checking that traffic has seen and stopped for him. In most cases, assistance should be obtained by other deputies to block traffic. The purpose for the blocking of traffic is to keep the procession together and moving in an orderly fashion.
2. Requests to escort public officials or dignitaries must be approved by the Sheriff, Chief Deputy or designee.
3. Forsyth County Sheriff's Office vehicles will not be used to escort any emergency vehicle which has its own operating emergency equipment or private vehicles on emergency runs. Deputies may facilitate the movement of other emergency vehicles by assisting with traffic control at key intersections. Deputies will request EMS personnel for medical emergencies.

E. SPECIAL EVENTS

Special events such as parades, sporting events, highway construction and maintenance, picketing, etc., may require special traffic plans which cover all aspects of traffic control and direction. Generally, the Traffic Unit will handle special events as they may occur.

1. Upon learning of a special event, the Traffic Unit commander will promptly designate certain personnel to ensure the preparation / implementation of a special traffic plan which addresses:
 - a. assisting other agencies in coordinating the traffic movement based on anticipated attendance, location and time;
 - b. the route to be utilized to allow for normal and emergency activities to continue with a minimum amount of disruption;
 - c. side streets and congested traffic areas used to their maximum potential by eliminating parking to assist in a smooth flow of traffic. Deputies may be assigned to key areas to assist with this;
 - d. emergency services (fire, Sheriff's Office, ambulance) will be provided unrestricted access from at least one direction;
 - e. crowd control by use of foot patrol and deputies in cruisers. These deputies may be at a stationary post or mobile;
 - f. information provided to the media at the earliest possible time addressing changes or alterations of the event, parking, etc.;
 - g. providing a list of authorized personnel permitted to cross Sheriff's Office lines. These may include press, promoters, vendors or VIP's; and
 - h. allotment of adequate scheduled breaks for the deputies during the course of the event.

F. TRAFFIC CONTROL DEVICES

1. Temporary traffic control devices such as cones, barricades, etc., may be obtained from the Transportation Department, for special events or emergency situations. Supervisors may request these devices and determine the location for using them.
2. Temporary devices will be removed when the event or emergency situation is over and will be returned to the Transportation Department.
2. Deputies do not have access to and will not manually operate traffic control devices (traffic signals).

G. MANUAL DIRECTION OF TRAFFIC

1. Stopping Traffic. To stop traffic, the deputy should:
 - a. look directly at the person to be stopped until eye contact is made; and
 - b. raise the hand at the wrist so that its palm is toward the person to be stopped.
2. Starting Traffic. To start traffic, the deputy should:

- a. look directly at the person to be started; and
- b. with palm up, the arm is swung through a vertical semi-circle until the hand is adjacent to the chin. This gesture is repeated until traffic begins to move.

3. Right Turns

Right turning drivers usually effect their turns without the necessity of being directed by the deputy.

When directing a right turn becomes necessary, the deputy should extend the arm and index finger and gaze toward the driver, followed by swinging the extended arm and index finger in the direction of the driver's intended turn.

4. Left Turns

Left turning drivers should not be directed to effect their movement while the deputy is also directing oncoming traffic to proceed.

Therefore, the deputy should either direct opposing vehicles to start while avoiding left gestures directed at turning drivers, which lead them to complete their turn only when there is a gap in the oncoming traffic, or to stop or hold oncoming drivers, after which the left turning driver can be directed into his / her turn.

After stopping oncoming traffic, the extended arm and index finger and deputy's gaze are directed toward the driver who intends to effect a left turn.

When the left turning driver's attention has been gained, the extended arm and index finger are swung to point in the direction the driver intends to go.

H. SIGNALING AIDS

1. The whistle, if used, is to get the attention of drivers and pedestrians. It is used as follows:
 - a. One long blast with a **STOP** signal.
 - b. Two short blasts with the **GO** signal.
 - c. Several short blasts to get the attention of a driver or pedestrian who does not respond to a given signal. Establish eye contact as soon as possible.
2. The whistle should be used judiciously, however, it should not be used to indicate frustration. The volume should be just that sufficient to be heard by those whose attention is required. Therefore, whistle blasts directed at pedestrians should be moderate in volume.

The whistle should be used only to indicate stop, go, or to gain attention. When its purpose has been achieved, the deputy should cease sounding the whistle. If the whistle is utilized continuously, it ceases to hold meaning for drivers and pedestrians.

3. The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. There are numerous reasons why verbal commands are not used. Verbal orders are not easy to give or understand and often lead to misinterpretations which are dangerous.

An order which is shouted can antagonize the motorist. Occasionally, a driver or pedestrian will not understand the deputy's directions. When this happens, the deputy should move reasonably close to the person and politely and briefly explain his directions.

4. The flashlight can be used to halt traffic. To stop traffic, slowly swing the beam of light across the path of oncoming traffic. The orange traffic cone shall be attached to the end of the flashlight when directing traffic.

After the driver has stopped, arm signals may be given in the usual manner with the vehicles headlights providing illumination.

This procedure is to be used in conjunction with all relevant existing agency policies, procedures, rules and regulations.

I. TRAFFIC DIRECTION AT ACCIDENT SCENES

1. Minor traffic accidents requiring only an accident report do not present a major problem relative to traffic direction.

In these cases, the deputy should note the position of each vehicle and other relevant physical evidence and have the vehicles moved to a safe location, restoring traffic flow, and then complete the accident report.

2. In serious accidents requiring a more thorough investigation, the scene may need protection for an extended period of time. In these cases, investigating deputies shall follow these procedures:

- a. Summon sufficient manpower to handle traffic direction responsibilities.
- b. Utilize sufficient equipment to protect the scene (barricades, traffic cones, etc.).
- c. Detour traffic as necessary.
- d. Give priority attention to collecting the information necessary at the scene to facilitate restoring normal flow of traffic.
- e. Restore the scene to a safe condition (replace signs, etc.).
- f. Continue traffic direction duties until traffic flow is normal.

PROCEDURE: SOP 3-3.204 TRAFFIC ACCIDENTS

Rescinds/Amends: SOP 3-7.153

Effective Date: January 1, 2017

Committee Review - Date: March 2015

Related Policy(s): GO 3-3.2

Authorized by: Sheriff Ron H. Freeman



I TRAFFIC ACCIDENTS

A. TRAFFIC ENFORCEMENT GOALS AND OBJECTIVES

The objective of the Forsyth County Sheriff's Office's traffic enforcement program is the reduction of fatalities, personal injuries and property damage as a result of traffic accidents. To this end, the agency will collect and analyze traffic accident data in order to direct selective enforcement efforts to those areas or conditions that contribute to traffic accidents.

The reduction of the number and severity of traffic accidents will be the sole motivation of the agency's traffic enforcement efforts. The generation of revenue or imposition of quota systems will not be a determining factor. The goal of each shift or unit involved in the agency's selective enforcement effort will be a reduction in the number or severity of traffic accidents in areas targeted as a result of accident data analysis.

B. ACCIDENT INVESTIGATION - PURPOSE

The Forsyth County Sheriff's Office performs a variety of traffic accident investigation functions including providing emergency service to the injured, protecting the accident scene, conducting accident investigations and follow-ups, preparing reports and taking proper enforcement action relative to incidents. The purpose of accident investigation is to properly determine the causative factors involved in an automobile crash and utilize these factors to develop enforcement that will reduce the incidence of accidents. The purpose of this subsection is to establish general guidelines for the agency's traffic accident reporting and investigation practices. It is the policy of the Forsyth County Sheriff's Office to respond to and investigate all traffic accidents, including school buses, which occur within Forsyth County. Georgia State Patrol should be utilized, when available, to investigate traffic crashes. In the event a traffic crash involves serious injury or fatality the crash will be investigated by the Traffic Specialist Investigators or the Georgia State Patrol.

C. ACCIDENT REPORT AND GENERAL INVESTIGATION

1. A deputy will be assigned, respond to, and prepare a report of accidents involving any of the following:
 - Death or injury;
 - Property damage or fire;

- Hit and run;
- Impairment due to alcohol or drugs;
- Hazardous materials; and
- Damage to public vehicles or property.

NOTE: All of the above cases will require an accident report on public streets or highways as required in §40-6-278. The only exceptions where accident reports will be completed on private property will be when a violation of applicable Georgia traffic law occurs in the following situations:

- DUI
 - Hit and Run
 - Reckless Driving
 - Homicide by Vehicle
2. In a particularly serious accident involving near death injuries, fatalities or complex accidents, it may be necessary to summon expert or technical advice or assistance from the Traffic Specialist Investigators. Such assistance will be requested through a supervisor. As a matter of policy, a Traffic Specialist Investigator will respond and investigate all confirmed fatality accidents.
 3. Accident scene responsibilities of the first deputy at the scene:
 - Administering emergency medical care (basic life support measures) and fire suppression pending arrival of the Fire Department or EMS;
 - Summoning additional help as required (deputies, rescue, wreckers, etc.);
 - Protecting the accident scene and establishing a safe traffic flow pattern;
 - Preserving short-lived evidence (broken parts, skid marks, etc.);
 - Expediting removal of vehicles, persons and debris from the scene;
 - Locating witnesses and recording accident information;
 - Quell disturbances (if any) between parties involved.
 4. The deputy assigned to the beat in which an accident occurs shall normally be responsible for the investigation of any accident that occurs during his/her tour of duty.

If a Traffic Specialist Investigator is requested to conduct the investigation by a supervisor, the Traffic Specialist Investigator will be in complete charge of the investigation. The on-scene units will secure the accident scene until the crash investigator arrives. The investigating deputy will complete the Georgia Uniform Motor Vehicle Accident report, and any applicable incident reports required. The deputy receiving the call or deputy(s) designated will assist the crash investigator(s).

5. In cases of private property accidents, accident reports need not be filled out if there is no violation of applicable Georgia traffic law as defined in O.C.G.A. §40-6-3. However, it is the policy of the Sheriff's Office to make an accident report on private property at the request of any citizen. The type of report will be as follows:
 - No damage, injury or death - SR-13 (self-reporting accident form)

- Traffic law violation - Uniform Motor Vehicle Accident report
 - Hit and run - Uniform Motor Vehicle Accident report
 - DUI involved accident - Uniform Motor Vehicle Accident report
 - Over \$250.00 damage-Uniform Motor Vehicle Accident Report
 - Damage under \$250.00-SR-13 (self-reporting accident form).
6. The accident investigation equipment and emergency medical supplies required in every patrol vehicle include (in addition to the standard patrol vehicle emergency equipment):
- Fire extinguisher;
 - An emergency first-aid kit, including surgical gloves and all listed contents;
 - Sheriff's Office line tape; and
 - Each deputy will have in their possession a sufficient supply of proper forms necessary in completing accident reports and investigations, a reflective traffic safety vest and a flashlight if the deputy is on duty during hours of darkness.
7. Vehicles assigned to the crash investigators will contain accident investigation kits with the following contents in addition to the above:
- 300 foot fiberglass tape measures;
 - 100 foot fiberglass tape measures;
 - 6 foot steel tape measure;
 - Lumberman's yellow crayon;
 - Spray paint (orange);
 - Traffic template;
 - Hammer;
 - Tire and tread depth gauges;
 - Concrete nails;
 - Still and video cameras;
 - Carpenter's level; and
 - Clipboard
8. Enforcement action will be taken when the deputy has detected a violation of a traffic law and when evidence exists to satisfy all the elements of that particular violation. A deputy may also choose to take enforcement action on any other violation discovered during the accident investigation. (EXCEPTION: when a crash investigator is requested, the investigating deputy will determine appropriate enforcement action.)

D. AT SCENE STABILIZATION ACTIVITIES

1. Upon the receipt of a report of a motor vehicle accident that requires the services of a deputy, the deputy assigned will proceed as expeditiously as possible to the scene. The Sheriff's Office vehicle should not be parked at the scene in a manner that will endanger pedestrians, motorists or citizens. The deputy should consider using the vehicle as a shield to protect the scene as well as the deputy.

2. All Agency members shall wear a reflective traffic vest while in the roadway or investigating a crash.
3. In case of injuries, persons trapped in vehicles, etc., the Forsyth County Fire Department and EMS should be immediately notified. Aside from exigent circumstances, Sheriff's Office deputies should not remove any occupants from the vehicle unless it is in the course of life saving measures. Sheriff's Office deputies should attend to the victims, check for injuries and wait for fire and/or EMS personnel to arrive. Once Fire and /or EMS personnel arrive the deputies will assist when requested with the removal and care of the injured parties.
4. In case of danger of fire from leaking ruptured gas tanks, car batteries or where there is any sign of hazardous materials having been transported, the Forsyth County Fire Department and Hazmat, when necessary will be notified immediately.
5. Any deputy arriving at the scene of such an accident and seeing hazardous materials placards should immediately request the services of the Forsyth County Fire Department. The Forsyth County Fire Chief or his designee will assume control of any scene involving hazardous materials and deputies will provide support as required. Accident investigation will start upon release of the scene by the Fire Chief.
6. Normal traffic flow should be established as soon as possible after the injured are cared for. If vehicles cannot be driven or pushed from the roadway (or the scene is being held for the arrival of the crash investigator) and are creating a hazard, the deputy will manually direct traffic around the scene or call for sufficient personnel to handle traffic direction. If the scene will not be cleared for an extended period, the agency's portable detour signs will be delivered by a deputy or the Public Works Department will be called to deliver any barricades or traffic cones as may be needed.
7. If a fatality accident has occurred on a state highway and / or a portion is to be closed, it will be the responsibility of the supervisor on the scene to have the Georgia Department of Transportation notified immediately.
8. Any property belonging to accident victims will be protected from theft and pilferage and, if victims are not present, will be inventoried and turned into the Property and Evidence Unit along with a property sheet. When deputies encounter currency, it should be immediately counted in front of witnesses and noted within the report.

E. ACCIDENT REPORTS AND RECORDS

1. The Georgia Uniform Motor Vehicle Accident Report Form will be completed on all accidents involving death, injury, or property damage that occur on public property, certain private property accidents, or accidents which involve Forsyth County Sheriff's Office owned vehicles and Forsyth County owned vehicles.

For the purpose of accident reports, the following definitions will be used:

- a. Public Property - any highway, roadway, street, or public parking lot maintained by the state, county or city.
 - b. Certain Private Property - any property, privately owned, on which an accident occurs that involves violation of an applicable Georgia traffic law as defined in O.C.G.A. §40-6-3.
 - c. County Owned - any vehicle owned by the Forsyth County Sheriff's Office or Forsyth County Government
 - d. Self-reporting Accident Form (SR-13) is a form completed by the driver(s) involved and the drivers will be responsible for forwarding this information to their insurance companies. An SR-13 can be issued under following circumstances:
 - Inclement weather - single vehicle with no injuries where weather is the only factor
 - Delayed reporting - if a driver fails to report a crash within 48 hours.
 - Private property and damage is under \$250.00
2. Detailed instructions for preparing the Georgia Uniform Motor Vehicle Accident Report are contained in the Georgia Uniform Motor Vehicle Accident Report Instruction Manual; which is available from the Training Section.
 3. Coding of the Georgia Uniform Motor Vehicle Accident Report is standardized as well as mandated by the Georgia Department of Public Safety.

F. ACCIDENT INVESTIGATION PROCEDURES

The deputy receiving the call will handle the investigation unless he / she has requested through his / her supervisor a Traffic Specialist Investigator to respond to the scene. The required investigative tasks to perform include:

1. Question and obtain driver's license(s) from all drivers involved in the accident.
2. Question and obtain names and addresses from any and all witnesses and assure that they not leave the scene until released by the investigating deputy. Obtain their driver's license for identification. If a witness must leave the scene prior to completion of the investigation, obtain the necessary information as quickly as possible and allow the witness to leave.
3. Examine and record vehicle damage and effects on roadway.
4. Investigate and determine the cause of the accident. Note the position of all vehicles involved and take measurements, photographs and collect evidence when necessary.
5. After the preliminary investigation is complete, clear the roadway quickly if possible, and refrain from blocking any portion of the roadway while completing paper work.

6. After clearing the roadway, the investigating deputy should turn off the blue lights as quickly as possible to reduce the existing hazard, by attracting less attention.
7. When a violation of traffic law is involved, issue the appropriate citations and subpoena the witness(es), if any, and allow the witness to leave. Insure that the principals have exchanged necessary information.
8. If all necessary information has been obtained at the scene, and there was no transport of injured, a follow-up investigation may not be necessary. If persons injured are transported, follow-up investigation at the hospital may be necessary.

These procedures ensure that data collected permits tabulation according to standard classifications and in amounts needed to:

- Support planning and coordinated accident prevention programs; and
- Support prosecution for violation of traffic laws.

G. FATALITY ACCIDENT INVESTIGATION

The investigation and reporting of fatality accidents should be handled in the following manner. The first deputy on the scene shall follow the procedures outlined in section D3 of this SOP. In addition, the deputy will notify their supervisor, who will respond to the scene, and will request a Traffic Specialist Investigator on duty, or if after hours, the on-call Traffic Specialist Investigator to respond. The supervisor upon arrival at the scene will assume responsibility and control until the Traffic Specialist Investigator arrives. At that time, complete control of the accident scene will be relinquished to the Traffic Specialist Investigator. The on-scene deputies will not alter the accident scene or move any evidence, unless absolutely necessary to administer first aid or rescue, until the arrival of the Traffic Specialist Investigator. Upon arrival of the Traffic Specialist Investigator, the UPS deputy will remain as long their assistance is necessary.

Motor vehicle crashes involving any person over the age of 65 with heavy damage to either vehicle should consult with the TSU Investigator. Examples of heavy damage are including but not limited to, air bag deployment, roll over, substantial crush damage to any part of the vehicle or any abnormality to the vehicle that is deemed significant.

In accidents where one or more persons involved are considered near death, the watch commander will go to the scene and determine if a Traffic Specialist Investigator is needed. If so, the supervisor will request the necessary assistance.

At the start of the investigation:

1. If possible, obtain the driver's license of the victim.
2. Photograph and if possible, videotape the accident scene and all evidence, vehicles, bodies, etc.
3. Note the position of all vehicles, evidence and bodies, etc. involved and take measurements using the Coordination, Triangulation, or Photogrammetry methods.

4. Question ALL witnesses and have them complete a Voluntary Statement Form.
5. From witness statements/physical evidence on the scene, the crash investigator will investigate and determine the cause of the accident, which will include reconstruction if necessary.
6. If the body is taken from the scene prior to photographs being taken, the crash investigator will go to the location of the body and take the necessary photographs.
7. ALL vehicles will be impounded and held for more extensive investigation.

Per COOPER V. STATE (Oct. 6, 2003) Implied consent may now only be read to suspects "if arrested for any offense arising out of acts alleged to have been committed in violation of O.C.G.A. §40-6-391. The test or tests shall be administered at the request of a law enforcement officer having reasonable grounds to believe that the person has been driving or was in actual physical control of a moving motor vehicle upon the highways or elsewhere throughout the state in violation of O.C.G.A. §40-6-391. This will include all DUI suspects conscious or unconscious. Implied consent can no longer be based simply upon the existence of a serious injury or fatality. Implied consent must be based on probable cause, serious injury alone will not be a legal basis for reading implied consent or requesting submission to a state's test. If challenged, evidence collected based on a serious injury read will be suppressed.

The notification of next-of-kin shall follow the procedures outline in SOP 3-7.201.

H. HIT AND RUN ACCIDENTS

The first deputy to arrive on the scene will:

1. Administer first aid, if qualified, and advise the 911 Communications Center if a rescue and an ambulance are needed.
2. Obtain information and give a temporary lookout.
3. Request a wrecker service if needed.
4. If the hit and run involves a fatality, notify the supervisor to request a crash investigator.

The deputy receiving the call will handle the report and preliminary investigation. The report will be forwarded to the Traffic Specialist Investigator for a follow-up investigation. NOTE: If the preliminary investigation deputy chooses to initiate the follow-up investigation themselves, they will be completely responsible for the full investigation of the report.

- a. Investigate and if possible, determine the cause of the accident.
- b. Complete the Uniform Motor Vehicle Accident Report listing only the victim information. The perpetrator side of the report will be left blank. Also, a Forsyth County Sheriff's Office Hit and Run Supplemental form listing ALL

required information available on the perpetrator and perpetrator vehicle must be completed. This form is for agency use only to be utilized by the Crash investigator.

- c. If possible, give additional information for the lookout. The Traffic Specialist Investigator will maintain a list of wanted persons and vehicles involved in hit and run accidents.
- d. The report will be forwarded through the proper chain to the Traffic Specialist Investigator for follow-up investigation.
- e. The Traffic Specialist Investigator will be responsible for generating hit and run activity on the monthly report.

NOTE: If needed, a Traffic Specialist Investigator may be called out to assist the preliminary investigating deputy.

I. D.U.I. ACCIDENTS

Deputies responding to traffic accidents involving DUI on public *or* private property will follow all procedures relating to DUI enforcement and include all necessary information on the Uniform Motor Vehicle Accident Report as required.

PROCEDURE: SOP 3-3.205 IMMUNITY FOR TRAFFIC CITATIONS/ARRESTS

Rescinds/Amends: SOP 3-7.154

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 3-3.2, GO 3-5

Authorized by: Sheriff Ron H. Freeman



I IMMUNITY FOR TRAFFIC CITATIONS/ARRESTS

A. LEGISLATORS

All legislators, state or federal, shall be free from arrest during legislative sessions or committee meetings, and in going thereto or returning there from, except for treason, felony, or breach of the peace. When legislators are in session, citations or physical arrest shall not be initiated without prior approval of the arresting deputy's immediate supervisor. (Ga. Const. Art.3, Sec.4, Para. IX)

B. PRIVILEGE OF MILITIAMEN

The members of the organized militia or military forces shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at drills, parades, meetings, encampments, and the election of deputies and going to, during, and returning from the performance of any active duty as such members. (O.C.G.A. §17-4-2)

No doubt the legislative purpose of the immunity statutes was to prevent civil interference with the military on active duty in the performance of duty. This purpose will be served only if the immunity is asserted at the earliest opportunity. The legislative purpose is defeated if the militiaman allows himself to be deterred from the performance of his duty and then raises the privilege for the sole purpose of avoiding the criminal sanctions which he / she faces. (140 Ga.App.441 (5))

Militia shall be composed of the Army National Guard, Air National Guard, the Georgia Militia when organized, and the Georgia State Guard when organized. (O.C.G.A. §38-2-2(10))

NOTE: Any sheriff or peace deputy may apprehend persons subject to the Georgia Code of Military Justice (GCMJ) upon reasonable belief that an offense has been committed and that the person apprehended has committed an offense. (O.C.G.A. §38-2-340) All members of the Georgia organized militia are subject to the provisions of the Georgia Code of Military Justice. (O.C.G.A. §38-2-322)

C. WITNESSES

Witnesses who come into or pass through Georgia pursuant to a summons issued under the "Uniform Act to Secure the Attendance of Witnesses" are immune from arrest or the service of civil or criminal process in connection with matters which arose prior to the witness' coming into the state under the summons (O.C.G.A. § 24-10-96).

D. DIPLOMATIC AND CONSULAR IMMUNITIES

1. Diplomatic Immunity

- a. The person of a diplomatic agent shall be inviolable. He shall not be liable to any for arrest or detention. The receiving state shall treat him with due respect and shall take all appropriate steps to prevent attack on his person, freedom, or dignity. (Vienna Convention on Diplomatic Relations, Article 29-31, 23 U.S.T.3227; 23 U.S.C. 254a et seq.)
- b. The term "diplomatic agent" includes the head of a mission (generally an ambassador) of a foreign government and members of the diplomatic, administrative and technical staff of a mission. (22 U.S.C. 254a)
- c. The members of the family of a diplomatic agent forming part of his household shall...enjoy the privileges and immunities afforded the diplomatic agent. (Vienna Convention on Diplomatic Relations, Art. 37)
- d. Private servants of embassy personnel have no immunity.

2. Consular Privileges and Immunities

- a. In the absence of a specific treaty, consular officials are not entitled to diplomatic immunity. (Hall v. Coppel, 74 U.S. 549, 19 L.Ed 244,247)
- b. The Vienna Convention on Consular Relations, Article 41-42, 21 U.S.T. 78, provides that:
 - 1) The receiving state shall treat consular officers with due respect and shall take all appropriate steps to prevent any attack on their person, freedom, or dignity.
 - 2) Consular officers shall not be liable to arrest or detention pending trial, except in the case of a grave crime (felony offense that endangers the public safety) and pursuant to a decision by the competent judicial authority.
 - 3) Except as specified above, consular officers shall not be committed to prison.
 - 4) If criminal proceedings are instituted against a consular officer, he must appear before the competent authorities.
- c. In the event that a consular officer or employee or members of their families are taken into custody, the U.S. Department of State should be promptly notified.

- d. The term "consular officers" includes consul generals, consuls, vice consuls and consular agents who are official representatives of a foreign government accredited to the United States. (Vienna Convention on Consular Relations, Art. 1.) Honorary consuls are not entitled to immunity under Article 41. Georgia extends the same privileges and immunities as are extended to consulate general of foreign countries to the Coordination Council for North American Affairs of the Republic of China (Taiwan). (O.C.G.A. §50-1-1)
- e. Family members of consular officials are not entitled to immunity. (Vienna Convention on Consular Relations, Art. 57.)
- f. Traffic violations by Consular Deputies.
 - 1) The U.S. Department of State has taken the position that "authorities in all jurisdictions of the United States would be free to issue regular traffic tickets or summonses to any driver with diplomatic or consular status who fails to observe traffic laws and regulations." (7 Digest of Int'l L. 17, p.172.)
 - 2) In DUI cases where a consular officer is considered a danger to himself or others, the U.S. Department of State advises that a law enforcement deputy may:
 - (a) Take the consular official to the station or a location where he / she may recover sufficiently to drive safely.
 - (b) Take him / her to a telephone to call someone to drive them home.
 - (c) Call a taxi for him / her.
 - (d) Take the official home.
 - (e) In all cases involving a consular official, a superior deputy should be contacted.

- 3) Verification of Status of Persons for Whom Immunity is Claimed

A person claiming immunity is required to produce satisfactory evidence that he is entitled to immunity. The U.S. Department of State issues identification to diplomatic agents and consular officials accredited to the United States. (7 Digest Int'l. L. 8, p.108) The Georgia Secretary of State issues identification cards to honorary consuls and members of the families of career consular officials who are stationed in Georgia.

In any situation in which a law enforcement official needs to establish entitlement to diplomatic or consular immunity and the person asserting it cannot produce satisfactory evidence thereof, i.e., identification card issued by the U.S. State Department, or the official wishes to verify that the employment from which the person's immunity or that a family member derives is still valid, confirmation of the correct status, or wishes advise concerning a particular situation, the official can telephone the U.S. Department of State as follows:

- (a) During regular hours, the Office of Protocol, U.S. Department of State.
 - (1) For Diplomats: (202) 647-1404
 - (2) For international organization employees: (202) 647-1406
 - (3) For Consular Deputies: (202) 647-1664
 - (4) For United Nations employees: (202) 415-4131

- (b) After normal hours, all calls should be made to the Command Center of the Office of Security, U.S. Department of State as follows:
 - (1) (202) 895-3603 / (202) 647-2412
 - (2) (202) 415-4444 (United Nations employees)

PROCEDURE: SOP 3-3.502 INTERVIEWS & INTERROGATIONS

Rescinds/Amends: SOP 3-7.307

Effective Date: August 19, 2020

Committee Review - Date: November 2017

Related Policy(s): GO 3-7

Authorized by: Sheriff Ron H. Freeman



I INTERVIEWS & INTERROGATIONS

A. FIELD INTERVIEWS / INVESTIGATIVE DETENTION / STOP AND FRISK (Terry Stop)

Field interviews will be a primary responsibility of the patrol divisions. Agency personnel **shall not** use any type of biased-based profiling in field contacts. The desired end result of a field interview (identification, information and crime prevention) is best achieved through an open professional approach.

1. CONSENSUAL ENCOUNTERS

Consensual encounters are the most frequent interaction between law enforcement and the citizens we serve. In a consensual encounter, the officer can ask any question he or she wishes and obtain consent to search the person or person's property. The citizen is free to leave, refuse to answer any questions, decline to identify themselves and ask the officer to leave their property.

No evidence of any crime is needed to initiate a consensual encounter, and the encounter can be terminated at any time by either party.

2. INVESTIGATIVE DETENTION

The deputy must have articulable reasonable suspicion that the person is involved, or has been involved, in illegal activity. The deputy must be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:

- (a) The demeanor or actions of an individual suggests that she/he is involved in criminal activity;
- (b) The hour of day or night is inappropriate for the suspect's presence in the area;
- (c) The suspect is carrying a suspicious object;
- (d) The suspect is located in proximate time and place to an alleged crime; OR

(e) The deputy has knowledge of the suspect's prior criminal record or involvement in criminal activity.

3. PURPOSE:

The purpose OF THE STOP is to conduct an investigative detention, to confirm or deny the deputy's suspicions of the person's involvement in a crime, in order TO DETERMINE IF PROBABLE CAUSE EXISTS upon which to make an arrest. The duration of the stop will be as brief or as long as is reasonably necessary for the deputy to conduct the investigation.

4. WHEN CONDUCTING AN INVESTIGATIVE DETENTION:

(A) Deputies are not required to give a Miranda warning unless additional information is available and sufficient to establish probable cause for an arrest.

(B) Handcuffs may be used on suspects when appropriate to protect deputies and other individuals from those who appear to be dangerous and disorderly.

(C) The suspect may be asked to produce identification if available on his/her person and requested to provide information in order to explain their presence and actions in a particular location BUT

(D) Will not normally be removed from the scene of the stop, UNLESS the deputy must transport the individual for the purpose of conducting an in-person "show-up" identification before a victim and/or witness OR the deputy has probable cause to make an arrest.

(E) Suspects are not required, nor can they be compelled, to answer any questions posed during the interview. Failure to respond by itself is not sufficient grounds to make an arrest, although it may provide sufficient justification for additional observation and investigation.

(F). Should the suspect attempt to evade the investigative stop, deputies may not arrest the person for Obstruction or Hindering of Law Enforcement Officers (OCGA 16-10-24) UNLESS there is probable cause to believe a specific crime has been committed, such as Loitering or Prowling. (OCGA 16-11-36)

5. Once the investigative detention is complete, the deputy will either:

(A) Release the individual at the place where initially detained;

(B) Provide a courtesy transport to the nearest public telephone or public place for safety or Initiate an arrest based upon probable cause.

6. Any pertinent information received in a consensual encounter and all investigative detentions should be documented in the Field Interview section of the Records Management System (RMS) or in an incident report if an arrest is affected.

B. VICTIM / WITNESS INTERVIEW

Detailed notes and / or a written statement should be made for future reference giving time, date, location, detective(s) present, etc. The trauma / stress to which the victim or witness has been subjected should be considered and the interview conducted in such a manner as to reduce stress and minimize further problems. The age, physical limitation and credibility of each witness should also be considered.

C. SUSPECT INTERVIEW / INTERROGATION

When interviewing suspects, the deputy(s) should consider these important points:

1. Interviews to obtain investigative leads can be very useful, but all constitutional precautions must be taken and recorded if the interview is to be used in court later. Special consideration shall be given in order to provide access to the restroom and drinking water. In cases where the interview/interrogation is lengthy, "comfort breaks" may be given in order to preclude the accusation that a confession was obtained under duress.
2. Audio recordings and a written statement should be made for future reference and court use giving time, date, locations, deputies present, waiver of rights (if applicable), time interview ended and other information needed.
3. Statements, admissions or confessions obtained during an interview must not be based on coercion, promises, delays in arraignments, or deprivations of counsel.
4. In order to use a statement in court, a suspect under arrest shall be advised of the Miranda warning and the detective must be able to demonstrate that the suspect understood those rights and made a knowing and intelligent waiver of those rights.
5. When a suspect invokes his/her right to counsel, the interview must be stopped immediately. The request for counsel should be recorded in the case file notes and/or the incident report.
6. Juvenile victims, witnesses and suspects must be given the same constitutional protection as adults. The following safeguards should be followed:
 - a. Parents or guardians should be notified whenever a juvenile is taken into custody or charged.
 - b. The number of deputies engaged in the interview and its duration should be kept to a minimum.
 - c. A brief explanation of the juvenile justice system and Sheriff's Office procedures should be provided.
7. If there is more than one (1) suspect to be interviewed, the suspects should be separated and interviewed individually.

8. When interviewing suspects, the "Advice of Rights Waiver and Statement" should be recorded by video and/or digital voice recorder.

D. DESIGNATED INTERVIEW ROOM

The interview room will be used to interview all in-custody perpetrators, suspects, victims and witnesses. Interviews should be conducted by no more than two (2) deputies. In the event an ongoing case is being worked in the field, these interviews may be conducted while still on scene.

The interview room shall be sparsely equipped so as to minimize any distractions. Necessary forms, writing implements, recording devices, etc. shall be readily available.

Whenever the interview room is being utilized, the door should remain closed and the "occupied" indicator outside of the door should be displayed. The "available" indicator outside of the door should be displayed upon leaving the interview room.

While conducting an interview/interrogation in the interview room, deputies shall have their issued duty weapon secured in a locked gun box or properly secured in their vehicle. In cases involving suspects who are considered an immediate security risk, a supervisor shall make arrangements to increase the security awareness level in the building. Deputies needing assistance during an interview may step out of the interview room to summons assistance, may call for help via their portable radio or may utilize their portable radio emergency button.

E. RECORDED INTERVIEWS

In most circumstances the deputy will record the confessions / statements of suspects and /or victims. A verbatim transcript will be made upon approval of a supervisor.

All recordings will be handled as evidence and a property receipt will be completed prior to turning them over to the evidence custodian. The property receipt will be documented in the investigative summary prepared on each interview and a copy of the receipt will be included in the case file.

PROCEDURE: SOP 3-3.503 POLYGRAPH EXAMINATIONS

Rescinds/Amends:

Effective Date: January 15, 2020

Committee Review - Date: November 2019

Related Policy(s): GO 3-3

Authorized by: Sheriff Ron H. Freeman



I POLYGRAPH EXAMINATIONS

Polygraph examinations can be used to test any suspect, witness, or victim of a crime. Polygraph examinations shall be conducted by certified polygraph examiners. Polygraph examinations will be conducted by appointment only. The requesting detective will contact the polygrapher at his / her discretion to schedule an appointment. It is the responsibility of the detective to make certain that the suspect / witness has been questioned concerning the offense and the detective will ensure that all available and appropriate investigative steps have been pursued before requesting a polygraph examination. The detective will furnish the polygrapher with all the details of the offense and with copies of all reports and statements. The detective will remain available during the examination and will be responsible for taking a written statement, if requested by the polygrapher.

The detective will make certain that the subject will be available at the time of the appointment. The polygrapher will make the decision as to whether the subject is physically or mentally capable of taking the test.

If the subject is under the age of seventeen (17), in addition to his own consent, one of the following will be necessary.

- a. Notarized written permission from a parent or guardian; or
- b. Written authorization from a Juvenile Court Judge

If the subject has previously been administered a polygraph on the same offense, the detective will make the results available to the polygrapher.

Prior to the examination, the detective should withhold from the suspect all information believed to be known only to the victim, detective and the persons with guilty knowledge.

In sex crime cases, such as rape, incest, etc., the victim or complainant may be administered a polygraph examination first.

Only one (1) crime will be covered during any specific examination. The polygrapher determines what issue should be covered, questions to be asked, and the wording of questions after consultation with the detective.

Upon receiving all pertinent information from the detective, the polygraph examiner will have the right to determine if an examination is to be conducted.

PROCEDURE: SOP 3-3.504 EYEWITNESS IDENTIFICATIONS

Rescinds/Amends: SOP 3-7.302

Effective Date: October 2, 2018

Committee Review - Date: December 2017

Related Policy(s): GO 3-3

Authorized by: Sheriff Ron H. Freeman



I EYEWITNESS IDENTIFICATION

Eyewitness identification is the process of obtaining positive identification of a criminal suspect by having the witness / victim view either the person suspected or a photograph of that person.

The following are approved methods for conducting eyewitness identifications:

A. WITNESS / VICTIM PARTICIPATION

Witness / victim participation in a show-up must be carefully controlled to prevent violence and to obtain fair identification. Deputies should:

- a. Keep all witnesses separate during the process so as not to contaminate any potential identification.
- b. Remain completely neutral in the process. Influencing a victim/witness or providing feedback is prohibited.
- c. The deputy will question each witness as to their level of confidence in the identification.
- d. The identification process shall be documented.
- e. Inform witness / victim that you want him / her to look at a person, but do not say the person is a suspect.
- f. Avoid, or at least keep to a minimum, any display of force (e.g. weapons, handcuffs, etc.)
- g. Be sure lighting is adequate and allow witness / victim enough time for thoughtful identification.
 - d. Separate witnesses / victims if more than one, so identifications are not biased by group opinion.
- h. Witness / victim must be positive to provide probable cause for further detention.

- i. When presenting a suspect to a witness / victim for identification, a deputy shall not say or do anything to lead the witness to believe that the suspect has been formally arrested or detained, that he has confessed, that he / she possessed incriminating items on his / her person when searched or "frisked", or that he / she is believed to be the perpetrator.
- j. In the event a show-up is used by uniform deputies, the case investigator must be notified of the witnesses / victims who participated in the show-up along with all circumstances leading up to their participation. A supplemental report should be completed by uniform patrol explaining each person's participation and outcome of the show up.

B. SHOW-UP OR CONFRONTATION

1. Definition: A show-up or confrontation occurs when a witness / victim views an individual(s) for purposes of identification.
2. Detention for Show-up

If a deputy reasonably suspects that a person has committed the offense, but probable cause to arrest the person is not present, the deputy may detain the suspect for a show up. In exercising this authority, the deputy may use such force - short of deadly force - as is reasonably necessary to stop the person or to cause the person to remain in the deputy's presence.

A deputy may arrange a show-up between a suspect and a witness / victim whenever a suspect is arrested or has been temporarily detained and the witness / victim states that he / she might recognize the person who committed the offense.

The length of time between the offense and the show-up will be determined by current case law. Unless the suspect is under arrest, the suspect will only be kept briefly in the deputy's custody. The length of the detainment will be reasonable.

A show-up should usually be conducted within a reasonable amount of time after a criminal event has occurred and when a suspect is apprehended nearby.

Too many deputies involved in a show up can be construed as coercion and therefore only those necessary to conduct the show up should be involved.

The purpose of a show-up is to obtain quick identification of a possible offender in order to determine the need for an arrest.

3. Location of Show-up

The location of a show-up will be determined by the type of crime, condition of the witness or suspect, distance between the site of the crime and the site of detention, availability of transport and the reasonableness of actions in general. When at all possible, the suspect, if not under arrest, should remain at the place of detention and the witness or victim should be transported to that location. Unless the suspect

consents, he / she should not be taken to the witness or victim's location. It is not recommended to transport the suspect to the victim / witness.

If a deputy has probable cause to arrest a suspect of the crime being investigated or for any other criminal offense or local ordinance, the deputy should make the arrest and avoid the show-up. Time would then become available for further investigation and the possibility of a photographic or physical line-up to occur.

The suspect cannot be detained for longer than current case law allows unless:

- a. probable cause to believe the suspect committed the offense has developed during the detention; or
- b. the suspect, after being clearly informed that he / she is not required to cooperate, consents to take part in the confrontation.

5. Cruising Area of Offense

Investigators may transport witnesses / victims in their cars to cruise the general area in which a crime has occurred in hopes of spotting the perpetrator and arranging a confrontation. (When following this practice, it is important that the investigator avoid implicating anyone on the street or suggesting that a certain person looks suspicious.)

6. Right to Counsel

No person has a right to have a lawyer present at any show-up or confrontation procedure that occurs prior to the initiation of criminal judicial proceedings such as formal charge, preliminary hearing, indictment or arraignment. Palmer v. State, 189 Ga. App. 904 (1989).

7. Release after Confrontation

If the suspect is not identified, he / she should be released, unless probable cause still exists to believe the suspect committed the offense. If an identification and / or arrest is not made and suspicion still exists about the suspect's guilt, the deputy at the scene shall obtain as much information about the suspect that is possible, and note it on the Incident Report (IR). If time and procedures allow, photograph the suspect. This information should then be forwarded to the appropriate investigative component.

8. Juvenile Involvement

In the event that a juvenile becomes a suspect and a decision is made to conduct a show-up using the juvenile suspect, the same procedures will follow as mentioned above. If the juvenile is in state custody, photographs of the juvenile suspect will not be taken without prior consent from a Juvenile Court Judge.

9. Probable Cause

Whenever a show-up is conducted and a positive identification has been made, then probable cause exists for an arrest.

C. PHOTOGRAPHIC LINE-UP

1. Definition

A photographic line-up is the next best method for identifying a suspect from among a group. It is dependent upon the availability of photographs of neutral participants and the suspect. It consists of a group of photographs of individuals being shown to a witness / victim in order to attempt to identify the perpetrator of a specific crime.

2. When Permissible

Anytime an individual becomes a suspect in a criminal investigation and a photograph of the suspect is located, the investigating deputy may create a photographic line-up to show the witnesses / victims. Should the only available photograph of a suspect be protected under the provisions of the Georgia First Offenders Act, permission to use the photo must be obtained from the supervisor.

3. Location of a Photographic Line-up

A photographic line-up may be shown at any time and at any location convenient to the witness / victim and investigator.

4. Right to Counsel

No person has a right to have a lawyer present during a photographic line-up unless the defendant is present at the photographic line-up.

5. Primary Responsibility of Photographic Line-ups

Primary responsibility of conducting photographic line-ups will rest with investigators.

6. Photograph Source

A master file of booking photographs will be maintained in the agency's RMS computerized photograph imager and will be available to all deputies.

7. Composing a Photographic Line-up

When composing a photographic line-up, deputies should use one (1) photograph of the suspect and the other photographs should be of other individuals that are "similar". Similar does not mean identical or so close that it confuses any witness or victim. Similar means that all subjects in the photographic line-up be:

- of the same sex;

- of the same race;
- within the same age range;
- similar in facial features, such as facial hair, glasses, injuries, jewelry, etc.;
- similar in hair color and length;
- similar in photograph size;
- similar in make-up, (e.g. color vs. black and white);
- similar in photographic background, (e.g. mug shots vs. facial shots);
- similar in body size, especially if the photographs consist of an entire body shot;
- similar in the amount of body portion shown; and
- similar in profile if arrest or mug shot photographs are used.

All photographs that contain written information such as criminal history, case numbers, personnel information, etc., will have that information covered and the coverings will be uniform in appearance and position on each of the other photographs.

8. Number of Photographs in a Photographic Line-up

In creating a photographic line-up, deputies should use a minimum of six (6) photographs including only one of the suspect. In the case of multi-suspects, additional photographic line-ups should be developed for each suspect.

9. Numbering of Photographs

The photographs will be numbered, # 1 through # 6. The numbers will be placed on the front side of the photograph or folder and will not cover any of the facial features of each photograph.

10. Presentation of the Photographic Line-up

Witnesses / victims must be kept separated from each other and should not be able to overhear any conversation between other witnesses or investigators

Once the photographic line-up has been assembled, it shall be presented to the victim/witness by a detective who is not familiar with the case.

Once the photographic line-up has been completed, certain instructions must be given to the victim/witness prior to their examination. The victim/witness must be read a Photo Line-up Admonition. The Photographic Line-up Admonition shall contain the following points:

- Advise the witness that he/she will be asked to view a group of photographs
- Advise the witness that he/she does not have to make an identification, and the identification procedure is important to the investigation whether or not an identification is made

- Advise the witness that it is just as important to clear innocent persons from suspicion as to identify guilty parties
- Advise the witness that the individuals depicted in the physical lineup may not appear exactly as the witness observed on the date of the crime because features such as hairstyles and facial hair are subject to change
- Advise the witness that photographs may not always depict the true complexion of a person - it may be lighter or darker than shown in the photo
- Advise the witness that the perpetrator may or may not be among those shown in the photograph lineup
- Advise the witness that regardless of whether an identification is made, law enforcement will continue to investigate the crime
- Advise the witness not to tell other witnesses that they have or have not identified anyone.
- Confirm that the witness understands the lineup procedure

The victim/witness shall not be coached or led in selecting one photograph over another.

11. Photographic Identification

If a victim/witness identifies the suspect as the perpetrator, the victim/witness will then be required to state whether the identification is positive or tentative. The victim/witness will then sign the Photographic Line-up Admonition stating that he / she either:

- a. can positively identify photograph number (indicate which number) as the person involved in the investigation; or
- b. cannot positively identify any of the photographs as the person involved in the investigation.

12. After Identification

Upon completion of the photographic line-up, the investigating deputy will be responsible for preserving and maintaining the line-up for future court use, as the line-up itself is considered as evidence.

13. Use of a "Mug Book", Yearbook, Computer, etc.

The use of a mug shot book, yearbook, or any other book or directory with numerous photographs is appropriate when there is no particular suspect. To insure an accurate identification, a reasonable number of photographs should be shown. If identification is made from a mug shot book, yearbook, etc., the investigating deputy

will ensure that either the book or a copy of the book used is preserved and maintained for future court proceedings.

14. Use of Juvenile

In order to use a photograph of a juvenile suspect in a photographic line-up, permission must first be obtained through a Juvenile Court Judge to either have a specific juvenile, who is in law enforcement or Juvenile Court custody, photographed or to use an existing photograph of a juvenile that is currently in the custody of the Agency or Juvenile Court. Prior to photographing a juvenile who is not in law enforcement or Juvenile Court custody, the investigating deputy must first consult with a supervisor as to the legality of obtaining a photograph. If a photograph currently exists of the juvenile and that photograph is available for public display, (e.g., school yearbook, directory, etc.) then prior approval from a Juvenile Court Judge is not needed.

15. Probable Cause

If a positive identification is made of a suspect in a photographic line-up, this in itself will be considered probable cause. If a tentative identification is made, then additional information will be required to establish probable cause.

16. Recordings of the Photo Line-up

The presentation of the photo line-up should be recorded via audio, video or photographic means.

D. PHYSICAL OR FORMAL LINE-UP

1. Definition

A physical or formal line-up is an identification procedure in which a suspect is placed in a live group setting and presented to a witness / victim. This line-up is the traditional method used to obtain identification.

2. When Permissible

Whenever identification by a witness / victim might be obtained, a physical line-up should be held following the arrest of suspect, unless one of the following makes a line-up unwise or impractical:

- a. Unusual Appearance of Suspect - Lack of suitable persons to include in the line-up group (e.g., the suspect is very tall or very short, very young or very old; the suspect's hair length or facial hair is unusual).
- b. Prior Knowledge - The witness knew the identity of the suspect before the offense occurred (e.g., personal acquaintance, relative, neighbor, co-worker); or learns of his / her identity without law enforcement assistance after the offense (e.g., a victim spots the suspect at his / her place of employment, or an eyewitness

recognizes the suspect's picture in the newspaper); or the prospective viewer has had an opportunity to identify the suspect in an earlier confrontation procedure.

- c. Inconvenience - The suspect is in custody at a place too far from the witness.
- d. Lack of Viewers - There is no witness willing or able to view a line-up.
- e. Uncooperative Suspect - The suspect threatens to disrupt the line-up.
- f. Suspect Released from Custody - The suspect was released on bond or recognizance before he / she could be viewed,
- g. For any other reason based on timing, or inconvenience for the viewers or deputies conducting the line-up.

3. Location of a Physical Line-up

All physical line-ups will be conducted at the Detention Center.

4. Primary Responsibility for Conducting a Physical Line-up

Primary responsibility of conducting physical line-ups will rest with deputies serving in an investigative capacity. CIS personnel will arrange to conduct a physical line-up.

5. Coordinating with the Detention Center

Prior to setting a time and date for a physical line-up, the primary detective should confer with the Detention Center to arrange a convenient time and date.

6. Arranging a Physical Line-up

Once a suspect is in custody, a time and date should be set in order to conduct a physical line-up. The primary detective assigned to the criminal investigation should contact all witnesses and victims that might be able to identify the perpetrator and arrange for them to attend the line-up.

Physical line-ups should only be conducted once. If there is reason to believe that the suspect may have been involved in other criminal acts, other detectives should be notified of the time and date. When numerous witnesses / victims are to attend a physical line-up, a schedule should be developed. This will reduce the chance of witnesses / victims communicating with each other prior to and after the line-up. Witnesses / victims attending a physical line-up should be separated to prevent any communications from occurring.

7. Developing the Physical Line-up / Suspect

Once a suspect has been arrested and is still within custody, the suspect has no right to refuse to participate in a physical line-up.

The suspect must be advised, at least 24 hours in advance, of the physical line-up and that his presence is required. The suspect should be told that he / she has no right to refuse to participate and that he has a constitutional right to contact an attorney and have the attorney present during the line-up. If the suspect cannot afford an attorney, and wants one, an attorney will be provided, without cost. If the suspect requests an attorney, the suspect should immediately be told that it will be his/her responsibility to contact an attorney. If the suspect requests an attorney and states that he is indigent (cannot afford to hire an attorney) then the detective should immediately cease the interview. Once any suspect has been advised that he / she is to participate in a physical line-up and the suspect requests an attorney, the case detective will contact the Forsyth County DA's Office or Solicitor's Office.

After advising the suspect of these rights, the deputy will attempt to have the suspect sign a waiver acknowledging refusal of his / her right to have an attorney present.

The suspect should be dressed in the standard jail inmate uniform prior to the line-up.

8. Developing the Physical Line-up / Fillers

Each physical line-up will have a minimum of six (6) participants, including the suspect. In the event of multi-suspects, the line-up should contain only one suspect, if possible.

Others participating in the physical line-up will be known as "fillers". Fillers will be selected from the Detention Center, if possible, and this process should be carefully coordinated with the Detention Center. In selecting fillers, the deputy must understand that no one, other than the suspect, can be required to participate in a physical line-up. The deputy must also select fillers that are similar. Similar does not mean identical or so close as to confuse any witness or victim. Similar means that all participants in the physical line-up be:

- Of the same sex;
- Of the same race;
- Within the same age range;
- Similar in facial and body features, such as facial hair, glasses, injuries, jewelry, amputations, deformities, etc.;
- Similar in hair color and length;
- Similar in height, weight and body size;
- Similar in the clothing worn, such as type, style, color, etc. and
- If possible, law enforcement officers should not be used in physical line-ups.

Participants in a physical line-up from the jail will all wear the standard jail inmate uniform. Each participant in the line-up, including the suspect will be assigned a number. The suspect will however, be allowed to choose which number he / she desires.

9. Conducting the Physical Line-up

All participants in the line-up will stand side-by-side, in numerical order. Participants may be made to speak certain words, move or turn in certain ways, or try on articles of clothing during the line-up. It is important to note that if any request of the participants is made, each participant, including the suspect must complete the request. Participant #1 should first complete the request and through to the last participant who should end the request.

Participants can be required to make any reasonable display of physical characteristics if it does not unduly embarrass or harass them. For example, display of a tattoo, scar, deformity, or other identifying feature recognizable to a witness.

The underlying idea is that the procedure must be FAIR and NEUTRAL. There must be no suggestion to the witness / victim that a certain person is to be identified. The procedure is intended to obtain identification of a suspect - nothing more.

10. Legal Counsel Participation

The courts encourage legal counsel to be present during a physical line-up. Any action on the part of law enforcement deputies might be interpreted as interfering with the suspect's expressed desire for assistance of counsel and may be judged as a violation of constitutional rights.

Counsel present at a physical line-up is there to observe. Counsel is allowed to make suggestions during the process. Counsel may not interview, question, object, or otherwise interfere with the physical line-up or the viewing by witnesses / victims.

11. Witness/Victim Participation

Witness / victim participation in a physical line-up should be carefully controlled by the investigator in charge. Witnesses and victims must not be coached or led in selecting one individual over another.

- a. Witnesses / victims must be kept separated from each other and should not be able to overhear any conversation between other witnesses or investigators.
- b. Witnesses / victims must not be able to see the line-up participants, even briefly, prior to actual viewing of the line-up.
- c. Questioning of witnesses / victims must be done individually and privately.
- d. Each witness/victim should either complete a written report or sign a sworn statement detailing any positive or tentative identification made during the line-up.
- e. Each witness / victim may request the line-up participants to speak certain words, move or turn in certain ways, or try on articles of clothing.
- f. Each witness / victim must be told:

- To examine each and every participant closely and carefully;
- Do not feel obligated or compelled to select an individual from this group. The perpetrator may not be in this group.
- That facial and body features and characteristics may change over a period of time.

12. Identification

If a witness / victim identifies a suspect as the perpetrator, the witness / victim will then be required to state whether their identification is positive or tentative.

13. Photographs or Video Recordings of the Line-up

Photographs or video recordings will be taken of all physical line-ups.

14. After Identification

Upon completion of the physical line-up, the investigating deputy will be responsible for preserving and maintaining documentation of the line-up for future court use, as the line-up itself is considered evidence.

15. Presence of a Supervisor

A CIS supervisor will be present at all physical line-ups.

16. Juvenile Participation in a Physical Line-up

If a decision is made to conduct a physical line-up and a juvenile or juveniles will be used, permission must be granted by a Juvenile Court Judge before the line-up may be conducted. If permission has been granted, a CIS detective must be present along with the juvenile's parent or guardian. Permission must also be obtained from a Juvenile Court Judge prior to any video-taping or photographing of the line-up. A juvenile will have the same rights of counsel at a physical line-up and all waivers obtained will be witnessed by a detective as well as the juvenile(s) parent or guardian.

17. Probable Cause

Any positive identification in a physical line-up will be considered probable cause. Any tentative identification must have additional information in order to establish probable cause.

PROCEDURE: SOP 3-3.505 INVESTIGATIVE TASK FORCE

Rescinds/Amends:

Effective Date: May 6, 2021

Committee Review - Date: April 2021

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I INVESTIGATIVE TASK FORCE

To facilitate the investigations of criminal activity that crosses jurisdictional boundaries or to target specific illegal activities of a county-wide nature that exceed the on-hand capabilities of the Sheriff's Office, it may at times become necessary to create an investigative task force by assigning personnel on a temporary basis to work with other law enforcement agencies OR by detailing personnel to work with law enforcement personnel assigned on a temporary basis to this agency. Normal cooperation and interaction between agency personnel and outside investigators will not be considered an investigative task force.

II AUTHORIZATION

The authorization to participate in an investigative task force shall be given by the Sheriff or Chief Deputy. The proposal to form an investigative task force should address the following considerations:

- A. A clear understanding of the purpose and anticipated objectives must be established.
- B. The number and type of personnel and equipment needed to support the task force.
- C. The administrative and logistical requirements to sustain task force operations.
- D. The estimated financial requirements, to include direct and indirect costs, and the potential funding sources.

III PROCEDURES:

When formed, an investigative task force will adhere to the following criteria:

A. PURPOSE

The creation of a task force will be for a specific purpose. Objectives will be clearly established and agreed upon in advance, by all participating agencies.

B. AUTHORITY & RESPONSIBILITY:

If the task force is composed of personnel from different law enforcement agencies, an Inter-Agency Agreement will be prepared, establishing the over-all framework for the operations of the task force, its purpose, objectives, chain of command, operational procedures, geographic area of operations, administrative procedures, media relations, distribution of condemned assets (if any), and other relevant matters. The Inter-Agency Agreement will be signed by the chief executive officer of each participating agency prior to the activation of the task force. The agreement will explain:

- 1) The legal authority of task force personnel will be clearly explained, to include means to handle incidents arising outside a members' normal area of assignment.
- 2) The responsibilities of each level of authority in the Task Force will be addressed. One person will be placed in charge with his/her duties clearly established, to include reporting procedures, chain of command, and disciplinary authority over assigned personnel.
- 3) Personnel assigned to an Investigative Task Force shall adhere to their agency's policies where task force policies are not specified.
- 4) Agency policy shall supersede task force policy should they conflict.

C. ACCOUNTABILITY:

Normally a control group will be formed to provide executive oversight to the task force. The control group shall be comprised of law enforcement representatives and prosecutorial officials from each participating agency. The control group should meet as needed, but no less frequently than on a quarterly basis, to review the activities of the task force; to provide strategic direction for future activities; to resolve problem areas; to approve funding expenditures; and to address personnel related issues.

D. RESOURCES:

The Inter-Agency Agreement should also address the resources to support and sustain task force operations.

- 1) Each participating agency should be tasked to contribute manpower, equipment and financial support to sustain task force operations.
- 2) Appropriate control and accounting procedures for the handling of task force funds must be established.
- 3) Property accountability, equipment maintenance, and security procedures are also necessary.

E. EVALUATION:

An established method for evaluating task force results and the need to continue operations is essential.

- 1) Performance indicators should be identified as a means to track the performance of the task force. Such indicators should be directly related to the over-all objectives of the task force.
- 2) A method of quarterly review and analysis should be established by the Control Board, whereby the officer in-charge of the task force submits a written progress report that addresses each of the performance indicators.

- 3) Finally, the over-all continued necessity for the task force should be considered annually, so that the longevity does not extend beyond the need for the task force's existence.

IV Officer Safety

Agency personnel who participate in an Investigative Task Force shall always adhere to established officer safety policies and procedures.

Task force members shall be briefed as to the identity of each task force participant.

Procedure:	SOP 3-3.506 Criminal Intelligence
Rescinds/Amends:	
Effective Date:	November 28, 2018
Committee Review - Date:	June 2018
Related Procedure(s):	
Authorized by:	Sheriff Ron H. Freeman



PURPOSE:

To provide guidelines for the collection, processing, maintenance, and sharing of suspicious incidents and criminal intelligence relating to individuals or organizations involved in criminal and homeland security activities that may present a threat to the community.

POLICY:

It is the policy of the Forsyth County Sheriff's Office to collect and maintain intelligence information limited to individuals, organizations or members of organizations who appear to be involved in criminal conduct that could present a threat to the community. In addition, all employees of this agency share in the responsibility for collection, processing and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities. The collection/submission, access, storage, and dissemination of criminal intelligence information must respect the privacy and constitutional rights of individuals, groups, and organizations.

DEFINITIONS:

Intelligence Information: Information relating to specific crimes and criminal activities. Typical examples of areas of concern are organized crime, vice, illegal drug trafficking, terrorism, gangs, intelligence which may have an impact on the safety and well-being of the community and civil disorders. It is not information collected for political or other purposes unrelated to crime.

Homeland Security: The agency's local contribution to a concerted national effort to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur. It also refers to the agency's role in responding to other hazards to the community resulting from adverse weather conditions, health emergencies or other unusual incidents.

Right to Know: Legality of disclosure/failure to disclose intelligence data. Right to know exists only when (1) state or federal statutes mandate release to the person requesting such data, or (2) mandated by judicial action, specifically by subpoena.

I. PROCEDURES:

A. Operations and Administration

1. The functions of intelligence information collection, processing, and dissemination is the responsibility of the Criminal Intelligence Unit.
 - a. During the course of a day, any employee of the agency may be exposed to information regarding criminal activities or terrorism threats within and outside of the jurisdiction. Such information may only be a small part of the bigger whole and may seem insignificant on its face. The information, however, should be recorded in an appropriate manner and forwarded to the Criminal Intelligence Unit.
 - (1) Employees will receive periodic training on criminal intelligence process, their role in criminal intelligence and the sharing of information.
 - b. Such information regarding immediate future or planned criminal activities should be reported to the Criminal Intelligence Unit as soon as possible.
 - c. Employees are encouraged to use the field contacts module in the records management system or submit a miscellaneous report to document information and submit criminal intelligence information. Information may also be forwarded to the Criminal Intelligence Unit via the SO Intelligence email group.
2. Criminal intelligence information may be gathered by the Criminal Intelligence Unit and all personnel from their contacts with informants, concerned citizens, witnesses, offenders, social media, web sites and other sources. While criminal intelligence information may be obtained from criminal justice, non-criminal justice and individual sources, all information must be obtained in accordance with local, state and federal statutes. Intelligence information collected by agency employees shall be channeled through the Criminal Intelligence Unit before processing or disseminating to ensure information collected is limited to criminal conduct or relates to activities that present a potential threat to the community.
 - a. Information submitted will be analyzed for relationships with other intelligence data and when relationships are shown, the proper law enforcement officer/agency will be advised of the information.
 - b. Charts and graphs may be used to show flow and relationships when practicable.

- c. Once the criminal intelligence has been vetted, the information may be distributed to CID, Uniform Patrol or forwarded to proper law enforcement jurisdiction

B. Type and Quality of Information

- 1. Intelligence files may be established for persons, vehicles, organizations, and events. Files should include all available information that pertains to criminal and/or homeland security activities.
- 2. All information submitted to the intelligence files must be rated according to the source of the information and reliability of the information. This also includes information received via the confidential tip line for both email and voice recordings. Criminal Justice sources are the most verifiable and thus may be the most credible. Non-criminal justice sources are difficult to verify and may require additional research to confirm reliability. Information from Individual sources may be verified by past encounters or by obtaining corroborating information from more than one individual.
- 3. Information retained in the criminal intelligence files, which include homeland security activities, shall be evaluated for source reliability and content validity.

The following terms and guidelines are used:

Source Reliability

- A. Reliable - The reliability of the source is unquestioned or has been well tested in the past.
- B. Usually Reliable - The reliability of the source can usually be relied upon as factual. The majority of information provided in the past has proved to be reliable.
- C. Unreliable - The reliability of the source has been determined unreliable or sporadic in the past.
- D. Unknown - The reliability of the source cannot be judged. The authenticity or trustworthiness has not yet been determined by either experience or investigation.

Content Validity

- A. Confirmed - The information has been corroborated through sources and or verified by investigation.
- B. Probable - The information is consistent with past accounts.
- C. Doubtful - The information is inconsistent with past accounts.

D. Cannot be judged, not evaluated.

4. When relationships are seen among files, reports, etc. copies will be made and cross-reference to the related file.

C. Dissemination and Utilization of Collected Intelligence

1. Intelligence information collected by agency employees shall be regarded as sensitive and maintained as such. It should not be shared with members of the news media or other persons not associated with law enforcement unless approved by the Criminal Intelligence Analyst or designee. The collection/submission, access, storage, and dissemination of criminal intelligence information must respect the privacy and constitutional rights of individuals, groups, and organizations.

2. Information shall be disseminated only to law enforcement officers on a need-to-know basis.

a. Inter-Agency Intelligence Exchange

Pertinent information shall be disseminated to the appropriate operational units of the agency. This may be done verbally, by memorandum, intelligence bulletin and/or e-mail and any dissemination shall be documented as stated in this policy. Operational units are encouraged to provide feed-back to the intelligence component on the utility of information received.

3. All disseminations shall be recorded by documenting at a minimum the following information:

- a. Name of law enforcement officer to whom dissemination was made.
- b. Data of dissemination.
- c. Purpose of dissemination.

4. Equipment

- a. Certain equipment is necessary to conduct intelligence operations.
- b. Necessary equipment should be readily available to those who are in need of such equipment.
- c. To prevent unauthorized use and loss of the surveillance and undercover equipment, the distribution and use of the equipment shall be approved by a Criminal Investigations Division.
- d. All equipment shall be used within legal guidelines.
- e. It shall be the responsibility of officers using the equipment to attain an understanding of the operation of any equipment used.

D. Liaison with Other Agencies

1. The Criminal Intelligence Analyst shall be primarily responsible for maintaining liaison with federal, state, and other local law enforcement agencies for the purpose of sharing intelligence. The Crime Analyst shall be the primary liaison with the Georgia Information Sharing and Analysis Center (GISAC).
2. Membership in intelligence organizations shall be assigned as needed by the Criminal Intelligence Analyst or designated representatives of the agency.

E. Maintenance and Security

1. Intelligence information/records shall be in a secured computer network folder limited to authorized users by permissions of the system administrator. If there is a need for paper intelligence files or information it will be maintained in locking file cabinets with access limited to the Criminal Intelligence Unit or Criminal Investigations Division. The Criminal Intelligence Analyst shall ensure that these procedures are in place to safeguard, secure and store criminal intelligence information.
2. A review of the files should be conducted periodically so as to remain current. Information which is determined to be outdated, unreliable to the extent of providing nothing actionable, will be destroyed in such a manner so as to prevent its recollection and distribution by unauthorized persons.

These methods could include permanent deleting of electronic files, purging, burning and/or shredding of paper files. All destruction of Intelligence files will be under the personal direction of the Criminal Intelligence Analyst.

3. On an annual basis, a review of the procedures and processes associated with criminal intelligence will be conducted by the Criminal Intelligence Analyst or designee.

PROCEDURE: SOP 3-3.801 INFORMANT MANAGEMENT

Rescinds/Amends:

Effective Date: January 11, 2018

Committee Review - Date: January 2018

Related Policy(s): GO 3-3

Authorized by: Sheriff Ron H. Freeman



I INFORMANT MANAGEMENT

Detectives shall use and control the services of confidential informants in a productive and responsible manner. The use of informants must be carefully managed to avoid abuse of the law enforcement-informant relationship by either detectives or informants.

Informants are not employees of the agency, but using an informant imposes a special responsibility on the agency. Any detective working with an informant will carefully communicate what limitations are imposed on an informant. For the Narcotics Taskforce to function effectively, the identity of the informant must be kept confidential and on a need-to-know basis.

A. RESPONSIBILITIES

The Narcotics Taskforce Commander is responsible for authorizing informant payments for all types of criminal information such as narcotics, robbery, homicide, thefts, terrorist or hate activities, or any other information of value relating to the law enforcement effort. The Narcotics Unit supervisor will maintain all informant payment records and informant files. The Narcotics Unit supervisor is authorized to pay an informant up to \$500.00. The Narcotics Unit Commander is authorized to pay an informant up to \$1000.00. Any amounts greater than \$1000.00 must be approved by the Law Enforcement Bureau Commander.

The Narcotics Unit supervisor is responsible for guiding detectives in the use of informants. The controlling detective is responsible for the direct management of his or her informants. These responsibilities include:

1. Instructing informants as to their limitations.
2. Ensuring, within legal and administrative requirements, the confidentiality of the informant's identity.
3. Determining when it may be appropriate to terminate the individual's informant status.

B. ACTION

1. Evaluating Potential Informants

Informants can be valuable in solving and preventing crime and are a necessary part of law enforcement. Detectives must keep in mind that informants, unlike citizens who simply report crime to law enforcement, are often motivated by some self-serving interest. It is not uncommon for some informants to claim that they "work for" an agency, intentionally giving the false impression that they are an employee. Detectives must be alert for any attempts by an informant to control or manipulate them by:

- a. Interviewing the individual to determine the motive for assistance.
 - b. Ascertaining that the individual has been an informant for another detective or agency. The informant's participation must be completely voluntary.
 - c. Performing a criminal history record check. If there is a history, obtain a copy and include it in their file.
 - 1) If the informant has criminal cases pending, the prosecutor having jurisdiction over those cases must be notified that the individual is seeking informant status with the agency. This must be done prior to any informant being used for any directed activity, such as a narcotics buy.
 - 2) Any individual on parole or probation must receive approval from their current probation or parole officer before they may be used as a confidential informant. If parole or probation requires that the sentencing judge approve such a request, then it is the duty of the narcotics officer to contact the court and provide to the sentencing judge and probation/parole, in a written letter, why the officer desires to use this individual as a confidential informant. If the individual is approved by their probation/parole officer and/or the sentencing judge, all agency procedures related to the use of confidential informants shall apply in addition to those required by probation, parole, or the sentencing judge.
 - d. Check with other deputies and law enforcement agencies who may know the subject to determine credibility. Try to determine whether the person is giving them the same information. This will have a bearing on both credibility and any consideration for payment. Document on Confidential Informant (CI) Form any assistance to another agency.
2. Do not use the following individuals except in extraordinary circumstances and with the approval of the Narcotics Taskforce Commander.
- a. Any individual previously shown to be unreliable.
 - b. Any individual under the age of 17. Before such an informant can be used, approval of the parent or guardian must be obtained. The parent or guardian must sign the Confidential Informant Conduct Agreement Form. The parent or guardian must also sign the Waiver of Liability Form. These forms will be signed off by the Narcotics Taskforce detective and Narcotics Taskforce supervisor before continuing with the case investigation.

- c. Any individual who is a defendant in any pending state or federal prosecution without the approval of the responsible agency. This approval will be noted on the CI form.
- d. Any individual who is deemed inappropriate by the Narcotics Taskforce Commander.

C. ADMINISTRATION

1. Establishing an Informant

A detective seeking to establish an individual as an informant will submit the following information to the Narcotics Taskforce supervisor on a CI Form:

- the individual's true name, aliases, address, telephone number, social security number, date of birth, race, sex, weight, height, hair color, eye color, real and alias signature, fingerprint card, photograph and criminal history.
- any additional information which would affect how the individual would be used as an informant, such as occupation, income, associates, personal idiosyncrasies, attitude toward law enforcement and places frequented.

2. Approval

The Narcotics Taskforce supervisor will approve or disapprove the source as an informant. If approved, the Narcotics Taskforce supervisor will issue an identifying number to be used by all detectives in referring to the informant in any reports, court testimony, financial statements, receipts, correspondence, or any other written reference.

The number will be constructed using the following format: CI-YY- MM-NN

- a. "CI" stands for "Confidential Informant".
- b. "YY" is the last two digits of the calendar year.
- c. "MM" is the two digits of the calendar month.
- d. "NN" is a two-digit sequential number.

EXAMPLE: The first informant approved for the month of January for the year 2014 will be CI-14-01-01.

The Narcotics Taskforce supervisor will check requests against a list of current and past informants prior to issuing new CI numbers. If a record of the subject is located indicating that the individual is currently, or was previously an informant, the Narcotics Unit supervisor will determine whether or not to use the subject. If the individual was deactivated for cause, the Narcotics Taskforce Commander and the Law Enforcement Bureau Commander will confer and must agree that it is in the best interest of the agency to reactivate the informant.

Once the informant is assigned a number, the informant will retain that number as long as he or she is used by any controlling detective of the agency. A reactivated informant will use the same CI number previously held unless consideration of confidentiality indicates a new number is needed.

Each approved informant must sign the Confidential Informant Conduct Agreement using his or her real name signature, witnessed by the controlling detective. Each payment to an informant will be recorded on the Voucher for Payment Form.

All contact with informants which provide substantial information or require action by law enforcement must be documented within 24 hours.

A photograph MUST be attached to the profile sheet.

A copy of all investigative summaries that contain the CI number MUST be a part of the file.

Deputies assigned to the Uniform Patrol Section will not use paid informants.

D. RECORDS

1. Informant Files

Documentation concerning informants will be kept by the Narcotics Unit Supervisor under lock and key in the Narcotics Unit location with limited access, based on a need-to-know.

The original of the Confidential Informant Profile Form and other documents are kept in a folder which will be kept strictly confidential. This folder will not be removed from the office unless so ordered by the Narcotics Unit Supervisor, with access to this folder limited to Narcotics Unit personnel. Any other person, including deputies of equal or higher rank, must have a right and need to know in order to have access to the file. This folder will serve to document the performance of the informant to establish legal reliability.

This folder is updated when necessary and serves mainly to record the issuance of the informant's number and pertinent information.

E. CONFIDENTIALITY OF INFORMANT IDENTITY

The identity of all informants will be treated as confidential and no disclosure of any informant's identity will be made if at all possible.

Informants may be classified as "Sources" or "Confidential Informants". "Sources" usually provide investigative leads, but do not actively participate in investigations. Detectives can usually assure "Sources" of anonymity.

"Confidential Informants" who actually play an active role in investigations; i.e.; present at drug sales, etc., will not be promised anonymity, as the court may rule in an in-camera hearing that their identity must be revealed and they must testify if called by the defense.

F. MANAGING INFORMANTS

Informants are not employees of the agency, but using an informant imposes a special responsibility on the agency. Unsupervised or careless use of informants is counterproductive and creates problems for both the detectives who use them and the agency.

Detectives receiving information from informants will never take enforcement action based solely on the word of an informant unless the informant has been proven reliable. Informant information is only a part of the probable cause needed to initiate enforcement action. Detectives will substantiate informant information and obtain additional information from other sources sufficient to meet the requirements of probable cause. Detectives will always attempt to determine the informant's motive for providing the information and be cautious not to make any promises to the informant.

No detective will meet with an informant / defendant of the opposite sex without another detective present as a witness. Any initial meeting with an informant / defendant will be made by two detectives.

Detectives can meet informants / defendants alone after the initial meeting only when a surveillance deputy is informed of the meeting and is nearby. If it is with an informant of the opposite sex, two detectives must be present at all times.

Surveillance team members will be advised of:

- The informant's physical description (provide a photograph) and any possible vehicles that are operated by the informant / defendant.
- Any other known associates who may accompany the informant / defendant.
- Meeting location and time.
- Expected length of the meeting.

Under no circumstances will a detective ask an informant to engage in any illegal conduct. Detectives will ensure that informants understand that any criminal behavior on their part will not be condoned or protected. Detectives will ensure that the conduct of informants does not in any manner encourage the commission of a crime. This is especially important where the informant is involved in active law enforcement-directed conduct such as a narcotics buy. Detectives will explain the provisions of the Georgia law regarding entrapment (OCGA 16-3-25) to their informants. Any encouragement of criminal activity can have serious consequences for the detective or agency, can raise the defense of entrapment and may nullify the entire case.

Information of other criminal activity received by a Narcotics Taskforce detective will be passed on to the Narcotics Taskforce Commander for evaluation and further investigation.

If an informant asks to be paid for information, the detective will arrange for an introduction between the informant and a detective with the responsibility of investigating the type of information being provided. If the informant refuses the introduction, the detective may seek to arrange for information payment as provided in subsection H of this directive.

G. INFORMANT BUYS

An informant may be able to make a buy from an individual that the undercover detective cannot. Before the informant is used, thoroughly brief him/her as to what conduct is expected, including:

1. The informant should not sell or deliver any controlled substance to anyone, except as directed by law enforcement.
2. The informant should not sell or deliver drugs to anyone and then set up a buy of the same drugs by an undercover detective.
3. The informant should never use sexual activity to induce an individual to sell or deliver drugs to an undercover detective.
4. The informant will not search any person, suspect, house, car, papers, or personal property.
5. The informant must not become involved in activities that would constitute entrapment.
6. The informant should not participate in acts of violence.
7. Making it clear that there is a good chance that the informant may or will have to testify in court. If possible;
 - a. Have the informant telephone the suspect to arrange the buy while the call is monitored and recorded.
 - b. The buy should take place with continued surveillance of the informant.

Thoroughly brief all participating detectives and make sure they can recognize the informant. If cover personnel do not know the informant, photographs will be provided to each team member. This applies to photographs of the prospective dealer as well, if available.

Before sending the informant to make the buy, completely search them, along with their vehicle and then keep them under surveillance. This precaution is very important, especially if the informant has to appear as a witness in court.

1. Give the informant marked or recorded money to make the buy.
2. After the buy, pick up the informant and secure the evidence. Completely search the informant and their vehicle again to make sure that he / she does not keep any of the drugs.
3. Obtain a statement from the informant, giving all details of what took place while the buy was being made. Be sure the statement includes:
 - The location of drugs purchased;
 - The location and names, if possible, of others present;
 - The conversation between the dealer and any others present;

- The conversation between informant and the dealer;
- Any visual presence of weapons; and
- Any visual presence of dogs or other dangerous animals.

H. PAYMENTS TO INFORMANTS

Informant payments will be made from the Special Investigative Fund with the advance approval of the Narcotics Taskforce Commander. The Narcotics Taskforce Commander will establish criteria for the payment of informants and has the responsibility of determining the circumstances under which payments are authorized and the amounts of payments. Amounts in excess of \$1000.00 must be approved by the Law Enforcement Bureau Commander.

No specific amount of payment in excess of \$1000.00 will be discussed with the informant by any detective prior to a meeting between the Narcotics Taskforce Supervisor and Taskforce Commander.

Upon payment, the informant will sign the Voucher for Payment Form and two deputies will witness the signature. The informant must sign the receipt for compensation, and his or her identifying number must be on the receipt. This record will be kept at the Narcotics Taskforce office for fiscal management. The informant will be told that it is their responsibility to claim the income on their taxes and the detective will document on the Payment Voucher of said advisement.

Each payment to an informant will be recorded on the Informant Payment Form Record. An audit of informant payment records may be made by the Sheriff's designee.

I. DEACTIVATION OF INFORMANTS

If an informant violates the provisions of the Confidential Informant Conduct Agreement, his or her informant status may be terminated. A report citing the violations or other reason for termination will be placed in the informant's folder. Any consideration of retention must be approved by the Law Enforcement Bureau Commander. An audit of the Confidential Informant files will be conducted by the Narcotics Taskforce Supervisor every two (2) years. Any Confidential Informant that has become dormant with no contact for the past year or has violated the Confidential Informant Agreement will be marked "Deactivated" and will be maintained in the same manner as the "Active" Confidential Informant files.

PROCEDURE: SOP 3-3.802 NARCOTIC RAIDS

Rescinds/Amends: 3-7.312

Effective Date: July 22, 2020

Committee Review - Date: September 2014

Related Policy(s): GO 3-3

Authorized by: Sheriff Ron H. Freeman



I NARCOTIC RAIDS

Coordination between Narcotics Unit personnel, SWAT and / or UPS personnel for additional back-up and / or surveillance assistance will be expected for safety of all personnel involved.

High risk raids will be conducted with the assistance of SWAT, if required by SWAT Matrix. **(SOP 1-6.200)**

A. NOTIFICATION OF UNIFORM PATROL SECTION COMMANDER AND / OR SWAT COMMANDER

The Narcotics Unit Lieutenant will notify the Uniform Patrol Section (UPS) Commander and or Watch Commander of any anticipated buy-bust situations and the expected location of the activity.

The Narcotics Unit Lieutenant will coordinate the documentation by team members of their actions and observation at the raid scene.

Supplemental to the assistance by SWAT, the Narcotics Unit will adhere to the procedures outlined as follows:

1. The Narcotics Unit conducts raids to seize evidence related to illegal drug activity. Since drug evidence can easily be destroyed, it is necessary to surprise the offender before illegal drugs can be disposed.

It is important for detectives participating in a raid to know the type and amount of drugs they are seeking and if possible, the location within the building where the drugs are kept. This information and more is needed to secure a search warrant and to affect a legal and speedy search and seizure. Money from illegal drug trafficking may also be one of the objects of a raid because it can be used as evidence in court. In cooperation with other units of the Sheriff's Office, the Narcotics Unit may also recover stolen property and evidence of other crimes during a raid.

2. The raid must be under the authority of the Narcotics Unit Lieutenant or supervisor. The case detective should be the affiant of the warrant because the affiant has firsthand knowledge of the location as well as case details. The Narcotics Unit case detective will plan the raid and will carefully brief all participants. The number of personnel needed to carry out the raid will be dictated by the location and circumstances as approved by the Narcotics Unit Lieutenant or supervisor. Narcotics Unit personnel must be backed up by at least one uniformed deputy. If two or more locations must be raided at the same time, the Narcotics Unit Lieutenant must form a raid team for each location, each with a lead detective and sufficient back-up personnel to ensure adequate safety.
3. During the execution of the raid:

NOTE: A search warrant containing a No-Knock provision shall have been reviewed and approved by the Chief Deputy or Sheriff prior to Judicial review and/or approval.

- a. Inform the UPS Watch Commander and the 911 Communications Center. If possible, this notification should be made by telephone so as not to jeopardize the secrecy of the raid due to the availability of law enforcement scanners.
- b. If a search warrant is executed, entry will be gained by what force is necessary, or by deception.
- c. The premises to be raided should be surrounded; all exits, including first floor windows, should be within view of at least one detective.
- d. When the team enters the location, all suspects should be handcuffed and gathered in one room. The suspects should be searched first and then the room should be searched. The suspects should be kept in this room by one detective.
- e. The affiant of the warrant or assigned detectives should inventory all evidence found by the team members. All evidence found during the search should be marked by the affiant to aid in identifying the evidence in court.
- f. If at all possible, any money seized for either evidence or safekeeping will be counted immediately by two detectives. If it is not possible to count the money immediately, it will be put into an appropriate container showing the date, time and case number and carefully guarded for later counting when circumstances permit.
- g. After the search has been completed, a copy of the search warrant and the inventory of all evidence taken will be given to the person named in the warrant. If no one is in the location at the time, a copy of the warrant will be left in a conspicuous area within the search location for the person named in the warrant. Prior to leaving, the case agent will assure that the location is as secure as possible to protect private property. Dispatch will be notified if the property is unable to be secured.

- h. Inform the 911 Communications Center that the detectives have concluded the raid and have left the premises.

B. INTER-AGENCY LIAISON

The Forsyth County Sheriff's Office shall maintain cooperative working relationships with other Public Safety agencies, local governmental agencies and other agencies within the Criminal Justice System. Full cooperation is expected by all members of this agency.

The Sheriff's Office shares responsibility with these agencies to work toward common goals and objectives; investigation, arrest, prosecution and conviction of offenders; confiscation of illicit narcotics / drugs and the sharing, when possible, of assets forfeited as a result of investigations properly managed and executed.

PROCEDURE: SOP 3-3.803 UNDERCOVER OPERATIONS

Rescinds/Amends: SOP 3-7.313

Effective Date: May 14, 2018

Committee Review - Date: April 2018

Related Policy(s): GO 3-3

Authorized by: Sheriff Ron H. Freeman



PURPOSE: To establish guidelines whereby FCSO undercover operations targeting vice, drugs, organized crime and other types of criminal activity are conducted in a manner which maximizes Officer safety while achieving investigative objectives. These guidelines will be followed in all instances where FCSO personnel are working in an undercover capacity.

Definition:

Cover Team – Two or more deputies designated to monitor the activity of the undercover deputy through visual and/or audio means while fully prepared to perform an overt law enforcement action or rescue.

Cover support – Investigative support exclusively dedicated to monitor the undercover activity in such a manner as to be immediately available to respond to any situations affecting deputy safety or the security of the operation.

Descriptive Clothing – Clothing or attire that is properly marked with the FCSO badge and other markings that identify the wearer as a Forsyth County Deputy Sheriff and a law enforcement officer. Examples of descriptive clothing are raid jackets or marked FCSO body armor carrier (with markings displayed).

I. GENERAL

A. When working in an undercover capacity, FCSO Deputies will be covered at all times by FCSO Deputies or other law enforcement officers approved by the work unit supervisor.

II. COVER GUIDELINES

A. Visual Surveillance

1. Visual surveillance of undercover activity is preferred and should be employed by covering personnel whenever possible.

2. The possibility of counter surveillance, location, terrain, and other factors may make visual surveillance impractical, impossible, or hinder the operation to the point of endangering the undercover deputy. In such instances, the cover team, will, at a minimum, be positioned to monitor radio communications from the undercover deputy in the event immediate assistance or intervention becomes necessary.

B. Body Transmitter

Undercover deputies will utilize a wireless transmitter while working in an undercover capacity unless specifically exempted by a FCSO supervisor who has direct involvement in the operation.

C. Backup Communications

1. A backup or alternative communications system will be devised for use in all undercover operations. This backup system will be utilized in the event of electronic failure or if supervisory approval has been obtained for not having transmitter in their possession due to the possibility of electronic countermeasures or other documentable reasons.

2. The system must afford the undercover deputy a means to notify or alert the cover team should assistance or intervention be immediately needed.

3. The system may consist of visual signals, prearranged time frames for re-contact, or other agreed upon nonverbal signaling. Backup communications should be developed considering factors such as the target's prior criminal history, location of the undercover contact, and other relevant factors.

4. All participating personnel are to be thoroughly briefed on the agreed upon backup communications system prior to the commencement of the undercover operation.

III. SUPERVISOR RESPONSIBILITIES

A. The supervisor responsible for the investigation will ensure that proper planning, the appropriate degree of cover, including as an adequate number of cover team members for the operation and an adequate backup communications system have been incorporated into the undercover operation.

B. The supervisor must specifically approve all non FCSO cover team members participating in the absence of FCSO deputies. The supervisor must be satisfied as to the competence, diligence, and ability of the law enforcement officers performing the cover team function. The non-FCSO personnel must be briefed regarding the relevant requirements of this policy.

C. The supervisor will ensure that any questions concerning legal issues relating to planned undercover operations are addressed to the appropriate state or federal prosecutor.

D. The supervisor will coordinate requests for required assistance from other state, local or federal law enforcement agencies.

IV. CASE DEPUTY RESPONSIBILITIES

A. The case deputy for an investigation that employs undercover deputy resources is accountable for the fulfillment of the same operational and administrative requirements as in any other case assignment.

B. The case deputy will assume responsibility for the direction of the investigation and take appropriate action to:

1. Designate a cover team leader and clearly identify the duties and responsibilities to be carried out by that individual. In many instances, the case deputy may also function as the cover team leader.

2. Ensure that operational briefings are conducted as often as necessary and in sufficient detail so that all participants understand their duties and responsibilities and limitations as well as the specific objectives of the investigative action at hand. Participants are to be afforded the most current information available relevant to the suspect, including photographs, where practicable, as well as the results of all intelligence and criminal history checks, proposed meeting location, potential problems, time and location checkpoints, the primary and backup communications systems to be utilized, and other pertinent information. Primary and backup communications systems should be tested. Dependent upon time constraints and availability, maps, photographs, or videos depicting the target area(s) should be furnished to the cover team.

3. Ensure that all necessary surveillance and support equipment is available and functioning properly. Personnel who are unfamiliar with the operating procedures for the equipment should be provided adequate instruction in the proper use of the equipment. Ideally, only personnel with previous training should be assigned primary operational responsibility for complex, sensitive technical/electronic equipment.

4. Ensure that all confidential sources to be used are properly documented. Their participation should be clearly noted in follow-up correspondence to prosecutors at the conclusion of each investigation for which they have participated.

5. Ensure that undercover deputies have obtained necessary buy funds and/or flash rolls in accordance with policy and directives.

6. Make timely notification to the supervisor regarding the status of undercover operatives and the outcome of the investigative actions.

7. Ensure compliance with provisions of related directives such as the handling of physical evidence, usage of buy funds, flash roll procedures, timely submission of reports, and any other applicable directives or supervisory guidelines.

8. Ensure positive identification of suspects is achieved prior to arrest. Timely, appropriate follow-up investigative action is to be taken to assist undercover deputies in that regard.

- a. Prior to making application for the issuance of an arrest warrant or indictment, the case deputy is to have exhausted all reasonable means to ensure the positive identification of the named subject. Identification efforts include obtaining photographs for defendant identification, criminal histories, addresses, places of employment, vehicles, and other pertinent information.

- b. Once a suspect has been detained, the case deputy should immediately arrange for the undercover deputy to verify that the detainee is the subject to be charged. The method used to attempt identification should be selected in accordance with applicable statutes, case law, and the preference of the responsible prosecutor.
 - c. If the undercover deputy is immediately available, and a positive identification is made, a photograph should be made to depict the deputy and the defendant together provided a face-to-face encounter would not jeopardize an ongoing investigation. Appropriate documentation should then be posted in the relevant case file to verify the identification.
 - d. If an arrest is made outside the presence of the undercover deputy, immediate internet transmission of an arrest photograph can be used for positive identification. If such method is used, the transmitted photograph and proper documentation to support the identification will be posted in the relevant case file.
 - e. In those instances where criminal charges arise from a FCSO undercover investigation, no prosecution is to be initiated until a positive identification of the suspect has been made by an undercover deputy who directly participated in, or who witnessed the transaction that formed the basis of the criminal charge.
 - f. In those FCSO investigations that rely upon evidence obtained by, thru, or with the assistance of an informant, or other cooperating operative, it is the responsibility of the case deputy to ensure that a positive identification is made of any suspect prior to the initiation of a criminal prosecution.
9. Ensure that any issued arrest warrant that cannot be served in a reasonable period of time is entered into the GCIC/NCIC computerized wanted files.
- a. Special notice is to be posted with any warrant that the case deputy is to be immediately notified upon the arrest of the named party.
 - b. A similar notice is to be attached to the original arrest warrant and any copies that may be left with another work unit or other agency for service.

V. COVER TEAM LEADER RESPONSIBILITY

A. The role of the designated cover team leader is to provide immediate response or intervention to assist the undercover deputy as the situation may dictate. This includes the request for medical assistance should it be required.

B. The cover team leader is responsible for:

- 1. Coordinating any cover support activity with the undercover deputy so that all participants are familiar with any predetermined plan of action.
- 2. Recording and having available a complete description of the undercover deputy, the deputy's vehicle, and that of any cooperating party should adverse action necessitate an emergency dissemination of such information.

3. Ensuring that the undercover deputy is not followed by any suspect as the deputy departs from the target area after meetings or transactions.
4. Relaying the circumstances regarding any changes in the pre-planned course of investigative action to the case deputy and all participants. The case deputy will notify the unit supervisor as circumstances warrant.
5. Ensuring that each cover team member has immediate access to descriptive clothing and protective armor that readily identifies the cover team members as law enforcement should the cover team need to provide immediate response or intervention to assist the undercover deputy. Cover team members will be properly attired in descriptive clothing prior to initiating an arrest or initiating any type of overt contact with a suspect.

VI. UNDERCOVER DEPUTY RESPONSIBILITY

- A. Deputies who are assigned to participate in an investigative action that requires them to work in an undercover capacity will act in a responsible, reasonable and safe manner. Unless specifically exempted by the unit supervisor, undercover deputies shall be armed with or have readily accessible an issued or approved firearm.
- B. Undercover deputies are to adhere to a pre-planned course of investigative action which has been approved by the unit supervisor and case deputy.
 1. The only exception shall be when unexpected circumstances arise that jeopardize safety. In such an instance, deputies are to take appropriate action to regain control and render the situation secure or withdraw from the area if this is not possible.
 2. Immediate notification of any deviation from the pre-planned course of investigative action should be made to the cover team leader.
- C. In as timely a manner as possible, undercover deputy should advise of their initial contact with the suspect(s) and relay physical descriptions of suspects, suspect vehicle(s) and other pertinent information to deputies who are covering or supporting the undercover action to enable them to assist in acquiring additional descriptive information, taking necessary enforcement actions or making preliminary identifications.
- D. Absent exigent circumstances, the undercover deputy will not initiate an arrest while in an undercover capacity.
- E. Upon safely withdrawing from an undercover situation, the undercover deputy should immediately make contact with the cover team leader to report his/her status and to arrange for whatever follow-up action may be appropriate or necessary.
- F. As soon as practical following any undercover investigative action, deputies should prepare detailed notes to document a complete description of the persons met or observed, where such took place, and specifics as to the events that occurred or action taken.

G. Deputies acting in an undercover capacity are to preserve and maintain proper custody of physical evidence that may come under their control until it can be released to the case deputy, appropriate evidence storage facility.

H. If an undercover deputy is placed in a position where alcohol consumption is necessary in the line of duty, the deputy is expected to consume the least amount possible in support of the operation and at all times maintain his/her sobriety to the extent he/she can efficiently and effectively perform all assigned duties. The deputy's degree of sobriety is also expected to remain at a level so as to ensure the deputy does not violate the laws of the State of Georgia.

I. If an undercover deputy is participating in an investigation involving prostitution or masturbation for hire or any other sexually related crime, at no time will he/she engage in any act of sexual contact.

VII. USE OF AUDIO OR VIDEO RECORDING DEVICES IN AN UNDERCOVER CAPACITY

- A. Audio and video recordings are potentially very significant evidence in the prosecution of crimes investigated using undercover techniques and an emphasis should be placed on utilizing them whenever possible. When an audio or video recording is obtained, the recording media must be secured by the undercover deputy until relinquished to the case deputy.
- B. Electronic media will be secured and stored in accordance with FCSO evidence policy.
- C. Access to the recording media will be limited to the undercover deputy, case deputy and the appropriate supervisors. The recording media will be secured until relinquished to the prosecutor or the case is otherwise disposed of by the court. Guidelines for the use of video recordings which are made in private residences in pursuit of state prosecution must be established with local prosecutors. The uses of video recordings in pursuit of federal prosecution are acceptable under current federal guidelines.
- D. The use of certain technical and disguised equipment by confidential informants is strongly discouraged as it poses issues of officer safety.

VIII SURVEILLANCE AND UNDERCOVER EQUIPMENT

The agency has access to many pieces of equipment to ensure the safety of its law enforcement personnel. One of these is the body wire, or body mike. It is designed to allow back-up detectives to monitor a law enforcement operative to ensure his / her safety, and its use is permitted upon approval from the Narcotics Unit Lieutenant or supervisor.

Members of the Sheriff's Office **will not, under any circumstances**, use a body wire for unauthorized verbal interceptions. State and federal law prohibits such use and violators can be prosecuted. Having knowledge of this activity and not reporting it will lead to prosecution as well as agency discipline.

The appropriate checkout forms / logs will be used when checking out surveillance equipment.

1. Body Wire

The body wire can be used as a prosecution tool when one person involved in the conversation has knowledge his or her conversation is being intercepted and permission was given beforehand

2. Inventory Control for Investigative Tools

In addition to the procedure for the body wire and recordings, any other investigative tools will be issued to the Narcotics Task Force personnel and used solely by Narcotics Task Force personnel unless approved by the Narcotics Task Force Commander, Lieutenant or supervisor. The use of this equipment will be supervised by a member of the Narcotics Task Force. When returned, the equipment will be inspected to determine its condition and ensure its operational readiness for future use. Such equipment must be properly stored and maintained. All intelligence equipment will be inspected by the Narcotics Task Force Lieutenant or supervisor on a monthly basis to ensure its operational readiness.

PROCEDURE: SOP 3-3.804 FUND MANAGEMENT

Rescinds/Amends: SOP 3-7.314

Effective Date: May 14, 2018

Committee Review - Date: April 2018

Related Policy(s): GO 3-3.8

Authorized by: Sheriff Ron H. Freeman



I FUND MANAGEMENT

The Narcotics Unit Lieutenant will, on a quarterly basis, present an expenditure report to the CIS Commander for review.

Monthly, and as scheduled by the Narcotics Unit Lieutenant, personnel assigned to the Narcotics Unit are required to "zero out". This zeroing out is the accounting of all monies advanced to him/her.

Personnel must show cash, travel vouchers, and/or Purchase Evidence / Purchase Information (PEPI) Form to equal the exact total that they have been advanced.

Prior to requesting additional PEPI funds, the Narcotics Unit Lieutenant will forward to the CIS Commander a copy of expenditures from existing funds.

A. ACCOUNTING OF FUNDS

At the end of each year, the fund will be audited by the Sheriff's Office Finance Unit. The Narcotics Unit Lieutenant will be responsible for the disbursement of funds from the confidential fund account. Payments in excess of \$1000.00 will be approved by the CIS Commander.

The Narcotics Unit Lieutenant will maintain documentation of all expenses of Forsyth County Sheriff's Office funds. At the time of submission of request for additional funds, the Narcotics Unit Lieutenant will forward a copy of this documentation to the CIS Commander.

B. PROCEDURES FOR HANDLING CURRENCY

The following procedures will be used whenever a sworn member of the Criminal Investigation Section seizes or assumes possession of currency:

1. Counting:

All currency coming into custody will be counted immediately in the presence of another law enforcement deputy.

When an extraordinary amount of currency makes an immediate count impractical, the count may be held in abeyance as follows:

- a. The currency will be secured in a sealed container; and
- b. Will be dropped into an evidence locker to be placed in their safe until the count is affected.

Unless extraordinary circumstances exist, all currency will be hand-counted and verified by either an automated or second-hand count. If an automated counter is used, the currency will be counted two (2) times and any discrepancy resolved by hand counting.

The Narcotics Unit Lieutenant will be notified when an investigator assumes possession of currency in excess of \$1000.00. In the event that possession of \$5000.00 or more is made, the on call evidence personnel will be called in to secure these funds in their safe. The Narcotics Unit Lieutenant will in turn notify the CIS Commander in a timely manner should either of these events occur.

2. Documentation and Verification

All currency will be documented on a Receipt for Property Form in accordance with the provisions of agency procedure.

3. Security

All currency must be sealed and maintained in a tamper-proof deposit / evidence bag. The case number and the signature of the deputy will be written on the face of the bag at the time it is sealed. The property receipt will be securely attached to the outside of the bag.

If a bag is opened for any reason, the currency will be immediately counted in the presence of the deputy who sealed it or a unit supervisor. An investigative summary will be prepared to document the actions taken.

All currency will be stored in strict accordance with agency policy regarding the Evidence / Property Room. No seized currency will be stored for any reason at the Narcotic office without prior approval of the CIS Commander.

Anytime a discrepancy in a recorded currency amount is detected, the Narcotics Unit Lieutenant will immediately report this to the CIS Commander.

C. PURCHASE EVIDENCE / PURCHASE INFORMATION (PEPI) FUNDS

PEPI funds may only be used for the following purpose:

1. Purchase of evidence or contraband;
2. Payment to informants; or

3. Miscellaneous expenses; expenses incurred by deputy(s) during the course of an investigation and concerning only that investigation. Miscellaneous expenses are defined as those expenses which a detective would not ordinarily incur except for an investigative action. For example, the purchase of official written documents necessary to the investigation, cover charges, and meals for informants, etc.

D. FLASH ROLL PROCEDURES

The following procedures will be used for flash rolls:

1. The Narcotics Unit Lieutenant and/or supervisor must be present for this investigative action.
2. Approval must be received by the CIS Commander prior to an investigative action.
3. The Narcotics Unit Lieutenant and/or supervisor is responsible for the security of the flash roll.
4. Flash rolls will not be spent.
5. Flash roll denominations will not be changed.
6. At the conclusion of using a flash roll, it will be returned to the Sheriff's Office Finance Unit to be deposited back into the account from which it was withdrawn and a verbal report will be made immediately to the CIS Commander.

E. EQUITABLE SHARING OF SEIZED AND FORFEITED PROPERTY WITH FEDERAL AGENCIES

Federal laws now permit the sharing of forfeited property by federal agencies with state and local law enforcement agencies who have participated in drug investigations.

When a member deputy of CIS participates in a seizure of tangible property or cash in which a federal asset share is requested, the detective shall immediately forward a DAG-71 Federal Form to the Condemnation Coordinator for processing.

PROCEDURE: SOP 3-3.1100 PROPERTY ROOM

Rescinds/Amends:

Effective Date: March 23, 2023

Committee Review - Date: April 2018

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I. PROPERTY ROOM

A. Processing and Storage

A property voucher is used to record each item of property (or set of items) submitted to the property room. All items or packages of items submitted to the property room will have a property voucher attached. If seized items are collected from the same location, they may be listed on one (1) property voucher. Property vouchers contain the following information:

1. Case Number
2. Name of person from whom property obtained;
3. Victim / owner's name;
4. Suspect's name;
5. Location where property was obtained; Quantity, description and of all property;
6. Reason for impounding;
7. Deputy's name;
8. Chain of custody including;
9. Date of transfer(s);
10. Receiving person's name(s); and
11. Relinquishing person's name(s)

Information regarding all found, recovered and evidential property accepted into the property room will be verified/entered into the Evidence Control Room module of the agency approved Records Management System (RMS). At a minimum, the following information on each item should be included:

1. Date property was logged
2. Submitting deputy's name
3. Agency case number
4. Property Report Number
5. Owner's name
6. Receiving Evidence Person's Name
7. Bin number where stored
8. Quantity

9. Description of evidence / property
10. Disposition

B. Internal Controls

The Evidence Custodian is responsible for maintaining security and integrity of the property and evidence unit, hereafter referred to as 'unit'. All doors to the unit shall be secured and monitored by a security alarm when no property and evidence personnel are present.

All property and evidence will be kept in assigned storage areas unless being processed.

Personnel may only enter the unit for official business after signing the log sheet located at the entry door. They must be accompanied by an employee assigned to the property and evidence unit at all times. Upon exiting the unit, each person is required to sign out in the logbook.

Property and evidence room personnel shall keep all areas neat and in order at all times.

II. COLLECTION, PRESERVATION AND PRESENTATION OF PHYSICAL EVIDENCE

The investigation of criminal acts is an extension of duties assigned to the Sheriff through constitutional and statutory requirements under the laws of the United States and State of Georgia. Evidence and property are seized upon considerations of the fourth amendment of the United States Constitution through consent, seizures, abandonments, or judicial search warrants. The investigation of crime and the prosecution of offenders require that *information* (evidence) be obtained through the appropriate application of scientific knowledge and methods. In order to effectively use laboratory support services, physical evidence must be identified, documented, collected, preserved properly and transmitted (transferred) to the laboratory for analysis. Physical evidence is of major importance in all cases, to prove, disprove or tend to disapprove a material fact, particularly in those cases that have no witnesses. The successful prosecution of a case often depends on the quality of the physical evidence that is collected and the manner in which it is presented.

The agency will diligently follow forensic methods of obtaining and protecting this evidence, in order to carry out the functions of the department.

All deputies, detectives, and crime scene personnel are responsible for the collection and preservation of evidence. Additionally, they are responsible for documentation, processing and maintaining the chain-of-custody of all evidence collected. In this section deputies, detectives, and crime scene personnel will be referred to as "collecting officer".

A. Responsibility of Responding Deputy

It is the responsibility of the first deputy at the scene of a crime to secure that scene from all nonessential personnel. The scene of a crime must be secured as soon as possible to prevent the loss of short-lived and other types of physical evidence. The deputy securing the scene should initiate a crime scene log, listing the time, name and reason for all personnel who enter the crime scene. Personnel on scene will not

disturb, touch or handle physical evidence, unless the evidence will be lost or destroyed prior to processing by crime scene technicians or an investigator. Should such a situation arise, it becomes the responsibility of the deputy to document, mark, seal, tag, and preserve the evidence.

1. Whenever the Crime Scene Unit responds to a crime scene or incident, they will be responsible for photographing, documenting, collecting, preserving, transporting and submitting all evidence to the Property and Evidence Unit.
2. Whenever the scene is processed by a patrol deputy or detective all evidence obtained will be marked, sealed, tagged and placed in the property room or evidence locker by that deputy/detective;
3. Request for evidence processing should be submitted to the Crime Scene Unit Manager by submitting an email containing case information along with a service requested.
4. The procedures used for the collection and preservation of all evidence will be in conjunction with procedures established by the GBI Crime Laboratory.

B. Crime Scene Photography / Video

Crime scene photography / videography is utilized as a comprehensive aid to clarify and supplement written reports, to provide a permanent record of fragile or transitory evidence and to identify persons at the scene. Photographs should be taken prior to any disturbance to the crime scene.

1. Photographing the Crime Scene
 - a. The crime scene will be photographed systematically to guarantee a visual image of the entire crime scene as well as minute or circumstantial trace evidence.
 - b. Overall crime scene photographs encompassing the geographical area and adjacent tract of land should be taken. These photographs should be taken from a distance that will include the entire area involved in the crime scene.
 - c. Photographs should reflect the location of the evidence, weapon, body, or other pertinent details of the crime scene. Photographs should be taken to ensure that sufficient detail is obtained and to tie the crime scene together in order to tell a story to the court of the total circumstances surrounding the particular crime.
 - d. Close-up photographs will be used to identify and record individual items or small sections of larger items. The item should appear in the full view photograph to show the relationship to other objects.
 - e. Comparison quality photographs with and without scale may be taken of latent prints, footwear impressions, tire impressions, blood stains or patterns, tool marks, hair and fiber evidence and any other items of trace evidence which would not normally appear in other photographs.
 - f. Artificial light in the form of floodlights or electric flash or may be necessary in dark or poorly lit areas.
 - g. When appropriate, videotaping may supplement, but will not replace, still photography at a crime scene in order to properly record particular elements that are not easily depicted in a photograph.

- h. All photographs and video recorded via cell phones (private or county owned) are considered evidence and must be submitted in according to established policy. No photographs or video should be stored on any cell phone.

2. Photographs of other Incidents

Photographs are to be taken in the following situations

a. Family violence incidents:

Photographs shall be taken of the victim to ensure documentation of any physical evidence.

Photographs shall be taken of the primary aggressor, if applicable, to ensure documentation of any physical evidence.

b. Use of force incidents:

Photographs shall be taken of the suspect to ensure documentation incurred during any use of force regardless of injury.

Photographs shall be taken of the deputy/deputies involved to ensure documentation of any injuries or resistance incurred during uses of force.

c. Accidents involving Forsyth County Sheriff's Office owned or Forsyth County owned vehicles:

Photographs shall be taken of the damage to all vehicles involved. Photographs shall be documented in all applicable reports (i.e., Family Violence, Incident Report, Use of Force Report). For example, "I took five (5) photographs of John Q. Citizen's facial injuries and turned them into evidence."

A photocopy of all Use of Force photographs shall be attached to the Use of Force packet and submitted to the Enforcement Division director.

3. Processing of Film

The detective who took the photographs at any scene will seal the exposed film in a photographic envelope, enter all required information on the envelope (case number, name of victim, name of suspect, date/time, location obtained, quantity, incident type, deputy name, description of item etc.) and turn the exposed film package over to the Evidence / Property Room Custodian or his / her designee along with a completed evidence voucher. Detectives may, at their discretion, transport exposed film directly to the County approved processing vendor. The evidence voucher must document the transfer of custody to the film processing vendor and document the return of it on the property voucher. The processed negatives will then be sealed in a photographic envelope or evidence bag and will be submitted to the evidence custodian along with the property voucher.

The exposed film will be processed by an outside vendor authorized by the agency. All evidentiary photographic negatives will be stored and safeguarded by the Property and Evidence Unit.

All videotapes will be stored and safeguarded by Evidence Unit Personnel.

4. Digital Images

- a. Digital photographs are to be downloaded to accepted electronic media (DVD, CD, or USB drive) and submitted to Property and Evidence Unit.
- b. Digital photographs can be transmitted to the electronic case file on the Forsyth County Sheriff's Office server for storage.

All photograph evidence should be packaged separate from other evidence.

C. Crime Scene Sketches

Crime scene sketches are prepared to supplement notes and photographs and to provide accurate measurements of sizes and distances of objects and their relationship to other objects. A rough sketch will be completed at the crime scene which will accurately show the locations and relationships of pertinent evidence. The sketch should include any bodies, weapons, tools or other objects used in the commission of the crime. Basic elements that will be included in the crime scene sketch are:

1. Dimensions;
2. The relation of the crime scene to other buildings;
3. The address, floor, or room number;
4. The location of significant features of the scene, including the victim;
5. The date and time of preparation;
6. The name(s) of the detective(s) preparing the sketch;
7. Direction of North;
8. The location of physical evidence recovered; and
9. Legends describing items too small or too difficult to duplicate in their exact shape or scale.

After a rough sketch has been completed, this information will be recorded on a final sketch. The final sketch will be attached to the detective's case file folder.

D. Reporting Requirements

In addition to inventory requirements, the Crime Scene technician, detective, or deputy shall prepare a supplemental report of the processing of the crime scene to include:

1. Date and time of arrival at the scene;
2. Location of the crime;
3. Name of the victim(s), if known;

4. Name of the suspect(s), if known;
5. Narrative of the reporting person's actions at the scene;
6. Action taken at the scene, including the number of photographs taken and measurements (yes or no and reference to sketch);
7. Report reference number

If a specialist from outside the agency is used, the date and time of request and the requesting deputy's name will be added to the investigation synopsis. All information obtained by the specialist will be documented with the evidence technician's report or the incident report. If the specialist has his / her own report, a copy of it shall be included in the investigative report.

E. Collection of Blood and/or Urine for DUI Investigations

In any arrest or investigation for driving under the influence (DUI) of alcohol and / or drugs, the appropriate DUI kit for collecting blood or urine will be utilized.

1. The blood specimen must be placed in the vacuum tubes containing an anti-coagulant provided in the kit. Blood may only be withdrawn for the purpose of determining the alcoholic content by a physician, registered nurse, qualified technician or chemist. Blood must be collected as soon as possible after the violation.
2. Urine specimens will be collected in the plastic container provided in the DUI kit.
3. Blood and / or urine specimen containers must be sealed with a tape or label that displays the following information:
 - a. Case Number
 - b. Name of suspect;
 - c. Date and time of collection; and
 - d. Name of person(s) collecting and / or sealing the sample.
4. All samples will be submitted in the DUI kit and maintained in the UPS secure lockers until the Evidence Custodian can transport the evidence to the GBI Crime lab for analysis.

F. Latent Prints

The following general guidelines will be followed when processing a crime scene for latent prints:

1. Latent impressions developed with fingerprint powder should be photographed on the original object. Secondary photographs will be taken with the use of a scale. After being photographed, they may be lifted. The lifted print is to be placed on a latent fingerprint card and the following information listed:
 - a. Place of occurrence
 - b. Offense type;

- c. Offense date;
 - d. Date processed;
 - e. Collector's name;
 - f. Case number; and
 - g. Diagram of latent impression on item.
2. Latent print cards will be packaged, sealed, and placed in an evidence locker along with a completed property voucher. They will not be packaged with any other type of evidence.
 3. Items suspected of containing latent prints may be collected from a scene and submitted to Property and Evidence for latent print processing by the Crime Scene Unit. All items submitted to evidence should be properly packaged to protect the latent prints.
 4. When requesting a comparison of latent prints with fingerprints of a known suspect, the requesting deputy must provide the name, date of birth, and FBI number of the suspect to Crime Scene Unit Personnel.

G. DNA Evidence

The primary responsibility of the first responder is to render the scene safe and then secure all potential evidence. First responders should be aware of the different types of evidence that can contain DNA, such as cigarette butts, combs, brushes, food and drink containers, hair, skin, bodily fluids, etc. All personnel should be familiar with the agency's policy on infectious materials prior to handling any possible DNA evidence. The only reason a first responder should handle DNA evidence is to protect it from loss, damage or contamination. If possible, the evidence should be photographed before it is moved, and the exact location noted in the report. The DNA evidence should then be turned over to the detective or preferably the Crime Scene Unit personnel.

Blood, urine, semen and other body fluids will be collected at a crime scene where they are found by crime scene personnel or detectives trained in collection procedures established by the GBI Crime Laboratory. The selection of the collection area within the scene, method chosen for collection, and preservation will be at the direction of crime scene personnel.

To avoid contamination of evidence that may contain DNA, always take the following precautions:

1. Wear gloves, changing them before and after obtaining a sample
2. Use disposable instruments or clean instruments thoroughly before and after handling each sample
3. Avoid touching the area of evidence where you believe DNA may exist
4. Avoid talking, sneezing, scratching and coughing over evidence
5. Avoid touching your face, nose and mouth when collecting and packaging evidence
6. Air-dry evidence thoroughly before packaging

7. Place evidence in new paper bags or envelopes; do not use plastic bags or staples

Collection of DNA Samples

1. Document the stain with overall, medium, and close up photographs with a scale.
2. It is recommended to complete a diagram of the location of the stains.
3. The two-swab method will be used when collecting unknown DNA samples. The Crime Scene Unit should be contacted if Deputies are unfamiliar with this procedure. An adequate control sample should always be collected from and adjacent to an unstained area.
4. The item containing the stain should be collected if possible.
5. Bloodstained articles such as bloody clothing should not be packed for submission to the State Crime Lab until it has thoroughly dried at normal room temperature. Clean paper should be placed under the drying object to catch any falling trace evidence. When the object is dried and ready for packaging, the paper should be carefully folded to secure the trace evidence and placed in the wrapping with the article in a paper bag. Multiple items must be packaged individually to avoid contamination.

H. Trace Evidence

Trace evidence such as hair, fibers, paint chips, and glass fragments can be collected using one of the following methods after proper photographs:

1. Tape Lift Method- cut a section of clear tape and place the tacky side of the tape on the surface containing the trace evidence. Once the trace material has adhered to the tacky side of the tape it should be placed on a clear plastic bag. The bag with the strip of tape should then be placed into an evidence bag. The bag should be marked with the location in which the tape lift was obtained along with other case information. The packaging must be sealed and initialed.
2. Bindle Fold- small trace evidence can be collected and placed in a paper fold. The paper fold can then be placed into an evidence bag, marked and sealed.

I. Other Items Collected as Evidence

1. Wet Items: Wet clothing collected as evidence should be dried in the crime scene lab. As soon as the evidence is dried, it will be marked, sealed, and tagged in paper packaging and submitted to the Property and Evidence Unit.

Documents that are wet for any reason will be handled in the same manner as wet clothing.

2. Firearms: All firearms must be unloaded and submitted on a separate property tag, and with the ammunition packaged separately. All firearms will be checked for stolen through the GCIC / NCIC computer by the submitting deputy and should have the NCIC printout attached to the property tag or noted on the property tag the status of the weapon.
3. Drugs: Dangerous drugs (including, but not limited to narcotics, hallucinogens and narcotic implements) submitted to the property room will be counted if appropriate, by the submitting deputy. Each separate container of the material will be marked with the count, the deputy's name performing the count and the date.
 - a. The property voucher will list all dangerous drugs, including number of containers, and / or count.
 - b. All dangerous drugs submitted to the property room will be double bagged and sealed.
4. Currency: All money submitted will be counted by both the submitting deputy and a witness. All money will be sealed in a tamper-resistant package and tagged separately upon submission to the property room. The property tag must identify the amount of money, who submitted it and who verified the count.

Note: Both drug and currency evidence will be secured in a separate secured area within the Property / Evidence Room as an extra security measure.

5. Volatile Fluids: Volatile fluid of evidential value should be stored by the fire department in approved containers. A maximum of one gallon will be stored. Excess volatile fluid will be disposed of in accordance with EPA and Fire Department procedures for hazardous waste materials.
 6. Explosives: No explosives, dangerous chemicals, nuclear material or ammunition greater than .50 caliber will be submitted to the Property / Evidence Room. Contact will be made by the supervisor or Property / Evidence Custodian or investigating deputy with the GBI's Bomb Disposal Team or other specialized agency when such material is recovered. All such items are to be photographed and disposed of according to procedures in the codified ordinance. Handling of the items will be accomplished by the Bomb Disposal Team or by the specialized agency requested at the scene.
- J. Perishable Evidence

Evidence that is collected at a crime scene and secured in the property room may not be submitted to the GBI Crime Lab until a suspect is developed or standards of comparison obtained. In the event perishable evidence is delayed in submission to the GBI Crime Lab for any reason, it will be documented on the lab report and / or evidence report. An explanation shall be given for the delay in analysis. This should be documented in narrative form in the case file.

The storage of perishable evidence is handled on a case by case basis. When perishable evidence must be stored, it will be brought to the evidence/property room

for storage in the refrigerator located there. The evidence will be tagged, clearly marked "EVIDENCE" and will be logged in by the evidence custodian. If the perishable evidence must be turned in during non-duty hours, the on-call evidence custodian will be notified by the watch commander or designee to open the evidence/property room to intake this evidence.

Other evidence collected and not sent immediately to the Crime Lab (ex: when waiting for comparison items) will be placed in the Evidence / Property Room until it can be transported to the Crime Lab. No evidence will be placed in personal lockers or desks at any time.

Due to the seriousness of life threatening diseases being transmitted through bodily fluids and the risk involved with handling these fluids, any time evidence or containers of bodily fluids are handled by detectives, latex or rubber gloves will be worn.

K. Computer Equipment

Searches and seizures of computer hardware and software shall be in accordance with the *Best Practices For Seizing Electronic Evidence v 4.2 United States Secret Service* which is available in PowerDMS.

The collecting officer shall exercise caution to protect the computer equipment and preserve all evidentiary value. Deputies should follow the following guidelines:

1. Securing Stand-Alone Computers

- a. If the computer is "off," don't turn it on. If the computer is "on" don't touch it. If someone is at the keyboard, remove him/her immediately, because it's possible to quickly alter or destroy evidence in the computer. Document, videotape and/or photograph and write detailed notes about what is on the screen.
- b. After recording what is on the screen, immediately disconnect the modem/router (or telephone line) and power cord from the back of the computer. Many computers are connected to uninterruptible power supplies and, if so, pulling the plug from the wall outlet allows the computer to continue operating. The individual may have installed a program to shut down the computer in the event of loss of power that could alter files during the shutdown process.
- c. After the power plugs have been pulled, the seizing deputy should ensure that no individuals attempt to power up the computer and look through the files as this will alter the data on the hard drive. In order to prevent this occurrence, place evidence tape over each drive slot.

2. Securing Laptop Computers

- a. When seizing a laptop computer remove the battery first and then disconnect the power supply. This ensures the complete disconnection of all power sources to the laptop.
 - b. Make sure that you seize the power supply for all laptops. The power supply cords are often proprietary to the manufacturer and may be required in order to access the laptop for forensic analysis.
3. Securing Mobile Devices
- a. If the device is powered on, the device should remain powered on. Put the device into airplane mode and remove the SIM card to keep any outside data destruction from occurring. Place the device in a Faraday Bag if one is available.
 - b. If the device is powered off then leave the device powered off.
 - c. Seize the charging cords for any Mobile Devices seized

4. Labeling/Documentation

- a. When disassembling the computer system, label each part so it can be reassembled in court. Prior to disassembling the computer, photograph the back of it and everything connected to it. Draw a diagram of the back of the computer. Label all cables and the corresponding connection terminal or other devices.
- b. Ensure that it is documented where exactly the computer/mobile device, etc. was located when found by the reporting deputy. For example, master bedroom under the bed; front passenger side door compartment

5. Packaging, Transporting and Storing Computers

When transporting, package computers so that they are secure from dropping or falling. Do not use standard plastic bags such as zip-lock type bags or plastic evidence bags. Do not pack them with styrofoam or other materials with small particles as they may become lodged in the computer. Use only paper bags, cardboard boxes, or anti-static bags and/or other containers made specifically for electronic media. Keep the computer and storage data, and any other related media storage devices away from radio transmitters, generators and magnets.

6. Computer Storage

Store the computer in a climate-controlled area and away from magnets or generators or any device which emits electromagnetic signals.

Whenever a deputy requires additional technical assistance to seize a computer, the watch commander shall contact the on-duty/on-call CIS supervisor for assistance.

L. Collection of Known Standards for Comparison

When the following types of physical evidence / trace evidence are collected from a crime scene, a known standard sample must be collected for comparison by the GBI Crime Laboratory. The location from which the samples are taken is critical for the Crime Scene Unit or the Crime Laboratory and should be documented on the lab report and / or evidence technician report. All standards for comparison will be collected in accordance with procedures established by the GBI Crime Laboratory.

1. Blood

- a. Buccal swabs (preferred method) Using sterile swabs collect a swabbing of the cheek cells from the mouth of the subject. Place the swabs in a swab box. Seal and label the swab boxes. Place swab boxes in paper envelope or paper bag. Seal and label packaging and submit to Property and Evidence Unit.
- b. Blood samples taken from living victims and suspects will be placed in a 5 ml. purple-stopper tube which contains EDTA. Properly seal and label the tube with the suspect's or victim's name, date, name or initial of the detective and the doctor or medical technician who draws the sample. **DO NOT FREEZE.** Blood samples must be delivered to the Crime Lab as soon as possible.

2. Hair

Known hair from subjects will be collected using a GBI Hair Collection Kit. Hair samples will be placed in a zip-lock bag or other sealable plastic bag. An appropriate known hair sample consists of a minimum of twenty-five (25) randomly pulled hairs. Samples from separate body areas must be packaged separately in a pharmaceutical fold and label with area of body of origin. These areas include head, arm, brow, eyelash, facial, leg and pubic hair. Pubic hair should be treated in the same manner but packaged separately

3. Footwear

Known shoes will be collected and packaged in paper bags.

4. Other known standards

Other known standards will be collected in accordance with the GBI Crime Laboratory Service Manual.

M. Submission of Evidence to Property and Evidence

All collected evidence/property shall be placed in an approved evidence locker by the collecting deputy before the end of their tour of duty. The only exception to this shall be on major crimes (e.g. – a homicide) where the crime scene technician is required to process a large number of items. From the locker, it will be picked up by Property and Evidence Personnel to preserve the chain of custody. Perishable and non-perishable evidence will be secured in the property room until it is transferred to the GBI Crime Laboratory. Transfers to the Crime Laboratory are made by the Property / Evidence Personnel on a routine basis.

N. PACKAGING

1. It is the responsibility of the submitting deputy, detective, or crime scene personnel to properly tag, mark, and package evidence submitted to the property room. All evidence packaging must be properly sealed and reflect the initials of the collecting officer. A completed property voucher must be completed with the correct information and the packaging must contain the following:
 - a. Agency Name
 - b. Case Number
 - c. Date Collected
 - d. Address where evidence was recovered
 - e. Incident Type
 - f. Victim Name
 - g. Suspect Name
 - h. Name of collecting deputy
 - i. Item number (should correspond with the number on the property voucher)
 - j. Item Description
2. Packaging sharp items
 - a. All sharp items such as open blade knives, scissors, and cutting tools should be wrapped in paper
 - b. Syringes and needles should not be submitted to Property and Evidence.
3. Package separately from all evidence:
 - a. Currency
 - b. Firearms
 - c. Ammunition
 - d. Marijuana
 - e. Narcotics
 - f. CD's or Photographs
 - g. Latent Prints
 - h. Jewelry
 - i. Paraphernalia
 - j. Cell Phones
4. Seal on evidence packaging
 - a. Plastic evidence bags must be sealed and initialed by collecting officer.
 - b. All paper bags and other paper packaging must be sealed with red evidence tape and initialed by collecting officer.
5. Evidence may be placed in the evidence lockers at one of the provided locations by the end of the collecting officer's shift. If too large for the evidence locker, it may be stored in secured evidence cage at the Property and Evidence Office. If

refrigeration in necessary of a perishable item, the Evidence Custodian shall place the evidence in the property room refrigerator.

6. It is the responsibility of the collecting officer to compile a written report detailing the circumstances under which the property came into the agency's possession. This may be put on the incident report.
7. The Property Room Personnel will accept all evidence, if properly tagged, and shall log the evidence into the property room. If the evidence is improperly packaged, marked, or handled by the collecting officer, the custodian will notify the appropriate UPS or CIS supervisor to evaluate and/or correct the situation. In every case, every effort will be made to maintain the integrity of the evidence and the chain of evidence.

O. Property Vouchers

All deputies / detectives will use the Sheriff's Office Property Voucher Form to document and account for all evidence and / or property collected. Evidence / Property will be turned over to the Evidence Personnel.

1. Property Voucher Forms

Property Voucher Forms will be completed by the deputy / detective originally taking custody of evidence or property. Items of evidence / property collected from different persons or at different times or locations should be documented on separate property vouchers.

No evidence or property will be stored in desks, offices, personal lockers or other unauthorized places.

When property / evidence is returned to the owner or submitted to the GBI Crime Lab, the owner or state official receiving the evidence / property will document receiving, the property/evidence on the electronic property voucher.

A copy of the electronic Property Voucher Form will be given to the person who had custody of the evidence / property when it was seized. If evidence / property is seized from indoors and no one is present, the copy will be left at that location or otherwise retained in the case file.

When making returns on search warrants, photocopies of the vouchers can be attached to the search warrants as an inventory of seized property.

Property that is no longer of evidential value shall be returned to the owner in accordance with the provisions of Georgia State Statute.

2. Transfer to Court

Any time a deputy takes evidence to court, he / she will sign the evidence out on the Property Voucher Form. The deputy will take the item and a copy of the Property Voucher form to court. If the court retains the property, the bailiff or court clerk will sign the form which the deputy brought to court. The form is then returned to the property room.

When items are returned to the property room by deputies after court, the deputy shall sign the electronic Property Voucher Form indicating the property was returned.

When items are returned directly by the court, the receiving deputy will note on the form that the items were received directly from court and have the court employee sign the form

P. Responsibility for Requesting Laboratory Examinations

The detective who is assigned the particular case will be the lead detective and responsible for requesting laboratory examinations. The lead detective will complete a GBI Crime Laboratory Submission form indicating what forensic test(s) are to be conducted. The GBI Crime Laboratory Submission form will be turned over to the Property and Evidence Unit.

It is the responsibility of property & evidence personnel to transport evidence to and from the GBI Crime Laboratory.

Q. Results of Laboratory Analysis

The GBI Crime Laboratory provides an electronic report of laboratory findings as standard procedure on all requests for laboratory examination. Electronically received reports of laboratory findings from the GBI Crime Laboratory or from the Crime Scene Unit are to be filed with the case report.

R. Training In Crime Scene Processing

Uniform Patrol deputies are usually the first deputies to arrive at a crime scene. They have a key function to perform in securing the scene and safeguarding evidence from damage or destruction. As a part of the agency's basic training curriculum for law enforcement recruits, provided by outside training academies, familiarization in the following subjects will be provided:

1. Potentialities and limitations of the examination of physical evidence;
2. The department's written directives concerning the role of the deputy, detective and evidence technician at a crime scene;
3. Collection methods and procedures for fingerprints, footprints, blood, fibers and fabrics, weapons, hairs, paint, glass and tool marks, and the requirements for collection of materials from a known source for comparison purposes;
4. Preservation methods for evidence;

5. Maintenance of the chain of evidence (marking, sealing, tagging, receiving);
6. Crime and accident scene photography; and
7. Crime and accident scene records.

III. SEXUAL ASSAULT KIT PROCESSING STORAGE AND TRACKING

Definition:

Sexual Assault Kit: a container which includes a checklist, materials, and instructions, along with envelopes and containers to package specimens collected during a sexual assault exam.

A. Processing

Sexual assault kits are utilized for the secure storage and transportation of physical evidence retrieved during a sexual assault exam by a trained nurse or physician with the consent of a victim of sexual assault.

The kit should be sealed and signed (across the seal) by the person who retrieved the evidence once collected evidence has been secured in it.

Sexual assault kits submitted to the Forsyth County Sheriff's Office Property and Evidence Unit for storage and processing shall include a CJCC kit number label with all information requested along with an agency case number, date and time of collection and the name of each person) collecting and sealing the kit.

Each sexual assault kit should be labeled as 'reported' or 'unreported'. In cases where the victim consents to a sexual assault exam but chooses not to report the sexual assault to law enforcement, the sexual assault kit shall be accepted as if the assault had been reported.

Sexual assault kits shall be transported to the GBI Crime Lab within 30 days of collection in compliance with O.C.G.A. 35-1-2.

B. Preservation of Physical Evidence

All physical evidence collected as a result of an alleged sexual assault that contains biological material, including but not limited to stains, fluids or hair samples that relate to the identity of the perpetrator of an alleged sexual assault shall be maintained by the Property and Evidence Unit for Thirty (30) years from the date of arrest or seven years from completion of sentence, whichever occurs last and if no arrests, then for Fifty (50) years.

If the victim chooses not to report the alleged sexual assault to law enforcement at the time of evidence collection, the Property and Evidence Unit shall maintain any physical evidence collected as a result of such alleged sexual assault that contains biological material, including but not limited to stains, fluids or hair samples that relate to the identity of the perpetrator of the alleged sexual assault for not less than Twelve (12) months from the date of any such physical evidence is collected. (OCGA 17-5-1)

C. Sexual Assault Kit Tracking System Administration (SAKTS)

The Evidence Custodian shall be responsible for ensuring each sexual assault kit is registered in the Sexual Assault Kit Tracking System (SAKTS) as mandated by House Bill 255 and the Sexual Assault Reform act of 2021. The Evidence Custodian shall update the SAKTS each and every time the sexual assault kit is moved and/or processed.

The Evidence Custodian shall serve as the system administrator for the SAKTS and shall be trained and registered in the system. The initial registration and training shall be completed no later than June 30, 2022. It is recommended that a backup administrator (Evidence Technician) be registered and trained on the system.

IV. DISPOSITION OF PROPERTY

The purpose of these procedures is to provide for the documentation, preservation, sale and conversion of recovered and found property by an orderly process resulting in a more efficient inventory control and chain-of-custody.

A. Definitions

Unclaimed Property- Any article of found or recovered property which is determined to be unclaimed after diligent efforts by the Evidence / Property Room Custodian to locate proper owner prove unsuccessful.

Public Auction - The process by which unclaimed property maintained in the Evidence/ Property Room is sold to the general public.

Weapons for Destruction- Any weapon designated by procedure, court order or administrative approval to be destroyed by an approved weapons destruction contractor.

B. Removal or Release of Property

Final disposition of found, recovered and evidential property must be accomplished within six (6) months after legal requirements have been satisfied. Items being held as evidence / property may be removed or released by one of the following methods:

1. To the Rightful Owner

Deputies will make every reasonable effort to verify rightful ownership to property and the identity of the person to whom the property is being released. Property (other than contraband and illegal substances) may be immediately released by any deputy to the rightful owner once all law enforcement use of the property is satisfied and the deputy who submitted the property has OK'd the property for release.

Once court requirements have been satisfied, the submitting deputy should attempt to contact the owner by telephone or in person and advise them of procedures to claim their property. If the submitting deputy cannot contact the owner, or the owner does not respond in a reasonable time, the custodian, or any other deputy may make reasonable efforts to contact the owner by telephone or

mail and inform of when and where the property may be claimed. If the owner cannot be located or fails to claim the property after a period of ninety (90) days, the property will be considered unclaimed.

2. Release to Finder

Found property (other than contraband and firearms) may be released to the finder of the item if the rightful owner is unknown or cannot be located. The property may be released to the finder after a period of ninety (90) days has passed and the owner has not claimed the item. Due to ethical considerations, potential conflict of interest or perceptions of conflict of interest, employees of the agency may not claim property found by them and submitted to the property room, regardless of the circumstances.

3. Forfeited Property

Property that is forfeited to the agency pursuant to state or federal law or any other municipal ordinance will not be released to its owner or finder. The Sheriff's Services Division commander will request that court orders are prepared describing such forfeited property and outlining its disposition.

4. Evidence

Evidence will not be released until cleared for release and until court and evidential requirements are satisfied. It is the responsibility of the investigating deputy to promptly notify the Property Room Custodian when the case has been completed.

Evidence related to a death investigation with an open/inactive status shall be maintained as evidence for a homicide case unless notified otherwise by the Major Crimes Unit.

5. Weapons

Dangerous weapons held as evidence may only be released after the court case is disposed of or dropped, and with permission of the investigating deputy, the prosecutor or the Law Enforcement Bureau Commander.

Weapons designated for destruction by Sheriff's Office administrative procedure or court order may not be released nor converted for agency use without authorization of the Sheriff's Services Bureau Commander.

Firearms must be checked through GCIC / NCIC and ATF prior to being released. Prior to release, the owner must be checked through the FBI for a felony record. If the owner has a felony record as outlined under state law, he / she will be notified that he / she is under disability and the weapon cannot be released to them.

6. Procedure for Destruction of Weapons

Destruction of weapons shall be performed by an approved service provider. The contractor providing weapons destruction services shall be capable of completely destroying each weapon preventing its future use as a weapon. The Evidence Custodian is responsible for ensuring proper documentation of weapons destruction is maintained.

7. Money

Upon releasing money, agency personnel shall open the sealed package in the presence of the owner or finder and count the contents together with the owner / finder. If there is any discrepancy, a supervisor should be notified immediately. The person receiving the money must sign a property release form. Money that is found and unclaimed or forfeited under the provisions of state or federal law, will be disposed of in accordance with this procedure and provisions of law.

C. Release from Evidence Status to Property

Upon notification from the appropriate Courts, the Property Room Custodian shall change the evidentiary item(s) to property status. The Evidence Custodian shall notify the owner that they have ninety (90) days to claim their property.

D. Public Auction Procedures

1. Sale of Unclaimed Property

Property which remains unclaimed for a period of ninety (90) days and which, after a diligent effort to find the true owner has been made without success may be sold at public auction upon receipt of a court order.

The agency may contract with a public auction company to conduct sales of items to be sold.

2. Advertisement of Sale

All inventories of unclaimed property to be sold at auction will be advertised in a local general circulation newspaper once a week for four (4) consecutive weeks. The advertisement will be of sufficient size and type to be easily read and understood by the general public. The advertisement shall contain notice of the following:

- a. A list of items be sold at upcoming auction
- b. The name and contact information of the auction company for further details as to the date and time of the sale.
- c. All items will be sold "as is"
- d. The Forsyth County Sheriff's Office, the contracted auction company nor Forsyth County provides any warranties either expressed or implied.

At the end of the 4-week advertising period, inventoried property will be turned over to the auction company for sale at the next scheduled auction.

3. Sale Procedure

Sale items will be displayed and available for viewing prior to commencement of the public auction as outlined by the guidelines of the contracted auction company. The auctioneer will announce at intervals during the sale that all sales are final and items are sold "as is". The auctioneer will also announce that there are no warranties expressed or implied by the Forsyth County Sheriff's Office, the contracted auction company nor Forsyth County. All sales will be considered final after all bidding has ceased on the specific item up for sale.

4. Items Prohibited

The following items will not be sold at the public auction:

- a. Articles with an altered serial number;
- b. Switchblade knives or "martial arts" weapons;
- c. Obscene materials;
- d. Liquor, wine or beer;
- e. Hazardous materials;
- f. Items specifically exempted from sale in court orders.
- g. Items specifically exempted from sale by the Sheriff, Chief Deputy, or Sheriff's Services Division Commander.

5. Unsold Property

If any items are unsold, these items may be given to a local charitable organization or destroyed.

6. Designation of Funds Collected from Sale

All funds collected from the sale of unclaimed property will be properly recorded and turned over to the Forsyth County Sheriff's Office Finance Unit.

7. Duty to Keep Records

It shall be the duty of the Evidence / Property Room Custodian to maintain documentation for all property / evidence which comes into or leaves the control of the Evidence / Property room. All items destroyed or given to a charity will also be documented, indicating the final disposition.

E. Conversion of Unclaimed / Seized Property for Agency Use

1. Authorization Required

Property lawfully converted to the ownership of the Forsyth County Sheriff's Office may only be released to an agency member for authorized agency use after receiving approval by a Major, the Chief Deputy or the Sheriff. Documentation will be maintained by the Evidence / Property Room Custodian regarding the disposition.

2. Care of Converted Unclaimed Property

Agency personnel having control of any converted property shall be responsible for maintaining this property with same due care as any other issued Sheriff's Office or Forsyth County property.

3. Unclaimed Weapons

Weapons which have been taken into evidence as safekeeping, found property or un-returnable, will be disposed of pursuant to Georgia law. O.C.G.A. 17-5-50 *et seq.*

4. No weapons or explosives shall be released to any agency member for investigative or training purposes.

5. Narcotics to be used for Investigative/Training Purposes

The Evidence/Property Custodian may allocate narcotics which have been lawfully released by the appropriate court having jurisdiction, to authorized agency members for use in special investigations and K-9 training.

- a. All transactions shall be recorded on the property voucher.
- b. Agency personnel requesting narcotics release shall complete a property release authorization form; the original shall be retained by the Evidence/Property Custodian. If the narcotics are to be used by the Narcotics Unit for undercover sales, or 'reverse' operations, only the Narcotics Unit Commander can sign the property release authorization. If the narcotics are to be used by the K-9 Unit for training purposes, only the K-9 Unit supervisor can sign the property release authorization.
- c. It will be the responsibility of the Narcotics Unit Commander and/or the K-9 Unit supervisor for the care of the property in their custody and for returning same to the Evidence/Property Room.
- d. All narcotics shall be weighed when released (i.e., K-9 training, Narcotics Unit). Narcotics released to the Narcotics Unit Commander for 'reverse' sales will be maintained in a safe that only the Narcotics Unit commander can open, along with a detailed record showing any activity related to official use of the narcotics. At such time any narcotics are used in 'reverse' sales operations, they will then become evidence and be re-submitted to the Evidence/Property Custodian as such. Narcotics released to the K-9 Unit supervisor for training purposes shall be maintained in a safe along with a detailed record showing

any activity related to official use of the narcotics. Upon returning the narcotics to the Evidence/Custodian for destruction, each narcotic shall be weighed again and properly documented.

F. Recovery and Disposition of Property

Whenever property is recovered by an investigator / deputy, that person should mark the property and properly tag it so that it can be easily identified. The tag shall contain:

- a. Case number;
- b. Name of victim;
- c. Date of recovery;
- d. Item Description;
- e. Type of Incident: and
- f. Initials of the investigator / deputy.

A Property Voucher Form shall be completed and the property turned over to the Evidence / Property Room Custodian with a copy of the property voucher so that an inventory of stored property can be kept.

The investigator / deputy should make every effort to return any recovered property to the rightful owner as soon as possible. Prior to releasing stolen property to the owner, it shall be photographed by the investigator / deputy for court purposes. Whenever possible, a digital or 35mm camera should be used. Oftentimes, the District Attorney's Office allows stolen property to be released without checking with them on every case; however, if unusual circumstances arise, the investigator or deputy may wish to consult the District Attorney's Office prior to releasing the property.

V. PROPERTY & EVIDENCE; AUDITS / INSPECTIONS

A. Property Room Audits

1. New Evidence Custodian

Whenever the person designated as the Evidence Custodian is changed, an audit of custodial and evidential property will be conducted. This audit will be performed jointly by the newly designated custodian and a designee of the Sheriff or Chief Deputy.

“High risk” items such as weapons, jewelry, money and narcotics will be accounted for in accordance with the current standards established by the Commission on Accreditation for Law Enforcement Agencies, Inc. (Appendix I).

Other evidence and records will be checked for accountability.

- a. The inventory shall ensure the continuity of custody and is not intended to require the accounting of every single item of property. The inventory shall be sufficient to ensure the integrity of the system and the accountability of the property; and
- b. The new custodian shall ensure that records are current and property annotated, and all discrepancies recorded prior to the assumption of property accountability by the newly appointed custodian.

2. Annual Audits

The Chief Deputy shall appoint a person not routinely or directly connected with control of the property and evidence function to conduct an annual audit, to ensure the security, accuracy and integrity of narcotics, weapons and money stored therein. The number and type of items to be inventoried shall follow current standards set by the Commission on Accreditation for Law Enforcement Agencies, Inc. (Appendix K).

- a. The audit shall include inspection of the electronic property log, ensuring that dangerous drugs, money and weapons received have been properly logged; an examination of the property vouchers to ensure that drugs, weapons or money have not been lost or checked out for an unreasonable length of time; an examination of the disposition files and property log to ensure that weapons, drugs and money have been disposed of properly.
- b. The appointed auditor is authorized to open dangerous drug packages, in the presence of the Property Room / Evidence Custodian, to verify either the weight or count of drugs, and if necessary, conduct qualitative analysis by a chemist. These packages shall be re-sealed in the presence of the evidence custodian. A notation will be made on the property voucher and in the property log of the inspection of each sealed item which is opened, including the date opened and the name of the inspecting audit supervisor.
- c. The appointed auditor is authorized to open, in the presence of the Property Room / Evidence Custodian, packages containing money to verify contents and amount of cash. The package shall be re-sealed in the presence of the evidence custodian. A notation will be made on the property voucher and property log of the inspection, including the date opened and the supervisor inspecting.
- d. A complete report of the findings of the auditor shall be forwarded to the Chief Deputy upon conclusion.

B. Inspections

1. Semi-annual Inspections

Semi-annual inspections are conducted by the Evidence Custodian. These inspections are to determine adherence to the procedures that have been established for the control of property.

2. Unannounced Inspections

The Sheriff or designee will make unannounced inspections of the property room to determine that proper record keeping, accountability of evidence, proper storage and cleanliness, and proper disposal methods are being followed. This inspection does not necessarily have to be comprehensive, may inspect any areas of property operations, and will make a random comparison of records with physical property present in the property room. Any problems found during these inspections will be documented and corrected as appropriate.

C. Missing Items

If during an inspection or audit, an item of evidence or property cannot be located, the Sheriff shall initiate a written action plan to correct the deficiency.

VI. Prescription Drug Disposal Program

The Forsyth County Sheriff's Office provides citizens an opportunity to safely discard unwanted and expired pharmaceutical medications in a secure lock box. This program provides an environmentally safe alternative to disposing of medications in a landfill or sewer system, which may negatively affect the environment and it encourages citizens to remove their unneeded medications from their home thereby reducing access to medications that may result in accidental or intentional misuse.

Collection boxes may be provided in Sheriff's Office buildings as approved by the Sheriff or designee. The following procedures apply:

- a) Each prescription drug collection box shall be locked and securely mounted to prohibit the removal of the box or retrieval of medications from within without proper authorization.
- b) Authorized Sheriff's Office personnel shall have keys to unlock the box to receive authorized medications.
- c) Prescription Drug Collection Boxes are accessible during normal business hours.
- d) Citizens are not required to provide identification in order to deposit prescription medications into the box.
- e) Sheriff's Office personnel shall determine if items to be deposited are within accepted parameters. **Note: Needles, syringes, glass of any sort, sharp objects, or unidentifiable objects are not acceptable.**

- f) Once approved, citizens shall empty the contents of each pill bottle into a clear plastic bag provided by Sheriff's Office personnel and deposit it into the collection box.
 - g) Each citizen is responsible for the disposal of medication container(s).
1. Personnel of the Property and Evidence Unit are responsible for the periodic collection, documentation and destruction of the prescription drug box contents. This program is exempt from all other property and evidence submission policy and procedures.
 - a) The box shall be emptied on an as needed basis.
 - b) A minimum of two (2) persons, including one member of the Property and Evidence Unit, shall be present during the collection the prescription drug box contents.
 - c) A general description of the contents, to include the total weight collected, date collected, and personnel that collected the contents shall be documented.
 - d) Items deposited in the box that are prohibited from being destroyed by the GBI incineration device (i.e., aerosol cans, etc.) shall be removed and disposed of by Property and Evidence personnel.
 - e) The bagged prescription medications shall be temporarily held in a secured container at the Property and Evidence Control Room until the next scheduled GBI drug burn.
 - f) The medications shall then be transported to the GBI and properly destroyed.
 2. An annual report documenting the total weight of medications collected and destroyed shall be completed and submitted Sheriff's Services Bureau Commander.

PROCEDURE: SOP 3-3.1400 CRIME ANALYSIS

Rescinds/Amends: SOP 3-3.1400

Effective Date: January 1, 2017

Committee Review - Date: May 2016

Related Policy(s):

Authorized by: Sheriff Ron H. Freeman



I CRIME ANALYSIS

The crime analysis function will identify and analyze methods of operation of criminal activity and provide crime pattern recognition. The Crime Analysis Unit will collect data from arrest files, incident reports, arrest reports, U.C.R. data and field interrogation data. Reports will be prepared identifying the frequency of crime by crime type, geographic, temporal and chronological factors, victim and target descriptors, modus operandi information, suspect descriptors, physical evidence information, suspect vehicle descriptors and community policing strategies as needed.

The Crime Analysis Unit will also be responsible for briefing the Sheriff and Command Staff on crime patterns or trends as determined by the crime analysis function. The necessity of this briefing is to keep the Staff informed of trends through efforts generated by the Forsyth County Sheriff's Office, rather than through outside sources.

Documentation of temporal and geographical distribution of selected crimes shall be in the form of monthly reports. The Crime Analysis Unit shall document the effectiveness and utilization of crime analysis information through feedback and program evaluation. Surveys of the effected units should attempt to ascertain whether the crime analysis process is efficient and whether its products are effective tools for combating crime. In order to provide timely data for the crime analysis programs, data entry for incidents shall be the responsibility of the Records Section.

Computer generated pin maps are utilized for additional documentation of temporal and geographical distribution of the following crimes:

1. Robberies;
2. Burglaries;
3. Automobile Thefts; and
4. Entering Automobiles.

A. CRIME ANALYSIS DATA

Crime analysis data will be generated from field reports to include residential burglary, business burglary, motor vehicle theft, theft from motor vehicles and robbery. All incidents reported during the previous 24 hour period will be available to the Crime Analysis Unit on a daily basis.

Crime patterns and trend will be presented to the Sheriff, Chief Deputy and Command Staff on a timely basis through the Crime Analysis Unit.

B. CRIME ANALYSIS REPORTS AND DISSEMINATION

Report data will be collected, collated, analyzed and distributed throughout the agency in order to present an overview of current crime trends and aid in crime prevention efforts.

These reports will assist the various executive, administrative, division and unit commanders in developing tactics, strategies, and plans for crime suppression, as well as current and future manpower/resource allocations.

Reports will be compiled by the Crime Analysis Unit showing a victim listing and frequency of occurrences in chronological order. A summary page will include target description, physical evidence information and modus operandi factors. All reports listed below will be distributed to: Command Staff, captains, lieutenants, Policy/Certification Unit and the Finance Unit.

1. Frequency of Reports

- Weekly
- Monthly
- Semi-annual
- Annual

C. CRIME ANALYSIS FEEDBACK

Feedback is necessary to evaluate the effectiveness of the crime analysis function. All feedback from the Sheriff, Chief Deputy, division directors, division commanders, section commanders and unit supervisors will be carefully reviewed as it applies to their respective responsibilities in order to ascertain whether crime analysis, as it is performed, is an effective tool for combating and suppressing crime or planning for manpower and resource allocation.

**PROCEDURE: SOP 3-4.200 COMMUNITY RELATIONS/
CRIME PREVENTION**

Rescinds/Amends: SOP 3-8.200

Effective Date: October 1, 2014

Committee Review - Date: September 2014

Related Policy(s): GO 3-4

Authorized by: Sheriff Duane K. Piper



I COMMUNITY RELATIONS/CRIME PREVENTION

The Community Relations Unit is under the Operations Division and the assigned personnel report to the assistant division commander.

A. COMMUNITY RELATIONS UNIT RESPONSIBILITIES

The Community Relations Unit will help and assist in the creation and establishment of programs for community, neighborhood, business and professional groups in all areas of Forsyth County interested in crime prevention. The Unit will maintain a close working relationship with each group and will establish a liaison for the purpose of creating and establishing crime prevention programs and activities.

B. COMMUNITY RELATIONS/CRIME PREVENTION DEPUTIES

Community Relations Unit deputies will assist in developing community relations programs for the agency which, at a minimum, shall provide the following:

1. Establishing liaisons with formal community organizations and groups, i.e., neighborhood groups, scouts, Elks Clubs, garden clubs, etc;
2. Informing all agency personnel that they are responsible for achieving the agency's community relations objectives;
3. Developing community relations and crime prevention policies for the agency;
4. Publicizing agency goals, objectives, problems and successes, with the various community, civic, professional and business groups;
5. Conveying information transmitted from citizens' organizations to the agency;
6. Improving agency practices bearing on law enforcement-community relations;
7. Identifying agency training needs through interviews with citizen representatives, consultations with those involved in internal investigations and conferences with command personnel throughout the agency;

8. Helping and assisting in the creation and establishment of community and neighborhood groups where such groups do not exist;
9. Designing, scheduling and conducting presentations on various public safety topics for community, civic and neighborhood groups, schools, professional and business associations; and
10. Obtaining pamphlets, brochures and booklets concerning public safety topics that would be of public interest.

**PROCEDURE: SOP 3-5.100 LEGAL PROCESS/
LAWFUL AUTHORITY**

Rescinds/Amends:

Effective Date: January 11, 2018

Committee Review - Date: December 2017

Related Policy(s): GO 3-5

Authorized by: Sheriff Ron H. Freeman



I LEGAL PROCESS

This directive addresses areas of agency procedure and discretion in the execution and recording of the legal process.

It is applicable to all personnel of the Forsyth County Sheriff's Office. Deputies who are assigned to divisions or units which are more involved with arrests and search and seizures may be required to further their knowledge relating to this field.

Any violation of the rules set forth in this policy shall result in administrative and/or disciplinary action.

A. EXECUTION OF LEGAL PROCESS

A record system is maintained for criminal warrants on a 24-hour basis. This information is accessible through these sources:

- Warrant Unit
- GCIC or NCIC
- Records Management Software (RMS)

Information regarding each item of all legal process is recorded and should include the following elements:

- Date and time received
- Type of process
- Nature of document
- Source of document
- Name of complainant and defendant
- Deputy involved, date assigned
- Date served / inactive and date service is due by
- Warrant/Court Docket number

Deputies attempting to serve criminal/civil warrants shall record in the RMS System warrant-tracking module the address where service was attempted, the date, time and name of deputy attempting to serve the warrant, and any other information obtained.

Deputies successfully servicing criminal/civil warrants and/or search warrants must include the following elements in their report:

- Date and time served
- Name of deputies serving and method of service
- Defendant's name (or on whom search warrant was executed)
- Property/evidence seized and its disposition
- Location of incident

Any execution of the criminal process in other counties of the State shall be accomplished through the Sheriff's Office or the local authority having venue. Any execution of the criminal process in any other State or foreign jurisdiction shall be accomplished through the Forsyth County Sheriff's Office or the local authority having venue.

B. APPOINTMENT OF INDIVIDUAL EMPLOYED BY THE FORSYTH COUNTY SHERIFF'S OFFICE AS SPECIAL AGENTS TO SERVE PROCESS.

In an attempt to better serve the courts of Forsyth County, the Forsyth County Sheriff's Office would seek to have the Chief Superior Court Judge of the Bell – Forsyth Judicial Circuit (courts) appoint designated civilian staff employed by the Sheriff's Office of Forsyth County as Special Agents to Serve Process.

1. Each individual currently employed by the Forsyth County Sheriff's Office, Georgia and assigned to the Civil Process Section to be appointed must be citizens of the United States, above the age of eighteen (18) and otherwise qualified to act as special agents for service of process. (O.C.G.A. § 9-11-4 (c)(4))
2. These special agents to serve process shall abide by the following provisions:
 - a. They shall not serve process on any entity of which they are an employee, officer or shareholder and they shall not serve process on any person to whom they are related by blood or marriage. They shall not serve process in any action in which they are a party or may have an interest.
 - b. All returns of service shall be made by completing a Sheriff's Entry of Service and indicating near the signature line that said individual is designated as a Special Agent for Service of Process under an internal order of the courts of Bell - Forsyth Judicial Circuit (Courts). The Sheriff's Entry of Service shall be promptly filed with the courts after service is made upon a party to be served.
 - c. The authority to act as a Special Agent for Service of Process is limited to serving process as part of their official duties as an employee of the Forsyth County Sheriff's Office Civil Process Section. They shall not serve process outside of their official duties as an employee of the Sheriff's Office. All authority granted by the order from the courts shall be immediately terminated and revoked upon their transfer from the Civil Process Section and/or separation, resignation or termination as an employee of the agency.
 - d. They shall serve process in a professional manner, avoiding rudeness and unprofessional conduct.

- e. They shall protect the rights and confidentiality of any persons to whom legal process is directed.
 - f. Civilian process servers shall not misrepresent their role or impersonate or pretend to be a sworn officer.
3. The order appointing Special Agents to Serve Process may, in the sole discretion of the courts or at the request of the Sheriff's Services Bureau Commander to the court, be revoked at any time hereafter, and will be revoked if the parties to be served are not properly served or properly attested returns of service are not timely filed with the courts. It shall be noted that any ethical or legal breach of the duties connected hereto will not, and cannot be tolerated. Lawful service of process is the cornerstone to due process of law. The Sheriff's Office along with the courts have an inherent responsibility to ensure that due process standards are properly met and that returns of service are legally accurate and sufficient on their face. No separate motion and order need be filed in each respective case as the standing order of the court gives these individuals such authority. The authority of each of these persons to act as a Special Agent for Service of Process is authorized by the order of the courts and shall remain in effect for the duration of the term set forth herein in the order or until revoked by further order of the courts.
4. The order appointing Special Agents to Serve Process is not assignable to any other persons or entity. It is only to those individuals assigned to the Civil Process Section as outlined in the order of the courts. These persons shall have no authority to assign to any other person, any of the rights, privileges, duties or responsibilities contained herein to any other third party or entity.

C. SERVING OF CIVIL PROCESS

1. Methods of Service Generally
- a. Except where the defendant has waived service, the summons and complaint shall be served together, normally within five business days from the date they were received from the court. Personal service is the preferred method, whereby the defendant is notified in person by directly handing the individual the summons and complaint.
 - b. Service to minors shall be made to the individual and to the minor's parent, guardian, or guardian ad litem unless the minor is married, in which case service shall not be made on the parent or guardian.
 - c. Service to those judicially declared of unsound mind or incapable of conducting their own affairs shall be made to the individual and to the guardian.
 - d. Service to counties, municipalities, cities, or towns, shall be made to the Chairman of the Board of Commissioners, Mayor, County or City Manager, or to an agent authorized by appointment to receive processes. If against any other public body or organization, service shall be made to the chief executive officer or clerk.

- e. Service upon Georgia corporations may be made to the president or other officer of the corporation, a managing agent thereof, or to the registered agent designated for service of process for such corporation. Service upon a non-resident corporation having an agent within this State, service may be made upon such agent or registered agent designated for service of process.

The term Managing Agent means a person employed by a corporation who is at an office or facility in this state and who has managerial or supervisory authority.

- f. Service on another person (Notorious Service) who resides in the same residence as the individual being served that appears to be mature and responsible, may be performed when the defendant cannot reasonably be served. Individuals not actually residing with the defendant cannot be served when personal service is required. Examples of persons who **do not qualify** for notorious service are:

- Baby-sitters,
- attorneys (initial process only),
- fellow employees or sub-contractors,
- guests,
- neighbors,
- acquaintances, or
- children who reside with another parent.

- g. Tacking is a manner of service that may be used in those instances when the principal sum in the suit is less than \$200. The summons is securely affixed to the defendant's most generally known place of residence in a prominent place where it is certain to be observed. Special care must be made to ensure that the summons is properly sheltered from the effects of inclement weather. Tacking must be followed up with a mail copy the same day.

D. SERVING SUBPOENAS

Service may be made personally by a deputy or by any person 18 years of age or older, by registered or certified mail with a return receipt. Service upon a party may also be made by serving the person's legal counsel of record. O.C.G.A. § 24-10-23.

Employees of the Forsyth County Sheriff's Office will be served with subpoenas via PowerDMS. Subpoenas will be entered into PowerDMS by the Civil Unit. Employees will receive an email from PowerDMS concerning the pending document. It is the responsibility of the employee to log into PowerDMS and sign for the subpoena in a timely manner.

E. WRIT OF EXECUTION

1. Writ of Execution is to order the execution of the judgment rendered by the court. Deputies are responsible for levying on the property, real or personal, necessary to fulfill the judgment.
2. Levy: In all cases of levying on land, written notice of the levy must be given personally or delivered by certified mail or statutory overnight delivery to the tenant in

possession and to the defendant if not in possession, within five days thereafter. Where any person holds legal title or an interest or equity therein of levied property, a second written notice of the levy and time of sale shall be given by the levying officer to:

- The vendor or holder of the title given to secure the debt, if known,
- The defendant in execution
- In case of death, to their legal representatives

Depositing a properly addressed and stamped letter into the United States mail shall be deemed sufficient notice.

- a. Fieri Facias (fi fa): A command to levy on a debtor's goods in order to satisfy a money judgment. The defendant in execution shall be at liberty to point out what part of his property he may think proper to be levied on which the property the sheriff or other officer shall be bound to take and sell first if the same is, in the opinion of the levying officer, sufficient to satisfy the judgment and costs.
- b. Only property of the defendant may be levied. If property is in the possession of a person not party to the judgment, it cannot be taken. Other property that cannot be levied may include: property that is jointly owned by the defendant and a non-party in the suit, property leased by a third party to the defendant, property belonging to the defendant that is leased by a third party before the lease expires and public and school property. Any questions regarding whether a particular item of property is subject to levy should be directed to a supervisor who, where appropriate, will seek legal advice.
- c. If the defendant does not designate which of his/her property or land is to be levied, the deputy may use discretion, so long as the action is reasonable. However, care must be taken not to levy property that has been expressly exempted by the court.
- d. If the property is in the form of a growing crop, it cannot be levied upon until the crop is mature and fit to be harvested. However, if the debtor attempts to remove himself or abscond from the county or state, they may be levied prior to maturity. Growing crop may be sold with the land.
- e. Land outside the county may not be taken unless it is part of a tract or tracts of land divided by the line of the county. If the defendant is a resident of one of the counties within which the land is located, it may be sold only if the defendant is a resident of Forsyth County.
- f. All property seized is immediately moved to a storage facility until the requisite notice can be given for the next scheduled judicial sale. A detailed inventory list will be made including quantities, description, and condition of the property seized. A copy will be given to the defendant if possible. The original inventory list will be attached to the fi.fa.
- g. Mortgage Foreclosures shall be released directly to the party(s) seeking foreclosure once it has been seized.

F. SERVICES OF OTHER CIVIL PROCESS

1. Dispossessory Proceedings shall be initiated upon the court's issuance of a summons and a copy of the landlord's affidavit commanding a tenant to respond to the landlord's allegations. A copy of the summons and affidavit shall be served personally upon the defendant. If the defendant cannot be served in person, then the summons and affidavit shall be delivered to any person residing on the premises who is not a minor, and able to manage their own affairs. If no such person can be found, one copy of the summons and affidavit may be tacked to the door of the premises and another copy delivered by mail to the defendant at his/her last known address. O.C.G.A. § 44-7-51.
 - a. A "set-out" of the tenant's possessions will be initiated when directed by a writ of possession issued by the court. During the "set-out" the owner of the property does not have to be present.
 - b. The removal of mobile homes and trailers shall be made no sooner than 10 days from the date of a writ of possession. O.C.G.A. § 44-7-59. During the actual removal of the property, deputies shall be present to keep the peace, to ensure that the orders of the court are properly executed, and to ensure that property does not hinder or block the public roadway. Any contraband discovered will be immediately seized. The contraband will be released to the Evidence and Property Custodian for appropriate safekeeping and disposition.
 - c. Any items that may be harmful to the environment or to minors shall be seized for safekeeping and released to the Evidence and Property Custodian.
 - d. The removal of property shall not be conducted during inclement weather.
 - e. It is the responsibility of the plaintiff/property owner to actually move the defendant's belongings to some portion of the landlord's property and that the property does not cause a hazard to, or otherwise impede the flow of pedestrian or vehicular traffic.
2. Ejection of intruders shall be initiated based upon the written affidavit from a person, stating that he/she legally possesses property, which is currently in the hands of someone without proper authority who refuses to abandon said property. The affidavit will then be delivered at the "earliest possible day" to the intruder. At that time, the individual can produce a counter-affidavit stating that he/she has a good faith claim to legal possession of the property. If the person does not produce a counter-affidavit, the person shall be ejected following service. O.C.G.A. § 44-11-30.
 - a. Should the individual desire to tender a counter-affidavit, the Sheriff may personally administer the oath and take the affidavit. O.C.G.A. § 44-11-31.
 - b. If the person is in possession of a counter-affidavit, he/she shall not be ejected. Rather, both the original and counter-affidavits shall be returned to the Clerk of the Superior Court for appropriate action. During actual ejection of the intruder and his/her property, deputies shall be present to keep the peace and insure the orders of the court are properly executed. Any contraband discovered will be

- immediately seized. The contraband will be released to the Evidence and Property Custodian for appropriate action. O.C.G.A. § 44-11-32.
- c. The procedures for the physical ejection of intruders is the same as listed under dispossessory proceedings in this directive and should be done only pursuant to a writ of possession issued by the court.
3. Eminent domain (Condemnation of Property) is a process of claiming private property for the public good. A notice of condemnation shall be served on the person(s) holding title to the property that is to be taken for public use through the power of eminent domain.
 - a. If the owner is a minor or is suffering from any disability, the notice shall be served upon the person(s) representative. If the minor has no representative, the notice shall be served on the Judge of the Probate Court.
 4. Attachment is a proceeding whereby a property belonging to a debtor is seized and held pending a final judgment in a suit.
 - a. When an attachment order is issued, it shall be served by going to the defendant's residence or business, and the property of the defendant will be seized in the amount specified in the order.
 - b. If the defendant has removed property beyond the county line but within the State, efforts shall be made to locate and seize the property. Coordination will first be made with the law enforcement agency in which jurisdiction the property is located before seizure is attempted.
 - c. Property shall be levied in the order in which it is received by the deputy. The year, month, day of the month, and hour of the day when the property is levied must be entered on the face of the attachment.
 5. Garnishment is a means of obtaining money owed to a plaintiff by collecting the money from a third party who owes money to an insolvent defendant. Upon the garnishment service documents being delivered to the agency, garnishments shall be served on the garnishee (and potentially the defendant) and an entry of service will be made on the affidavit and returned to the court.

G. SERVICE OF TEMPORARY PROTECTIVE ORDERS (TPO) / STALKING ORDERS

1. Temporary Protective Orders, Stalking Orders and Consent Agreements are issued by the Superior Court for the purpose of bringing about a cessation of family violence and require enforcement action as specified in the order. (O.C.G.A. 19-13-4) Temporary Protective orders are valid until a court hearing. Final orders are typically good for twelve months but can be shorter or longer on a case by case basis. Permanent orders do not expire. TPO's are delivered by the court to the Civil Unit for service.

- a. Deputies assigned to serve the TPO will check the order to ensure that the order is complete and that there are no conflicts in the instructions. If the order appears incomplete or if the order appears to have conflicting instructions, the deputy shall contact a supervisor. If the matter cannot be resolved, the supervisor will immediately contact the Civil Unit supervisor or the watch commander for direction.
- b. The Temporary Protective Order can only be served personally. The serving deputy shall read the Ex Parte or 12-month order to the Respondent and then provide that person with the order. Service cannot be refused.
- c. Once service is perfected, the deputy shall contact the 911 Center indicating that the order has been served. On the attached Sheriff's Entry of Service and the Civil Unit's cover sheet, the deputy shall indicate the following:
 - 1) The name of the person served
 - 2) Time of service;
 - 3) Date of service; and,
 - 4) Deputy's name (Printed and Signed) and badge number.
 - 5) Any notes concerning actions taken during service (i.e. Keys turned over, property pick-up completed).
- d. Once service has been perfected, scan the Civil Unit's Cover Sheet, Personal Data Sheet and Entry of Service to "GCIC" via Email. Ensure the scanned documents are readable and inform GCIC that service was perfected. The Petitioner shall be called shortly after service is perfected by the serving deputy, regardless of the time of day. The contact information for the Petitioner is located on the Personal Data Sheet. The original Civil Unit Cover Sheet, Personal Data Sheet and Entry of Service shall be delivered to the Civil Unit office placed with the returns.
- e. All unserved TPO's shall be returned to the on-duty Patrol Division watch commander or on duty sergeant prior to the end of the deputy's shift. The watch commander or on duty sergeant will turn over the TPO to the oncoming Patrol Division watch commander or on duty sergeant after insuring that all actions taken are properly documented on the Civil Unit's Cover Sheet. This process will continue until the first reporting civil deputy returns to duty and retrieves the TPO from the on-duty Patrol Division watch commander or on duty sergeant.

H. SERVICE OF TEMPORARY PROTECTIVE ORDERS (TPO'S) AFTER HOURS

1. The Civil Unit deputy assigned the TPO will send an email to the Patrol Division Watch groups for North or South District and to the Civil Unit to inform them that a TPO will be dropped off at the appropriate precinct. Include the court case # and name in the subject line. (example: Subject: TPO Drop Off: North Precinct: 13CV-2031-2: John Taylor) In the body of the email, summarize the type of order (FV ex parte, stalking, 12 months...), and point out information in the order that Patrol Division will need to be made aware of. If attempts have already been made, include the notes from those attempts. The Civil Unit deputy make verbal contact

- with the appropriate Watch supervisor and inform them of the TPO. The Civil Unit Deputy will also notate in the RMS Civil-Tracking module who is delivering the TPO, the date and time, and to which precinct it is being delivered to. They will then deliver the TPO to the precinct and place the TPO in the bin reserved for the TPO's.
2. Patrol Division supervisors are to ensure that the TPO's are assigned to a deputy for service. The deputy should then read the order to be familiar with it. All TPO's should be served with a minimum of two deputies present. One deputy is to read the order; the other is for officer safety. All attempts are to be notated on the Service Control Form.
 - a. Upon contact with the respondent, fill out the Entry of Service form by checking the "Personal Service" box and filling in respondent's name, marking the date AND time, and signing that the order is served. **ONLY PERSONAL SERVICE IS ACCEPTABLE.** The respondent cannot refuse service if the respondent's identification has been verified through state issued ID or personal knowledge. The deputy must read the Ex Parte portion of the TPO to the respondent. If the respondent interrupts or attempts to leave the area, the reading of the order is waived and the order is in effect. Hand a copy of the Entry of Service and the TPO to the respondent. The deputy is to retain possession of the Confidential Information Form, Service Control Form, and two copies of the Entry of Service Form. If the respondent refuses to accept paperwork, it may be placed in an area where the respondent can retrieve it (in door, on porch, on vehicle, or on ground at the respondent's feet.). The deputy is to retrieve any items signed off on by the judge (keys, garage door openers, insurance cards, etc.). If the order requires removal of the respondent from the residence, that is to happen at the time of service. If removal of personal property is initialed by the judge, use officer discretion on scene as to whether the respondent can retrieve items after service or must make an appointment with the Civil Unit so the petitioner can be present before removal of the property. Any items retrieved or property pick up allowed must be notated on the Service Control Form. If ordered to be removed, the respondent must vacate before the deputies leave.
 - b. After service, the deputies must immediately attempt to notify the petitioner of service. If contact with petitioner is made, leave items in place the petitioner dictates or attach the items to the Service Control Form and the petitioner can pick up the items from the Civil Unit office. Notate the notification and type of notice (in person, via phone, voicemail, etc.) on the Service Control Form. The Service Control Form and the Entry of Service must be scanned and sent to GCIC for notification of service and returned to the TPO bin for the Civil Unit to pick up. The deputy is to notify their supervisor of the return of the TPO to the bin. The Patrol Division supervisor will be required to reply to all with the original email and notify all that the TPO is ready for pickup at the appropriate Precinct TPO bin.
 3. All Civil Unit deputies will be responsible for checking email daily to see if the TPO had been delivered to the precinct. If a TPO has been delivered, a Civil Unit deputy will retrieve the TPO from the bin and review it. If there are any questions,

the civil deputy will get them answered before leaving the precinct. The Civil deputy will bring the TPO back to the Civil Unit office for further attempts for processing to return to courts.

- 4. Removal Actions require that an individual(s) be removed from a residence or household immediately upon being served the court order. If the Respondent is removed at the time of service, they are afforded time to remove toiletries and clothing to suffice until the court date. There will be no return trip by the Forsyth County Sheriff's Office unless ordered again by court order. No community or common property shall be removed, unless otherwise specified in the order.
- 5. Temporary Custody Actions requires the party served to relinquish custody of a minor child immediately. The child shall be taken and immediately released to the authorized parent or guardian as specified in the order. No property shall be taken unless specified by the court order or freely relinquished by the parent from whom the child is taken.
- 6. Following service of Temporary Protective Orders, violators are subject to arrest and if charged with the violation shall not be eligible for bail prior to being taken before a judicial officer pursuant to Code Section 17-4-21 (O.C.G.A. 17-6-1(b)(2)).

I. FEES FOR SERVING OF CIVIL PROCESS

1. Collection of Fees

- a. All fees will be in accordance with GA Code § 15-16-21.
- b. For the services of the sheriff in civil cases, the following fees shall be charged:

(1) Serving copy of process and returning original, per copy.....	\$ 50.00
(2) Action from another county, to be paid in advance.....	50.00
(3) Summoning each witness.....	10.00
(4) Each levy or writ of fieri facias.....	50.00
(5) Search and return of nulla bona.....	20.00
(6) Serving summons of garnishment or rule against garnishee....	50.00
If more than one, for each additional copy.....	6.00
(7) Commissions on sales of property:	
On sums of \$50.00 or less.....	8%
On excess above \$50.00 up to \$550.00.....	6%
For all sums exceeding \$550.00, on excess.....	3%
No commissions shall be charged unless property is actually sold.	
(8) Making out and executing titles to land.....	50.00
If presented by purchaser.....	20.00
(9) Executing bill of sale to personal property, when demanded by purchaser.....	20.00
(10) Forthcoming bonds.....	13.00
(11) Serving process against tenant over or intruder upon land to dispossess them.....	25.00

- (12) For dispossessing tenant or intruder.....25.00
- (13) Taking and returning counter-affidavit when summary process to dispossess tenant or intruder is resisted.....13.00
- (14) Settling each execution in his or her hands, settled without sale... ..20.00
- (15) Levying an attachment.....50.00
- (20) Collecting tax fi. fas. \$100.00 or less, each.....10.00
- (21) Collecting tax fi. fas. over \$100.00, each.....20.00
- d. No fee shall be assessed against the alleged victim of a violation of Code Section 16-5-90, 16-5-91, 16-6-1, 16-6-2, 16-6-3, 16-6-4, 16-6-5.1, 16-6-22.1, or 16-6-22.2 or against the alleged victim of any domestic violence offense for costs associated with the filing of criminal charges against the stalking offender, sexual offender, or domestic violence offender or for the issuance or service of a warrant, protective order, or witness subpoena arising from the incident of stalking, sexual assault, or domestic violence.
- e. All fees will be paid for by cash, check, or money order. Checks and money orders will be made payable to the Forsyth County Sheriff's Office.
- f. All transactions must be recorded and a receipt issued.
- g. All fees collected will be turned over to the Finance Unit with a report of all transactions once a week.

I. ESCORTS IN CIVIL MATTERS/DOMESTIC RELATIONS/BOND CONDITIONS

During the course of divorce actions, TPO filings and other domestic related court proceedings, it is often the order of the court that the defendant must be accompanied by a deputy to retrieve his/her personal belongings. Patrol Division deputies will not be dispatched to these type calls. The requester/arrestee/defendant will be advised to contact the Civil Unit during normal business hours to schedule a convenient time when a deputy can be assigned to comply with the court order/bond conditions.

**PROCEDURE: SOP 3-5.101 SEARCH WARRANTS
AND EXCEPTIONS**

Rescinds/Amends: SOP 3-2.100

Effective Date: July 22, 2020

Committee Review - Date: September 2014

Related Policy(s): GO 3-5

Authorized by: Sheriff Ron H. Freeman



I SEARCH WARRANTS

A. WARRANTS FOR SEARCH AND SEIZURE – GENERAL

Search and seizure guidelines are present to control search and seizure of property and person through an overview of existing laws. Only sworn law enforcement deputies of the agency will execute search warrants and seize property.

It shall be agency policy to conduct searches of persons, places and things pursuant to established State and Federal laws governing search warrants and/or warrantless searches. Law enforcement deputies shall have due regard for the protections guaranteed under the provisions of the Fourth Amendment to the United States Constitution. The following procedures shall address search and seizure policy and shall cite major case law and/or State statutes where applicable.

1. Grounds for Search Warrants

According to O.C.G.A. § 17-5-21, a search warrant may be made to search for the following:

- a. any instruments, articles, or things, including the private papers of any person, which are designed, intended for use, or which have been used in the commission of the offense in connection with which the warrant is issued;
- b. any person who has been kidnapped in violation of the laws of this State, who has been kidnapped in another jurisdiction and is now concealed within this State, or any human fetus or human corpse;
- c. stolen or embezzled property;

- d. any item, substance, object, thing, or matter, the possession of which is unlawful;
or
- e. any item, substance, object, thing, or matter, other than the private papers of any person which is tangible evidence of the commission of the crime for which probable cause is shown.

2. Requirements for a Search Warrant

a. Issuance

A search warrant may only be issued upon application of an officer of the State or its political subdivisions charged with the duty of enforcing the criminal laws. O.C.G.A. § 17-5-20. The warrant must be issued by a neutral and detached judicial officer authorized to hold a preliminary hearing. O.C.G.A. § 17-5-21. For search warrants within Forsyth County, deputies shall use the Magistrate Court via the Electronic Warrant System. For searches outside of Forsyth County, deputies shall use the appropriate judicial officer for that jurisdiction.

b. Probable Cause

The judicial officer must find probable cause that a crime is being committed, or has been committed, or that contraband or evidence exists in a specific place. The deputy must swear or affirm under oath that the facts presented for establishing probable cause are true.

c. Description/Contents of a Valid Search Warrant

- 1) Time and date of issuance;
- 2) Person who is to execute the warrant (generally its execution is directed to all peace officers of the state);
- 3) A command to search the place or person particularly described in the warrant;
 - a) The warrant must describe with sufficient particularity the person or the place to be searched and the items to be seized (O.C.G.A. § 17-5-23). If a place can be easily identified by a street number or address, then no further information shall be necessary; however, a deputy may elect to further describe the place to be searched.
- 4) A command to seize the instruments, articles, or other things described in the warrant; and
- 5) The signature of the issuing judicial official.
- 6) The signature of the applicant

d. Warrants Based on Hearsay

A warrant may be issued based on an affidavit containing only hearsay where:

- 1) The information is current;
- 2) Under the totality of the circumstances, the information is deemed reliable. "Totality of the circumstances" normally includes facts about the reliability of the informant as well as facts about the reliability of the information. The less that is known and shown about the informant's reliability, the more that must be shown about the reliability of the information itself;
- 3) The information must be detailed enough that the magistrate will know it is not based on mere rumors (i.e. that the information shows that the informant has inside knowledge or knowledge not generally known to member of the public), and the officer should independently verify as much of the informant's statement as possible. The officer should include the results of the investigation in the affidavit as well as, in general terms, the circumstances under which the informant obtained the information; and determine that information is not stale.
- 4) The identity of the informant should not be listed in the affidavit for a search warrant.

B. SERVICE OF SEARCH WARRANTS

1. Search Warrants within the County

Whenever a deputy attempts to serve a search warrant at any location within the county, the deputy will have uniformed deputies present during the warrant execution. An agency supervisor will also be present during the warrant execution.

2. Search Warrants outside of the County

Whenever a deputy attempts to serve a search warrant at any location outside of the county, the deputy will have uniform deputies from the outside agency, responsible for law enforcement within that location, present during the warrant execution. A supervisor from the Forsyth County Sheriff's Office will be present during the warrant execution.

3. Search Warrants within Forsyth County by an Outside Law Enforcement Agency

Whenever an outside law enforcement agency requests the assistance of the Forsyth County Sheriff's Office to serve a search warrant, an agency supervisor must be present and must validate the warrant prior to the warrant's execution. Validation shall include verification of the:

- name on the warrant,
- date,
- judicial officer signature and
- address on the warrant.

C. AUTHORIZATIONS FOR EXECUTION OF SEARCH WARRANTS

1. Supervisory Personnel

Prior to the execution of a search warrant, a supervisor shall review the affidavit to ensure probable cause and all other requirements of law are met, prior to the affiant presenting it to a presiding judge.

When appropriate, the District Attorney's Office will be consulted prior to, during, and after, the service of search warrants for advice, recommendation, or for any other purpose the deputy deems appropriate (e.g., preparation for prosecution).

NOTE: All requests for wiretap warrants must be approved in advance by a division commander, the Sheriff or designee, and the District Attorney's Office. The actual written application for interception of wire or oral transmissions by law enforcement deputies must be executed by the District Attorney of the circuit wherein a device is to be physically placed, or by the Attorney General. (O.C.G.A. § 16-11-64.)

A sergeant or a supervisor of higher rank shall be present at the execution of any search warrant along with other personnel as needed. If possible, the supervisor is to be from the unit concerned; if unavailable, a sergeant or higher-ranking deputy from another unit or division shall assist. A supervisor is not needed for the execution of a search warrant for bank, phone records or any other administrative search warrants.

2. Assigned Deputies

All involved personnel shall conduct themselves in a professional manner by:

- a. Restricting their actions in such a manner as is consistent with the scope of the warrant;
- b. Whenever possible, leaving property not seized in an orderly fashion (or as found) and ensuring that it is not left in an unreasonable state of disorder or destroyed;
- c. Ensuring all evidence seized is documented on the inventory and forwarded to the Evidence Room and/or Crime Lab.

NOTE: Items considered to be illegal and/or contraband are not to be destroyed without either the appropriate order of the court or, in cases where prosecution is not to follow, by proper documentation.

D. LOGISTICS OF EXECUTION OF SEARCH WARRANTS

1. Time for Service

The search warrant must be executed at a reasonable time, day or night; a reasonable time depends on the facts in each individual case. (O.C.G.A. § 17-5-26) A search warrant must be served within ten (10) days of issuance. (O.C.G.A. § 17-5-25) Any search warrant not served within ten (10) days from the date of issuance shall be void and will be returned to the court of the judicial officer who issued the warrant. (O.C.G.A. § 17-5-25)

2. Return/Inventory

"A written return of all instruments, articles, or things seized shall be made without unnecessary delay before the judicial officer named in the warrant or before any court of competent jurisdiction. An inventory of any instruments, articles, or things seized shall be filed with the return and signed under oath by the deputy executing the warrant." (O.C.G.A. § 17-5-29)

3. Copies of Warrant

If the warrant is served, a "duplicate copy shall be left with any person from whom any instruments, articles, or things are seized; or if no person is available, the copy shall be left in a conspicuous place on the premises from which the instruments, articles, or things were seized." (O.C.G.A. § 17-5-26) The final copy shall be returned to the Magistrate's Court upon completion of the search. If the warrant was obtained in person a copy will be left with the appropriate judicial official.

E. FORCE USED TO EXECUTE A SEARCH WARRANT

1. According to O.C.G.A. § 17-5-27, a deputy has a right under a lawful search warrant to use all necessary and reasonable force to get into any building, dwelling or other area described in a search warrant if, after verbal notice or an attempt in good faith to give verbal notice is given, and:

- the deputy is refused admittance, or
- the person or persons within the building refuse to acknowledge or answer, or
- the building subject to the search warrant is unoccupied.

2. Unless the search warrant contains a no-knock provision, a deputy is required to give verbal notice to the person or persons inside, if any, of the identity of the deputy and of the fact that the deputy has a search warrant to search the premises. (O.C.G.A. § 17-5-27).

3. Any action taken by the deputy should be documented as to each action taken prior to making a forced entry, such as: "... knocked on door, identified myself by position and advised I have a search warrant for the premises and no one responded to my call and so entrance was gained." The purpose of the record is that the deputy will

have to testify in court concerning the reason for his actions. (Jackson v. State, 129 Ga.App. 901) (1973).

4. Whenever force is used in order to gain entry into a premise or place, and any amount of damage occurs, the supervisor in charge of the search shall ensure that all damage is documented and photographs are taken if necessary.
5. The appropriate amount of time that the deputy should allow for an inhabitant to answer will depend on the conditions of each search. (Felix v. State, 241 Ga.App. 323) (1999).

F. HOW TO OBTAIN A NO-KNOCK SEARCH WARRANT

1. A search warrant application/affidavit containing a no-knock provision shall be reviewed and approved by the Chief Deputy or Sheriff prior to seeking judicial review and/or approval.
2. To gain entrance to any building or dwelling without giving notice, a search warrant must contain a no-knock provision. The no-knock provision, if granted, should be in the body of the affidavit.
3. A no-knock provision cannot be based upon mere suspicion, but rather must be predicated upon probable cause from an investigation and/or informant. The following would be examples of probable cause for a no-knock provision:
 - a. A reliable informant or other source provided information concerning a suspect who kept evidence in a bathroom, such as drugs, and would destroy the evidence when the deputy knocked on the door. (Scull v. State, 122 Ga.App. 696).
 - b. A reliable informant or other source provided information concerning a suspect who kept firearms next to a door, and when a deputy knocked on a door, the suspect would shoot through a door in an attempt to kill or harm the deputy. (Jones v. State, 127 Ga.App. 137).
4. A case-by-case evaluation should be done on whether a no-knock provision is appropriate. Richards v. Wisconsin, 520 U.S. 385, 117 S.Ct. 1416 (1997). In Georgia, potential damage to the officer or destruction of evidence is sufficient reasons for its inclusion. Brannon v. State, 220 Ga.App. 572, 574 (1996).
5. Since a deputy has a right to use necessary and reasonable force it is also a responsibility of a deputy to obtain the correct address and location of property or premises to be searched. Searching the wrong person or premises could lead to prosecution and/or civil liability of the deputy and agency.

G. LOCATIONS/PERSONS TO BE SEARCHED PURSUANT TO A SEARCH WARRANT

1. Deputies shall be limited to search the premises or areas particularly described by the search warrant.
 - a. The search warrant lists a specific address. The particular address means the specific address and not next door. *State v. Manzella*, 392 So.2d 403 (La. 1980).
 - b. The premises include everything within the boundaries of the listed property, including its curtilage.
2. Deputies shall also be limited to searching only for those items particularly described in the search warrant.
3. Deputies shall be limited to searching individuals named or described in the search warrant. Deputies should have more descriptive information than "a male", "a white female", etc. The deputy is to list an individual on the warrant to be searched.
4. In the execution of the search warrant the deputy executing the same may reasonably detain and/or search any person in the place at the time:
 - a. To protect himself from attack; or
 - b. To prevent the disposal or concealment of any instruments, articles, or things particularly described in the search warrant. (O.C.G.A. § 17-5-28).
5. Curtilage and Open Fields Doctrine still apply. See Section 3-1.12(C).

H. GREATER INTRUSION SEARCHES OF PERSONS

1. Exterior Intrusions

Intrusions on the body's surface (swabbing, hair samples, retrieval of evidence from the mouth, etc.) are governed by the Fourth Amendment. Such searches are permissible as long as they are conducted with a search warrant or consent of the individual to be searched.

2. Interior Intrusions

Certain intrusions into the body (e.g., stomach pumping, surgery) have been held to be violative of the Fourth Amendment (*Rochin v. California*, 342 U.S. 165; *Winston v. Lee*, 470 U.S. 753). Hence, only under the most exigent circumstances and only pursuant to a search warrant, could such a procedure be allowed. Probable cause must exist in all cases.

II SEARCH WARRANT EXCEPTIONS

A. CONSENT SEARCH

1. **Voluntariness:** The law enforcement deputy obtaining consent has the burden of proving that the defendant's consent to a warrantless search was given freely and voluntarily.
2. **Test:** The voluntariness of a person's consent is measured by the totality of the circumstances at the time of the search.
3. **Consent after arrest:** If the consenting party is in custody, the voluntariness of the consent is still measured by the totality of the circumstances, although courts will analyze the relevant factors more critically.
4. **Third party consent:** Consent for a warrantless search may be given by a third party who shares control of (or has common authority over) the premises or items to be searched. Areas belonging exclusively to parties not present or not giving consent shall not be searched.
5. **Written consent:** Law enforcement deputies will make every reasonable attempt to get a signed consent to search. Deputies are reminded that an oral consent will be subject to the same scrutiny as a written consent.
6. **Withdrawal:** A person may withdraw his/her consent at any time and the search must cease.

B. PLAIN VIEW DOCTRINE

1. Mere observation of contraband by an officer does not constitute a search within the scope of the Fourth Amendment. However, the seizure of such contraband is governed by the Fourth Amendment principles, and for the evidence to be admissible under the Plain View Doctrine, the following factors must exist:
 - a. The deputy must have the right to be at the location from which the items were viewed;
 - b. No action can be taken by the officer to bring the items into plain view;
 - c. The incriminating nature of the seized object(s) must be apparent from their appearance; and
 - d. The seized objects must be plainly visible to the deputy.

C. CURTILAGE AND OPEN FIELDS DOCTRINE

1. **Open Fields Doctrine:** Fourth Amendment Protection of privacy does not extend to the "open fields" surrounding the curtilage and the home.
2. **Curtilage:** Fourth Amendment Protection of privacy does extend to the curtilage as it does the home. Generally, curtilage has been held to include all buildings in close proximity to a dwelling, which are continually used for carrying on domestic purposes;

or such places as are necessary and convenient to a dwelling, and are habitually used for family purposes (including a patio).

3. Legitimate Expectation of Privacy: The determination of whether Fourth Amendment protections will be extended to items seized from the curtilage or open fields focuses on whether the person challenging the search has a legitimate expectation of privacy in the place which was searched.

NOTE: There is no reasonable expectation of privacy for trash deposited in a public place for collection and no Fourth Amendment violation occurs when such trash is searched / seized. See California v. Greenwood, 486 US 35.

D. EXIGENT CIRCUMSTANCES

1. Justification: A warrantless search is permitted when there is both probable cause and exigent circumstances. The ultimate test is whether there is such a compelling necessity for immediate action that proceeding without a warrant is justified. An officer cannot create the exigency which would justify the warrant exception.
2. Exigent Circumstances Defined: Hot pursuit, a fleeing suspect, imminent destruction of evidence, or other situations in which speed is essential to the accomplishment of law enforcement action are examples of exigent circumstances.
 - a. "Hot Pursuit" Warrantless Pursuits into the Offender's home.

In *United States v. Santana*, the Supreme Court ruled that hot pursuit justifies forcible entry into the offender's home without the need for a warrant. The court said, "We thus conclude that a suspect may not defeat an arrest that has been set in motion in a public place...by the expedient of escaping into a private place." In order to justify this arrest, the three elements of hot pursuit must be satisfied: (1) the arrest process has begun; (2) the offender knows he is being placed under arrest; and (3) the offender takes action to avoid the arrest.

In *Darby v. State*, the Georgia Court of Appeals recognized that to establish the hot pursuit exception the critical elements that need to be satisfied are (1) continuity of pursuit, and (2) immediacy of pursuit.

However in *Hamerick v State* the court held that hot pursuit does not justify an arrest for a traffic violation (misdemeanor) where the circumstances do not make an immediate arrest necessary.

b. Searches where public safety is endangered

Under special circumstances where a deputy hears screams, observes an immediately dangerous situation to anyone, or other exigent circumstances exist, a deputy may make an emergency search of persons or premises. In *Michigan v. Tyler*, the court specified the "compelling need for official action and no time to secure a warrant". Various other courts suggested factors establishing this compelling need to include the gravity of the offense, the presence of weapons,

and the likelihood of escape. The "totality of the circumstances" will be the deciding factor in each case.

E. SEARCH INCIDENT TO ARREST

1. Scope: A search incident to a lawful arrest must be limited in scope to the arrestee's person and the area "within his immediate control". (**Arizona v. Gant**, 556 U.S. 332 2009). For the search incident to arrest to be legal, the arrest must be legal.
2. When Authorized: A search incident to an arrest shall be authorized for the following reasons:
 - For the security of the deputy;
 - To secure items that might aid in an arrested individual's escape; and
 - To prevent the destruction of instruments or fruits of a crime.
3. Nature: A search incident to a lawful arrest must be concurrent in time and place with the arrest.

F. STOP AND FRISK

1. Grounds for Stop: To lawfully stop an individual, the law enforcement deputy must have a reasonable articulable suspicion that the person stopped is involved in criminal activity. In appropriate situations, a Field Interview (FI) card should be filled out on all such stops of suspicious persons and forwarded to the appropriate investigative component. A detailed description of the activity and of the person should be included.
2. Grounds for Frisk: A deputy is authorized to stop and frisk an individual whenever the law enforcement deputy has a reasonable articulable suspicion that the subject is committing, has committed, or is about to commit a crime and the deputy has real, articulable reasons to fear for his or her safety. *Terry v. Ohio*, 392 U.S. 1. Since the scope of this search is limited to weapons, such search may not be intrusive and beyond the scope of looking for weapons. However, contraband discovered in such searches is subject to seizure and may be admissible into evidence. When the deputy is no longer in fear for his or her safety, the exception to warrantless search and seizure under *Terry* no longer applies.
3. Nature of Frisk: The frisk for weapons must be only a limited intrusion of a person's outer clothing (pat down). Pockets cannot be entered during a pat down unless the deputy feels an object which is consistent with a weapon in its size, shape, or feel. A deputy may then search pockets to dispel the alarm that a weapon is present.

G. ABANDONMENT OF PROPERTY

1. Act: Abandonment is a voluntary relinquishment of control of property, i.e., disposing of, denying ownership.

2. Implications: Abandoned property is not protected by the Fourth Amendment. Deputies may seize abandoned property *without* probable cause and *without* a warrant. Whether or not property has been abandoned is a question of intent, which must be shown by clear, unequivocal and decisive evidence.
3. Booking/administrative Searches: A jailhouse search of an arrested individual is justified as an administrative search. A custodial search of the arrestee's person may be justified as either an administrative search or as an inventory procedure. Once a deputy has taken any property discovered during the search into his control, a further non-contemporaneous search is no longer an incident of the arrest.
4. Seizure of Property: Arresting deputies shall seize the following property from an arrestee.
 - Evidence of a crime;
 - Contraband which is illegal to possess;

The following list of personal items, although not all inclusive, are examples of items that are authorized to be taken to the jail with an arrestee to be processed at booking. If there are any items in question, acceptance or rejection shall be at the discretion of the detention watch commander.

- Wallet with contents
- Cellular telephones
- Personal jewelry, being worn by the individual at the time of his/her arrest
- Prescription medication, in appropriate prescription bottle
- Prescription eyeglasses
- Medical devices (cane, hearing aid, etc.)
- Keys

All property items that are taken to the jail with an arrestee shall be verified and documented on a Detention Center Pre-Booking Property Intake form by the transporting deputy and the detention deputy taking possession of the property.

In cases where items of exceptional value are present at the scene of a field arrest (which are not contraband or of evidential value), the arresting deputy shall make every effort to turn those items over to a person of the arrestee's choosing. This exchange shall be detailed in the incident report documenting the arrest. It is the arresting deputy's responsibility to minimize the Sheriff's Office's involvement in matters which have no bearing on a criminal proceeding.

In cases where the arrestee's vehicle is being impounded and no arrangement can be made to secure their property, the property will be documented in the inventory section of the vehicle impound/release record and secured in the arrestee's vehicle prior to the wrecker company taking possession of the vehicle.

In cases where there is no vehicle to leave an arrestee's property in or no person to turn the property over to, the property will be documented on a Property Receipt Form and turned into the Property/Evidence section.

PROCEDURE: SOP 3-5.102 VEHICLE SEARCH & SEIZURE

Rescinds/Amends: SOP 3-2.201

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 3-5

Authorized by: Sheriff Ron H. Freeman



I VEHICLE SEARCH & SEIZURE

A. VEHICLE STOPS

1. SIGNIFICANCE OF STOP: A "seizure" occurs whenever a vehicle is stopped, even though the purpose is generally limited and the detention quite brief; therefore, the Fourth Amendment applies.
2. GROUNDS FOR STOP: There must be reasonable articulable suspicion to justify an investigatory stop of an individual vehicle. Law enforcement deputies do not have an unrestricted right to stop people, either pedestrians or drivers.
3. SAFETY CHECKPOINTS: Vehicles may also be stopped at safety checkpoints which serve legitimate law enforcement purposes. If the purpose of the safety checkpoint is legitimate, (e.g., to check driver's licenses and not randomly stop vehicles, and if evidence of other crimes is observed, the deputy has the right to take reasonable investigative steps as described herein.

Vehicle roadblocks shall be prohibited, unless approved by a UPS watch commander.

4. INITIAL INTRUSION: Law enforcement deputies may take reasonable action to protect themselves after a lawful stop of a motor vehicle. A deputy may prefer to ask the driver of a vehicle to step out of the vehicle. Law enforcement deputies may consider external factors such as weather, crowds, etc., prior to asking anyone to step out of his/her vehicle.
5. FURTHER INTRUSION: If the law enforcement deputy has a reasonable belief that a person stopped is presently armed and dangerous, he may conduct a limited protective search of the vehicle and frisk of the person.

B. VEHICLE SEARCHES

1. Any traffic stop can result in additional law enforcement actions by a deputy. Based on their training and experience, it may become apparent to the deputy conducting the traffic stop that criminal activity is taking place. In those circumstances, many

issues related to statutory and case law must be considered. Deputies will be expected to carry out their duties in a reasonable and legal manner.

a. Consent to search: While a law enforcement officer may ask for a consent to search, such requests shall be made based on the deputy's ability to "reasonably articulate" their suspicions. Whenever consent is given, it is the deputy's responsibility to show that the consent was given voluntarily. In court proceedings, the "totality of the circumstances" will be the basis for judging the reasonableness of the deputy's actions. A deputy can articulate their suspicions based on combinations of the following factors:

1) The driver's behavior:

- Actions that raise officer safety issues;
- Inappropriate reactions to the circumstances;
- Failure to comply with directions/requests;
- Furtive movements;
- Exaggerated/inappropriate physical movements including eye contact, nervous ticks, hand/arm movement, muscle tremors, etc.

2) Passenger behavior:

- Items listed in the "driver's behavior" section;
- Inconsistent/contradictory explanations;
- Flight from the scene;

3) Situational factors:

- Time/location;
- History of criminal activity in immediate area;
- Existing BOLO's;
- Knowledge about prior criminal activity of the occupants of the vehicle (this shall not be used as the only factor for requesting to conduct a search);
- Driver is confirmed to have a 4th Amendment waiver as part of their probation and a search by a law enforcement officer is authorized by Parole/Probation.

4) Guidelines:

- Consent may be withdrawn by the person giving it at any time;
- If consent is withdrawn, the search must be stopped;
- A person giving consent may give "limited" consent;
- A Miranda Warning is not necessary;
- The person granting consent must have legitimate access to the area to be searched.

5) Factors that help to verify that consent is voluntary: if the person giving consent;

- was not in custody when consent was given;
- was advised what the deputy was looking for prior to the search;
- signed "Consent to Search" form;
- admitted guilt prior to the search;

- assisted in the search; (used their keys, etc.)
 - did not withdraw their consent during the search;
 - was, in no way, restrained during the search;
 - appeared to be educated, intelligent, and not under the influence of alcohol or drugs.
- b. Moveable vehicle doctrine: If a deputy is able to articulate probable cause, under the movable vehicle doctrine, a search of the vehicle may be conducted without a warrant. For example, based on their training and experience, a deputy can articulate the fact that probable cause exists of a crime is being committed based on their ability to identify the smell of raw or burnt marijuana. Once probable cause has been established, the vehicle may be searched without a warrant because case law recognizes that a vehicle is moveable and the evidence of a crime may be transported away while an officer obtains a search warrant. (*Gondor v. State*, 129 GA. App. 665 (1973)). A warrant is needed to search a vehicle that the officers can legally control without fear that it will be moved. (*U.S. v. Johns*, 469 U.S. 478).
- c. K-9 free air sniff: The basic rule is that if the initial traffic stop was justified and the investigation/stop is not unreasonably prolonged, a K-9 search is permissible. Since the scent capability of a K-9 is notably superior to most persons, a trained K-9's response to drugs being present establishes probable cause and under the movable vehicle exception, no search warrant is needed to proceed.
2. Time and Place Search: If probable cause and exigent circumstances existed originally, the law enforcement officer may search the vehicle after towing it to the impound lot without securing a search warrant. When probable cause exists without exigent circumstances, a warrant is required. (*Caito et al. v. State*, 130 GA. App. 83 (1974)).
3. Arrest of Occupant: If a person is arrested after his vehicle is stopped, areas of the vehicle accessible to him may be searched incident to the arrest *only if it is reasonable to believe that the arrestee might access the vehicle at the time of the search or that the vehicle contains evidence of the offense of arrest* (*Arizona V. Gant* 556 U.S. 332 (2009)). The courts have construed this area to include the passenger compartment of the vehicle. Included in the category of vehicles are vans and recreational vehicles which are used primarily for transportation and not kept in an area which indicates that the purpose of the vehicle is for use as a residence.

C. CONTAINER AND LUGGAGE SEARCHES

1. Standard: Containers generally may only be searched pursuant to a warrant based on probable cause.
2. Automobiles: A deputy who has legitimately stopped an automobile and who has probable cause to believe contraband is located somewhere within the car may conduct a warrantless search of the vehicle, including compartments and containers within the vehicle whose contents are not in plain view. (*U.S. v. Ross*, 456 U.S. 798, 31 CrI 3051 (1982)).

3. Exceptions: The Search Incident to arrest and Plain View doctrines will generally make unnecessary the need to secure a warrant to search containers. When a lawful arrest has been made, the deputy may examine the contents of any container found within the passenger compartment within reach of the arrestee. (Area of immediate control).

D. INVENTORY OF VEHICLES

1. Seizure of Vehicle: For an inventory of a vehicle to be valid, the law enforcement custody of the vehicle must be lawful. An inventory of a vehicle is not a search. An inventory is an agency policy designed to insure that valuable possessions within a vehicle under law enforcement custody are accounted for. Any contraband which is found inadvertently during an inventory may be seized.
2. Justification: The inventory must be conducted only to fulfill the law enforcement caretaking function of securing the contents of the vehicle.
3. Nature of Inventory: The "inventory search" must be a routine part of standard law enforcement procedures for impounding vehicles, rather than a pretext for an investigatory search, and may not extend to locked luggage or other similar repositories of personal effects. Closed, but unlocked containers may be opened during an inventory search of a vehicle. (*Ill. v. Lafayette*, 162 U.S. 640 (1983)). It shall be standard operating procedure for law enforcement deputies to inventory all impounded vehicles as outlined in. (*South Dakota v. Opperman*, 428 US 364 (1976)) for purposes of:
 - a. Protecting the law enforcement officer and the agency from false claims of lost/ stolen property from the vehicle that was towed.
 - b. Protecting the person who owns the vehicle from having their property lost or stolen.
 - c. Protecting law enforcement and towing company employees from danger from items in the vehicle.

PROCEDURE: SOP 3-5.105 ARRESTS FOR SHOPLIFTING

Rescinds/Amends: SOP 3-2.302

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 3-5

Authorized by: Sheriff Ron H. Freeman



I ARRESTS FOR SHOPLIFTING

A. PROCEDURES

Upon receipt of a call for shoplifting, the responding deputy will review all relevant facts and evidence surrounding the case and determine if probable cause exists to believe the accused has or has attempted to commit the crime of theft by shoplifting.

1. Felony Cases

- a. If the crime is a felony as defined by O.C.G.A. 16-8-14, and the property stolen exceeds \$500 in value, then the deputy will arrest the suspect and transport him or her to the Forsyth County Detention Center. The deputy will apply for an arrest warrant.

2. Misdemeanor Cases

If after the investigation, the deputy determines the crime to be a misdemeanor under O.C.G.A. 16-8-14 (less than \$500), then the officer shall do the following:

- a. If the offender is located on scene, the deputy will arrest the offender and deliver the offender to the detention center. The arresting document will be a uniform traffic citation/accusation. Detention Center employees will provide a court date upon release.

3. Cases Where a Physical Arrest is Made

In all cases, felony or misdemeanor, where an arrest is made, the deputy shall;

- a. Complete an incident report detailing the arrest;
- b. May have the retail establishment's agent complete a retail theft affidavit or written statement;
- c. Collect all relevant information/evidence;
- d. Check the arrestee for warrants through GCIC/NCIC;

- e. Deliver the arrestee to the Forsyth County Detention Center.
- B. JUVENILE ARRESTS (Refer to **SOP 3-4.100**)

PROCEDURE: SOP 3-5.106 ALTERNATIVES TO ARREST

Rescinds/Amends: SOP 3-2.303

Effective Date: September 21, 2022

Committee Review - Date: September 2014

Related Policy(s): GO 3-5

Authorized by: Sheriff Ron H. Freeman

**I ALTERNATIVES TO ARREST**

For the effective operations of the agency, it is essential that, whenever possible, employees at all levels share some responsibilities instituted within the agency. This is accomplished by the delegation of authority where personnel at every level within the divisions, sections or units are given the authority to make decisions necessary for the effective execution of their responsibilities. However, it is important to note that whenever an employee is delegated responsibility, that employee is to be held fully accountable for the use of the delegated authority as well as for the failure to use it.

A. REASONABLE ACTION

What is reasonable in terms of appropriate law enforcement action or what constitutes probable cause varies with each situation, and different facts may justify either an investigation, a detention, a search, an arrest, or no action at all. There may be a report written and an application for a complaint made; or in some cases, when the offense is of minor nature, a verbal warning or other direction may be given. The requirement that legal justification be present imposes a limitation on a deputy's action. In every case, a deputy must act reasonably within the limits of his authority as defined by statute and judicial interpretation.

B. ACCESS TO COURTS

Whether an individual is arrested or released with a copy of charges (citation), deputies will not inhibit the individual's right of access to the courts. This is accomplished by assigning or obtaining a court date. The deputy shall inform the violator of the Court date.

C. DISCRETION

A deputy's discretion is an essential function of effective law enforcement. Discretion shall be used in accordance with agency policy.

Whenever possible a deputy should use alternatives to physical arrest by warning or issuing citations. A physical arrest decision should be based on:

- Seriousness of the offense;
- Sheriff's Office Policy;

- Evaluation of the offender's intent and mental state;
- Victim's willingness to press charges; and
- Any other influencing circumstances.

D. JUVENILE OPERATIONS

It is the policy of the Forsyth County Sheriff's Office that all personnel dealing with juvenile offenders will use the least coercive among reasonable alternatives consistent with procedures of the Forsyth County Sheriff's Office, State and local law. Youthful offenders may be dealt with by deputies in one of four (4) ways:

1. Outright release of youth to parents / legal guardian with only an admonishment, warning or friendly advice;
2. Simple treatment by the agency alone, consisting primarily of supervision on a voluntary basis agreed to by the parents;
3. Issuance of a written citation / summons to appear in court in lieu of taking into custody; or
4. Referral to the appropriate juvenile court or authorities.

For more information on juvenile arrests refer to [GO 3-7](#).

E. TRAFFIC ENFORCEMENT ALTERNATIVES

Deputies are to use individual discretion, based on professional judgment, as to which form of enforcement action will be taken. Action will be appropriate for each violation of the law. This will be accomplished in a fair, impartial, courteous and businesslike manner with one of the following options:

1. Verbal Warning: A verbal warning is appropriate when the violator commits a very minor violation that results in little or no potential danger to the public.
2. Written Warning: A written warning should be issued for minor or non-life threatening traffic violations, when, in the discretion of the deputy, the enforcement objective has been achieved and the violation does not dictate a citation or physical arrest. Unless the violator provides extenuating circumstances for the violation committed, thus justifying the deputy's decision to issue a verbal warning, a written warning should be issued. A written warning should be issued on the Georgia Uniform Traffic Citation/Warning form produced by the software application currently in use by the agency.
3. Written Citation: Traffic citations should be issued to violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic. A written citation will be issued on the Georgia Uniform Traffic Citation form produced by the software application currently in use by the agency.

F. Release on Citation for Certain Misdemeanors

Deputies are permitted to issue a Uniform Traffic Citation (UTC) for the charges listed below instead of taking an offender into custody. Deputies will maintain the discretion to take an offender into custody or release them on a citation. Deputies are still required to complete an Incident Report as well as collect and submit all evidence.

- Possession of less than one ounce of marijuana O.C.G.A. 16-13-2(b)
- Furnishing alcoholic beverages to, and purchase and possession of alcoholic beverages by a person under 21 years of age O.C.G.A. 3-3-23.1

The decision on whether to issue a citation or take an offender into custody may be based on some of the below determining factors:

- Ability to properly identify the offender
- If the offender has a local or metro Atlanta address
- The combination of the offender's other offenses
- Deputy's belief that the offender will appear in court

When completing the UTC the deputy should reference the incident report number on the citation and the case will be referred to State Court for prosecution.

PROCEDURE: SOP 3-5.108 IMMUNITY FROM ARREST

Rescinds/Amends: SOP 3-2.305

Effective Date: January 1, 2017

Committee Review - Date: September 2014

Related Policy(s): GO 3-5

Authorized by: Sheriff Ron H. Freeman

**I IMMUNITY FROM ARREST****A. PERSONS ENTITLED TO PRIVILEGE AND IMMUNITY****1. Staffs of Diplomatic Missions**

Three categories of persons are entitled to privileges and immunities under international law. The first of these, staffs of Diplomatic Missions (usually called the Embassy), are composed of Diplomatic Agents, administrative, technical, and service staff. Diplomatic Missions are the principal communication link between the country which sends them and the host country. Diplomatic Agents and family members forming part of the household enjoy the highest degree of immunity and privileges. These include *complete immunity* from the criminal jurisdiction of the host state and from prosecution no matter how serious the offense. This high degree of immunity and privilege from the criminal jurisdiction is shared by members of the Diplomatic Agent's diplomatic, administrative and technical staff and their immediate families, with the only distinction being with regard to immunity from civil jurisdiction. Service staff members have only official act immunity, which in practical terms is simply an affirmative defense to be raised by an accused staff member before a United States Court with subject matter jurisdiction over the alleged crime. If such court, in full light of all the relevant facts, determines that the action complained of is an official act, only at that point does international law preclude the further exercise of jurisdiction by the U.S. Court. Because the judicial determination in a case of this type is very much dependent on the facts surrounding the incident, a full and complete report may be critical in permitting the court to make a just decision. The families of service staff members enjoy *no* privileges or immunities.

2. Members of Consular Posts

The second category consists of members of Consular Posts which are composed of Consular Officers, Consular employees, service staff and Honorary Consuls. Consulates are distinct from Diplomatic Missions in that they do not have the principle role of providing communication between the two countries but rather perform a variety of functions of principle interest to their respective sending countries (e.g., issuance of travel documents and generally promoting the commerce of the sending country). The current treaty regime recognized a hierarchy within the staff of the Consular Posts but, since the privileges and immunities are few, there is not a great deal of practical difference in the degree of immunity afforded the various general categories of persons. Generally, members of Consular Posts

have only official act immunity as explained above with respect to both criminal and civil matters. It is essential to know that no law enforcement deputy is expected or authorized to determine whether a given set of circumstances constitutes an official act. Rather, this is an issue which may only be resolved as a matter of law by the host country court with subject matter jurisdiction over the alleged crime; however, international law holds that consular members may only be arrested pending trial provided that the underlying offense is a felony and that the arrest is made pursuant to a decision by a competent judicial authority, (e.g., a warrant issued by an appropriate court). Hence, the degree of the offense will usually dictate the course of action to be taken. Finally, without a special bilateral agreement to the contrary, neither the service staff nor family members of consular members in general enjoy personal inviolability. The only exception here, beyond that afforded by any bilateral agreement, involves an immunity enjoyed by service staff from any obligation to provide evidence as a witness with respect to official acts.

Honorary consuls are not entitled to immunity from arrest or detention. They are subject to the civil or criminal jurisdiction of the courts of this State unless they were performing official acts in the exercise of their consular function.

3. International Organization Personnel

The final general category of individuals to which privileges and immunity extend consists of International Organization Personnel and National Missions to such organizations. The nations concerned here have concluded treaties embodying grants of privileges and immunities, agreeing that the important purposes of their envoys may only be accomplished if these measures are afforded. The vast majority of International Organization Personnel have only official act immunity. In certain cases however, the most senior executives of such organizations have been accorded privileges and immunities equal to those afforded Diplomatic Agents. The assignment of International Organizations is differentiated generally on the basis of the functions performed. Pursuant to international law, the most senior representatives in these Missions of International Organizations have privileges and immunities equivalent to those afforded Diplomatic Agents. The remainder of the staffs of these Missions have only official immunity.

B. TRAFFIC ENFORCEMENT

Stopping a foreign official and issuing a citation does not constitute an arrest or detention and is permissible, although signature of the citation by such an individual may not be required. Accordingly, a deputy should never hesitate to follow normal procedures to intervene in a situation involving a traffic violation which he or she has observed even if immunity ultimately bars any further action at the scene. Sobriety tests may be offered in accordance with ordinary procedure but may not be required or compelled. If the deputy judges the individual to be intoxicated, the deputy should not permit the individual to continue to drive since the primary concern here should be the safety of the public and the intoxicated driver. Under such circumstances a number of options are available: the deputy could summon a friend of the driver, if appropriate, call a taxi, or the deputy could provide transportation. In any event, the deputy involved with the incident should fully document the facts of the incident, the identity of the individual, and a written report of the incident should be forwarded to the Department of State. See **SOP 3-7.155** for traffic procedures on immune officials.

C. IDENTIFICATION OF PERSONS ENTITLED TO PRIVILEGE AND IMMUNITY

The only authoritative identity document providing an accurate indication of the status of the holder is the identity card issued by the Department of State, Protocol Office. There are three types of identification cards: Diplomatic (blue border for Diplomats), Official (green border for employees), and Consular (red border for consular personnel). Identification cards contain a photograph of the bearer along with the bearer's name, title, mission, city and state or country, date of birth, identification number, expiration date, and a United States Department of State seal. A brief description of the bearer's immunity will be printed on the reverse side. While this form of identification is generally to be relied upon, agency personnel are nonetheless urged to seek immediate verification as indicated below in connection with any traffic or criminal incident or any other case where they have reason to doubt the validity of the card. Additionally, deputies should be alert to the fact that newly arrived members of diplomatic and consular staffs may not yet have these official identity documents and should be prepared to coordinate with the United States Department of State for verification if confronted with such a situation.

D. PROCEDURE

Should any deputy of this agency have grounds to arrest a person who claims immunity, he or she must proceed by coordinating with the State Department of the United States utilizing the following procedure:

1. Whether the case involves an ordinance violation, a misdemeanor or a felony, the suspect may be briefly detained until his diplomatic status can be verified. Extreme patience and courtesy are called for in these situations and the use of handcuffs or other restraints should be avoided, if possible.
2. The ranking deputy who is on duty at the time should be notified. The State Department should be contacted as soon as possible so that the individual's status can be determined. This notification to the State Department should be made by the ranking deputy.

The telephone numbers are:

(202) 647-1404	Staffs of Diplomatic Missions
(202) 647-2412	All Inquiries
(202) 647-1664	Members of Consular Posts
(202) 647-1406	International Organizations
(202) 647-7277	After hours line for all Personnel
(212) 415-4131	United Nations Personnel
(212) 415-4444	United Nations Personnel (after hours)

3. If the State Department does not verify the diplomatic status of the suspect, the suspect should be processed routinely. If the suspect's immunity is confirmed, the suspect should be handled in accordance with the instructions provided by the State Department personnel.

FORSYTH COUNTY

Law Enforcement Radio Procedure Policy



Forsyth County 911



Law Enforcement Radio Procedure Policy

Table of Contents

SECTION 1: POLICY / AUTHORITY

- 1-1 LAW ENFORCEMENT COMMUNICATIONS POLICY
- 1-2 GENERAL CONSIDERATIONS
 - 1-2.1 Integrity, Accuracy and Courtesy
 - 1-2.2 Interference with communications
 - 1-2.3 Watch commander, field supervisor, 911 supervisor responsibility
- 1-3 AUTHORITY
 - 1-3.1 Forsyth County Sheriff's Office employees
 - 1-3.2 Forsyth County 911 Center employees

SECTION 2: USE OF RADIOS

- 2-1 USE OF RADIOS
 - 2-1.1 Deputies making radio contact with other deputies
 - 2-1.2 Official use only of radio channels
 - 2-1.3 Unit number and dispatcher identity
 - 2-1.4 Portable and Mobile radio I.D. assignments/alias
 - 2-1.5 Off duty use of radios
 - 2-1.6 Listen before transmitting
 - 2-1.7 Courtesy
 - 2-1.8 Clipping radio traffic
 - 2-1.9 Acknowledgement
 - 2-1.10 Switching between precinct radio channels
 - 2-1.11 Parrot Phrasing or Echoing
 - 2-1.12 Repeating radio traffic pertaining to critical situations/deputy safety
 - 2-1.13 Time Stamping
 - 2-1.14 Use of exciting words

SECTION 3: DISPATCH SIGNALS / CODES / UNIT NUMBERS

- 3-1 DISPATCH SIGNALS / CODES / PHONETIC ALPHABET
 - 3-1.1 Use of "Plain Talk" Call Types, Deputy Safety Signals, 10-codes & phonetic alphabet
 - 3-1.2 Use of non-approved call types, 10-codes, phonetic alphabet
 - 3-1.3 Plain language for Multi-Agency or Mutual Aid events
 - 3-1.4 FCSO call types
 - 3-1.5 Just occurred or In-Progress suffix to prioritize call types
 - 3-1.6 FCSO 10-Codes
 - 3-1.7 FCSO Disposition Codes
 - 3-1.8 International Alphabet
- 3-2 FCSO RADIO / BADGE / UNIT NUMBERS
 - 3-2.1 Responsibility to assign FCSO radio numbers
 - 3-2.2 FCSO radio numbers
 - 3-2.3 FCSO badge numbers

SECTION 4: DISPATCHING CALLS

- 4-1 DISPATCHING PROCEDURES
 - 4-1.1 Dispatching Calls
 - 4-1.2 Post dispatch rules
 - 4-1.3 Reassignment of calls
 - 4-1.4 Back-Up units at time of dispatch
 - 4-1.5 Scene arrivals
 - 4-1.6 Field supervisor awareness
 - 4-1.7 Situation under control
 - 4-1.8 In-service from calls for service
 - 4-1.9 Precinct desk deputy

- 4-2 CALLS FOR SERVICE ON PRECINCT BOUNDARIES
 - 4-2.1 Calls on precinct boundaries
 - 4-2.2 Priority calls for service on precinct boundaries

SECTION 5: DEPUTY INITIATED ACTIVITY

- 5-1 DEPUTY INITIATED CALLS VIA USE OF RADIO
 - 5-1.1 Vehicle Stops
 - 5-1.2 Deputy Initiated Calls for Service

- 5-2 DEPUTY SELF INITIATED CALLS VIA USE OF MDT
 - 5-2.1 Calls permitted to be “self initiated” via MDT by deputies
 - 5-2.2 Part Time Jobs
 - 5-2.3 Subdivision, Business, Area Checks and Public Relations Events
 - 5-2.4 Welfare checks while on MDT “self initiated” calls
 - 5-2.5 Availability for calls while on self initiated calls
 - 5-2.6 Deputy self clearing “self initiated calls” via MDT
 - 5-2.7 MDT “status” for NON call locations

SECTION 6: CALL PRIORITIES / ALERT TONES/ PENDING CALLS

- 6-1 CALL PRIORITIES
 - 6-1.1 Call priorities are determined by the signal chosen to describe an event
 - 6-1.2 Priority 1 calls for service
 - 6-1.3 Priority 2 calls for service
 - 6-1.4 Priority 3 calls for service
 - 6-1.5 Pending calls

- 6-2 IN-PROGRESS OR JUST OCCURRED CALLS
 - 6-2.1 In-progress or Just Occurred calls

- 6-3 ALERT TONES
 - 6-3.1 Use of Alert Tones
 - 6-3.2 Simulcast and Alert Tone on multiple radio channels

SECTION 7: WELFARE CHECKS AND DEPUTY SAFETY

- 7-1 DEPUTY WELFARE
 - 7-1.1 Welfare checks on deputies (signal 35)
 - 7-1.2 Cancellation / Continuance of Welfare Checks
 - 7-1.3 Unable to contact deputy on welfare check

- 7-2 CODE 11 (DEPUTY REQUESTING BACK-UP)
 - 7-2.1 Code 11 request from deputy
 - 7-2.2 Dispatcher acknowledgement of Code 11 request
 - 7-2.3 Back-up deputies response to Code 11 request
 - 7-2.4 Code 11 request under control (10-25)

- 7-3 DEPUTY NEEDS HELP / DEPUTY DOWN (SIGNAL 63)
 - 7-3.1 Call type is highest priority call in law enforcement
 - 7-3.2 911 Center responsibility when deputy needs help call has been received
 - 7-3.3 Watch commander/field supervisor responsibilities
 - 7-3.4 Deputy Down call under control (10-25)

- 7-4 EMERGENCY RADIO TRAFFIC
 - 7-4.1 Emergency radio traffic / 10-3, 10-33
 - 7-4.2 Channel Marker
 - 7-4.3 How dispatchers initiate a “10-3 / 10-33” status
 - 7-4.4 Alternate radio channel during 10-3 / 10-33
 - 7-4.5 Minimum radio traffic (10-30)
 - 7-4.6 Returning a 10-3 or 10-30 radio channel back to a “10-39” status

- 7-5 EMERGENCY BUTTON ACTIVATIONS (10-33 STATUS)
 - 7-5.1 Emergency button activations
 - 7-5.2 Dispatch consoles reaction to emergency button activations
 - 7-5.3 Instructions for use by field units
 - 7-5.4 Activating the emergency button
 - 7-5.5 911 Center personnel responsibilities
 - 7-5.6 Deputy on active call for service or traffic stop and activates emergency button
 - 7-5.7 Deputy failure to respond to welfare check after emergency button while on active call
For service or traffic stop
 - 7-5.8 Deputy failure to respond to welfare check after emergency button when NOT on active
Call for service or traffic stop
 - 7-5.9 Emergency button activation under control
 - 7-5.10 Resetting the radio after emergency button activation

SECTION 8: RADIO COMMUNICATIONS INVOLVING PURSUITS

- 8-1 RADIO PROCEDURE REGARDING PURSUITS
 - 8-1.1 Vehicles failing to stop for a deputy
 - 8-1.2 Upon receipt of a Pursuit – 10-3 / 10-33
 - 8-1.3 Pursuing deputies radio transmission responsibilities during pursuits
 - 8-1.4 Dispatcher radio transmissions
 - 8-1.5 FCSO units remaining on initiating pursuit radio channel
 - 8-1.6 Field supervisor and watch commander notification on pursuits

- 8-1.7 Notifying opposing precinct
- 8-1.8 Use of Road Blocks, Tire Deflation Devices and “PIT Maneuver”
- 8-1.9 Logging radio traffic / records check
- 8-1.10 911 Center use of Aero Atlas Map during pursuits
- 8-1.11 Possible reasons for suspect fleeing
- 8-1.12 Coordinating assistance with surrounding agencies
- 8-1.13 Aviation Support for pursuits
- 8-1.14 Known hazards
- 8-1.15 Termination of a pursuit or suspect in custody (10-25)

8-2 PURSUITS RECEIVED BY PHONE FROM OTHER JURISDICTION

- 8-2.1 Pursuit from other agency received by phone
- 8-2.2 Dispatcher responsibility
- 8-2.3 FCSO becoming involved in another agencies pursuit

SECTION 9: DEPUTY REQUEST

Section is under development and approval process

SECTION 10: SPECIAL CALLS FOR SERVICE

Section is under development and approval process

SECTION 11: 800 MEGAHERTZ RADIO SYSTEM OPERATING CONDITIONS

Section is under development and approval process

Appendix

- Attachment A – Call Types, Deputy Safety Signals, MDT Status, Disposition Codes, Phonetic Alphabet
- Attachment B – FCSO radio number assignments
- Attachment C – FCSO badge number assignments

SECTION 1

Policy / Authority

1-1 LAW ENFORCEMENT COMMUNICATIONS POLICY

The purpose of this policy is to establish procedure for all radio communications, which are in compliance with the local, state, and federal laws and with Federal Communications Commission's rules and regulations. The Forsyth County Sheriff's Office's goal is to ensure citizen and deputy safety during the rapid and efficient response to law enforcement calls for service by using clear and concise radio transmissions and following standardized procedures. All Forsyth County Sheriff's Office employees will abide by this policy. The Forsyth County Sheriff's Office is charged with providing law enforcement protection and services to the citizens of Forsyth County; therefore the Sheriff of Forsyth County sets the standards and policies concerning law enforcement procedures. All procedures contained in the Law Enforcement Radio Procedure Policy shall comply with all applicable communications standards as established by the Commission on Accreditation for Law Enforcement Agencies, Inc. Forsyth County 911 Center will adopt this document into their Policy and Procedure Manual so law enforcement related procedures flow smoothly; preventing conflicting policies which could result in delay of law enforcement related 911 calls for service being handled. Only the Sheriff of Forsyth County, or his designee (Law Enforcement & 911 Radio Procedure Committee), is authorized to make amendments, revisions or alterations of this document. If such amendments or revisions are made, recommendations will be forwarded to the Law Enforcement & 911 Radio Procedure Committee for review and implementation.

1-2 GENERAL CONSIDERATIONS

1-2.1 Integrity, accuracy and courtesy

A. Attention to detail, integrity, accuracy, and courtesy are expected of all personnel in official communications.

1-2.2 Interference with official communications

A. Profanity and discourtesy in official communications are strictly prohibited. Do not willfully or maliciously interfere with any radio communications or signals.

1-2.3 Watch commander, field supervisor and 911 supervisor responsibility

A. Field Supervisors/Watch Commanders and 911 Center Supervisors have the responsibility to monitor radio communications of their employees for compliance with this policy.

1-3 AUTHORITY

1-3.1 Forsyth County Sheriff's Office employees

A. Forsyth County Sheriff's Office deputies/employees work under the authority of the Sheriff of Forsyth County.

B. "Watch Commanders" are FCSO deputies in command of a shift, watch, division, section or unit.

C. "Field Supervisors" are FCSO deputies charged with supervision of other FCSO deputies on an assigned shift or unit.

D. "Field Units" are FCSO deputies that are assigned to a shift or unit

1-3.2 Forsyth County 911 Center employees

A. Forsyth County 911 Personnel (Dispatchers and Call Takers) work under the authority of the Director of Forsyth County 911 Center in the performance of their duties.

B. "911 Supervisors" (Communications Officer IV) are supervisory personnel within the Forsyth County 911 Center.

C. "Dispatchers" (Communications Officer III) are 911 Center personnel assigned to work a radio channel or talkgroup.

D. "Call Takers" (Communications Officer II) are 911 Center personnel assigned to answer phone calls for service and initiate phone calls when requested.

SECTION 2

Radios / Procedures

2-1 USE OF RADIOS

2-1.1 Deputies making radio contact with other Deputies:

- A. Deputies will not ask a dispatcher to make contact with another employee when both employees have radio communications capabilities. Instead, the deputy will switch their radio to that employee's radio channel and make direct contact. If deputy does not have radio communications capabilities, they may ask the dispatcher to relay necessary information.

2-1.2 Official Use Only of Radio Channels

- A. Forsyth County Sheriff's Office main precinct radio Talk Groups (i.e. S Pct, N Pct) are to be used for emergency and other official communications; non-essential business related "car to car" communications will be conducted on the Tac channels (i.e. S Tac, N Tac) in plain language. Do not use radio channels to conduct personal business.
- B. Other county Forsyth County radio channels can be used by FCSO personnel as directed
 - 1. I.e. -County 1, Fire Department, CPD, Roads and Bridges, etc.

2-1.3 Unit number and dispatcher identity

- A. Deputies MUST always identify themselves by their assigned unit number or badge number when generating radio traffic on any radio channel.
- B. When the deputy raises the dispatcher or another unit, the deputy will state their unit number first and then the person they are trying to reach. (i.e. "702 to radio" or "702 to 1210")
- C. When a field unit is being called on the radio, the field unit will answer with their unit number to let the caller know he/she has reached the right unit. Once conversation has been established by using radio numbers, it is NOT necessary to use radio numbers for every radio transmission.
- D. When deputies call a dispatcher on the radio, the dispatcher will answer the deputy with the deputy's unit number to let the deputy know it is their turn to talk.
- E. Dispatchers will be identified by the name "Radio" regardless of which radio channel or talk group they are using.
- F. If Forsyth County 911 or FCSO field units contact another agency via radio on that agency's radio channel or frequency, they must identify themselves as "Forsyth County 911" or "Forsyth County S.O. (unit#)".

2-1.4 Portable and Mobile Radio I.D. assignments/Alias

- A. The Forsyth County, Radio Systems and Mobile Data Manager is responsible for programming portable and mobile radios and maintaining radio serial numbers, identification numbers and "radio alias" information.
- B. Each FCSO portable and mobile radio will display a "radio alias" at the dispatcher's console when field units key up their microphone.
- C. Portable radios will display the field units last name and first (or first and second) initial. Mobile radios will display the FCSO vehicle number, with the prefix of "SO" (i.e. "SO276" = Sheriff's Office, Vehicle# 276)
- D. When emergency buttons are activated, the same information is displayed (see section 7-5)

2-1.5 Off-duty use of radios.

- A. Deputies will use their badge number for all transmissions when they are off duty.

2-1.6 Listen before transmitting.

- A. Never key a radio without first listening to see if someone else is talking or the "Channel Marker" has been activated indicating a "10-3" situation.

2-1.7 Courtesy:

- A. Deputies and dispatchers should strive to be impersonal. Voice inflections should convey a calm, competent, decisive voice tone.
- B. Deputies and dispatchers should avoid jargon or slang and should use proper call types. (i.e. “crotch rocket”, “stop and rob”, etc.)
- C. Deputies and dispatchers should assume gratitude and refrain from using such words unless deemed necessary.

2-1.8 Clipping radio traffic

- A. Failure to depress the transmit button before beginning the radio transmission or releasing the transmit button before completing the radio transmission will result in “clipping” radio traffic.
- B. Dispatchers do not have to un-key their radio to prevent the radio from “timing out”.

2-1.9 Acknowledgement:

- A. The dispatcher should always acknowledge a unit. If the transmission is understood, acknowledgment should be **“(unit #), “Clear” or “Received”** (i.e. “702, clear”).
 1. There are 3 (three) Unit Statuses that dispatchers should echo to acknowledge a field unit’s status when pertaining to a field unit on calls for service. They are:
 - a. Enroute
 - b. On-scene
 - c. In-service
 - i.e. “702 to radio On-Scene on accident with entrapments (dispatcher will reply) “702 On-Scene
- B. If the transmission is not understood due to technical problems (static), acknowledgement should be “Radio to last unit repeat transmission, (then reason)”
- C. If partial transmission is not understood, acknowledgement should be a request to repeat information needed.

EXAMPLES:

- “(Unit #), repeat the tag # only.
- “(Unit #), repeat cross street with Peachtree Pky
- “(Unit #), repeat business name.

- D. As previously stated, each time a portable or mobile radio transmits from the field, the deputy’s last name, (or first or second initial) (portable radios) or the vehicle number (mobile radios) for that radio appears in the radio channel’s ICON display at the dispatcher’s console. The deputy’s name or vehicle number should be used as a resource in determining the identity of a deputy whose transmission was not understood. A list of radio identification assignments should be maintained at each dispatch position to ensure quick identification of units for unreadable traffic or emergency button activations.

2-1.10 Switching between Precinct Radio Channels

- A. FCSO units travel throughout Forsyth County constantly. When these field units cross precinct boundaries, the field unit must switch their radios to the precinct radio channel they are physically within.
- B. When field units are about to cross precinct boundaries, field units will advise the current dispatcher by radio they (field unit) are switching to the opposing precinct radio channel
 1. i.e. (while on the South Precinct radio channel) “702 to radio, switching to North Precinct”
- C. The dispatcher will acknowledge by stating the unit# and “Clear or Received”
- D. Once the field unit crosses into the new precinct boundary, the field unit will switch their radios to the new precinct’s radio channel, listen before transmitting to make sure the radio channel is clear to transmit on, then advise the new precinct dispatcher they are on the precinct radio channel.
 1. i.e. (while on North Pct radio channel) “702 to radio, In-Service on North Precinct”.
- E. The **EXCEPTION** to this section is during pursuits, as stated in Section 8 of this manual, pursuits will remain on the initiating precinct radio channel the entire duration of the pursuit.

2-1.11 “Parrot Phrasing” or “Echoing” (repeating radio traffic):

- A. Dispatchers “Parrot Phrasing” or “Echoing” **NON-SERIOUS** radio traffic is **NOT ACCEPTABLE UNLESS ATTEMPTING TO VERIFY RADIO COMMUNICATIONS THAT WAS UNREADABLE.**

2-1.12 Repeating radio traffic pertaining to critical situations/deputy safety

- A. Although “Parrot Phrasing” and “Echoing” are not acceptable, certain radio traffic should be repeated by the dispatcher pertaining to critical situations and/or deputy safety.
- B. Dispatchers may repeat radio traffic they (dispatcher) feels is important for other units at their (dispatcher) discretion.
1. i.e. “702 to radio, shots fired” (dispatcher would reply) “radio clear, 702 shots fired”

2-1.13 “Time Stamping”

- A. Dispatchers stating the time at the end of any transmission is no longer needed.

2-1.14 Use of exciting words

- A. Use of words to “excite” or give the perception for call to be upgraded should be avoided. Dispatchers should only state the facts the caller/complainant advises the call taker.

SECTION 3

“Plain Talk” Call Types / Unit Status / Unit Numbers

3-1 Call Types, Unit Status, Phonetic Alphabet

3-1.1 Use of “Plain Talk” / Unit Status / Phonetic Alphabet

- A. Deputies and dispatchers should use only the call types, deputy safety signals and phonetic alphabet in this guide.
- B. FCSO utilizes “Plain Talk” during all radio transmission with the exception of deputy safety signals, welfare checks and call disposition codes.
- C. If users encounter a situation not described by these call types, or if transmission of additional information is necessary, use language that is clear and concise.

3-1.2 Use of non-approved Call Types and alphabet prohibited

- A. Call Types and phonetic alphabet letters adopted by policy should be used.

3-1.3 Multi-Agency or Mutual Aid events

- A. If FCSO or Forsyth County 911 Center personnel are involved in any multi-agency or mutual aid event, ALL personnel **WILL ALWAYS USE plain language** for all radio transmissions.

3-1.4 FCSO Call Types / Deputy Safety Signals / Unit Status:

- A. See “Attachment A”

3-1.5 Just Occurred or In Progress suffix to prioritize Call Types

- A. For CAD and MDT purposes, some call types will require a suffix to upgrade or downgrade the priority of the call. This will expedite the process in call handling for dispatchers and field units.
- B. “**In-Progress**” calls for service call types will have the suffix of “**IP**”
 1. “In-Progress” calls for service are situations STILL IN PROGRESS at the time the call is received.
- C. “**Just Occurred**” calls for service call types will have the suffix of “**JO**”
 1. “Just Occurred” is a situation that occurred just prior to the call being received.

3-1.6 The following is a listing of FCSO “Plain Talk” 10-Codes:

- A. See “Attachment A”

3-1.6 The following is a listing of FCSO Disposition Codes

- A. See “Attachment A”

3-1.7 FCSO recognizes the International Phonetic Alphabet

- A. The purpose of using the phonetic alphabet is for clarity over the radio. Often times a “B” can sound like a “D”, or “M” can sound like an “N” over the air. When calling in license plates or spelling names over the air, the phonetic alphabet should be used.
 1. Example: License AMX-123 would be pronounced, A alpha, M mike, X x-ray, 123.
- B. International Phonetic Alphabet
 1. See “Attachment A”

3-2 FCSO RADIO / BADGE NUMBERS

3-2.1 Responsibility to assign FCSO Radio Numbers

- A. It is the responsibility of the Forsyth County Sheriff’s Office, Sheriff’s Adjutant or designee to assign FCSO radio numbers. The Sheriff’s Adjutant or designee is responsible for proving Forsyth County 911 with revisions.

3-2.2 FCSO Radio Unit Numbers

- A. See “Attachment B”

3-2.3 FCSO Badge Numbers

- A. The FCSO Supply Unit is responsible for maintaining the FCSO badge number list.
- B. See “Attachment C”

SECTION 4

Dispatching Calls

4-1 Dispatch Procedures

4-1.1 Dispatching Calls

- A. Call Takers will screen incoming requests for service and determine the appropriate Call Type for each request as stated in the “Forsyth County Sheriff’s Office Call Taking Guide”.
- B. Prior to dispatch the dispatcher should quickly review the text of the call to check for doubtful words, names, or locations and arrange all information in logical sequence and complete detail. All transmissions should be brief and to the point, using approved procedures, Call Types and codes. The dispatcher should take special care to speak clearly and precisely. The dispatcher should keep his or her voice level and constant.
 1. Field units should allow ample time for dispatchers to read/summarize the call prior to dispatch.
- C. The dispatcher will raise the field unit and provide the call type (i.e. “Radio to 702, copy auto accident with entrapments).
- D. The field unit will respond with the assigned unit number
- E. The dispatcher will repeat the field unit number and proceed with the dispatch
 1. Responding units will be given the primary call type, the location, officer safety information (i.e. person armed with a handgun) and any roadway obstruction information on each dispatch. (i.e. “Radio to 702 auto accident with injury/entrapment, Peachtree Pky&McGinnis Ferry Rd, overturned vehicle with entrapments, vehicles are a road hazard”).
 2. There is NO reason for the dispatcher to advise on information that does NOT exist (i.e. “negative smoke, negative flames, negative fluids”). This is unnecessary radio traffic, stating facts of the call are all that is required.
- F. **Field units will not request additional or repeated information unless absolutely necessary.**
- G. If the field unit fails to respond, the dispatcher will call the field unit again. If the field unit does not respond after three calls by the dispatcher, the dispatcher will notify that field unit’s supervisor that the field unit did not acknowledge the attempts to contact that field unit. It is then the responsibility of the field supervisor to contact the field unit being called or have the dispatcher reassign the call to another field unit.
- H. At the end of the dispatch, the field unit will state unit#, enroute, call type and location
 1. (i.e. 702, enroute, audible alarm at 123 Main Street)
 2. The MDT laptop is a resource for deputies to obtain more information on a call if needed.
- I. Once the deputy acknowledges the call, the dispatcher will show the deputy enroute to the call in the CAD and state “(unit#) enroute”
 1. i.e. “702 enroute” (dispatcher will reply) “702 enroute”

4-1.2 Post Dispatch Rules

- A. Post dispatch is the period after initial dispatch of the call but before the first unit arrives on the scene.
- B. The dispatcher must relay deputy safety/pertinent additional information received from the caller(s) to the responding unit(s).
- C. The dispatcher must ensure that additional information received from one or more of the responding units are relayed to other responding units.
- D. If a unit advises they need additional information, the dispatcher, or call taker, must attempt to re-contact the complainant for the information.

4-1.3 Reassignment of Calls

- A. All calls must be handled as assigned. **The field supervisor is responsible for approving any changes** after a call is dispatched.

4-1.4 Back-Up Units at time of dispatch

- A. Some calls require a back-up unit to be sent at the time of the original dispatch to ensure field unit safety.
- B. Those Call Types are identified on the list of call types at the end of the manual (Attachment “A”)
- C. **The need for additional backup units will be determined by the field supervisor based on all available information.**
- D. When the call is dispatched to a primary unit, the field supervisor will assign backup.
- E. The first deputy on the scene of the call will advise the dispatcher **as soon as possible**, the need for additional unit(s).
 1. Additional units will be requested or cancelled at that time.
- E. Dispatcher cancelling or downgrading other responding units **MUST BE** relayed to the responding back-up units immediately to help prevent responders from possibly being involved in automobile crashes due to the emergency response.

4-1.5 Scene Arrivals

- A. When deputies arrive at the scene, they will notify the dispatcher by providing their assigned unit number, the words “On-Scene” and **the Call Type** (i.e. “702 to Radio On-Scene on the auto accident”).
- B. The dispatcher will acknowledge by repeating the unit number and stating “On-Scene”.
 1. “702 On-Scene on the Auto Accident” (dispatcher will reply) “702 On-Scene”.
- C. The dispatcher is responsible for putting the deputy on the scene in the CAD
 1. Deputies should not use the MDT to put their self “On-Scene”.

4-1.6 Field Supervisor Awareness of Calls

- A. Field supervisors will notify the dispatcher of their awareness of Priority 1 and some Priority 2 calls (see Call Type list, Attachment “A”, at end of this document indicating which Call Types must be acknowledged by a Field Supervisor) by stating they are “Clear” as soon as the primary unit indicates they are enroute to the call.
- B. If the supervisor is responding to the call as back-up, he/she will advise the dispatcher he/she is “Clear and enroute.” (i.e. “3111 clear on the domestic dispute, I am enroute”)
- C. If the field supervisor fails to acknowledge the Priority 1 or Priority 2 call, the dispatcher should make the field supervisor aware. If the field supervisor is not able to be raised, the dispatcher should contact the watch commander.

4-1.7 Situation Under Control

- A. It is imperative that field units advise via radio when a situation is “under control” **AS SOON AS POSSIBLE.**
- B. Upon receipt of a “Situation Under Control” the dispatcher **WILL** immediately announce “Radio to all units enroute to the (call type) at (partial location), (unit number) is advising situation under control”
 1. i.e. “Radio to all units enroute to the Pursuit on Main St, 702 is advising Situation Under Control”
- C. Dispatchers must ensure all other responding units clear on the Situation Under Control status.
 1. Failure for other responding units to clear on a “Situation Under Control” could result in a continued emergency (lights/siren) response, placing the deputy and citizens at risk.

4-1.8 In Service from Calls for Service

- A. When deputies complete a call, they will notify the Dispatcher by stating their unit number and advising they are In-Service and disposition code (i.e. “702, In-Service, Code 9”).
- B. The Dispatcher will acknowledge the transmission by repeating the unit number and stating “In-Service”

4-1.9 Precinct Desk Deputy

- A. After a call is dispatched, field supervisors may have the call reassigned to the precinct desk deputy.

4-2 CALLS FOR SERVICE ON PRECINCT BOUNDARIES

4-2.1 Calls on precinct boundaries

- A. Calls on Canton Hwy (SR 20):
 - 1. Calls on Canton Hwy, any location with a Canton Hwy street address will be the responsibility of the South Precinct.
 - 2. Streets and street addresses on the north side of Canton Hwy (non Canton Hwy addresses) are the responsibility of the North Precinct.
- B. Calls on Bald Ridge Marina Rd:
 - 1. Call on Bald Ridge Marina Rd or ANY road that is accessible from Bald Ridge Marina Rd will be the responsibility of the South Precinct.
- C. Calls on GA 400:
 - 1. The precinct boundary on GA 400 is the Bald Ridge Marina Rd overpass.
 - 2. Calls south of Bald Ridge Marina Rd overpass are the responsibility of South Precinct
 - 3. Calls north of Bald Ridge Marina Rd overpass are the responsibility of North Precinct.

4-2.2 Priority 1 calls

- A. Dispatchers will sound Alert Tones and will “simulcast” the following calls on BOTH FCSO precinct and City of Cumming Police Department radio channels :
 - 1. DEPUTY NEEDS HELP (SIGNAL 63)
 - 2. PURSUIT
 - 3. ARMED ROBBERY IN-PROGRESS
 - 4. ARMED ROBBERY JUST OCCURRED

SECTION 5

Deputy Initiated Activity

5-1 DEPUTY INITIATED CALLS VIA USE OF RADIO

5-1.1 Vehicle Stops

- A. All traffic stops must be given verbally over the radio. Deputies can NOT self initiate the stop on their MDT.
- B. When deputies initiate a traffic stop, they will provide their unit number and “Traffic Stop” (i.e. “702 to Radio, Traffic Stop”)
- C. The Dispatcher will acknowledge the transmission by repeating the unit number. **Deputies must wait for the Dispatcher to acknowledge them before broadcasting the details of the traffic stop.**
- D. For all traffic stops, deputies will provide information in the following order:
 1. Location
 2. Tag (give 2 times, once with phonetic alphabet then 2nd time without phonetic alphabet)
 3. Vehicle Description
 4. Any additional information. (i.e. multiple occupants, etc.)
- E. The Dispatcher will acknowledge the deputies traffic stop by repeating the unit number and repeat the traffic stop location.
- F. If the deputy fails to provide a tag number, vehicle description, cross street and or street numbers, or business name at the initial vehicle stop notification, it is the responsibility of the dispatcher to ask for this information.
- G. Deputies must respond to any requests by the dispatcher to confirm information if needed.

5-1.2 Deputy Initiated Calls for Service

- A. When a deputy initiates a call for service of any kind (other than business checks, subdivision checks, area checks, public relations events or part time jobs) the deputy must do so verbally by radio.
 1. Examples:

Suspicious Persons	Animal Control Calls	Warrant Service
Suspicious Vehicles	Ordinance Violations	Transports
Accidents	Medical Calls	
Flag downs	Civil Paper	
- B. The deputy will use their assigned radio number and raise the dispatcher advising the dispatcher to copy a call
 1. (i.e. 702 to radio, copy Suspicious Vehicle).
- C. The dispatcher will reply with the unit number (i.e. “702”).
- D. The deputy will then repeat their assigned radio number and advise the location, descriptions and any other pertinent information related to the incident.
 1. i.e. “702 to radio, Suspicious Vehicle at Forsyth Central High School on Tribble Gap Rd, GA tag ABC123, will be a black Buick, 1 occupant.”
- E. The dispatcher will acknowledge with the unit number and repeat the incident location.

5-2 DEPUTY SELF INITIATED CALLS VIA USE OF MDT

5-2.1 Calls permitted to be “Self Initiated” via MDT by deputies

- A. The following calls are the **ONLY** calls permitted to be “self initiated” via MDT by a deputy:
1. Part Time Jobs (Signal 90)
 2. Subdivision Checks (Signal 94)
 3. Business Checks (Signal 85)
 4. Area Checks (Signal 27)
 5. Public Relations Events (Signal PR)

5-2.2 Part Time Jobs

- A. Deputies working a part time traffic or security detail that are utilizing a departmental vehicle equipped with a MDT Laptop will “self initiate” themselves on a call using their badge number (logged on to MDT with their badge number instead of their radio number) on a Part Time Job (Signal 90).
- B. Deputies will type in the exact street address in the location field.
- C. Deputies will type in the remarks field the business name and the expected end time of the off duty job (i.e. South Forsyth High until 2200hrs).
- D. If the deputy does not have a MDT Laptop, the MDT is NOT working properly or they are not using a departmental vehicle, the deputy will advise the dispatcher via radio of their assignment using their badge number, along with their location and duration of the off-duty assignment.
- E. **It is very important for deputies working part time job details to go In-Service via MDT or radio. If deputies haven't gone in-service within 30 minutes of the end of shift time as previously advised via MDT or radio, the dispatcher will attempt to contact the deputy via MDT or radio. If no contact is made, the dispatcher will contact the on-duty field supervisor.**

5-2.3 Subdivision, Business, Area Checks and Public Relations Events

- A. Subdivision, business and area checks self initiated via MDT Laptops do not have to be called in over the radio unless there are deputy safety issues or other concerns.
- B. Deputies will “self initiate” themselves on Business Checks (Signal 85), Subdivision Checks (Signal 94), Area Checks (Signal 27) or Public Relations Events (Signal PR) via their MDT laptop
- C. Deputies will enter the street address or subdivision name in the location field, then putting the business name and any other pertinent information into the comments section.
- D. Dispatchers will check on deputies that have self initiated themselves on Residence, Business or Area checks within 10 minutes from the time the deputy initiates the call. Deputies may alter the amount of time for welfare checks based on Section 7-1.3.
- E. If the deputy does not have a MDT Laptop or the MDT laptop is NOT functioning properly, the deputy will advise the dispatcher via radio of the Residence or Business Check via radio.

5-2.4 Welfare checks while on MDT “self initiated” calls

- A. Dispatchers will conduct welfare checks (signal 35) on deputies who self initiate themselves on subdivision, area and business checks after 10 minutes. This time has been pre-programmed into the CAD.
- B. After the first welfare check by the dispatcher, the field unit may cancel their welfare checks or extend the amount of time between welfare checks.
- C. Field units indicating in the narrative of the self initiated call that they (field unit) wish to cancel welfare checks will NOT be recognized by the dispatcher.

5-2.5 Availability for calls while on self initiated calls

- A. On-Duty field units are available to be dispatched to calls while they are on self initiated calls.

5-2.6 Deputy Self Clearing, “Self Initiated Calls” via MDT

- A. Deputies should “self clear” themselves from self initiated Business Checks (Signal 85), Subdivision Checks (Signal 94), Area Checks (Signal 27), PR Events (Signal PR) or Part-Time Jobs (Signal 90) by using the STAUS button and selecting “Clear Call”.
- B. Verbally telling the dispatcher is not necessary unless the deputy does not have an MDT laptop or the MDT laptop is not functioning properly.
- C. Dispatchers and/or dispatch supervisors should monitor self cleared calls and clear them from the CAD often.

5-2.7 MDT “Status” for NON Call Locations

- A. This procedure is important so dispatchers and field supervisors can track where field units are in case the deputy walks into a critical situation (i.e. armed robbery, fight, etc.) or the deputy activates his/her emergency button.
- B. Each time a deputy that utilizes a marked patrol car exits their vehicle for a NON CALL FOR SERVICE reasons (i.e. getting a drink, using restroom, out at the precinct, etc.) will use the “STATUS” button on their in-car MDT, selecting the “out of car” status and typing in their location.
- C. If the MDT is not working or they have contact with the public (i.e. flag downs), the deputy will advise the dispatcher of their location and status over the radio.
- D. While answering calls for service, deputies and dispatchers will follow procedures outlined in section 5-1 of this manual.
- E. When the deputy returns to their patrol vehicle from a NON CALL FOR SERVICE reason, they should change their status to “In Car”.

SECTION 6

Call Priorities / Alert Tones / Pending Calls

6-1 CALL PRIORITIES

6-1.1 Call priorities are determined by the Call Type chosen to describe an event.

- A. Call Takers will assign Call Types to events according to the information the caller provides based on the call questions from the "Forsyth County CAD Questions Guide". These questions are programmed into the CAD system, prompting call takers to ask the questions.
- B. **Field supervisors have the authority and responsibility to change the response mode of any call due to existing conditions and manpower.**

6-1.2 Priority 1 Calls for service:

- A. Require **immediate dispatch** to the beat car and field supervisor.
- B. **Certain Priority 1 Calls will be preceded by a short alert tone** and will be dispatched immediately upon receipt in the 911 Center.
 1. See Attachment "A" for call types that require an Alert Tone.
- C. If a "non-assigned unit" (i.e. Special Operations Division Unit) is responding to a Priority 1 call, that deputy will advise the dispatcher of their assigned unit number and that they are responding.
- D. **Field units will NOT constantly ask the dispatcher for updates; dispatchers and call takers will be extremely busy trying to obtain the needed information.**
- E. Dispatchers MUST relay Priority 1 Call information to field units immediately upon receipt of the information.

6-1.3 Priority 2 Calls for Service:

- A. Require an immediate dispatch to the beat car.
- B. If the beat car is not available, the dispatcher will notify the field supervisor responsible for that area and will advise the field supervisor the Call Type (Signal) and beat that the call is located in
 1. i.e. "Radio to 1213, holding Domestic Dispute in 92 beat".
- C. If the supervisor does not have immediate access to his/her MDT Laptop, he/she may request more information via the radio if needed.
- D. *Describing the entire call that is pending is not necessary since the implementation of the MDT Laptop unless the supervisor request more information.*

6-1.4 Priority 3 Calls for Service:

- A. Require a routine response and may be held until the beat car or beat partner are in service.
- B. **Field Supervisors will be notified of a call that is pending within 10 minutes of receipt of the call.**
- C. The dispatcher will make a notation in the CAD system indicating the Field Supervisor was notified.
- D. Dispatchers will assign a "PND__" unit number to the call to enable 911 Center Personnel to track accurate times.

6-1.5 Pending Calls

- A. When calls have been approved to hold per a field supervisor, the dispatcher will assign a "PND__" unit number to the call.
- B. If the call has not been assigned to a beat unit within 10 minutes, the dispatcher will re-advise the field supervisor. This will continue until the call has been dispatched.

6-2 IN-PROGRESS OR JUST OCCURRED CALLS

6-2.1 “In-Progress” Calls and “Just Occurred” Calls

- A. “In-progress” calls are incidents actually occurring at the time the caller is calling.
- B. “Just Occurred” calls are calls that occurred just prior to the call taker receiving the call.
- C. The dispatcher must broadcast in-progress or just occurred calls as quickly as possible and should not delay broadcast while attempting to obtain a full and complete description.
- D. A brief description, if available, should be broadcast at time of dispatch.
- E. As further information is obtained, the dispatcher will relay said information to affected units.
- F. If multiple field units are responding, the dispatcher will state “All units responding to (location), (and advise update). The primary field unit and field supervisor will acknowledge the updates.
- G. In the event that the beat unit is NOT available, the field supervisor will be called and the in-progress or just occurred call will be **dispatched** to him/her.
- H. If the field supervisor(s) are busy or can NOT be contacted, the dispatcher will notify the Watch Commander.
- I. All pertinent information will be verbally dispatched as it is received. The field supervisor should clear on the call and direct the response and other units as needed.
- J. Field supervisors will clear on all in-progress calls and just occurred calls. If the field supervisor does not clear on the in-progress or just occurred call, the dispatcher should obtain clearance from the field supervisor and make them aware of the call.

6-3 ALERT TONES

6-3.1 Use of Alert Tones

- A. An alert tone is an electronic tone that is controlled by the dispatcher.
- B. The alert tone should be used to distinguish emergency traffic or calls from routine traffic or calls.

6-3.2 The following Call Types will be preceded by an Alert Tone and simulcast on multiple radio channels:

- A. Dispatchers will sound Alert Tones and “simulcast” the following calls on BOTH FCSO precinct channels and the City of Cumming Police Department radio channels.
 1. **DEPUTY NEEDS HELP (SIGNAL 63)**
 2. **PURSUIT**
 3. **ARMED ROBBERY IN-PROGRESS**
 4. **ARMED ROBBERY JUST OCCURRED**

SECTION 7

Welfare Checks and Deputy Safety

7-1 DEPUTY WELFARE

7-1.1 Welfare Checks on Deputies (Signal 35)

- A. The dispatcher is responsible for checking “Signal 35” status of deputies while they are on calls.
- B. Dispatchers will check the welfare of field units based on call priority and the signal of the call. The CAD will have pre-set times for timers (see Attachment A for Welfare Timer times).
 1. The CAD system should be programmed accordingly by the 911 CAD Manager to set timers based on the recommended times.

7-1.2 Cancellation / Continuance of Welfare Checks

- A. Field units will make an assessment upon scene arrival and determine if he or she needs to continue or cancel welfare checks.
 1. Field units can advise the dispatcher to “Cancel 35s”.
 2. Field units can advise the dispatcher to lengthen their welfare check time.
 3. Field units may reinstate welfare checks if needed at their discretion.
- B. If the deputy wants to continue their welfare checks while on a call, when the dispatcher checks signal 35 status, the deputy will state their unit number and “code 4”
 1. i.e. “702 Code 4”.
- C. A deputy stating they are “Code 4” will let the dispatcher know to continue checking on the deputy based on the pre-set time of the Call Priority and call type the deputy is assigned to.

7-1.3 Unable to contact Deputy on Welfare Check

- A. If the dispatcher is unable to contact a deputy by radio after three attempts to check Signal 35 status, the dispatcher will sound 1 alert tone and 10-3, 10-33 the channel and activate the Channel Marker.
- B. The deputy’s supervisor will be contacted and advised of the deputy’s failure to respond to Signal 35 status.
- C. The field supervisor is responsible for assigning other units to respond to the deputy failing to answer the Signal 35.
- D. At the discretion of the field supervisor, the field supervisor may have the dispatcher attempt to contact the location or complainant phone to attempt to make verbal contact with the deputy in question to obtain Signal 35 status. The field unit needs to tell the dispatcher he/she is “Code 4”, in order for the dispatcher to confirm and relay the field unit is OK.
- E. If the dispatcher RECEIVES THE “CODE 4” RESPONSE, the dispatcher will relay this information to the field supervisor and other responding back-up deputies immediately.
- F. The dispatcher can then 10-39 the channel and deactivate the Channel Marker.
- G. **If the deputy failing to answer the Signal 35 status, other deputies or callers advise the deputy in question NEEDS HELP, follow the “DEPUTY NEEDS HELP” radio procedure (section 7-3).**
- H. The dispatcher must log all “Signal 35” checks in the CAD system.

7-2 CODE 11 (Deputy requesting back-up)

7-2.1 “CODE 11” request from Deputy

- A. Deputies will request “Code 11” (request backup) when the deputy needs a back-up unit dispatched to him/her on ANY call type.

7-2.2 Dispatcher acknowledgement of Code 11 Request

- A. The dispatcher will acknowledge the “Code 11” request and then **immediately broadcast** “Radio to ANY unit in the area of (location of deputy), (unit#) is requesting Code 11”. **THE DISPATCHER MUST ENSURE THE FIELD SUPERVISOR IS CLEAR ON THE CODE 11 REQUEST.**
 - 1. i.e. “Radio to ANY unit in the area of Keith Bridge Rd and Jot em Down Rd, Unit 702 is requesting Code 11”.
- B. The dispatcher will log in the CAD the Code 11 request and log the responding back-up units to the call in the CAD.

7-2.3 Deputies response to Code 11 Request

- A. Responding back-up units are to assume the back-up response mode is NON-emergency (Priority 2 response) unless the deputy requesting the Code 11 advises he/she needs the back-up “10-18” or the field supervisor instructs the responding back-up unit(s) to respond emergency (Priority 1).
- B. Responding back-up units and field supervisors will assume only 1 (one) back-up unit is needed unless the deputy requesting Code 11 advises he/she needs more than 1 (one) or the field supervisor advises more than 1 responding back-up unit should be enroute.

7-2.4 Code 11 Under Control (10-25)

- A. If the deputy requesting “Code 11” advises the situation is under control and units can either “10-25” or slow their response, the dispatcher must sound 1 (one) Alert Tone and ensure that the responding back-up units are clear on the cancellation or “downgrading” of the response.

7-3 DEPUTY NEEDS HELP / DEPUTY DOWN (Signal 63)

7-3.1 This call type is the HIGHEST PRIORITY CALL in Law Enforcement.

- A. DEPUTY NEEDS HELP calls (Signal 63) **can be initiated by ANYONE**. This includes the deputy needing the help, other field units, dispatchers or citizens.
- B. "Citizens" may contact the 911 Center by telephone or may use the deputy's portable or mobile radio to call for help for a downed deputy.
 1. Dispatchers will NEVER delay in sending HELP immediately when a citizen or unknown caller indicates a deputy needs help. Trying to verify who the caller is and the validity of the call can be dealt with after the help call has been handled.
 2. Sending help is the primary concern.
- C. Field units may initiate a Deputy Needs Help call by activating their Emergency Button on their portable or mobile radio (see Emergency Button Activation section on how the radios and consoles operate during an activation, section 7-5)
- D. Deputy Needs Help calls are situations where ANY Law Enforcement Officer is in extreme danger of bodily harm or peril and **BACK-UP FROM ANY AVAILABLE SOURCE IS NEEDED**.
- E. Although Deputy Needs Help calls do not occur that often, review of this procedure is critical to be able to REACT PROPERLY during an actual situation.

7-3.2 911 Center Personnel responsibilities when DEPUTY NEEDS HELP call has been received.

- A. The dispatcher WILL IMMEDIATELY:
 1. Multi-select the following FCSO and Cumming PD radio channels on the dispatch console:

NORTH PCT	SOUTH TAC
NORTH TAC	COURT
SOUTH PCT	CMGPD
 2. It is strongly recommended these radio channels are pre-programmed on the console on the multi-select tab to enable this procedure to be done in seconds.
 3. If this is NOT possible, the dispatch supervisor will be responsible for broadcasting the DEPUTY NEEDS HELP call on the aforementioned unaffected radio channels.
- B. The dispatcher will sound 2 (two) alert tones, then broadcast **"RADIO TO ALL UNITS, SIGNAL 63, AT** (location, to include cross street/subdivision/and any other pertinent location information), **REFERENCE** (unit#) (nature of call if known).
 1. i.e. "Radio to ALL units, Signal 63 at 123 Main Street, reference Unit 123 signal 50"
- C. The dispatcher will then reselect the affected radio channel only and advise "10-3 / 10-33 Status" and activate the Channel Marker on the affected precinct radio channel.
- D. The dispatcher will advise all units to switch to the alternate radio channel (N Tac, S, Tac)
 1. **MOVING ALL OTHER "NON-INVOLVED" FIELD UNITS TO AN ALTERNATE RADIO CHANNEL IS CRITICAL.**
 2. **ONLY THE FIELD UNIT NEEDING HELP, THE FIELD SUPERVISOR/WATCH COMMANDER AND THE DISPATCHER WILL BE ALLOWED TO TALK ON THE AFFECTED RADIO CHANNEL DURING A SIGNAL 63 SITUATION.**
 3. This keeps the affected radio channel open for the deputy needing help.
- E. 911 personnel will send a MDT message to all users indicating the following:
 1. "SIGNAL 63 AT (location, to include cross street/subdivision/and any other pertinent location information) REFERENCE (unit#) AND (nature of call if known).
- F. The Dispatchers will notify the dispatch supervisor immediately.
 1. The dispatch supervisor is responsible for assigning someone to monitor the alternate radio channel.
- G. Dispatchers will log a "63 status" to the call the deputy is currently on and log all radio traffic and units to the call in the CAD.

- H. Dispatchers will NOT conduct welfare checks (Signal 35) on a deputy that has initiated a SIGNAL 63. It is clear/understood the deputy is NOT ok and DOES need assistance. The field supervisor and/or watch commander is responsible for soliciting more information from the deputy and coordinating a proper response.
- I. Dispatchers will immediately **dispatch a Fire Engine and Med Unit EMERGENCY to the deputy that needs help.**
 - 1. Fire and EMS units WILL BE advised of the scene status (safe or unsafe).
 - 2. It is IMPERATIVE for dispatchers to relay any injury/medical information to Fire and EMS responders.
 - 3. This procedure will significantly decrease the response time for medical care in the event a deputy or civilian is injured.

7-3.3 Field supervisor/watch commander responsibilities

- A. Field supervisors and watch commanders are responsible for assigning units to respond to the deputy needing help.
- B. Assignment of deputies to respond should NOT be conducted on the affected radio channel during a Signal 63.
- C. This will allow the affected radio channel to remain open for the deputy that needs help.

7-3.4 Once field units have advised to “10-25” any other responding back-up units to the Signal 63

- A. The field supervisor or watch commander is responsible for advising the dispatcher when the DEPUTY NEEDS HELP Call is under control and to “10-25” further responding units.
- B. Once told to “10-25” responding units, the dispatcher WILL IMMEDIATELY:
 - 1. Multi-select the following FCSO and Cumming PD radio channels on the dispatch console:

NORTH PCT	SOUTH TAC
NORTH TAC	COURT
SOUTH PCT	CMGPD
 - 2. It is strongly recommended these radio channels are pre-programmed on the console on the multi-select tab to enable this procedure to be done in seconds.
 - 3. If this is NOT possible, the dispatch supervisor will be responsible for broadcasting the “10-25” on the unaffected radio channels.
- C. The dispatcher will sound 1 (one) alert tone, then broadcast **“RADIO TO ALL UNITS, 10-25 YOUR RESPONSE TO THE SIGNAL 63 per (requestor) SITUATION IS UNDER CONTROL, (repeat) RADIO TO ALL UNITS, 10-25 YOUR RESPONSE TO THE SIGNAL 63 per (requestor) SITUATION IS UNDER CONTROL”**.
- D. The dispatcher will then reselect the affected radio channel only.
- E. Field units or field supervisors are responsible for advising the dispatcher to place the affected radio channel back in a “10-39” status at their discretion.
- F. When advised to do so, the dispatcher will then broadcast a “10-39” status on the affected radio channel and deactivate the Channel Marker.

7-4 EMERGENCY RADIO TRAFFIC (10-3)

7-4.1 Emergency Radio Traffic / 10-3, 10-33 Status

- A. "10-3" means stop transmitting on the radio channel (talkgroup) assigned to the Forsyth County Sheriff's Office. "10-33" means emergency radio traffic only.
- B. Any violation of a 10-3 / 10-33 Status is considered serious due to the nature of events surrounding the issuing of the 10-3/ 10-33 Status.
 1. Deputies will not use the 10-3 channel to make suggestions, comments or other transmissions not directly related to the immediate resolution of the emergency.
- C. A radio channel (talkgroup) can be placed in a 10-3 "Stop Transmitting" status by affected field units, any field supervisor/watch commander, or the dispatcher.
- D. 10-3 Status should only be used in emergency situations such as a pursuit, a field unit involved in a fight, shots fired, deputy needs help, any emergency situation or at the discretion of the field unit or field supervisor.
- E. 10-3 status will not be used routinely for any type of call.
- F. Deputies or field supervisors are responsible for requesting a 10-3 status upon arrival at Priority 1 or Priority 2 call. The dispatcher WILL NOT automatically 10-3 a radio channel, **it will be up to the deputy on-scene or the field supervisor.**
- G. However, if a deputy becomes involved any type of pursuit, physical altercation, shots fired, deputy needs help call or any other critical situation, the dispatcher can 10-3 the affected radio channel immediately.

7-4.2 Channel Marker

- A. Channel Marker is a feature that can be activated by the dispatcher during "10-3" situations to remind affected field units or unaffected field units that an emergency is on-going.
 1. As large as FCSO has become, command staff and specialized field units must switch back and forth between precinct radio channels. The Channel Marker will make these units aware of a 10-3 situation, preventing non-involved units from violating the 10-3 situation.
- B. The Channel Marker will **NOT** be used while deputies are clearing a building/structure.
- C. Field units or field supervisors can CANCEL the Channel Marker if they feel it will jeopardize their safety (i.e. quietly approaching a suspect that doesn't know the deputy is there). However, field units/field supervisor will NOT cancel the Channel Marker routinely.
- D. The Channel Marker will automatically emit a short tone every 15 seconds while its activated.
- E. The Channel Marker will remind field supervisors/units to "10-39" the channel as soon as the situation is under control.
- F. The Channel Marker **WILL NOT** cover a unit if they attempt to transmit.

7-4.3 How dispatchers initiate a "10-3 / 10-33" Status

- A. The Dispatcher will sound a short steady alert tone and announce the radio channel (talkgroup) NAME is "10-3, 10-33" and the unit that is on the emergency call.
 1. i.e. "Radio to all units, South Precinct is 10-3, 10-33 for unit 702."
- B. The Dispatcher will activate the "Channel Marker" immediately upon completion of announcing a radio channel is 10-3, 10-33.

7-4.4 Alternate Radio Channels during 10-3 / 10-33

- A. When a channel is placed in a 10-3, 10-33 status, the following alternate channels can be used depending on the length of the 10-3 status. The alternate channel can be assigned by the dispatcher, field supervisor or watch commander:
 1. **N Pct** **moves to** **N Tac**
 2. **S Pct** **moves to** **S Tac**

- B. If an emergency (10-3) occurs while units are on an alternate channel, the dispatcher will either assign another channel or will advise “All units minimum traffic” until the 10-3 status is resolved. In this instance, field units and the dispatcher will only transmit traffic necessary to process priority 1 and 2 calls and field unit status information.
- C. Only those units directly involved in the emergency will transmit on the 10-3 channel. All other traffic should be conducted on the alternate channel if assigned.

7-4.5 Minimum Radio Traffic “10-30”

- A. When a field unit or field supervisor does not want the channel 10-3, but request “minimum traffic”, the unit will advise the dispatcher “10-30”.
- B. The dispatcher will then announce on the affected radio channel the radio channel name is 10-30 and the unit number requesting 10-30 status
 - 1. i.e. “Radio to all units South Precinct is 10-30 for 702”
- C. When a radio channel is “10-30” field units and the dispatcher will only transmit radio traffic necessary to process priority 1 and 2 calls and field unit status information.

7-4.6 Returning a 10-3 or 10-30 radio channel back to a “10-39” Status

- A. Field supervisors will make sure that a Channel is returned to a “10-39” status AS SOON AS A SITUATION IS UNDER CONTROL WHILE IN A “10-3 OR 10-30” STATUS.
- B. After being advised by field units to put the channel “10-39” the Dispatcher will then announce on the affected radio channel that the channel is 10-39
 - 1. i.e. “Radio to all units South Precinct is 10-39”.
- C. The Dispatcher will sound a short steady alert tone and announce the radio channel (talkgroup) NAME is “10-39”.
- D. The dispatcher will then de-activate the Channel Marker.

7-5 EMERGENCY BUTTON ACTIVATIONS (10-33 Status)

7-5.1 Emergency Button Activations

- A. **Activations signal a critical situation.** It should never be used for any other reason.
- B. Emergency Button Activations **will be referred to as “10-33 Status”**
- C. When referring to an Emergency Button Activation on the radio, **ALL USERS MUST USE THE TERM “10-33 STATUS”.**
 - 1. Making reference to an “Emergency Button” on the radio could place a deputy being held hostage in GREAT DANGER.
- D. Field units or field supervisors asking dispatchers via the radio “who activated their emergency button?” is **prohibited.**
- E. **Dispatchers WILL NEVER key up the radio and state “Radio to the unit that activated your emergency button?”.**
 - 1. This could place a deputy that is in a legitimate emergency in GREAT DANGER!
- F. Dispatchers and field supervisors should keep in mind that the deputy that activated their emergency button will still be on the Emergency radio channel until reset
- G. Only the field supervisor/watch commander and the dispatcher have the authority to transmit on the Emergency radio channel.

7-5.2 Dispatch Consoles Reaction to Emergency Button Activations.

- A. Each FCSO portable and mobile radio on the 800 Mhz radio system has a small orange or red button called the emergency button. The emergency button is designed to alert dispatchers that a radio user is in some type of distress and needs emergency assistance.
- B. All emergency button alerts WILL BE considered actual emergencies until a dispatcher or dispatch supervisor determines otherwise through voice contact with the radio user.
- C. When an Emergency Button Activation is received at the dispatcher’s consoles as a result of a deputy activating their Emergency Button, the deputy’s name (last name, first initial), for portable radios, or the vehicle number, for mobile radios, will be displayed in the display screen on the “Emergency” radio channel ICON on the dispatcher’s consoles, the screens will be flashing and an audible alarm will be emitted.

7-5.3 Instructions for Use by field units

- A. Pressing the top orange emergency button on a deputy’s portable radio will send out an emergency signal which takes precedence over all other radio traffic. Emergency Activations will be given priority access over all other radios, no matter how busy the radio system is.
- B. When deputy’s radios are in the emergency mode, the radio will be automatically placed on the Emergency radio channel. It is possible for more than one field unit to be in an emergency at the same time. All users have the ability to monitor the Emergency radio channel. For these reasons, **the only users with the authority to transmit and talk on the Emergency radio channel are the actual user in the emergency; his/her field supervisor and the dispatcher.** All other users can monitor and listen to the Emergency radio channel but should return to their assigned precinct radio channel and contact the dispatcher if they wish to relay information to the emergency user.
- C. When deputies activate the emergency button, all dispatchers in the Communications Center receive an audible and visual signal of the alert. Radio screens flash and alert tones are heard until a dispatcher processes the alert. Dispatchers WILL give top priority to emergency button activations; **at least one dispatcher or dispatch supervisor must focus all their attention on the emergency button activation until it is processed.**

- D. When deputies activate their emergency button, only the dispatcher will know they have done so. The other users on the deputy's assigned radio channel will not know of the emergency until the dispatcher advises them over the assigned precinct radio channel. Field units may then listen to the affected deputy's radio traffic, but should not try to talk to the affected deputy on the Emergency Radio Channel. Only the field supervisor has the authority to transmit on the Emergency Radio Channel.
- E. **If a deputy activates their emergency button by mistake, the deputy MUST NOT reset their radio until the Dispatcher has made voice contact with deputy and acknowledged that the deputy is okay. This will be conducted on the Emergency radio channel. Deputies WILL NOT reset their radio until told to do so by the dispatcher.**

7-5.4 Activating the Emergency Button ("10-33 Status")

- A. Press the emergency button. The LED lights solid red, the display will flash 'EMERGENCY'. A short, medium-pitched emergency tone sounds.
- B. Press the Transmit switch to talk on the Emergency Radio Channel. A dispatcher will respond to the emergency button alert and will be ready to assist the deputy.
- C. The radio automatically opens up the mic for 10 (ten) seconds when the emergency button is pressed. If the deputy is unable to talk, the dispatcher will be able hear a limited amount of background noise for that 10 (ten) seconds and the dispatcher will NOT be able to transmit until the mic clears (this if for the Emergency Channel ONLY)

7-5.5 Communications Personnel Responsibilities

- A. A dispatcher and/or the dispatch supervisor will immediately focus their full attention to the Emergency Button Activation until the activation has been resolved.
- B. Dispatchers will CAD the Emergency Button Activation immediately upon receipt of the activation.
 - 1. Dispatchers will use the call type of "10-33 (emergency radio traffic)"
 - 2. **The location field will be used for the deputy name or vehicle number** that activated their emergency button; UNTIL the location of the deputy that activated the Emergency Button can be determined.
 - 3. If the Emergency Button Activation is broadcast or given to a field supervisor, the dispatcher will apply the units to the call.
 - a. i.e. ALLN, ALLS, etc.
 - 4. Dispatchers should document their actions in the narrative of the call.
- C. The dispatcher and/or dispatch supervisor will use FCSO badge number list, FCSO Daily Rosters or other documents to quickly identify which deputy has activated their Emergency Button.
 - 1. A list of radio identification assignments, FCSO Badge Number list, FCSO Daily Rosters **WILL BE** maintained at each dispatch position to ensure quick identification.
- D. Once the dispatcher or dispatch supervisor identifies which deputy activated their Emergency Button, **the dispatcher and/or dispatch supervisor will check to see if the deputy is on a call for service/traffic stop or out of car at a location via MDT.**

7-5.6 If it's determined the Deputy that activated their Emergency Button is on an active Call for Service, Traffic Stop or Out of Car via MDT.

- A. If it is determined that the deputy that activated their emergency button is actively on a Call for Service or Traffic Stop or "out of car" via MDT, the deputies' assigned precinct radio channel dispatcher **WILL IMMEDIATELY** sound 1 (one) alert tone and place that deputies assigned precinct radio channel in a "10-3 / 10-33 Status", activate the Channel Marker and then immediately notify the field supervisor or watch commander of the "10-33 Status" being received.
- B. The dispatcher will advise the deputies' radio number, location and call type. 1. (i.e. "Radio to 1210, receiving "10-33" from unit 1170, Keith Bridge Rd & Jot em Down Rd, reference signal 11")

- C. Another dispatcher or dispatch supervisor will be attempting to raise the deputy that activated their emergency button on the Emergency radio channel since that is the channel the deputy would be on from the Emergency Button Activation.
- D. If contact is made with the deputy involved in the emergency button activation and the deputy is ok, when acknowledging THE DEPUTY MUST USE THE WORDS "CODE 4". Any other words or acknowledgement will be considered indication that the deputy in question still needs help.
- E. If a "CODE 4" is obtained, (see next page, 7-5.10) the dispatcher will relay all pertinent information to the field supervisor and field units on the deputy's assigned precinct radio channel. The dispatcher may then place the affected precinct radio channel back into a "10-39" status and deactivate the Channel Marker.

7-5.7 Deputy Failure to respond to Signal 35/10-33 while on active Call for Service, Traffic Stop or out of car via MDT after Emergency Button Activation

- A. Keep in mind, the dispatcher will have already CAD'ed the emergency button as a "10-33".
- B. After 3 attempts of attempting to raise the deputy in question on both the emergency channel and the deputies' assigned precinct channel (total of 6 attempts), dispatchers WILL INITIATE A SIGNAL 63 (follow Signal 63 protocol) stating the signal 63 is a result of failure to answer signal 35 after a 10-33 status.
- C. It is the field supervisor or watch commanders responsibility to assign back-up units.

7-5.8 If the unit that activated their Emergency Button is NOT on an active call for service, traffic stop, or out of car.

- A. A dispatcher or dispatch supervisor will attempt to raise the deputy on the Emergency radio channel. If the deputy does NOT answer after 3 attempts on both the Emergency radio channel and precinct radio channels, the dispatcher will
 - 1. Sound 1 (one) alert tone and announce on BOTH precinct radio channels:
**"Radio to all units, receiving 10-33 from (unit or badge number).
The location of the unit is unknown."**
- B. Whenever possible use the deputy's assigned radio number or badge number. The deputy's name should be used only as a last resort.
- C. It is the responsibility of the field supervisor and watch commander to direct the response to find the deputy in question.

7-5.9 Emergency Button Activation under control (10-25)

- A. Once contact is made with the deputy involved in the emergency button activation and the deputy indicated he is CODE 4, the dispatcher will relay all pertinent information to the field supervisor and field units on the deputy's assigned precinct radio channel.
- B. The dispatcher will then announce on BOTH precinct channels:
 - 1. "Radio to all units, cancel the 10-33 from (unit#), he/she is Code4"
- C. The dispatcher may then place the affected precinct radio channel back into a "10-39" status and deactivate the Channel Marker.

7-5.10 Resetting the Radio

- A. **Deputies MUST NOT reset their radio/emergency button until they have been acknowledged and instructed to do so by the dispatcher.**
- B. After being told to do so by the dispatcher, the deputy should press and hold the emergency button for more than 1-1/2 seconds. A medium-pitched emergency-exit tone will sound, then release the emergency button. The radio will return to normal operation.
- C. Do not reset the radio by turning it off and back on as this may reactivate the emergency button.
 - 1. If deputies are unable to reset their radio, they should seek guidance from their supervisor or watch commander.

SECTION 8

Radio Communications Involving Pursuits

8-1 RADIO PROCEDURE REGARDING PURSUITS

8-1.1 Vehicles “failing to stop” for a deputy

- A. When a deputy initiates a traffic stop and the suspect vehicle fails to stop, the deputy often advises the dispatcher of such
- B. When deputies advise the suspect vehicle is NOT stopping, it is the deputy’s responsibility to make the determination when the encounter becomes a “pursuit”.
- C. The dispatcher will advise all other field units “minimum traffic for unit ____”.
- D. Once the deputy decides the encounter has now turned into pursuit, the deputy must broadcast he/she is in a “Pursuit”.

8-1.2 Upon receipt of a Pursuit - 10-3 / 10-33 for pursuits

- A. When a pursuit occurs (on foot or in a vehicle) the involved radio channel will immediately be placed in a 10-3, 10-33 status and the Channel Marker activated by the dispatcher
 1. following the aforementioned procedures in Section 7-4

8-1.3 Pursuing deputies radio transmission responsibilities during pursuits

- A. Radio transmissions from pursuing field units during vehicle or foot pursuits should include:
 1. unit number
 2. location (updated every 15-30 seconds)
 3. vehicle and/or suspect descriptions/number of occupants
 4. direction of travel and speed
 5. charges
 6. any information concerning the use of firearms
 7. any other threat of force or other hazards.
- B. If field units DO NOT update their location every 15-30 seconds, the dispatcher will raise the unit and ask for an updated location.

8-1.4 Dispatcher radio transmissions

- A. Radio acknowledgment of field units radio traffic should be done by stating the unit number and “clear”.
 1. i.e. “(Unit#), Clear”
- B. EXCEPT when field units are advising an updated/new location or a change of street name.
 1. i.e. (field unit advises exiting off onto Peachtree Pky), the dispatcher would reply “(unit#), exiting off on Peachtree Pky”
- C. **REPEATING ALL FIELD UNITS RADIO TRAFFIC IS NOT ACCEPTABLE.** Dispatchers radio traffic should be brief , repeating location updates and officer safety information (i.e. Shots Fired, etc) ONLY.

8-1.5 FCSO units remaining on initiating pursuit radio channel

- A. Pursuing deputies will remain on the initiating precinct radio channel regardless of whether the pursuit crosses precinct or jurisdictional boundaries.
- B. It is up to the field supervisor or watch commander to move non-involved units to an alternate radio channel due to severity of calls for service pending during the pursuit.
- C. Should this transfer of radio channel be necessary, the dispatch supervisor or their designee will ensure another dispatcher monitors the newly assigned channel and dispatches Priority 1 and Priority 2 calls for service only until the pursuit is terminated and the initiating precinct channel has resumed normal radio traffic
 1. After the initiating precinct radio channel has resumed normal radio traffic, the dispatcher will announce for all units on the alternate channel to switch back to the main precinct radio channel.

8-1.6 Field supervisor and watch commander notification on pursuits

- A. The dispatcher will immediately notify the affected field supervisor and watch commander if they do not clear on the pursuit.

8-1.7 Notifying Opposing Precinct

- A. Dispatchers will notify the opposing precinct of the pursuit and **ALL KNOWN** circumstances IMMEDIATELY.
 - 1. Locations, charges, descriptions and direction of travel.
- B. The opposing precinct dispatcher will sound 1 Alert Tone and broadcast the pursuit on the opposing precinct radio channel.
- C. The dispatcher will keep the opposing precinct aware of ALL updates/circumstances concerning the affected precinct pursuit.
- D. Pursuits will be broadcast over both FCSO precinct and City of Cumming Police Department radio channels.

8-1.8 Use of Road Blocks, Tire Deflation Devices and “PIT Maneuver”

- A. FCSO may deploy Road Blocks or Tire Deflation Devices during pursuits.
- B. Deputies may refer to Tire Deflation Devices as “Stingers” or “Stop Sticks”.
- C. A PIT Maneuver (Precision Immobilization Technique) may be used by field units to end a pursuit.
- D. When field units advise the location of a Road Block or deployment of Tire Deflation Devices, the dispatcher will acknowledge and REPEAT the location to ALL monitored radio channels (i.e. North Pct, South Pct, CPD and the alternate radio channel due to “10-3”)
- E. **Primary pursuing fields units MUST clear** on the use/location of a Road Block or Tire Deflation Device
 - 1. If primary pursuing units do NOT clear on the use/location, the dispatcher must raise them and obtain acknowledgement.

8-1.9 Logging Radio Traffic / Records Checks

- A. The dispatcher will log all incoming information of the pursuit.
- B. The dispatcher will log all assigned back-up units in the CAD
- C. Dispatchers will perform relevant record and motor vehicle checks.

8-1.10 911 Center use of Aero Atlas Map during pursuits

- A. The pursuit location should be found in the Aero Atlas map and each new cross street should be followed.
- B. There are times when the deputy cannot read street signs and the map will enable the dispatcher to advise the pursuing deputy as well as assisting units of street names and their locations.
- C. The map will also reflect nearest city and county agencies to contact as the chase progresses.

8-1.11 Possible reasons for suspect fleeing

- A. Dispatchers will notify the field supervisor or watch commander of any information that may determine the reason(s) for which the vehicle or person is fleeing
 - 1. i.e. robbery that may have occurred near the chase origin, burglary, carjacking, stolen tag or vehicle return via NCIC, suspect wanted based on tag return etc.

8-1.12 Coordinating assistance with surrounding agencies

- A. The dispatcher will coordinate assistance under the direction of the field supervisor and/or watch commander.
- B. When dispatchers realize pursuing units are headed towards another agency’s jurisdiction, the dispatcher should request another dispatcher or dispatch supervisor call that agency and advise them and **ALL KNOWN** circumstances
 - 1. Locations, charges, descriptions and direction of travel.
- C. If possible, a Forsyth County dispatcher should remain on the phone with the assisting agency, updating the direction of travel and any other pertinent information.

8-1.13 Aviation Support for pursuits

- A. At the direction of a field supervisor or watch commander, the dispatcher will notify other agency's Aviation Support Unit to seek assistance.
- B. Dispatchers will advise the aviation support agency what FCSO radio channel the pursuit is on.
- C. Dispatchers will notify the aviation support agency **ALL KNOWN** circumstances
 1. Locations, charges, descriptions and direction of travel.
- D. Dispatchers should obtain an estimated time of arrival of the helicopter.
- E. If possible, a Forsyth County dispatcher should remain on the phone with the aviation support agency, updating the direction of travel and any other pertinent information.
- F. All marked FCSO patrol cars have the car's assigned car number displayed on the roof of the car in red letters. Aviation Units may inquire or advise information using this number.
 1. Watch Rosters/List play an important role in determining what deputy is driving the patrol car in question.

8-1.14 Known potential hazards

- A. The dispatcher will advise pursuing deputies of any known or potential hazards in the path of the pursuit.
 2. i.e. accidents, street closures, repairs, etc.

8-1.15 Termination of a pursuit or Suspect In Custody

- A. It is imperative that field units advise via radio when a situation is "under control" **AS SOON AS POSSIBLE**.
- B. Upon receipt of a "Situation Under Control" the dispatcher WILL immediately announce "Radio to all units enroute to the Pursuit at (partial location), (unit number) is advising Situation Under Control"
 1. i.e. "Radio to all units enroute to the Pursuit on Main St, 702 is advising 10-25"
- C. Dispatchers must ensure all other responding units clear on the Situation Under Control status.
 1. Failure for other responding units to clear on a "Situation Under Control" could result in a continued emergency (lights/siren) response, placing the deputy and citizens at risk.
- D. When advised to do so by the field supervisor or watch commander, the dispatcher will place the affected precinct radio channel back into a "Resume Normal Radio Traffic" status and de-activate the Channel Marker.

8-2 PURSUITS RECEIVED BY PHONE FROM OTHER AGENCIES

8-2.1 Pursuit from other agency received by phone

- A. When a pursuit in progress is obtained over the phone from another agency, the call taker should obtain the following information:
 1. The exact location of the pursuit and direction of travel.
 2. Confirm the agency involved.
 3. Complete vehicle and/or suspect descriptions and tag number.
 4. ALL criminal charges the agency has on suspect(s)
- B. **The Call Taker should keep the other agency on the phone** and send the above information immediately to the dispatcher.
- C. The Call Taker should continue to enter updated information as received
 1. i.e. changes in direction of travel, etc.

8-2.2 Dispatcher responsibility

- A. Once the call is received by the dispatcher, dispatchers will immediately “simulcast” on FCSO precinct channel and the City of Cumming Police Department and advise all units of the:
 - 1. Pursuit
 - 2. Agency Involved
 - 3. Direction of Travel
 - 4. Description of Vehicle/Suspect(s)
 - 5. Initiating Agencies Charges
- B. The dispatcher will keep units posted on the location and changing events.

8-2.3 FCSO becoming involved in another agencies pursuit

- A. Once FCSO units become involved in another agencies pursuit, dispatchers and field units will follow the aforementioned Radio Communications Involving Pursuits Policy (Section 8-1)

Appendix

Forsyth County Sheriff's Office

Call Types/10 codes/MDT Status/Disp Codes/Phonetic Alphabet

Signal	Primary Priority	Back-Up Required	Back-Up Priority	Supv Clear	Supv Response	Alert Tone	Welfare Timer
1 – Abandoned Auto	3	N	---	N	N	N	30 min
2R – Silent Alarm/Residential	2	N	---	Y	N	N	5min
2B – Silent Alarm/Business	2	Y	2	Y	N	N	5min
2MA – Medical Alarm	2	N	---	N	N	N	30min
2HU- Silent Alarm/HOLD UP	2	Y	2	Y	N	N	5min
3R – Audible Alarm/Residential	2	N	---	N	N	N	5min
3B – Audible Alarm/Business	2	N	---	N	N	N	5min
3V – Audible Alarm/Vehicle	3	N	---	N	N	N	5min
3HU – Audible Alarm/HOLD UP	2	Y	2	Y	N	N	5min
4 – Request Ambulance	---	---	---	---	---	N	---
6R – Burglar in Residence	1	Y	1	Y	Y	Y	5min
6B – Burglar in Business	1	Y	1	Y	Y	Y	5min
7 – Harassing Communications	3	N	---	N	N	N	30min
8 – Drivers License Inquiry	6	N	---	N	N	N	0
9 – Vehicle Registration Inquiry	6	N	---	N	N	N	0
10 – Check for Wanted	6	N	---	N	N	N	0
11 – Traffic Stop	2	N	---	N	N	N	5min
12 – Pursuit	1	Y	1	Y	Y	Y	2min
13 – Request Investigator	---	---	---	N	N	N	0
14 – Homicide	1	Y	1	Y	Y	N	0
15 – Call by Telephone	6	N	---	N	N	N	0
16 – Cancel Call	---	---	---	N	N	N	0
17 – Terroristic Threats/Acts	2	N	---	N	N	N	30min
18 – Weather Conditions	6	N	---	N	N	N	0
18D – Storm Damage	2	Y	2	Y	N	N	0
19 – Assist at Jail	1	Y	1	Y	Y	Y	15min
20 – 911 Hang Up	2	N	---	Y	N	N	5min
21 – BLANK							
22 – Prisoner Transport	3	N	---	N	N	N	0
23 – Juvenile	3	N	---	N	N	N	10min
23RA – Runaway Juvenile	3	N	---	Y	N	N	30min
24 – Irrational Person	2	Y	2	Y	N	N	5min
25 – Discharging Firearm	2	Y	2	Y	N	N	5min
26 – Discharging Fireworks	6	N	---	N	N	N	0
27 – Checking Area	3	N	---	N	N	N	20min
28 – Person Impaired	2	Y	3	Y	N	N	5min
29IP – Fight/IN-PROGRESS	1	Y	1	Y	Y	N	5min
29 – Fight	2	Y	2	Y	N	N	5min
30 – Impaired Driver	6	N	---	N	N	N	0
31 – Wires Down	2	N	---	Y	N	N	30min
31PT–Wires Down/Person Trapped	1	Y	2	Y	Y	N	15min
31T – Wires Down/Tree	2	N	---	Y	N	N	30min
32 – Escaped Prisoner	1	Y	1	Y	Y	Y	10min
33 – Fire	2	N	---	N	N	N	0
33A – Fire/Apartment	2	N	---	Y	N	N	0
33AC – Fire/Aircraft	1	N	---	Y	N	N	0
33B – Fire/Boat	1	N	---	N	N	N	10min

Forsyth County Sheriff's Office

Call Types/10 codes/MDT Status/Disp Codes/Phonetic Alphabet

Signal	Primary Priority	Back-Up Required	Back-Up Priority	Supv Clear	Supv Response	Alert Tone	Welfare Timer
33CB – Fire/Commercial Bldg	2	N	---	Y	N	N	0
33CF – Fire/Chimney	2	N	---	Y	N	N	0
33GL – Gas Leak	2	N	---	N	N	N	30min
33R – Fire/Residential	2	N	---	Y	N	N	0
33ST – Fire/Structure	2	N	---	Y	N	N	0
33SW – Swift Water Rescue	2	N	---	Y	N	N	0
33V – Fire/Vehicle	2	N	---	N	N	N	30min
33VS – Fire/Vehicle near Bldg	2	N	---	N	N	N	0
34 – Gambling	3	N	---	N	N	N	0
35 – Deputy Welfare Check	---	N	---	N	N	N	0
36IP – Assault/In-Progress	1	Y	1	Y	Y	N	5min
36 – Assault	2	Y	2	Y	N	N	5min
37 – Illegal Parking	3	N	---	N	N	N	30min
38 – Drug Complaint	2	N	---	N	N	N	10min
39 – Information for Deputy	3	N	---	N	N	N	10min
40 – Animal Call	3	N	---	N	N	N	30min
40R – Animal Rescue	3	N	---	Y	N	N	0
41 – Auto Accident	2	N	---	N	N	N	30min
41I – Auto Accident w/Injury	1	Y	2	Y	N	N	30min
41IE–Auto Accident w/Inj,Entrap	1	Y	1	Y	Y	N	30min
41B – Boat Accident	2	N	---	N	N	N	30min
41BI – Boat Accident w/Injury	1	N	---	Y	N	N	30min
41F – Auto Accident/Fatality	1	Y	1	Y	Y	N	30min
41S – Auto Accident/Veh vs Bldg	2	N	---	Y	N	N	30 min
42IP – Burglary/IN-PROGRESS	1	Y	1	Y	Y	Y	5min
42JO – Burglary/Just Occurred	2	Y	2	Y	Y	N	5min
42 – Burglary	2	N	---	Y	N	N	30min
43JO – Hit & Run/Just Occurred	2	N	---	Y	N	N	30min
43 – Hit & Run	2	N	---	N	N	N	30min
43I – Hit & Run w/Injury	1	Y	1	Y	N	N	30min
43IE-Hit&Run w/Injury,Entrap	1	Y	1	Y	Y	N	30min
44IP – Hold up/IN-PROGRESS	1	Y	1	Y	Y	Y	5min
44JO – Hold up/Just Occurred	1	Y	1	Y	Y	Y	5min
44 – Hold up	2	N	---	Y	Y	N	5min
45IP – Theft/IN-PROGRESS	1	Y	2	Y	N	N	5min
45 – Theft	2	N	---	N	N	N	30min
46 – Person Hit by Auto	2	N	---	Y	N	N	30min
46I–Person Hit by Auto w/Injury	1	Y	2	Y	Y	N	30min
46F-Person Hit by Auto/Fatal	1	Y	2	Y	Y	N	0
47 – Person Injured	2	N	---	Y	N	N	30min
48 – Person Dead	2	N	---	Y	Y	N	30min
49IP – Sexual Assault/In-Progress	1	Y	1	Y	Y	Y	5min
49JO – Sexual Assault/Just Occ	2	Y	2	Y	Y	N	5min
49H – Sexual Assault at Hosp	3	N	---	Y	Y	N	0
49 – Sexual Assault	2	N	---	Y	Y	N	30min
50IP – Shooting/IN-PROGRESS	1	Y	1	Y	Y	Y	5min
50JO – Shooting/Just Occurred	1	Y	1	Y	Y	Y	5min

Forsyth County Sheriff's Office

Call Types/10 codes/MDT Status/Disp Codes/Phonetic Alphabet

Signal	Primary Priority	Back-Up Required	Back-Up Priority	Supv Clear	Supv Response	Alert Tone	Welfare Timer
50–Person Shot	2	Y	2	Y	Y	N	5min
51IP–Stabbing/IN-PROGRESS	1	Y	1	Y	Y	Y	5min
51JO–Person Stabbed/Just Occ.	1	Y	1	Y	Y	Y	5min
51–Person Stabbed	2	N	---	Y	Y	N	5min
52 – Shoplifting	3	N	---	Y	N	N	15min
53 – Suicide/Confirmed	2	Y	2	Y	Y	N	10min
53A – Suicide Attempt	2	Y	2	Y	Y	N	5min
53T – Suicide Threat ONLY	2	Y	2	Y	Y	N	5min
54 – Suspicious Activity	2	Y	2	Y	N	N	5min
54P–Suspicious Person	2	Y	2	Y	N	N	5min
54LP–Suspicious Letter/Package	2	Y	2	Y	Y	N	10min
55 – Trouble Unknown	2	Y	2	Y	Y	Y	5min
56CR–Missing Person/Critical	1	Y	2	Y	Y	N	30min
56 – Missing Person	2	N	---	Y	N	N	30min
57 - Noise Ord Violation	3	N	---	N	N	N	5min
58 – Dispute	2	Y	2	Y	N	N	5min
59 – Meet Deputy	3	N	---	N	N	N	30min
60IP–Molestion/IN-PROGRESS	1	Y	1	Y	Y	Y	5min
60 – Molestation	2	N	---	Y	N	N	30min
61 – Suspicious Vehicle	2	Y	2	Y	N	N	5min
62 – Maternity Call	2	N	---	Y	N	N	30min
63 – DEPUTY NEEDS HELP	1	Y	1	Y	Y	Y	30min
64 – Death Notification	3	N	---	Y	N	N	30min
65 – Soliciting	3	N	---	N	N	N	10min
66IP–Peeping Tom/IN-PROGRESS	2	Y	2	Y	Y	N	5min
66 - Peeping Tom	2	N	---	Y	N	N	10min
67ME – Medical Call	2	N	---	Y	N	N	30min
67PT – Person Trapped	2	Y	2	Y	Y	N	30min
68 – Welfare Check	3	N	---	N	N	N	15min
69IP–Brandishing Weapon	1	Y	1	Y	Y	Y	5min
69 - Person Armed	2	Y	2	Y	N	N	5min
70IP–Prowler/IN-PROGRESS	2	Y	2	Y	Y	N	5min
70 – Prowler	2	Y	2	Y	N	N	5min
71 - Lewd Act	2	N	---	N	N	N	5min
72 – Erratic Driving	2	N	---	N	N	N	0
72RR – Road Rage	2	Y	2	Y	N	N	5min
72/69 –Road Rage/Person Armed	2	Y	2	Y	Y	Y	5min
73 – Civil Issue	6	N	---	N	N	N	0
74 – County Ordinance Violation	3	N	---	N	N	N	15min
75 – Search Warrant	6	N	---	Y	N	N	0
76T – Trespassing	2	Y	2	Y	N	N	5min
76D – Criminal Damage	2	N	---	Y	N	N	30min
77 – Gang Related	2	Y	2	Y	N	N	10min
78 – B.O.L.O. General	6	N	---	N	N	N	0
79IP–Auto Theft/IN-PROGRESS	1	Y	1	Y	Y	Y	5min
79CJ–Car Jacking	1	Y	1	Y	Y	Y	5min
79JO–Auto Theft/Just Occurred	2	Y	2	Y	N	N	15min

Forsyth County Sheriff's Office

Call Types/10 codes/MDT Status/Disp Codes/Phonetic Alphabet

Signal	Primary Priority	Back-Up Required	Back-Up Priority	Supv Clear	Supv Response	Alert Tone	Welfare Timer
79 – Auto Theft	2	N	---	Y	N	N	30min
80 – Safety Checkpoint	6	N	---	Y	Y	N	0
81 – Street Hazard	3	N	---	Y	N	N	10min
81L – Street Hazard/Livestock	3	N	---	Y	N	N	10min
82 – Prisoner in Custody	6	N	---	N	N	N	0
83 – Warrant Service	2	Y	---	Y	N	N	10min
84 – Traffic	3	N	---	N	N	N	20min
85 – Business Check	3	N	---	N	N	N	20min
86 – Domestic Dispute/Family	2	Y	2	Y	Y	N	5min
86I-Domestic Dispute/w injury	1	Y	1	Y	Y	N	5min
87 – Funeral Escort	6	N	---	N	N	N	0
88IP-Forgery/IN-PROGRESS	2	Y	2	Y	N	N	5min
88 - Forgery	2	Y	2	Y	N	N	30min
89IP-Kidnapping/IN-PROGRESS	1	Y	1	Y	Y	Y	5min
89JO-Kidnapping/Just Occurred	1	Y	1	Y	Y	Y	5min
89 – Kidnapping	2	Y	2	Y	Y	N	10min
90 – Part Time Job	6	N	---	N	N	N	0
91 – Civil Paper	3	N	---	N	N	N	5min
92 – Aircraft Down	1	Y	1	Y	Y	Y	30min
92HJ- Aircraft Hijacking	1	y	1	Y	Y	Y	30min
93 – Courtesy Transport	6	N	---	N	N	N	30min
94 – Subdivision Check	3	N	---	N	N	N	20min
95 – Stranded Motorist	3	N	---	N	N	N	5min
95CL – Child Locked in Vehicle	2	N	--	Y	N	N	30min
96 – Bomb Threat	2	Y	2	Y	Y	Y	30min
97 – Stalking	2	Y	1	Y	Y	N	10min
98 – Recovery	3	N	--	N	N	N	30min
99IP-Child Abuse/IN-PROGRESS	2	N	--	Y	Y	N	5min
99 – Child Abuse	2	N	--	Y	N	N	30min
100 – Drowning	1	Y	2	Y	Y	Y	30min
1033-Emergency Button Activation	1	Y	2	Y	Y	Y	0
HAZ – Hazmat Situation	2	Y	2	Y	Y	N	30min
FU – Follow Up	6	N	---	N	N	N	30min
LOJACK – LoJack Activation	3	N	---	Y	N	N	5min
ONSTAR – OnStar Activation	3	N	---	Y	N	N	5min
K9R- K9 Request (Mutual Aid)	3	N	---	Y	N	N	0
SWATR–SWAT Request (Mutual A id)	3	N	---	Y	N	N	0
MUTAID – Mutual Aid Request	3	N	---	Y	N	N	0
PR – Public Relations Event	6	N	---	N	N	N	0
BIO – Biological Hazard	1	Y	1	Y	Y	N	30min
CLOSED – Roadway Closed	6	N	N	N	N	N	0
1LANE – 1 Lane of Road Closed	6	N	N	N	N	N	0
DNR – Hunting Viol/Wildlife Call	6	N	N	N	N	N	0

Forsyth County Sheriff's Office

Call Types/10 codes/MDT Status/Disp Codes/Phonetic Alphabet

10-codes

10-codes	Alert Tone
10-0 USE CAUTION	N
10-1 Radio Traffic Unclear	N
10-2 Radio Traffic Clear	N
10-3 Stop Transmitting	Y
10-4 Acknowledge	N
10-6 Busy	N
10-7 Out of Service	N
10-8 In Service	N
10-9 Repeat Radio Traffic	N
10-12 Clear for traffic	N
10-18 Respond Emergency	N

10-codes	Alert Tone
10-20 Location	N
10-23 Arrived on Scene	N
10-25 Situation Under Control	N
10-26 Request Supervisor	N
10-30 Unnecessary Radio Traffic	N
10-33 Emergency Traffic/Button	n
10-39 Resume Normal Traffic	N
10-41 Beginning Tour of Duty	N
10-42 Ending Tour of Duty	N
10-76 En Route	N

CAD Status	Alert Tone
8 Drivers License Check	N
9 Check Tag	N
10 Check Wanted	N
12 Pursuit	N
13 Request Investigator	N
16 Cancel Call	N
35 Welfare Check	N
63 DEPUTY NEEDS HELP	Y
82 Prisoner in Custody	N
C Clear Call	N
C4 Everything OK	N
C10 Out at Detention Center	N
C11 Request Back Up	N
C12 Records/Civil/Accreditation	N
CASE Case Number	N
CID Out at CID	N
CL Change Location	N
CITY Out at City PD	N

CAD Status	Alert Tone
CT Out at Courthouse	N
HQ Out at Headquarters	N
INC In Car	N
LAKE Underway on the Water	N
LOG Log Comment	N
NP North Pct Channel	N
NPR Out at North Pct	N
OCA# Case Number	N
OUTC Out of Car	N
PSC Out at Public Safety Complex	N
SHL Out at Animal Shelter	N
SP South Pct Channel	N
SPR Out at South Pct	N
SPEC Out at Spec Ops Pct	N
T Transporting	N
TAC Transmitting on Tac Channel	N
ZONE Zone Change	N

Forsyth County Sheriff's Office

Call Types/10 codes/MDT Status/Disp Codes/Phonetic Alphabet

Codes
C1 Gone on Arrival
C2 Unfounded
C3 No Action Taken
C4 Everything is OK
C5 Incident Report
C6 Accident Report
C7 Citation Issued
C7V Verbal Warning
C7W Written Warning
C8 False Alarm
C9 Turned Over to _____

International Alphabet

A – Alpha	O – Oscar
B – Bravo	P – Papa
C – Charlie	Q – Quebec
D – Delta	R – Romeo
E – Echo	S – Sierra
F – Foxtrot	T – Tango
G – Golf	U – Uniform
H – Hotel	V – Victor
I – India	W – Whiskey
J – Juliet	X – X-Ray
K – Kilo	Y – Yankee
L – Lima	Z – Zulu
M – Mike	
N - November	