11.1.01 PURPOSE / POLICY

The purpose of this directive is to establish a policy for the investigative procedures to be followed by members of the Department when investigating motor vehicle crashes; and to ensure the proper reports are filed and the appropriate action is taken.

An objective of the Department is the reduction of traffic crashes. To accomplish this, the Department performs a variety of functions such as providing emergency service to the injured, protecting the crash scene, conducting crash investigations and follow-ups, preparing reports, and taking proper enforcement action. The purpose of traffic crash investigation is to determine the cause of the crash and use the information to develop enforcement that will reduce crashes. Accident reports are used by the Department of Motor Vehicles, the Department of State Police, the Department of Transportation at the state level, and by the City to study the frequency of crashes at a given location and time, the causes, and the road conditions that existed at the time. The reports are also used to develop selective enforcement programs, engineering studies, and to promote street and highway safety.
11.1.02 AUTHORITY

Statutory authority governing accident investigation is located in the Virginia Code, Chapter 3, Article 11, "Accident Reports", 46.2-371-388, and Chapter 8, Article 11, "Accidents", 46.2-894-902.

11.1.03 REQUIRED REPORTS

Virginia Code § 46.2-373 requires every law-enforcement officer who in the course of duty investigates a motor vehicle accident resulting in injury to or death of any person or total property damage to an apparent extent of $1,500 or more, either at the time of and at the scene of the accident or thereafter and elsewhere, by interviewing participants or witnesses shall, within twenty-four hours after completing the investigation, forward a written report of the accident to the Virginia Department of Motor Vehicles (DMV). The report shall include the name or names of the insurance carrier or of the insurance agent of the automobile liability policy on each vehicle involved in the accident. Crashes meeting the severity criteria occurring on public property are reportable to the DMV. Public property is considered to be highways, roads, streets and public parking lots maintained by state, county or municipal funds. Crashes occurring on private property, even though they may meet the severity criteria, are not reportable to the DMV.

Crashes that are clearly non-reportable based on the definition of severity or location should not be sent to the DMV.

Also, to reduce the number of supplemental reports, it is recommended that the Police Crash Report (FR300P) not be sent to the DMV until after completion of the crash investigation.

The following section lists the reports associated with traffic crash investigation required by the Police Department.

<table>
<thead>
<tr>
<th>On Public Property</th>
<th>APD-7</th>
<th>FR-300P</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1500 or more property damage</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Personal Injury</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Serious Injury (potential fatality)</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>City Property or Vehicle involved (with personal injury or $1,500 or more property damage)</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>City Property or Vehicle involved (No personal injury or less than $1,500 property damage)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hit &amp; Run (minor damage)</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Hit &amp; Run ($1,500 or more property damage)</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
**On Private Property**

<table>
<thead>
<tr>
<th></th>
<th>APD-7</th>
<th>FR-300P</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Property or Vehicle involved</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serious Injury (potential fatality)</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Hit &amp; Run</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>APD-7</td>
<td>FR-300P</td>
<td>OTHER</td>
</tr>
<tr>
<td>Hit &amp; Run w/injury or $1500 damage to attended vehicle or property (Class 5 felony)</td>
<td>X</td>
<td>X</td>
<td>*Case Jacket</td>
</tr>
<tr>
<td><strong>FATALITY</strong></td>
<td>X</td>
<td>X</td>
<td>*Case Jacket</td>
</tr>
</tbody>
</table>

**Case Jackets**

Case jacket for a Traffic Fatality will include:
1. A copy of the FR300P;
2. *Offense/Incident Report* (APD-7) (Indicate in the narrative who notified the next of kin);
3. Photographs (photographs of victim should be sealed);
4. Investigator’s supplements;
5. All statements;
6. A copy of the VCIN required teletype message (Public property, fatality only);
7. Detailed sketch, with measurements; and
8. Autopsy report or a report from the Medical Examiner negating homicidal death.

The case jacket will be reviewed by the Information Services Section (ISS) Case Review Officer and forwarded to the Commonwealth’s Attorney. When the case jacket is returned, Information Services will file it with the original APD-7.

11.1.04 **RESPONSIBILITIES**

1. An officer shall respond to the following types of traffic crashes:
   a. Death or injury.
   b. Hit and run.
   c. Impairment of an operator due to alcohol and drugs.
   d. Any accident involving City property, vehicles, equipment, or facilities.
   e. Hazardous material involved.
   f. Disturbance between drivers or passengers.
   g. Major traffic congestion created as a result of the crash.
   h. Where vehicles are damaged to the extent that towing is required.

2. For crashes occurring at a location in the City where another agency has jurisdiction, i.e. G.W. Parkway or I-395, *Department of Emergency Communications (DEC)* will contact the appropriate agency. If the agency asks for assistance, an Alexandria officer will respond.
a. I-95 and I-395: The Virginia Highway Act makes the State Police responsible for the Alexandria portion of I-95 and I-395 (including ramps). If the State Police are unable to respond, investigation is the responsibility of this Department.

b. George Washington Parkway: This Department investigates crashes on the highway from the southern City limits, north to Second Street. Crashes occurring north of Second Street to the City line are handled by this Department if the Park Police cannot respond.

3. In addition to situations requiring an investigation, officers may investigate any accident in which the officer believes an investigation will serve the Department’s or the community’s interest.

4. If any person involved in a crash makes a claim of injury, at any time prior to the officer leaving the scene, the officer will complete the appropriate accident report.

5. Officers will refrain from making any comment, to any party, relating to a claim of injury or civil liability at the scene of a traffic crash.

6. Two decisions are made when an officer arrives at a crash scene and completes the preliminary investigation:
   a. Is the crash reportable to DMV?
   b. Is issuing a VUS necessary?
      1. If the crash is reportable to DMV and sufficient evidence exists to support prosecution, an FR-300P will be completed and a VUS will be issued.
      2. If the crash is not reportable to DMV, both parties will exchange the required information. The placing of charges is left to the discretion of the responding officer.
      3. Issuing a VUS will not compel the completion of an FR-300P.

7. Supervisors are responsible to ensure that FR300Ps are completed when necessary. Supervisors will review all FR300Ps for accuracy and completeness.

8. The on-duty patrol watch commander, or designee may temporarily suspend property damage accident investigations, i.e., during inclement weather or during an emergency, which reduces the Department’s capability to handle calls for service.

9. In all cases, the responding officer is responsible to ensure the proper information is exchanged between drivers. A Driver Information Exchange form (APD-373) should be used. The officer will write “No Report” in the comments block of the APD-373 in all cases where an FR-300P is not going to be filed with the Department or DMV. Officers will not provide an incident number or refer the drivers to ISS if no report is going to be filed.
The primary officer (as designated by the dispatcher unless countermanded by a supervisor) is responsible for investigating the crash. The officer assigned to a crash shall have the responsibility and authority to request assistance as needed. He or she becomes the primary investigating officer in charge at the scene unless the supervisor deems it more appropriate to assign another officer these responsibilities, i.e., Crash Reconstruction Team called to the scene.

A. The first officer to arrive at a crash scene shall perform the following:
   1. Identify injured persons; administer emergency medical care (basic life support measures) pending arrival of rescue personnel.
   2. Identify and deal with fire hazards and/or hazardous materials.
   3. Summon additional help as required (officers, rescue, tow truck).
   4. Expedite removal of vehicles, persons, and debris from the roadway except for fatal crashes.
   5. Establish a safe traffic pattern around the scene.
   6. Control and protect property belonging to collision victims.

The patrol vehicle shall not be parked at the scene in a manner that will endanger other pedestrians, motorists, or citizens. The officer shall consider using the vehicle as a shield to protect the scene as well as him or her. The officer shall leave the vehicle emergency lights on if vehicles remain in the roadway.

During periods of reduced visibility or darkness, the officer shall wear a reflective safety vest when investigating the crash. Officers shall use flares or traffic cones as needed (available in each patrol vehicle), to create a warning pattern to alert other drivers. Note that flares may be dangerous at accidents where hazardous materials are present.

B. Collecting information

1. At the scene of the crash, the investigating officer shall gather appropriate information for a report. Information to be collected at the scene may include, but is not limited to, the following:
C. Follow-up activities

1. Follow-up activities that may be necessary include the following:

2. In a particularly serious crash involving severe injuries, fatalities, or multiple vehicles, it may be necessary to summon expert or technical assistance from photographers, surveyors, mechanics, physicians, Crash Team Reconstructionists, or other specialists.

3. At the crash scene, the officer may take immediate enforcement action and issue a Virginia Uniform Summons. In death cases, the Commonwealth’s Attorney will decide the appropriate charge.

4. If the investigating officer concludes that a person driving under the influence of intoxicants caused the crash, also follow the direction found in Police Directive 11.8 (DWI Enforcement).

5. A Virginia Uniform Summons (VUS) based upon crash investigation, regardless of whether an FR300P is completed, may be issued only at the scene of a crash or at a hospital or medical facility to which any person involved in the crash has been transported. In any other case, the appropriate summons must be obtained from a magistrate. (§ 19.2-81)
D. Crash scene hazards

1. In case of fire danger from leaking or ruptured gas tanks or where the crash may involve hazardous materials, the on-scene officer shall summon the Fire Department. See Police Directive 13.2 for further guidance on handling hazardous materials.

2. The Mobile Data Browser is equipped with a copy of the current emergency response guidebook to aid in identifying vehicles carrying hazardous materials. The guidebook illustrates hazardous materials placards and identifies and describes the relevant hazard, appropriate emergency procedures, and evacuation procedures.

3. Any officer arriving at the scene of such a crash who sees hazardous materials placards shall immediately summon the Fire Department. The fire chief will assume control of any scene involving hazardous materials and all officers shall provide support as required. The investigation of the crash shall begin after approval by the fire chief.

4. Virginia Code § 18.2-324 requires any person clearing a wrecked or damaged vehicle from a highway to remove any glass or other injurious substance dropped upon the highway. Where the quantity of debris is too great for the wrecker operator to do this, personnel from City Solid Waste Division shall be requested. The Fire Department shall be called to assist in washing down combustible substances.

E. Accident reports

All FR-300Ps and related reports are to be completed by the investigating officer prior to ending their tour of duty, unless an extension is approved by the on-duty watch commander. A matrix of required reports is found in 11.01.03.

F. Notification of Next of Kin in Personal Injury Accidents

1. The primary officer must attempt to notify next of kin of any injured person in an accident who is unable to do so themselves. This information is to be documented in the APD-7 if one is required.

2. If the primary officer has not made contact with the next of kin by the end of his or her shift, the officer will notify the hospital staff that attempts to notify the next of kin were unsuccessful. The primary officer will also notify a supervisor on the relieving shift to assist with notification. In the event notification of the next of kin is not accomplished by the end of the relieving shift, CIS will be contacted and an investigator will be assigned to locate the next of kin.
3. If an offense/incident report (APD-7) is written, the primary officer should document in the APD-7 the name and phone number of the hospital official notified and the supervisor notified. If an APD-7 is not required for the accident investigation, the officer should document this information in his or her notebook.

11.1.06 CRASH RECONSTRUCTION TEAM

The Crash Reconstruction Team provides current and highly technical investigation methods for all fatal or critical injury (possible loss of life or limb) traffic crashes. The team provides 24-hour call out availability. A Crash Reconstructionist shall respond to all fatal or critical injury traffic crashes at the request of the Watch Commander or designee.

PROCEDURES:

A. In the event of a critical injury traffic crash (where there is a confirmed or possible loss of life, limb, or permanent disfigurement) the primary officer shall notify a supervisor and secure the scene.

B. The first supervisor on the scene should consider the severity of the crash, the obvious injuries to the occupants/pedestrians, the existence of skid marks and other measurable evidence, and the potential for criminal charges, when determining whether the services of the crash team are needed. The first supervisor on the scene will also evaluate the crash and confer with the Patrol Division Commander about requesting a Crash Reconstructionist. The Patrol Division Commander shall then notify DEC and direct the activation of the Crash Reconstruction Team. [61.2.2.a]

C. DEC will:
   1. Send a group page to the “Crash Reconst” group in the event of any request for team services, even when an on-duty reconstructionist is available. It is the team’s policy to provide at least two Crash Reconstructionists for all callouts. DEC will coordinate the response by providing the members with the current staffing available.

   2. Inform the Crash Reconstructionist of the location of the crash and the number of vehicles involved.

   3. Dispatch a Crime Scene Investigator to the scene of the crash. [61.2.3]

D. The Patrol Watch Commander or their designee will ensure notification of the Commonwealth’s Attorney of all fatality accidents.
E. The Crash Reconstructionist will inform DEC of his/her estimated time of arrival and respond to Police Headquarters. One of the officers will transport the Team equipment to the scene. If the Crash Reconstructionist is on-duty, he/she will respond directly to the scene.

G. Prior to the arrival of the Crash Reconstructionist, an officer will be assigned to initiate an Incident Report (APD-7). All available information shall be included in this report and any necessary supplements. The initial report will be signed by a supervisor and a copy will be provided to the Reconstructionist. The Crash Reconstructionist will be responsible for supplementing the primary officer’s initial reports, completing the FR-300 and placing appropriate charges after conferring with the Commonwealth’s Attorney.

H. Once on the scene, the Crash Reconstructionist will meet with the on-scene supervisor, the primary patrol officer and the evidence technician. The Crash Reconstructionist will take charge of the investigation with the assistance of the on-scene supervisor. The Crash Reconstructionist will:
I. Should the condition of the patient improve to the degree that reconstruction is no longer needed, the on-scene supervisor should relieve the reconstruction team and reassign the investigation to the primary patrol officer.

J. The Crash Reconstruction Team Supervisor will maintain an on-call schedule. Team members will carry Department issued pagers and will notify the supervisor when they are unavailable for on-call status.

By Authority Of:

Earl L. Cook
Chief of Police
ALEXANDRIA POLICE DEPARTMENT

Directive 11.02

ALARMS

Effective Date: 10-18-2013  CANCELS 06-27-2013
Updated Date:  Section(s):
Updated Date:  Section(s):
Updated Date:  Section(s):

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11.2.08  ROBBERY ALARM RESPONSE

11.2.01  POLICY/PURPOSE

Recognizing that false alarms are a major draw on our resources, it is the policy of this Department to reduce the number of false alarms in order to more effectively manage those resources.

The purpose of this directive is to establish procedures for the proper and efficient handling of residential and business alarms, and to minimize the number of false alarms. It also defines the procedures for citing alarm users when alarms are determined to be false.

11.2.02  AUTHORITY

The authority for the Police Department to address false alarms is specified in the Alexandria City Code, Chapter 4, §4-4-4 and Chapter 8, Sections 10-8-2 and 10-8-3.
11.2.03  RULES/RESPONSIBILITIES

A. DEC will process and immediately dispatch all alarm calls received.
B. Patrol Officers will handle alarm calls, determine the cause of the alarm and supply the necessary information to DEC to process false alarms.
C. The Public Safety Corporation (PSC) will manage the compilation of false alarm data, billing lists and production of statistical reports. The PSC is a third party vendor contracted to handle all false alarm billing and collections.

11.2.04  PATROL PROCEDURES

A. Officers dispatched to or arriving at alarms will complete the following tasks:

B. When officers locate an audible alarm (and self-initiate a call for service), they will provide the dispatcher with an exact address and attempt to get a business or residence name.

11.2.05  ADMINISTRATIVE PROCEDURES

The Information Services Section (ISS) Commander will handle any protests from businesses or citizens receiving bills for false alarms.
11.2.06 DISPOSITION OF ALARM CALLS

A. When clearing alarm calls in which no cause can be found, officers will select the disposition of False Alarm. If the call is cancelled after a unit arrives on the scene and there is no exception as noted in section B, the disposition will still be False Alarm.

B. When clearing alarm calls in which a reasonable explanation for the alarm is found or the alarm is cancelled prior to the first officer arriving on-scene, officers will use the appropriate dispositions (Report, No Report) and make an appropriate entry in the Notes field when clearing the call:

1. Canceled call - when an alarm is canceled prior to dispatch.
2. False alarm due to weather - for weather related alarms, i.e., electrical storms.
3. Outside problem - when an alarm is caused by an outside problem such as, power cut by VEPCO crew, phone lines interrupted, and power outages not caused by weather, e.g., transformer exploding.
4. Report or report and arrest - when an alarm results in a report and/or arrest due to criminal activity.
5. Vehicle alarm - when an audible alarm is caused by a vehicle and it is the first in a one hour period or less than the fourth in a 24 hours period.

C. When clearing a vehicle alarm in compliance with 11.2.07 MOTOR VEHICLE ALARMS, in which a vehicle is towed, the officers will select the disposition of No Report with a notation in the Notes field that the vehicle was impounded.

D. When clearing alarm calls, dispatchers are responsible for ensuring the exact locations and names of the businesses or name of persons responsible for the alarms are correctly entered into CAD. If this information is not currently available, an entry will be made noting "owner information not available." This notation will be removed and the information entered as soon as it does become available.

11.2.07 MOTOR VEHICLE ALARMS

A. City Code Section 10-8-2 states that the actuation of a motor vehicle alarm more frequently than twice in a 1-hour period or four times in a 24-hour period shall be presumed to violate this code section.

B. City Code Section 10-8-3 authorizes the removal of a vehicle, from public or private property, that violates Section 10-8-2. Prior to the removal of the vehicle, the officer shall attempt to notify the owner and afford them the opportunity to abate the alarm.

C. Vehicles in violation should be removed from public or private property, and transported to the city impoundment yard or another impoundment facility in accordance with Police Directive 11.22, Impounding/Removing Vehicles.
A. Police Response

1. Response to the Scene

[Blacked out text]

[Blacked out text]
By Authority of:

Earl L. Cook
Chief of Police
The purpose of this directive is to establish procedures for handling instances of actual or alleged domestic violence and abuse committed by police employees. The procedures in this directive will provide police officers and supervisors with guidance in handling incidents where one or more parties to a possible domestic violence call is a police officer of any rank, from any law enforcement agency, or a civilian employee of this Department.

Domestic violence spans all racial, socio-economic, and demographic boundaries. Domestic violence takes many forms, ranging from battering, rape and homicide to threats of violence, verbal assaults and other forms of intimidation.

This Department acknowledges that some employees may commit acts of domestic violence, and delineates a position of absolute zero-tolerance by the Department regarding such incidents. The Department seeks first to educate at all phases of an
employee’s career, then to prevent, or detect, domestic abuse situations early on, in order to reduce victimization of the partner and increase the chances of employee career stability.

Where incidents of domestic violence are alleged to have been committed by any of our employees, the department will act quickly to protect the victim, and conduct both administrative and criminal investigations.

**11.3.02 AUTHORITY**

The authority governing this directive is provided under Virginia Code 18.2-57.2; 18.2-308.1:4(A), as well as Federal Code 18 U.S.C. 922 (g) (8) and (g) (9), 924 (a)(2), and 925 (a) (1).

**11.3.03 DEFINITIONS**

**Domestic Violence** - for the purposes of this directive, any act, actual or threatened, of violence perpetrated by a police officer (on or off duty) or any Police Department employee upon his or her spouse, partner, relative, etc. The phrase “act of actual or threatened violence” includes but is not limited to:
- Death, bodily injury or threat of imminent bodily injury;
- Sexual battery;
- Physical restraint;
- Property crime directed at the victim; or
- Violation of a court order of protection, condition of bond, or similar injunction.

**Partner** - any individual with whom the employee:
- Is or was legally married;
- Has a child in common;
- Is or has cohabited with in the last twelve (12) months;
- Has or had a dating relationship (some States include dating relationships in their domestic violence laws); or
- Is specified as such by State law.
Misdemeanor Crime of Domestic Violence (MCDV) - is a crime of violence committed between two persons of a family or household relationship. The Federal Code includes persons in the definition of partner above.

11.3.04 PROCEDURES

A. All Police Department employees are strongly encouraged to notify their supervisor of any suspected domestic violence committed by fellow employees.

B. Notification is required if domestic violence is witnessed or the employee has probable cause to believe that domestic violence has actually occurred.

C. The Department will provide annual training on domestic violence issues relating to Police Department employees during the Domestic Violence Program’s yearly training. This training normally occurs during the spring and is designed to keep officers updated on legal issues and “best practices” regarding domestic violence investigations.

D. The Internal Investigations Section has the ultimate responsibility for the administrative investigation of domestic violence cases involving employees of the Police Department who are alleged to have committed an act of domestic violence.

E. Since State and Federal laws prohibit those persons convicted of domestic violence or subject to a permanent protective order from carrying and or possessing firearms, sworn police officers will have their employment terminated.

11.3.05 EARLY WARNING INTERVENTION

A. Pre-Hire Screening and Investigation

1. The Department shall conduct a thorough background investigation of every prospective employee to determine if domestic violence issues exist.

2. Those with a prior conviction involving domestic violence will be screened out at this point in the hiring process.

3. Incidents involving current or expired protective orders will be investigated thoroughly and a proper determination made before processing further.

B. Post Conditional Offer of Employment
1. Once a candidate for sworn officer has been determined to be a viable candidate, the Department requires a psychological examination to be performed by an experienced psychologist and/or psychiatrist.

2. The psychological screening shall focus, among other issues, on indicators of violent or abusive tendencies or behaviors in the candidate’s background.

C. Supervisor Responsibilities

1. Supervisors will be cognizant of instances where officers may be exhibiting signs of possible domestic violence related problems.

2. Supervisors will make the Watch Commander aware and inform their commanders of concern or incidents involving alleged domestic violence by a police employee.

D. Police Officer/Employee Responsibility

1. Employees are entitled and encouraged to seek assistance in all matters involving personal and familial conflict. The Employee Assistance Program was designed to provide such assistance.

2. Employees will become knowledgeable about, and adhere to, the City’s drug, alcohol, and mental health policies, recognizing their relationship to domestic violence.

3. Employees with personal knowledge of actual abuse and/or domestic violence involving a fellow employee shall report such information to their supervisor immediately.

11.3.06 INCIDENT RESPONSE PROTOCOLS

A. Department-wide Response

1. The Department will accept all calls or reports, including those made anonymously, concerning information of possible domestic violence committed by a Police Department employee.

2. If a report of an incident occurring outside the City is received, the employee receiving the information will immediately notify the on duty Patrol Watch Commander and the Internal Investigations Commander. Notification will also be made to the appropriate law enforcement agency as necessary.
3. Written documentation must be completed by the employee receiving the information.

4. The Department shall assign an officer to conduct a careful investigation of the allegations contained in the written report.

B. Department of Emergency Communications (DEC) Response

1. DEC dispatchers shall notify their immediate supervisor, or in that person’s absence, the Watch Commander, of all domestic violence calls received that were alleged to be committed, or appear to have been committed by, a police officer (from APD or any other law enforcement agency) or other Department employee. Notification will also be made if the domestic violence involves other police employees as victims.

2. The DEC supervisor will notify the Watch Commander.

3. DEC dispatchers will prepare documentation of the facts and circumstances of the call and take steps to preserve the tape recording of the call, regardless of the outcome.

4. All documentation will be preserved for use in potential criminal or administrative investigations.

C. Patrol Response

1. In addition to primary patrol units, a supervisor will respond to the scene of all domestic violence incidents in the City of Alexandria involving police officers, APD employees, and other law enforcement officers (whether victims or the alleged primary aggressor) regardless of the involved officer’s jurisdiction.

2. When an Alexandria employee has allegedly committed domestic violence:
   a. The Watch Commander will ensure the employee’s immediate supervisor or commander is contacted.
d. Whenever an arrest is made or an emergency protective order served, the Watch Commander will relieve the accused officer of their service weapon and immediately notify Internal Investigations. Other firearms may be seized as circumstances may warrant or when a protective order is issued against the employee to further ensure safety.

e. Whenever a domestic violence call involving a police employee as a primary aggressor does not result in an arrest, the on-scene supervisor will ensure a report is completed detailing the preliminary investigation and explaining any and all action taken.

f. The on-scene supervisor will also ensure that all efforts are made to keep the victim(s) safe. This would include;

   1. informing the victim of the availability of an advocate,

   2. arranging for confidential transportation to a safe house, shelter, or any other location that ensures victim safety,

3. When Officers from another agency or jurisdiction are alleged to have committed domestic violence:

   a. When responding to domestic violence complaints involving police officers from other jurisdictions who are alleged to having committed domestic violence, all responding officers, investigators, supervisors and commanders will follow the same procedures as if they were responding to any other domestic violence complaint.

   b. In addition, the responding Watch Commander will notify the suspect officer’s department.

   c. The on-scene officer will inform the victim of all available resources, and ensure that all efforts are made to keep the victim safe as identified in the above section.

D. Victim Safety and Protection

1. Working with community resources the Department and the Domestic Violence Program will make available all necessary and appropriate services to each victim. Supervisors will ensure that victims are provided written information on community resources and domestic violence programs available to assist them (e.g., Victim services card and direct contact with the Domestic Violence Program). Supervisors will keep the whereabouts of all victims confidential, whether they seek safety in shelters (DVP), safe houses, or private locations.
2. Following the reported incident, the Department will designate one officer to act as a principal contact for each victim (usually a member of the Domestic Violence detail). The assigned officer will keep the victim apprised of the case throughout the adjudication process.

3. All officers should be cognizant of the increased danger to victims when the victim leaves an abusive relationship, and the designated officer will caution the victim to be aware of stalking activities on the part of the abuser.

4. All officers need to be cognizant of possible witness or victim intimidation/coercion from the abuser, friends and family. Whenever suspicion arises that this is occurring, a supplement will be prepared and immediately delivered to the Internal Investigations Commander through the proper chain of command.

5. The Internal Investigations investigator(s) will pro-actively seek out information on existing protective orders and, if found, will enforce them as with any other bond condition or judge’s order issued.

6. The Internal Investigations Commander will ensure that the police officers involved (responding, supervising, investigating, commanding, etc.) share information only on a need-to-know basis and have a clear delineation of assignments in order to assist victims in a coordinated and consistent manner.

7. The Department will notify victims of confidentiality policies and their limitations and ensure that confidentiality is maintained throughout the handling of the case.

11.3.07 POST-INCIDENT ADMINISTRATIVE AND PROSECUTORIAL ACTIONS

A. Alleged incidents of a police employee committing domestic violence will be investigated both criminally and administratively. The Department will take the appropriate administrative action where the facts warrant it.

B. Administrative Decisions and Investigation:

1. Responsibility to complete the administrative investigation of alleged domestic violence committed by a police employee rests with the Internal Investigations Section or as assigned by Internal Investigations.

2. Incidents of domestic violence involving Department employees warrant immediate intervention on the part of the Department to ensure victim safety. Where sufficient information exists, the Department will take immediate administrative action to intervene, which can include suspension of police
powers, removal of weapon, reassignment or administrative suspension with or without pay.

3. Where an arrest was not made, but sufficient concern exists about the incident, the Department will initiate an independent administrative investigation and make decisions about the employee’s status based on the outcome of the investigation.

C. Criminal Investigation of Incident:

1. Responsibility to complete the on-scene investigation rests with the responding on-scene supervisor, who shall be at least one rank higher than the suspected employee. The complete criminal investigation of an incident of domestic violence allegedly committed by a Police Department employee will rest with the responding supervisor, assisted by the Domestic Violence detail if necessary.

2. The investigating supervisor will conduct the criminal investigation as he/she would any other criminal violation.

3. The accused employee will notify his/her supervisor within the Department of all court dates, times, appearances, and proceedings in a timely manner to ensure departmental awareness of and representation at all proceedings.

D. Criminal conviction or sanctions:

1. Employees subject to any protective order, conditions of bond or any other restrictions from a judge from any city or county, any State, or the District of Columbia, will notify his/her supervisor immediately and provide a copy before their next work shift begins. (See also Police Directive 2.2 – Rules of Conduct)

2. A supervisor receiving such notification will notify the Watch Commander and the Internal Investigations Commander and follow their direction.

3. Under Federal law, persons subject to a qualifying protective order are generally prohibited from possessing any firearm or ammunition. Violation of this prohibition while the order is in effect is punishable by up to ten (10) years imprisonment. [18 U.S.C. 922 (g) (8), 924 (a)(2)].

4. Federal law does permit officers to carry their issued firearm on-duty while under a qualifying protective order [18 U.S.C. 925 (a) (1)]. However, Virginia State
Code [18.2-308.1:4(A)] is more restrictive and does not permit any person subject to a protective order to purchase or possess a firearm. Additionally, any person with a concealed handgun permit is prohibited from carrying any concealed firearm, and shall surrender his/her permit to the court entering the order, for the duration of any protective order.

5. Police officers subject to a protective order or other similar restraint will be placed on limited duty or leave status until the order is dismissed or becomes permanent. If a permanent protective order is issued against an officer, he/she will be terminated from employment as a police officer.


7. Officers convicted of misdemeanor/felony domestic violence will be removed from their enforcement position and their employment as a police officer will be terminated.

BY AUTHORITY OF:

Earl L. Cook
Chief of Police
11.4.01 PURPOSE AND POLICY

The purpose of this directive is to establish procedures for investigating and reporting bomb threats and actual bombings.

It is this department's policy to treat all bomb threats as potential bomb incidents until determined to be false.

11.4.02 RESPONSIBILITIES

A. The scene supervisor is responsible for overall control of the incident.

B. Bomb disposal technician(s) are responsible for control over the suspected device and the immediate vicinity.

C. CIS personnel will notify the fire marshal's office if CIS is conducting an active investigation of a bomb threat.

D. ISS will forward a copy of all bomb threat reports to the fire marshal's office.
11.4.03 INITIAL RESPONSE

11.4.04 SEARCHING
BY AUTHORITY OF:

Earl L. Cook  
Chief of Police
11.5.01 POLICY/PURPOSE

It is the policy of this Department to respond to, document, and investigate all reports of criminal activity at facilities owned or operated by the City of Alexandria or the Alexandria School Board or criminal offenses committed by City or School Board employees.

The purpose of this Directive is to provide direction in the handling of such reported criminal activity and notification of the appropriate personnel.

11.5.02 GENERAL

Management at a City agency experiencing a criminal offense reportable under this Directive must be made aware of the activity by the Police Department as soon as possible. In addition to notifying management at the involved agency of the offense, we should also inform them of our procedures in handling such cases and keep them abreast of the status of the case. Thorough follow-up should also include our offering whatever assistance may be useful in helping prevent further incidents. It is also important that we are aware of activity and trends at City facilities so we can provide the best possible service to the affected agency.

Officers taking reports of crimes occurring at City or School Board facilities or committed
by City or School Board employees, regardless of whether the employee is working at the time of the offense, will immediately inform a Police Department supervisor of the incident. These offenses include but are not limited to the following:

- Assaults
- Fights
- Weapons offenses
- Drug offenses
- Offenses involving alcohol
- Thefts
- Sex offenses
- Accidents involving serious injury

Officers will immediately notify a police supervisor of all reported threats of violence by an employee in the work place.

11.5.03 RESPONSIBILITIES

A. Officers responding to incidents listed in the previous section, or to any other incident which an officer feels may warrant the attention of management of the City agency in question, will:

1. Immediately notify a Police Department supervisor of the incident and confer on the appropriate course of the investigation.

B. Supervisors will:

1. If the incident involves a criminal offense reported at a City or School Board facility, the Police Department supervisor will ensure that a supervisor from the affected agency is informed of the incident, the status of the case and the appropriate Police Department employee to contact for additional assistance.

2. If the incident involves the arrest of a City or School Board employee for a criminal offense, regardless of whether the employee is working at the time of the offense, the Police Department supervisor will, as soon as practical, notify the Public Information Officer. The notification will include the name and identifying information about the arrestee, the date, time and location of the arrest, and the exact charge(s) placed.

   a. If the incident occurs during regular business hours, the supervisor will notify the Public Information Officer by phone or e-mail.

   b. If the incident occurs during evening or weekend hours, the supervisor will notify the Patrol Watch Commander, and a summary of the incident will be included on the Commander's Daily Activity Report.
3. The supervisor will determine if the case should be followed up by the investigating officer or referred to another unit within the Department for continuation of the investigation. If another unit will be requested to conduct the follow-up investigation, the supervisor will notify a supervisor of the appropriate unit of the request, and ensure that a copy of the initial report is forwarded to that supervisor's attention.

4. Upon reviewing the reports of such cases, supervisors will ensure that a notation is made regarding notification of the Public Information Officer or the Patrol Watch Commander.

C. Criminal Investigations Section Supervisors will:

1. Supervisors from the Criminal Investigations Section will, upon reviewing such reports, ensure any possible leads are assigned to a Detective for follow-up, examine the case to see if it is part of a pattern of offenses and, if not already noted, advise the Public Information Officer.

2. Criminal Investigations Section Supervisors will brief the Criminal Investigations Division Commander on all such incidents, through their chain of command.

D. The Criminal Investigations Division Commander will:

1. Serve as liaison to other Departments requesting guidance in the handling of cases that may necessitate both a criminal and an administrative investigation. Decisions regarding disciplinary actions or other administrative matters shall remain the responsibility of management of the affected City Department.

2. Regularly brief the Chief of Police or designee and the Public Information Officer on all investigations covered by this directive.

E. The Office of the Chief of Police or designee will take necessary action to notify the appropriate Department Head and the Human Resources Director of either the City or the School Board. The Public Information Officer will notify the City Manager's Office.

BY AUTHORITY OF:

Earl L. Cook
Chief of Police
11.6.01 POLICY AND PURPOSE

It is the policy of this Department to hold the value of human life above all else. The death of any person will be thoroughly investigated to determine the cause of death. If the cause is determined to be a death at the hands of another, this Department will expend all legal means to identify and gather evidence for the prosecution of the perpetrator.

The purpose of this directive is to establish procedures for the investigation of death cases.

11.6.02 RESPONSIBILITIES

A. The officer assigned to a death case is responsible for conducting a thorough preliminary investigation and documenting the results of that investigation. (See also Police Directive 10.10, Criminal Investigations) It is not unusual for a death case to be reclassified as a homicide when suspicious wounds or circumstances are discovered during the follow-up investigation or during an autopsy. This makes the officer’s preliminary report invaluable during the follow-up investigation.
C. In death cases in which the deceased was under the care of a physician for a previously diagnosed medical condition, the investigating officer will contact the treating physician and determine if he/she will sign the death certificate. If the treating physician agrees to sign the death certificate, a CSI investigator does not need to respond to process the scene. *When a treating physician cannot be contacted or will not sign the death certificate the CIS commander will be notified.*

D. A patrol supervisor must respond to the scene of all death cases (this is not discretionary), except cases at the Lynn House, *and cases involving a DDNR* for which the need to respond to the scene is left to the discretion of the supervisor. The supervisor will coordinate the preliminary investigation and assist in coordinating any follow-up investigation when requested, ensuring that investigating officers are provided all necessary resources. The responding patrol supervisor has scene responsibility. There are situations where the patrol supervisor initially controls the scene and then yields control to the CIS supervisor while the death is being investigated and then resumes control after CIS has cleared the scene. The scene supervisor is the only person authorized to make decisions regarding the following issues:
F. There have been cases where the death was changed from a non-medical examiner case to a medical examiner case, after additional information was brought to light that changed the status of the death; or, the attending physician changed his/her mind about signing the death certificate. 

G. In all death cases occurring during normal Criminal Investigations Section (CIS) working hours, the patrol supervisor will ensure notification of an on-duty CIS supervisor, and will also ensure notification of the on-duty watch commander, who will determine if a command page is necessary. In all confirmed homicides and all other cases involving deaths under suspicious circumstances occurring outside normal CIS working hours, the watch commander will use existing call-back procedures to request that the appropriate CIS personnel respond to assist in the investigation. In all cases involving homicides or suspicious deaths, regardless of the hour, the CIS commander will ensure notification of the Commonwealth's Attorney.

H. CIS detectives will respond to death scenes when available or when assigned, and will assist in the preliminary investigation. They are encouraged, if circumstances permit, to take the opportunity to help train patrol officers in death investigations. The assigned detective will complete the follow-up investigation once the preliminary investigation is complete.

11.6.03 PROCEDURES

A. An offense/incident report (APD-7) is required for each case in which a death has occurred. The investigating officer should document in the original report (APD-7) whether the case is a Medical Examiner’s case, or the death certificate will be signed by a treating physician who will state the death was the result of a diagnosed life threatening illness or disease. If there is any doubt about the cause or circumstances of a death, it will be handled as a Medical Examiner's case.
C. When a preliminary investigation occurs between 10:00 p.m. and 8:00 a.m. and the deceased is alleged to be under a physician’s care, it is doubtful if the physician will have ready access to patient information, and therefore should not be contacted. Such a case will be handled as a medical examiner’s case until Criminal Investigations can make contact with the treating physician during the follow-up investigation.

D. Medical examiner’s cases defined in the Code of Virginia § 32.1-283.
The death of any person from:
1. Trauma,
2. Injury,
3. Violence,
4. Poisoning,
5. Accident,
6. Suicide
7. Homicide, or
8. Suddenly when in apparent good health, or
9. When unattended by a physician, or
10. While in jail, prison, other correctional institution, or
11. While in police custody, or
12. While a patient or resident of a state mental health or mental retardation facility, or
13. Suddenly as an apparent result of fire, or
14. In any suspicious, unusual or unnatural manner, (including finding bones/skeletal remains) or
15. The sudden death of any infant less than eighteen months of age, whose death is suspected to be attributable to Sudden Infant Death Syndrome (SIDS),

E. All suicides or suspicious deaths are to be treated as potential homicides until proven otherwise.

F. The preliminary investigating officer will, if possible, determine and document in the APD-7 the following information:
J. In all death cases, employees will maintain professional conduct and deal with the next of kin, relatives and friends of the deceased in a considerate manner.
11.6.04 ASSISTANCE TO SURVIVORS

Providing basic support and crisis assistance to survivors is the responsibility of both responding officers, detectives and investigators. The nature of such assistance must be dictated by the circumstances, but officers should use the following as a guide in these instances.

A. Officers should not leave the scene of a death where survivors are present until reasonably assured that the survivors have adequate personal control and/or family or close friends readily available to provide support. In gauging the need for assistance, officers will consult with the on scene supervisor and consider the following:
   1. The emotional reactions and physical condition of the survivors;
   2. Availability of other adults in the home or immediate area;
   3. Responsibility of the survivors for infants or small children;
   4. Home environment, if apparent, (e.g. evidence of excessive alcohol use or drug use, lack of means of financial support, shortage of food, problem with shelter, etc.); and
   5. Availability of a support system (e.g. including friends, family, close neighbors, access to clergy, means of transportation, etc.)

B. Officers should remain alert to the need of survivors for emergency medical assistance (e.g., in cases of physical or emotional collapse or related problems).

C. Officers should be aware of confusion on the part of survivors. They should speak slowly and deliberately, and write down any pertinent information that survivors may need. This may include such matters as the following:
   1. Contacting a funeral home for removal and disposition of the body;
   2. Locating personal effects;
   3. Meeting identification requirements/procedures; and
   4. Providing notifying officers' names, agency, and telephone numbers.

D. Officers should assess the physical and emotional well-being of survivors and confirm their assessment with the on scene supervisor before departing. Officers should be reasonably assured that survivors can take care of themselves and those for whom they may be responsible. In addition to concerns noted in item A and C above, officers should be able to answer "yes" to the following types of questions:
   1. Are the survivors thinking clearly? That is, do individuals:
      a. Seem aware of your presence?
      b. Have some grasp of time and space?
      c. Demonstrate a progressive ability to express himself/herself? and/or
      d. Begin to demonstrate some grasp of the reality of the death?
2. Do the survivors have reasonable control over emotions? Officers should assess whether or not the survivors display shock (no apparent emotion), furious hostility, or the desire to commit suicide.

3. Can survivors cope physically? Survivors who have fainted, displayed debilitating weakness, or emotional collapse could be an indication of survivors not coping. Do survivors have an adequate support system that can be relied upon?

4. Officers should not leave a lone survivor unattended until all reasonable efforts have been made to garner first-hand support from the survivor's family, friends, co-workers, neighbors, family, clergy, crisis counselors, or other community social service agency.

5. When assigned to notify next of kin, officers will:
   a. Make the notification in person if practical.
   b. Notify the next of kin promptly and in a considerate manner.
   c. If unable to contact the appropriate person, note their actions in the report or supplement.

### 11.6.05 DEATHS AT THE LYNN HOUSE

When the death of a patient occurs at the Lynn House (a Christian Science facility that cares for a number of patients who are terminally ill), a staff member will contact the police and an officer will be dispatched to handle the report. The staff member will supply the officer with an information sheet on the resident, with all the basic information needed to complete an APD-7.

A. This type of death, with no doctor in attendance, is a medical examiner's case. However, the above procedure, which has been accepted by the medical examiner, eliminates some of the information normally obtained in a medical examiner's case.

C. It is not necessary to have personnel from the Crime Scene Investigation Section (CSI) or Criminal Investigations Section (CIS) respond to the scene. However, the investigating officer must ensure that a patrol supervisor has been notified of the death as soon as possible after arriving on the scene.

### 11.6.06 DURABLE DO NOT RESUSCITATE (DDNR)

A. Virginia’s Do Not Resuscitate (DNR) Order allows emergency medical services providers and qualified healthcare providers to honor a patient’s request for
humane comfort measures, while avoiding resuscitation in the event of cardiac or respiratory arrest.

B. “Durable Do Not Resuscitate Order” means a written physician's order issued pursuant to §54.1-2987.1 to withhold cardiopulmonary resuscitation from a particular patient in the event of cardiac or respiratory arrest. Cardiopulmonary resuscitation includes cardiac compression, endotracheal intubation and other advanced airway management, artificial ventilation, defibrillation and related procedures.

C. A Durable Do Not Resuscitate (DNR) Order may be issued by a physician for his patient with whom he has a bona fide physician/patient relationship as defined in the guidelines of the Board of medicine, and only with the consent of the patient, or, if the patient is a minor or is otherwise incapable of making an informed decision regarding consent for such an order, upon the request of and with the consent of the person authorized to consent on the patient’s behalf.(§54.1-2987.1, Code of Virginia)

D. Authorized Durable DNR Orders that can be honored by EMS providers include, the Virginia Department of Health Durable DNR Order Form, an “Other” DNR Order (used when the person is within a qualified health care facility or during transport between health care facilities when attended by qualified health care personnel (i.e. by ambulance), or receiving hospice or health services at home pursuant to §54.1-2987.1, and DDNR approved bracelets or necklaces.

E. When a call for the death of a person is dispatched to a home and the officer is advised there is a DNR order, only one officer will respond to the scene. Lights and sirens will not be utilized. The response of the patrol supervisor will be left to the discretion of that supervisor. Unless requested by the on-scene officer or a supervisor, additional units, to include Police Training Officers and recruits, should refrain from responding to keep the police presence from being overly obtrusive to grieving family or friends in a difficult and stressful situation.

G. If the treating physician agrees to sign the death certificate, a CSI investigator does not need to respond to process the scene. However, the investigating officer must ensure that a patrol supervisor has been notified of the death as soon as possible after arriving on the scene.
H. Legislation does not require that a person be in a terminal condition to obtain a DDNR Order. If the treating physician does not agree to sign the death certificate, the case will be handled as a Medical Examiner’s case and the officer will follow the procedures outlined in section 11.6.03 as warranted by the situation.

11.6.07 DEATHS FROM INDUSTRIAL ACCIDENTS

To deal specifically with workplace deaths, the Department of Labor and Industry has established fatality teams to investigate, along with local authorities, all occupational safety and health fatalities that occur in this area. Personnel from this department will promptly notify them of any workplace fatality that occurs in our jurisdiction. This does not include an apparently natural death of an office worker who was not engaged in physical labor and/or use of equipment that may have led to the death, or a death in the workplace resulting from criminal activity.

A. Any workplace death from an injury, inhalation of any toxic substance or apparently natural death while engaged in physical labor will be treated as an industrial fatality.

2. The CIS supervisor will also ensure notification of the Labor and Industry Department at (703) 392-0900 during normal work hours. After normal hours and on weekends and holidays, notification should be made to Virginia State Police at (804) 674-2000. The person making this notification should be prepared to provide the date, time, and exact location of the industrial accident, as well as the name and phone number of the person reporting the incident. The State Police duty sergeant will immediately notify a Fatality Investigation Team to respond to the scene.
By Authority Of:

Earl L. Cook
Chief of Police
11.7.01 POLICY AND PURPOSE

It is the policy of this Department to pursue reduction of domestic violence through employee training, proactive investigation of domestic violence incidents, enforcement of state and federal laws, and participation in the City's Domestic Violence Intervention Project (DVIP).

The purpose of this directive is to set forth procedures for police intervention in situations involving domestic violence. It is the further purpose of this directive, in combination with Police Directive 10.4, Victim/Witness Assistance, to set forth the rights of victims and witnesses, in accordance with Virginia Code §19.2-11.01.
11.7.02 AUTHORITY


The authority granted under the Virginia Code §19.2-81 to make probable cause assault and battery arrests without warrants is not limited to domestic cases. Officers are encouraged to make a custodial arrest for any assault and battery where probable cause exists and the arrest would be in the best interests of the parties involved.

Any law enforcement officer may arrest without a warrant for an alleged violation of domestic assault and battery and for violation of a protective order regardless of whether the violation was committed in the officer’s presence, if such arrest is based on probable cause, personal observation, or the reasonable complaint of a person who observed the alleged offense (see Virginia Code §19.2-81.3).

11.7.03 DEFINITIONS

**Domestic Violence Intervention Project (DVIP)** – a committee made up of representatives from the Police Department and other City, State and private agencies, Alexandria Hospital, and concerned citizens. The DVIP’s purpose is to ensure that effective protection and services are provided to victims of domestic violence, that suspects are held accountable for illegal behavior, and to increase awareness of domestic violence.

**Domestic Violence Program (DVP)** – the City’s program that provides services twenty four hours a day to citizens, including children, who have been physically or emotionally abused, or who were threatened with abuse by their spouse, ex-spouse, family or household member or boy/girlfriend. Services include crisis intervention, counseling, shelter, and accompaniment to court. The phone number for the DVP is 703-746-4911.

**Domestic Violence Detail** – the Alexandria Police Department detail in the Criminal Investigations Division, Crimes Against Persons Section, Youth/Domestic Violence Unit that specializes in investigation of domestic violence and stalking cases.

**Emergency Protective Order (EPO)** – An EPO is usually issued by a magistrate, but also may be issued by a judge, for the temporary protection of the victim. Its purpose is to protect the victim until he or she can petition the court for a preliminary protective order. See section 11.7.13 for specific procedures, and Virginia Code §16.1-253.4.
Evidence-Based Prosecution (formerly called victimless prosecution) – The handling of a domestic violence case with the assumption that the victim may not cooperate and/or appear in court for the trial.

Ex Parte Hearing – Only the complaining party gives testimony before the court.

Family Abuse – “Family abuse” means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person’s family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (18.2-61 et seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

Preliminary Protective Order (PPO) – A court order of protection that prohibits acts of violence, force or threat or criminal offenses that may result in injury to person or property and can impose conditions upon future contact between the parties that will minimize the likelihood of further abuse. The PPO becomes effective once it has been personally served upon the alleged abuser. It remains valid only until a full hearing is held to determine whether a protective order should be issued. It is based on a finding of the court that there exists an immediate and present danger of family abuse, or evidence sufficient to establish that there exists probable cause that family abuse has recently occurred. A full hearing should be held within 15 days of issuance of the PPO; however it may be extended at the discretion of a judge. An abused family or household member may petition for a PPO through the Juvenile and Domestic Relations (J&DR) Court’s Court Services Unit (see Virginia Code §16.1-253.1). Parties who are not related as family or household members may petition for a protective order through GDC clerk’s office.

Predominant Physical Aggressor – The person posing the greatest threat is the predominant physical aggressor. The standards for determining who the predominant physical aggressor is shall be based on the following considerations: (also see Virginia Code §19.2-81.3)

1. Who was the first aggressor;
2. The protection of the health and safety of family and household members;
3. Prior complaints of family abuse by the allegedly abusing person involving the family or household members;
4. The relative severity of injuries inflicted on persons involved in the incident;
5. Whether any injuries were inflicted in self-defense;
6. Witness statements; and
7. Other observations.

JDR Protective Order – A “final” court order of protection on behalf of an abused family or household member that may order the respondent to:

- Refrain from further acts of family abuse or criminal offenses that result in injury to person or property;
• Refrain from further contact with the abused person and any other family members noted on the order;
• Vacate the residence,
• Relinquish custody of a vehicle, and/or
• Order other protective measures as needed.

A PO should specify the time period during which it will remain in effect. In any event, a PO may not be issued for a period longer than two years (see Virginia Code §16.1-279.1).

**GDC Protective Order** – (19.2-152.10-A.) The court may issue a protective order pursuant to this chapter to protect the health and safety of the petitioner and family or household members of a petitioner upon (i) the issuance of a petition or warrant for, or a conviction of, any criminal offense resulting from the commission of an act of violence, force, or threat or (ii) a hearing held pursuant to subsection D of § 19.2-152.9. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:

• Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property;
• Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons; and
• Any other relief necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other contact of any kind by the respondent.

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### 11.7.04 DOMESTIC RELATIONSHIP CATEGORIES

When handling any call for police service, officers will determine if the victim and suspect have a qualifying domestic relationship. The following are categories that individuals may fall into.

**A. Domestic Relationships** are defined by state code to be a family or household member. Persons in this category are eligible for all protective orders, mandatory arrest with probable cause and all services from the Domestic Violence Program and the Victim/Witness Program. These cases are returnable to the J&DR Court (see Virginia Code §16.1-228). They include:

1. **Spouses**, whether or not residing together,
2. **Former spouses**, whether or not residing in the same home,
3. A person’s parents, stepparents, children, stepchildren, brothers, sisters, grandparents, grandchildren, half-brothers, half-sisters, regardless of whether such persons reside in the same home with the person,

4. Mothers-in-law, fathers-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law, who reside in the same home with the suspect,

5. Any victim who has a child in common with the suspect, whether or not the victim and the suspect have been married or have resided together at any time, and

6. Any victim who cohabits or who, within the previous twelve months cohabited in an intimate relationship with the suspect, and any children of either of them then residing in the same home.

B. Same sex partners who reside together (co-habit): These cases are handled as domestic cases. Therefore, if the crime being investigated involves an assault and battery, officers with probable cause will make an arrest. Persons in this category are eligible for mandatory arrest, all services from the Domestic Violence Program and the Victim/Witness Assistance Program, and protective orders.

1. Arrests in these cases should be made pursuant to warrants issued under Virginia Code §18.2-57.2, and made returnable to the Juvenile and Domestic Relations Court.

2. All other services available in the City of Alexandria for domestic violence victims are afforded in these cases.

C. Cases that involve boyfriends and girlfriends (current or former) that are not included in the state’s definition of a family or household member are not covered under the mandatory arrest policy.

Non-domestic cases are eligible for General District Protective Orders (see above section) and all services from the Domestic Violence Program (DVP) and the Victim/Witness Assistance Program and all other services available for domestic violence victims in the city. As required by law when handling these cases, officers will give the victims an Alexandria Services for Victims of Crime card (yellow APD-0137 for English or white APD-137S for Spanish). Officers will phone the DVP at 703-746-4911 and have them speak with a counselor.

D. Cases or calls for service between juveniles, or between juveniles and their parents or guardians should be handled as outlined in Police Directives 10.17, Juvenile Procedures and 10.18, Juvenile Victims of Crime. Examples would be disciplinary problems, punishment, and assaults. These are not handled as domestic cases. Cases involving adult children (18 years of age and older) versus their parents will be handled as domestic cases.
E. In cases where one or both of the parties is a juvenile and the parties have an intimate partner relationship, officers must phone the DVP at 703-746-4911 and have the victim speak with a counselor.

11.7.05 RESPONSIBILITIES

A. Officer Responsibilities:

3. Make an arrest when probable cause exists. If an officer has probable cause to believe that a violation of§18.2-57.2 (domestic assault and battery) or §16.1-253.2 (protective order), and/or §18.2-60.3 (stalking) has occurred, the officer will arrest the person that the officer has probable cause to believe was the predominant physical aggressor. This code section does not allow the issuance of a summons on the scene. The suspect must be taken before the magistrate. See Virginia Code §19.2-81.3.

4. Obtain an arrest warrant if probable cause exists and the suspect is not on the scene (see sections 11.7.06 for guidelines).
7. Place copies of protective orders, statements, and any other pertinent documents with the case number in the PO box inside the warrant office before ending the tour of duty. A warrant office employee then modifies the serve time and date into VCIN. Records keep a copy until its expiration date. The original copy is sent to the issuing Court. A copy is then faxed over to the Sheriff's Office Judicial Service Divisions for AJIS entry.

8. Inform victims about the protective orders. [55.2.2; 55.2.3,b]

9. In every case in which a law enforcement officer makes an arrest under Virginia Code §19.2-81.3, warrantless arrest for assault and battery, the officer will petition for an Emergency Protective Order (EPO) at the time the suspect is arrested and taken before the magistrate. Regardless of whether an arrest is made, if the officer has probable cause to believe that a danger of abuse or threats of abuse continues, the officer will seek an EPO (see section 11.7.13 for guidelines).

10. Officers must provide to victims an APD-137 (English) or 137S (Spanish) card entitled "Alexandria Services for Victims of Crime," and document it in the offense report. See Virginia Code §19.2-11.01. [55.1.3,a & b; 55.2.3,a]

11. Call the Domestic Violence Program at 703-746-4911 (staffed 24 hours a day) before leaving the scene and have them talk to the victim. This call should not be made in the presence of the suspect. Even if an arrest is not made due to lack of probable cause, or the couple does not fit the family or household member definition, put the victim in touch with the DVP. If unable to do this, note the reason in the report per Virginia Code §19.2-81.3 [55.1.3,d; 55.2.1,b; 55.2.3,a]

12. Advise victims that DVP counselors can provide support, immediately and throughout the court process. [55.1.3,d; 55.2.1,b; 55.2.3,a & d; 55.2.4,e]

13. Assist with arranging for temporary housing (see section 11.7.10 for guidelines).

14. Transport the victim, when necessary (see section 11.7.11 for guidelines).

15. Document the incident thoroughly in the offense report. Advise the victim of the case number and recommended status. Officers will use the APD-7F, Domestic Violence Supplement for all domestic cases. Officers will interview the suspect and document all responses. Officers will ask the suspect the victim's full name and their relationship. [55.2.3,c]
16. Check all parties involved for warrants, including through the Alexandria Justice Information System (AJIS). AJIS will identify individual’s outstanding warrants and individuals with served and unserved protective orders issued against them (see sections 11.7.13 for guidelines).

19. The victim must be notified of the arrest of a suspect in domestic related cases (see section 11.7.06.F for guidelines).

B. **Supervisor Responsibilities:**

1. Monitor domestic violence calls, ensure this directive is followed, and review incidents where no arrests are made.

2. Review and approve completed paperwork, ensuring the required information is included in the report.
3. Before the end of the shift, ensure the photos are uploaded to the LAN and copies of protective orders, statements, and any other pertinent documents are placed in the mailroom basket marked “Domestic Cases.”

4. Ensure all cases are followed-up in a timely manner. If the case involves threats to kill, supervisor must immediately notify the Youth/Domestic Violence Unit.

5. In cases where warrants have been obtained, ensure that reasonable attempts at warrant service have been completed and documented before suspension of the case pending warrant service.

C. Youth/Domestic Violence Unit Responsibilities:

1. Participate in the Domestic Violence Intervention Project (DVIP), attending monthly meetings and reporting on the various projects.

2. Act as the Department’s point of contact for inquiries involving domestic violence.

3. Track, review, and follow up on all cases involving domestic violence, dating violence, violations of protective orders, and stalking.

4. Monitor grants pertaining to domestic violence.

5. Speak to interested groups on the topic of domestic violence.

6. Enter required daily information on cases into AJIS.

7. Provide training to employees and community groups, as appropriate.

8. Maintain the Domestic Violence Detail’s computer programs.

9. Provide counseling and assistance to victims of domestic violence.

10. Train officers to handle domestic cases, obtain services for victims, properly document cases for successful prosecution, and encourage victims to cooperate with prosecutors.

11. Maintain liaison with other city agencies, private organizations, nonprofit agencies, concerned individuals, victim advocates, and other similar agencies.

11.7.06 ARREST OF PREDOMINANT PHYSICAL AGGRESSOR

A. Mandatory Custodial Arrest: Virginia Code §19.2-81.3 requires that if an arrest is made for §18.2-57.2 (domestic assault and battery) or §16.1-253.2 (violation of a PO, PPO or EPO) the individual arrested will be taken into custody and brought
before a magistrate for charging. Release on a summons is not permitted. The same code requires officers to request an Emergency Protective Order at the time the officer requests the warrant.

**B. Officers will make an arrest in the following domestic situations:**

1. When the officer has probable cause to believe a felony was committed.

2. When a misdemeanor was committed in the officer's presence.

3. When valid warrants are on file for either party.

4. When there is probable cause to believe an assault and battery or a violation of a protective order has occurred. Probable cause may be based on:
   a. Whether the violation was committed in the officer's presence, or
   b. The reasonable complaint of a witness, or
   c. The officer's investigation.

**C. Dual Arrests:** Dual arrest situations may result in both cases being nolle prossed in court. Officers should avoid making dual arrests.

**D.** The victim must be advised that the arrested person may be in custody only briefly and that he or she may wish to leave the residence temporarily as a safety precaution. Document in the offense report the request for the EPO, including the name of the magistrate issuing or denying it. Whenever a warrant for a violation of §18.2-57.2 is issued, the magistrate will issue an EPO when the arrested person is brought before the magistrate (see Virginia Code §18.2-57.2). [55.2.2; 55.2.5]

**E.** Officers will attempt to verify the suspect's prior assault and battery arrest record. The suspect will be charged with a class 6 felony (§18.2-57.2) if:

1. The suspect has been previously convicted within a period of 20 years of two (2) offenses against a family or household member of
   a. assault and battery;
   b. malicious wounding;
   c. aggravated malicious wounding;
   d. malicious bodily injury by means of a substance; or
   e. an offense under the law of any jurisdiction which has the same elements of any of the above offenses; and

2. Each offense was on a different date.

Strangulation cases: § 18.2-51.6. Strangulation of another; penalty. Any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally, and unlawfully applying pressure to the neck of such person resulting in the wounding or bodily injury of such person is guilty of strangulation, a Class 6 felony.
F. When the victim or complainant is not yet aware that the suspect has been arrested, officers will attempt (and document such attempts) to inform the victim of the suspect's arrest and the likelihood of the suspect being released from custody. Such attempts are particularly important in cases in which the words "ARREST NOTIFICATION" have been included at the top of the APD-105 (Warrant/Capias Control Form), indicating that the victim has specifically requested to be notified of the arrest. Officers can obtain the victim's phone numbers from the original report when obtaining information to complete the arrest report. The DVP may have had more recent contact with the victim and may be able to assist in notification. If no phone number is listed, an officer will go to the victim’s residence for notification. Under certain circumstances, it may be appropriate for the officer to advise the victim to consider leaving the residence temporarily to stay with a friend or family member, or to use temporary housing arranged through DVP (see sections 11.7.10 and 11.7.11).

11.7.07 WARRANTS

A. The officer will obtain an arrest warrant in the situations previously described. Victims will not be instructed to obtain warrants, thereby reducing the element of intimidation by abusers to pressure victims into withdrawing the warrant(s) or dropping charges in court.

B. Once officers present the probable cause to a magistrate, the determination of whether warrant(s) and/or EPOs will be issued rests solely with the magistrate. Officers will not issue a Virginia Uniform Summons (VUS) to a suspect if a magistrate refuses to issue a warrant. The decision of the magistrate, however, does not affect the reporting requirements of this directive.

11.7.08 REPORTING

A. Regardless of whether an arrest is made, the officer will file an offense (APD-7) report for any incident in which the officer has probable cause to believe family abuse has occurred.

B. The officer will inform the victim that upon the victim’s request, the Information Services Section (ISS) will make a summary of the report available to them. Only reports titled Assault and Battery/Domestic with the "domestic yes" box checked will be made available and only to the listed victim.

C. The report will include an APD-7F (with as many questions answered as possible).

D. All incidents in which domestic violence is apparent or suspected will be documented in an offense report titled with the actual offense, and the Domestic Violence box will be checked.
E. If children are present or on the premises when violent behavior has taken place, officers will report this information to Child Protective Services (CPS).

F. **The offense report will include:**

1. Elements of the offense.

2. 

3. Identity of the predominant physical aggressor.

4. 

5. Any special circumstances that would dictate a course of action other than an arrest (Virginia Code §19.2-81.3). Call a supervisor for guidance on alternatives for arrest, such as hospitalization.

6. Documentation that a Victim's Services Card was given to the victim. [55.2.3,a]

7. Whether a DVP counselor was contacted (include the counselor's name if known); if no contact was made, document the reason.

8. The name of the magistrate issuing or denying the warrant and/or the EPO, and if either is refused, the reason.

9. 

G. When a magistrate notifies the Department of Emergency Communications that a domestic violence victim is at the Magistrate's Office and has not yet notified the police an officer will be dispatched to take an offense report.

11.7.09 PHOTOGRApHS
E. Before ending their tour of duty, officers will upload digital photos with the case number onto the LAN in the appropriate Domestic Cases folder.

F. If photos are taken by Crime Scene Investigators, the CSI will copy photos onto a CD and file according to case number. They will make copies of the CDs when needed.

11.7.10 EMERGENCY HOUSING FOR VICTIMS (Virginia Code §19.2-81.4)

A. In circumstances where it is necessary to assist a victim in temporarily leaving the home, officers will contact the DVP at 703-746-4911 and will describe the situation. A DVP staff member will conduct a screening to determine housing resources and safe options available to the victim. Included among these may be friends, family, and the DVP shelter, depending on the level of imminent danger as assessed by the victim and DVP advocate.

B. The shelter will provide referral to alternative housing resources if the individual cannot be accommodated at the shelter.

C. To ensure the safety and confidentiality of the shelter, no one may be brought to the shelter until telephone screening and approval by the DVP staff has been completed.

D. To ensure the safety of shelter occupants it is essential its location be kept confidential. The address will not be listed in the offense report.

E. The DVP staff may decline to accommodate the following persons (DVP will make the determination):
1. Victims who are intoxicated or under the influence of any illegal substances may have to go to detox or sleep it off at a safe place before they will be accepted into the shelter if appropriate.

2. Victims who are threatening suicide or to harm someone else may need to be screened and cleared by mental health first before coming to shelter

3. Victims who have violated shelter rules in the past.

4. Persons who are not city residents.

F. MALE VICTIMS: If male victims of domestic violence need emergency housing, call the Domestic Violence Program and they will screen and determine if appropriate for shelter. If appropriate for shelter the Domestic Violence Program will provide the victim with one night in a local motel/hotel. Officers may be asked to transport the victim and accompany the Domestic Violence worker to the motel/hotel for intake of the victim. The location of the motel/hotel will be kept confidential and will not be noted in the report. There is currently no city shelter facility for male victims who are in imminent danger.

11.7.11 TRANSPORTATION OF VICTIMS (Virginia Code §19.2-81.4)

A. The transportation of victims is permitted with their consent and often required by state code when necessary to accomplish a police purpose. This may include the following situations:

1. To remove victims from abusive or dangerous situations.

2. To a medical facility in cases of domestic assault not requiring emergency medical services.

3. To the magistrate's office.

4. To a friend's or family member's residence.

5. To the shelter.

B. Supervisory approval is needed when travel is beyond the city limits.

11.7.12 DISPOSITION OF PROPERTY

A. Officers will not become involved in domestic property disputes. In the absence of a warrant or probable cause to believe a criminal offense has occurred, officers will remain neutral and primarily concerned with maintaining the peace and safety of
those present. The rights to any disputed property can only be determined by the courts.

B. When police assistance is requested in retrieving personal property from a residence, an officer must first determine if the person has lawful authority to do so. Parties must be advised that the officers will respond to stand by only while items are obtained for immediate personal (or children’s) use. The officer will remain present for a reasonable period of time as circumstances permit.

C. Officer dispatched to help regarding the recovery of property from the suspect’s home after the suspect was served with an EPO, PPO, or PO must first determine if the order is still in effect. If so, and if the magistrate or judge wrote in the order that the suspect may retrieve property from the home with police assistance, officers may stand by during the property retrieval. If not, officers may not assist with the property retrieval. If such instructions are not in the order, officers should instruct the suspect to: (1) return to the court or magistrate that issued the PO, EPO, or PPO and request that the court modify the order, or (2) advise the suspect to arrange for a third party to contact the victim for property pick up. The victim may wish to leave the requested property with a third party for the suspect to pick it up at another location.

D. Assisting with property removal should only be done at reasonable hours, and not between 2200 and 0600 hours without watch commander approval.

### 11.7.13 PROTECTIVE ORDERS

A. All protective orders must be served on the suspect (respondent) in order for them to be valid and enforceable. The Sheriff’s Office enters the protective orders into AJIS as they are issued by our J&DR Court and GDC Court. Officers running local wanted checks through AJIS will receive this information. If the information in AJIS indicates the order has not been served, the officer will make every reasonable attempt to serve it (see 11.7.13.I). An officer serving a PO will execute it by signing his or her name and noting the date and time served on the PO.

B. The victim should have a copy of their protective order available for review by the responding officer. Alternatively, the officer might be able to confirm the validity of the order through AJIS, the clerk of the issuing court, or a copy of the protective order maintained in ISS. The officer will check the order for validity, ensure that the restrictions in the order are complied with, ensure the order was signed by a judge (PO or PPO) or magistrate/judge (EPO), and served on the respondent.

C. Officers observing violations or finding probable cause that a violation of any protective order has occurred will arrest for the violation unless there are special circumstances that would dictate a course of action other than an arrest. Any additional criminal charges (i.e., trespassing, assault and battery, etc.) should also be made.
D. Reporting arrests for violation of POs will consist of a supplement to the original case. Any new charges will have a new case number and report. The new offense report will also state that the suspect was in violation of a protective order and will cross-reference the cases.

E. **Emergency Protective Order (EPO)**

1. Virginia Code requires the officer to petition the magistrate for an EPO in domestic assault and battery and non-family or household member arrests and arrests for violation of any type of protective order. The issuance of an EPO is a condition of release by a magistrate when a warrant is issued and there is likelihood of future abuse.

2. An EPO may be requested by a law enforcement officer by telephone or in person. It is not mandatory that the victim accompany the officer. The officer may fill out the form on the scene and, if the magistrate grants authorization, serve the order on the suspect (see 11.7.13.I.6 below).

3. A victim may appear in person to request an EPO. It is not mandatory for an officer to accompany the victim. The victim must then present his or her case under oath to a magistrate, who will issue the EPO if he or she finds that either:

   a. A warrant for §18.2-57.2 has been issued and there is probable danger of further acts of family abuse by the suspect, or
   b. Reasonable grounds exist that the suspect has committed an act of abuse and there is probable danger of a further offense by the suspect.

4. An EPO issued pursuant to this section will expire at 2359 hours on the next business day that the JDR/GDC Court is in session, or seventy-two hours after issuance, whichever is later.

5. **An EPO may:**

   a. Prohibit further acts of violence, force or threat or criminal offenses resulting in injury to person or property,
   b. Prohibit contact between parties, as deemed necessary by the magistrate to protect the safety of the victim, or
   c. Grant a family or household member possession of the home, excluding the suspect.

6. **EPO Procedures [55.2.2; 55.2.3,b & d]**

   a. An oral EPO will be reduced to writing on an EPO form by the officer requesting the order or by the magistrate. The completed form will include a statement of the grounds for the order.
   b. There are four copies contained in an EPO:
      - The top copy is marked “court” on the bottom. This is the only copy that contains the service block (on the back).
The second copy is marked “family/household member” on the bottom.
The third copy is marked “respondent” on the bottom.
The fourth copy is marked “officer” on the bottom.

c. After the officer obtains the EPO from the magistrate (by phone or in person), he or she will serve the respondent (suspect) using the blocks on the rear, top left side of the “court” copy. It is extremely important that the serving officer obtain the personal information requested in the service area blocks. VCIN requires this information for entry into their system. After serving the order on the suspect, the officer will give him or her the copy marked “respondent.”
d. The serving officer will provide the victim the second copy marked “family/household member.”
e. The officer will then complete the return section on the back of the “court” copy and IMMEDIATELY contact a supervisor.
f. The supervisor, after reviewing the order for accuracy and completeness, including the service/return area (see item c above), will sign and date the back upper left corner of the “court” copy. The “court” and “officer” copies must be hand delivered to an employee of ISS as soon as possible.
g. The ISS employee will IMMEDIATELY enter or modify the service “date and time” if service was made. The EPO then should be placed in the Protective Order box inside the warrants office. EPO’s are part of “E-MAGISTRATE” system so the skeleton record is in VCIN 30 minutes after issued by the Magistrate’s Office. Records then faxes a copy over to the Sheriff’s office for entry into AJIS. A second photocopy is placed in the PO filling cabinet until its expiration date. The “Court Copy” is then placed in the courts mail box J&DR or GDC which they receive the next business day. The Sheriff’s office will see that the “courts” get a photo copy until the original is received in the clerk’s office.

F. Preliminary Protective Order (PPO) - A preliminary protective order may be issued in J&DR Court or GDC Court to protect the health and safety of the victim. The hearing for this order is ex parte, and the order is valid for 15 days or less. Within 15 days, the J&DR Court or GDC Court will hold a hearing with all parties involved to determine if a permanent PO will be issued, however the PPO can be extended at the discretion of a judge.

G. Protective Order (PO) - The J&DR Court or GDC court may, after a hearing, issue a continuing PO to protect the health and safety of the victim. This order will be issued for a specified period not to exceed two years and the victim can petition to have the order extended for another period of two years. This order may be obtained by first filing a petition with the J&DR Court Services Unit during normal business hours. For non-family or household members, this order may be obtained by first filing a petition with the GDC clerk’s office during normal business hours.

H. Protective Orders From Other States (Virginia Code §16.1-279.1, E)
1. Under the Violence Against Women Act (VAWA), every injunction, restraining order, or protective order, whether temporary or final, that is issued by a state court must be given full faith and credit by the courts of every other state. Any order issued for the purpose of preventing violence, threatening acts,
harassment, contact or communication with or physical proximity to another person, including stalking, must be given full faith and credit and enforced as if the order was from Virginia.

2. A state may not deny enforcement to an order legally issued in another state even if it could not have been issued in our state. Examples:
   a. A protective order issued in New Jersey that is valid for 5-20 years is good for that time even though Virginia POs are only good for 2 years.
   b. An order requiring the abuser to stay away from the victim's work place or school is enforceable even if it would not be so in Virginia.

3. Handling violations of out of state orders:
   a. If the victim has a copy of the PO and/or has registered it with our J&DR Court or GDC court, an arrest can be made. Checking AJIS/VCIN will confirm whether the PO has been registered. Registration is not required by state or federal law to be enforceable, it just makes the order easier to confirm.
   b. If the victim has not registered the order, officers need to examine the paperwork. VAWA says to enforce a domestic violence order of protection in another state, the party need only present an unexpired order that appears valid on its face, ideally with proof that the abuser was served with the order. If the parties are named on the order and it is signed by a judge, and there is no proof that the order was later vacated or superseded by another order it should be presumptively enforced by police and courts.
   c. Confirm the dates the order is effective.
   d. Confirm the signature of the issuing judge is on the order.
   e. Confirm what the order restricts.
   f. Read the entire order and compare it to the situation in question.
   g. If there is probable cause that the order was violated, the suspect should be charged with violation of the PO as if the order were ours. This charge is a class 1 misdemeanor in Virginia. In the issuing state the violation may be a felony or perhaps not even a criminal charge. Nevertheless, our local charges apply.
   h. Make two copies of the order. Attach one to the offense report and send the second to the Commonwealth’s Attorney. If the victim has an additional certified copy of the order, attach it to the offense report. If not, make a copy of the victim’s copy.
   i. When a victim who has a protective order from Alexandria is moving to another jurisdiction, advise them to go to the court and get additional certified copies in case they are needed at the new location.

I. Serving Protective Orders

1. If a wanted check indicates an unserved PPO or PO and the time is during normal business hours, in most cases an Alexandria deputy will have the order out on the street for service. Have the dispatcher attempt to reach the deputy on the radio to request he or she respond to the scene so the deputy can serve the order.
2. If the wanted check indicates an unserved PPO or PO and the time is other than normal business hours, the unserved order is kept in Police Department warrants office. The Sheriff's Office drops off all unserved PPOs and POs each night and picks them up for service the next business day.

3. Have the order transported to the scene and serve it. The order is usually accompanied by a subpoena for the hearing date of the order. If an officer serves a PPO or PO in this fashion, they must leave a note to the Sheriff's Office advising of the service and return the served order to warrants office as soon as possible, so they can enter the service into the computer.

4. When officers ascertain that a PPO or PO has been served against a subject, and there is probable cause to believe the suspect has violated the order, the officer shall arrest the subject for violation of the protective order upon notification over the radio that the order is on file.

5. Frequently, at least one condition of a PPO or PO is a prohibition on the defendant from returning to the victim's residence and/or from having any contact with the victim. If, for example, an officer responds to the victim's residence and the defendant and the victim are present, the defendant will most likely be in violation of the PO. See Virginia Code §19.2-81.3.

6. If an officer runs a wanted check and finds an EPO, PPO or PO against the person and the order has not been served, the officer may not detain a person beyond the current investigation while waiting for the protective order to be transported to the scene for service. The orders are civil, not criminal. Therefore, the officer would not be justified in detaining the individual when the investigation has concluded and it has been determined the officer does not have probable cause to arrest for a new offense. This would not prohibit the officer from advising the suspect of the existence and terms of the protective order, and from serving it if it comes into the officer's possession during the course of the investigation, or if the suspect consents to wait for its delivery.

BY AUTHORITY OF:

Earl L. Cook
Chief of Police
CONTENTS

I. PURPOSE / POLICY

This addendum to Directive 11.8 DWI Enforcement is intended to serve as a Standard Operating Procedure (SOP) for Stationary DWI Checkpoints and will serve to establish policy and procedure for operating sobriety checkpoints.

II. GENERAL PROCEDURES

A. Selection of checkpoint sites:

1. The supervisor planning the checkpoint will review Department records of past DWI arrests, traffic summons, traffic crashes and citizen complaints to determine an appropriate date, time and location for the checkpoint. [61.1.1.b]

2. The location should provide maximum safety for both the officers conducting the checkpoint and for the motorists who will encounter it. The checkpoint should be in a well-lit area where the approaching vehicles occupants can see that a checkpoint is in operation ahead and will have ample time to slow down.

3. The site should be chosen so as to minimize interference with the normal flow of traffic. The validity of the checkpoint depends on the degree of inconvenience involved to the motorists; therefore, once traffic backs up to a previously decided point, the operation should be ceased long enough to allow the back up to pass freely through the checkpoint.
B. Training of personnel:

1. These policies and procedures must be disseminated to, and thoroughly understood by all officers involved in the checkpoint operation. Officers should be familiar with the field sobriety tests that are noted in Police Directive 11.8, which governs DWI enforcement. Additionally, all officers involved in the operation will know how to operate an Alco-Sensor.

2. The on-site supervisor will hold a briefing with all personnel involved prior to each sobriety checkpoint operation. The on-site supervisor will provide training to the officers on relevant issues pertaining to the operation and will thoroughly document that training. This documentation will be maintained with the official records of the operation.

C. Conduct of checkpoint operation:

1. The checkpoint will be conducted under the on-site supervision of a sworn police supervisor.

2. Uniformed officers wearing reflective traffic vests will conduct the checkpoint.

3. Signs, flares, traffic cones and/or other warning devices that clearly notify approaching motorists of the presence of the obstacle ahead are critically essential.

4. The law clearly requires that the on-site supervisor must pre-determine which vehicles are going to be stopped. This can be all vehicles or a set order of vehicles. The individual officers do not have discretion to change this.

5. In the event of a traffic back up all vehicles shall be permitted to pass freely through the checkpoint if it posses a safety hazard to the officers operating the checkpoint or the motorists passing through. The on-site supervisor will make the determination when to suspend operations and when it is safe to resume. The reasons and times will be documented and kept as part of the official record.

6. The stop of each vehicle shall be as brief as possible. The greater the length of the stop the greater the intrusion to the motorist. Unless further investigation is warranted the officer will make every effort to limit the length of the encounter to one minute or less.

7. Since time is a factor officers should be looking for equipment, tag and inspection violations as the vehicle approaches. Once the vehicle has stopped officers will introduce themselves, explain the reason for the checkpoint, inquire about alcohol and drugs use and ask the driver for their driver’s license and registration. Unless further investigation is warranted the drive will be allowed to exit unimpeded.
8. If the officer determines that the driver has shown any sign of impairment or there is a violation of the Virginia or City code the motorist will be directed to pull into a predetermined auxiliary location.

9. The auxiliary location will be a near-by location that provides the greatest amount of safety to the officers and motorists.

10. If signs of impairment are located the officer will investigate the DWI offense. Based on the investigation the officer will make the determination whether to arrest or not.

D. Record keeping:

1. The details of the checkpoints selection and establishment shall be a matter of record. The planning supervisor will keep the following records and provide them to the Commonwealth's Attorneys Office for prosecution;
   a. The approved operation plan,
   b. A complete list of all employees involved,
   c. The analysis of the area utilized,
   d. The after action report, and
   e. A copy of the directive used to create the operation plan.

III. RESPONSIBILITIES

A. The officer will:

1. Handle all responsibilities as defined in the Police Directive 11.8 DWI Enforcement.

2. Have complete knowledge and full understanding of this directive and the operation plan for the sobriety checkpoint.

B. The planning supervisor will:

1. Handle all responsibilities as defined in the Police Directive 11.8 DWI Enforcement.

2. Have complete knowledge and full understanding of this directive and the operation plan for the sobriety checkpoint.

3. Ensure PIO notification of an upcoming checkpoint.

4. Ensure *Department of Emergency Communications (DEC)* notification of an upcoming checkpoint.

5. Ensure Alexandria Sheriff's Office notification of an upcoming checkpoint.
6. Ensure the Magistrates Office is notified of an upcoming checkpoint.

7. Ensure the operation plan is sent to the Chief of Police through channels in a timely manner for approval.

C. The on-site supervisor will:

1. Handle all responsibilities as defined in the Police Directive 11.8 DWI Enforcement.

2. Will have complete knowledge and full understanding of this directive and the operation plan for the sobriety checkpoint.

3. Conduct a briefing prior to each sobriety checkpoint operation and conduct training for the officers involved.

4. Complete all required documentation of the sobriety checkpoint operation, including all training, and will submit a detail formal report upon completion to the Chief of Police through channels. [61.1.1.e]

5. Oversee the set up and take down of the sobriety checkpoint.

6. Direct the operation and supervise all personnel assigned to the sobriety checkpoint.

Officers assigned to a sobriety checkpoint operation will be responsible for conducting the operation in accordance with the law, this directive and any other appropriate rules and regulations of the Department.

Approved by:

Earl L. Cook
Chief of Police
It is the policy of this Department to fully enforce all laws applicable to operation of vehicles by drivers under the influence of alcohol/drugs. Removing intoxicated drivers from the roadways eliminates the possibility of accidents being caused by these persons and results in the prevention of death, injury and/or property damage. It is also the policy of this Department to strictly enforce laws pertaining to the use or possession of alcoholic beverages by persons not legally permitted to purchase or possess them (i.e., juveniles; interdicted persons).

The purpose of this directive is to provide a uniform policy for enforcing laws prohibiting operation of vehicles by drivers under the influence of alcohol/drugs, and to establish the Department’s alcohol/drug enforcement countermeasures program. This directive
also establishes procedures for use of Alco-sensors to preliminarily determine if persons may have consumed alcohol in excess of the legal limit (which may include prohibition of mere possession in certain cases). EC/IR II, the new name of the breath analysis machine, is inserted in places that formerly referenced the Breathalyzer/Intoxilyzer 5000.

[61.1.5.a; 61.1.10; 61.1.11]

11.8.02 AUTHORITY

A. It is unlawful for any person to drive or operate any motor vehicle (including pedal bicycles with helper motors – Mopeds - while operated on the public highways of this state) engine, or train while under the influence of alcohol, or while under the influence of any narcotic drug or any self-administered intoxicant or drug of any nature (Code of Virginia §18.2-266). The following rebuttable presumptions apply:

1. 0.05% or less - presumption the accused is not under the influence of alcohol intoxicants (Code of Virginia §18.2-269);

2. In excess of 0.05% but less than 0.08% - no presumption the accused is under the influence of alcohol intoxicants but may be considered with other evidence in determining guilt or innocence (Code of Virginia §18.2-269);

3. 0.08% or more – permissible inference as under the influence of alcohol intoxicants (Code of Virginia §18.2-269);

4. 0.02% or more for persons under 21 years of age (Code of Virginia §18.2-266.1) are presumed to be under the influence;

5. 0.02% or more for any person who is driving under the authority of a restricted license based on a prior DUI (Code of Virginia §18.2-272);

6. 0.08% or more for drivers of commercial vehicles (or 0.04% or more for a lesser included offense when driving a commercial vehicle), (Code of Virginia §46.2-341.24).

B In some cases enabling statutes are Virginia Code, but Alexandria City Code also applies.

[61.1.11]

11.8.03 RULES/RESPONSIBILITIES

Alcohol/Drug Enforcement Countermeasures Program [61.1.10]

A. The Traffic, Special Events and Parking Division Commander will maintain a database on DWI arrests and accidents to identify selective enforcement areas, and will make this information available to the Patrol Sector Commanders.
B. Commanders assigned to operational units charged with traffic enforcement responsibilities will analyze all available data to determine appropriate areas for selective enforcement efforts. Commanders should arrange training for officers in methods of detecting those persons under the influence of alcohol/drugs. Then staffing permits, commanders should field units specially trained and equipped to apprehend and process alcohol/drug impaired drivers. Commanders should also take advantage of alternative approaches for fielding enforcement personnel (e.g., grant funding, overtime authorizations) when possible.

C. The Traffic, Special Events and Parking Division Commander will submit quarterly reports to the Deputy Chief of the Operations Support Bureau, detailing: the enforcement areas identified; the level and location of staffing; and the number of arrests. The report will also include an evaluation of the various elements of the Department’s alcohol/drug enforcement countermeasures program as compared to the previous quarter.

D. The FTO Coordinator will ensure that all recruit officers are trained in proper roadside sobriety testing, the use of the Alco-sensor, and DWI recognition, and will ensure that they receive this training prior to being released to work by themselves.

E. Officers will be alert for suspected DWI offenders, both on patrol and in selective enforcement areas. They will utilize the standardized roadside sobriety tests (see 11.8.06) when a suspected DWI offender has been stopped. In addition, Virginia law requires that officers offer the Alco-sensor, if available, to each suspect before making an arrest for DWI. If the suspect indicates consuming alcohol in the prior 20-minutes, or there is evidence of such consumption, a 20-minute non-consumption time of the suspect should be completed before the Alco-sensor is given, to ensure the dissipation of residual alcohol in the mouth. Do not allow the suspect to smoke, eat, or drink during this period.

11.8.04 EC/IR II SECURITY

A. The Virginia Division of Forensic Science (DFS) owns and regulates the EC/IR II, trains and licenses EC/IR II operators and instructors, and is responsible for the administration of the Breath Alcohol Program (Code of Virginia § 18.2-268.9).

B. The EC/IR II system is permanently installed in a locked room in the Alexandria Correctional Center and will only be moved by a DFS technician or designee.

11.8.05 EC/IR MAINTENANCE

A. EC/IR II Custodian (designated in October of each year by the Patrol Operations Bureau Commander) will coordinate the maintenance and care of the EC/IR II and ensure its security by taking the following actions:
1. Send a copy of the “Certificate of Instrument Accuracy” that accompanies each EC/IR II six-month certification to the Assistant Commonwealth’s Attorney handling traffic cases, and retain the original.

2. Requisition forms and supplies (operational checklists, certificates of analysis, mouthpieces, simulator solution, etc.) from DFS as needed. No supplies for the EC/IR II will be purchased by the Police Department.
   a. DFS arranges for scheduled supplies to be delivered by a commercial parcel delivery service. Usually, the custodian will be the person to accept these deliveries. When not available to do so, the custodian may arrange for an on-duty EC/IR II operator to receive the delivery and place it in the locked supply cabinet. Only EC/IR II operators will open these packages.
   b. DFS can be contacted at 1-804-786-6971, for any questions during business hours (090-1700 hours, Monday through Friday) or to order supplemental supplies. If supplies are needed, call the EC/IR II custodian.

3. Maintain a list of all current EC/IR II operators, which includes their date of license expiration. The list will also identify the current EC/IR II Custodian and will be updated in October of each year and again thereafter as often as necessary.

4. The EC/IR II operators list will be distributed to all Patrol Division Commanders, the Patrol Operations Bureau Commander and the Department of Emergency Communications (DEC).

B. EC/IR II operators will follow the procedures of the DFS as outlined in the EC/IR II operator’s manual. In the event of EC/IR II malfunctions, a certified EC/IR II operator will adhere to the following procedures:

1. Check the troubleshooting/instrument messages section in the EC/IR II operator’s manual to attempt to resolve the problem. Call the EC/IR II Custodian if no on-duty EC/IR II operators are able to correct the problem.

2. Notify DEC, the Watch Commander and the EC/IR II Custodian when the EC/IR II is out of service and when it is placed back in service.

3. If the problem is still not resolved, the operator will make arrangements to have a DFS technician respond to place the machine in service, or replace it, by calling DFS and notifying the EC/IR II Custodian.

11.8.06 ROADSIDE SOBRIETY TESTS
B. An Alco-sensor, if available, will be offered to the driver. (Code of Virginia §18.2-267 states the person is entitled to have his breath analyzed if the equipment is available.) Virginia law also requires that the driver must be advised of his or her right to refuse the Alco-sensor, and that the results of the Alco-sensor cannot be used as evidence in any prosecution for DWI. If the driver so requests, he or she is entitled to view the results of any Alco-sensor test.

C. If the Alco-sensor indicates that alcohol is present in the driver’s blood, the officer may arrest the driver for DWI (Code of Virginia §18.2-267 D.). The Alco-sensor test alone is sufficient probable cause to arrest for DWI. The results of the Alco-sensor are rebuttable; therefore strict compliance with operating instructions (monthly calibration and 20 minute non-consumption period) must be adhered to.

D. If probable cause exists, the suspect may be arrested for DWI and taken before a magistrate.

E. Alco-sensors may also be used to preliminarily determine if persons have consumed alcohol in excess of the legal limit, which may include prohibition of mere possession in certain cases (i.e., juveniles and persons interdicted from purchasing or possessing alcohol). Again this is evidentiary use; therefore the requirements in “C” above will apply.
11.8.07 SOBRIETY CHECKPOINTS

A. Commanders may authorize sobriety checkpoints in accordance with the Department’s Alcohol/Drug Enforcement Countermeasures Program (see 11.8.03). Such checkpoints will only be staffed by personnel who have been trained in the detailed procedures in 11.8 Addendum, Stationary DWI Checkpoints.

11.8.08 ARRESTS

A. Officers arresting persons for Driving While Intoxicated will charge under the appropriate section of the Code of Virginia.

1. For implied consent to apply (§18.2-268.2), the person must be arrested for driving on a highway in violation of Code of Virginia §18.2-266 or 18.2-266.1 within three hours of the alleged offense. This means that the arrest must take place within three hours of the driving behavior itself. If the arrest is not made within three hours, Implied Consent does not apply. However, this does not preclude the officer from getting voluntary breath/blood tests and/or getting search warrants. For regular traffic stops, this means three hours from the time of the stop. For accidents, this means three hours from the time that the accident actually occurred.

2. The Code of Virginia defines “highway” as every way or place open to the use of the public for purposes of vehicular travel. Thus, for example, even a private road through an apartment complex or shopping area can be considered a highway for the purposes of the statute if:

   a. There is 24 hour, unrestricted access to the area. This does not mean there can be no signs at all. There can be signs designating the area as private property - the test is whether cars can pass all day and all night without being blocked or charged for trespassing.

   b. There are no signs indicating that vehicles cannot traverse the area after certain hours. This is important. The parking lot and/or driving area of a business that does not allow cars on its property after certain hours is clearly not a highway, such as a gas station that closes at sundown and has posted signs indicating no entry after closing.

   c. There is clear ingress and egress from the area to a clearly defined highway. This is not required in all circumstances - roads running through a complex may still be highways under the above two guidelines anyway, but it is a good indicator. An example might be the service road to an apartment complex that runs next to a marked street.
B. Officers will advise arrestees that all persons, whether or not licensed to operate a motor vehicle in the Commonwealth of Virginia, who operate a motor vehicle in this State have given implied consent to have a sample of breath (or a sample of blood, if the breath test is not available) taken for analysis to determine the intoxicant level of their blood or breath (Code of Virginia §18.2-268.2). In certain cases, a blood test may be required to measure both the alcohol and drug content of the blood.

C. If the arrestee refuses to provide a breath or blood sample as requested, the arresting officer must read the suspect the information regarding implied consent from a Form-DC-233A; sign the form, and must attest under oath to the magistrate that this has been done. The magistrate signs the form, but is no longer required to again read the implied consent information to the suspect.

D. If an arrest results from the operation of a motor vehicle on a location other than a highway, or the operation of a Moped anywhere, the Implied Consent Law (18.2-268.2) does not apply. This does not preclude officers from attempting to obtain consent from arrestees, using a Consent Search form (APD-122), to submit a sample of blood or breath for analysis. Officers will make all reasonable attempts to obtain a blood or breath sample.

E. If an arrestee refuses the required test(s), the officer will advise the arrestee that unreasonable refusal to submit to the test(s) constitutes grounds for revocation of the operator’s license in Virginia for a period of one year, and that a separate charge (Code of Virginia §18.2-268.3) will be placed for that offense. Additionally, if the suspect has a prior DUI offense within a ten-year period, a subsequent refusal is deemed a Class 2 misdemeanor. If the suspect has two prior refusal convictions, it becomes a Class 1 misdemeanor. All subsequent refusals carry a mandatory three-year suspension of the defendant’s license. (Reminder: the refusal charge only applies when the implied consent law does. For arrests at locations other than a highway as defined above, if the defendant refuses to give up blood or breath evidence even when faced with a search warrant, no refusal charge can be brought.)

F. Code of Virginia §46.2-391.2 provides for an immediate seven day suspension of the driver’s license, or the privilege to drive in Virginia, for any person who is arrested for a DWI violation if such person unreasonably refuses to submit to a breath test, or registers a 0.08 or higher on a breath test, upon issuance of a warrant by a magistrate. For persons under the age of 21, a breath test of 0.02-0.07 will also result in administrative license suspension. If a blood test is administered this code section does not apply. If the DUI is the suspect’s second offense, the immediate suspension is for 60 days. If it is a third or subsequent DUI, the suspect’s license is automatically suspended until the trial date.

1. After establishing probable cause and placing an individual under arrest for Driving While Intoxicated, the officer will retain the driver's license until appearing before the magistrate. Once a warrant has been issued for DWI, the officer will complete a Notice of Administrative Suspension (DMV form DC-201) and serve it upon the arrested person if the above criteria are met. The officer will then present the person’s Virginia driver’s license, together
with the warrants, the results of the breath test, if any, the completed Criminal Complaint form and the notice of suspension to the magistrate, who will forward these documents to the court.

2. At the time an officer requests a warrant charging an individual with Driving While Intoxicated, the officer will complete a Criminal Complaint (DMV Form DC-311), to establish probable cause for the arrest. It is necessary that the officer include enough detail to establish probable cause of a violation of 18.2-266. This would entail establishing that the defendant was operating a motor vehicle on a public highway, that the defendant was under the influence of alcohol (i.e., Smelled of alcohol, admitted to a certain number of drinks, failed the one-legged stand/9-step walk and turn, submitted to an Alco-sensor which gave a reading of .15, etc.), that the defendant was arrested within 3 hours of the alleged offense, and that the alleged offense occurred in the city of Alexandria. The Criminal Complaint is given to the judge to review when the person asks the General District Court for a review of the suspension. To avoid unnecessary court time by officers and to provide information when there is insufficient time to summon them, it is essential that complete documentation be on the complaint form.

3. Arrestees who meet the criteria above and possess out of state licenses will retain their license, but will be served with a DMV Form DC-201 advising that their privilege to drive in Virginia has been suspended for seven days.

4. The officer is further required to notify the Commissioner of the Division of Motor Vehicles of the license suspension; this may be done by electronic means. After completing the booking process, the arresting officer will promptly report to the Information Services Section with a copy of the DC-201 and have a Special Police Officer or other certified VCIN operator make the entry into VCIN, in the Administrative Suspension File set up by DMV for this purpose. If there is no SPO or other certified VCIN operator at ISS, the arresting officer will call DEC and advise of the needed entry. The arresting officer will note in the appropriate block on the incident report the date, time and name of the person notified. After DEC personnel have made the entry, the copy of the DC-201 must be returned to ISS.

5. The reverse side of the DC-201 allows for the license to be mailed back to the arrestee after the seven-day period. The driver has the option to sign the form or to pick up the license at the Clerk of the General District Court’s office.

G. Code of Virginia § 46.2-301.1 (A) governs the impoundment of a motor vehicle being driven by a person whose license or learner’s permit has been suspended or revoked for driving while intoxicated, or who is caught driving after having been adjudicated as a habitual offender where the adjudication was based, in whole or in part, on an alcohol-related offense. However, the statute referenced above prohibits the impoundment of leased or rented automobiles in such situations. And, the amendment also requires the arresting law enforcement
officer to notify the rental or leasing company to pick the vehicle up (see Directive 11.22, Impounded Vehicles).

H. Officers are required to turn in all DWI related paperwork to the Information Services Section as soon as the arrest is completed.

### 11.8.09 BREATH TESTS

Code of Virginia §18.2-268.2 eliminates the option of a blood test unless the breath test is unavailable or the driver is not physically capable of taking the breath test. The blood test option remains when testing for the presence of drugs, or drugs and alcohol.

A. Any person possessing a valid EC/IR II Operator’s license issued by the Virginia State Division Forensic Science can perform chemical analysis of an arrestee’s breath. This may include the arresting officer and/or anyone participating in the arrest. In the event the EC/IR II instrument is inoperable the arrestee may be transported to an EC/IR II in a neighboring jurisdiction. It is preferable that an Alexandria EC/IR II operator performs the test, however, if necessary, any licensed EC/IR II operator may do so. If a licensed operator is not available, this test is deemed not available.

B. The type of equipment and the methods used to perform breath analysis will be in accordance with the regulations of the Virginia State Division of Forensic Science (DFS).

C. The EC/IR II operator will produce a Certificate of Breath Alcohol Analysis (DGS-70-018) which will indicate that:

1. The test was conducted in accordance with DFS specifications;
2. The name of the arrestee;
3. The date and time the sample was taken from the arrestee;
4. The alcohol level of the sample; and
5. Name of the operator and signature.

D. Certificate of Breath Alcohol Analysis (DGS-70-018) is a three-copy form. The copies will be handled as follows:

1. White copy - will be given to the magistrate to be forwarded to the General District Court along with the VUS and warrant;
2. Green copy - will be given to the arrestee; and
3. Yellow copy - is for Department use, to be forwarded to Information Services along with the PD-7B and the agency copy of the VUS.
11.8.10 BLOOD TESTS (WITH ALCOHOL AS THE SOLE INTOXICANT)

A. The arresting officer will:

- Collect and preserve all evidence.
- Ensure the arrestee is adequately restrained to prevent injury.
- Administer a breath test if no blood test is available.
- Notify the arresting officer of the results of any breath test.
- Provide reasonable accommodation for the arrestee.
- Notify the arresting officer if the arrestee is a convicted felon.
- Ensure the arrestee is not under the influence of any controlled substance.
- Allow the arrestee to take a break if necessary.
- Notify the arresting officer if the arrestee is a minor.
- Ensure the arrestee is not under the influence of any non-alcoholic substance.
- Allow the arrestee to have a meal if needed.
- Notify the arresting officer if the arrestee is a registered sex offender.
- Ensure the arrestee is not under the influence of any foreign substance.
- Allow the arrestee to use the restroom if needed.
- Notify the arresting officer if the arrestee is a registered drug user.
- Ensure the arrestee is not under the influence of any illegal substance.
- Allow the arrestee to communicate with an attorney if needed.
- Notify the arresting officer if the arrestee is a registered alcoholic user.
- Ensure the arrestee is not under the influence of any psychoactive substance.
- Allow the arrestee to take a shower if needed.
- Notify the arresting officer if the arrestee is a registered parolee.
- Ensure the arrestee is not under the influence of any psychoactive substance.
- Allow the arrestee to use a phone if needed.
- Notify the arresting officer if the arrestee is a registered drug user.
- Ensure the arrestee is not under the influence of any hallucinogen.
- Allow the arrestee to have a meal if needed.
- Notify the arresting officer if the arrestee is a registered parolee.
- Ensure the arrestee is not under the influence of any hallucinogen.
- Allow the arrestee to use the restroom if needed.
- Notify the arresting officer if the arrestee is a registered drug user.
- Ensure the arrestee is not under the influence of any hallucinogen.
- Allow the arrestee to communicate with an attorney if needed.
- Notify the arresting officer if the arrestee is a registered parolee.
- Ensure the arrestee is not under the influence of any hallucinogen.
- Allow the arrestee to use the restroom if needed.
- Notify the arresting officer if the arrestee is a registered drug user.
- Ensure the arrestee is not under the influence of any hallucinogen.
- Allow the arrestee to communicate with an attorney if needed.
- Notify the arresting officer if the arrestee is a registered parolee.
- Ensure the arrestee is not under the influence of any hallucinogen.
- Allow the arrestee to use the restroom if needed.
11.8 DWI Enforcement

C. The arresting officer will then:
   1. Take possession of the container holding the vials;
   2. Exercise caution when handling blood vials to reduce the potential for contracting communicable diseases;
   3. Obtain the proper postage from the Patrol Division Commander on duty;
   4. Immediately (prior to end of tour of duty) mail the container to the Virginia State Division of Forensic Science.

11.8.11 BLOOD TESTS (INVOLVING INTOXICANTS OTHER THAN ALCOHOL)

The procedures are the same as with alcohol except for the following changes:

A. There are numerous substances that are capable of intoxicating the human body; officers should not limit their considerations to alcohol or commonly abused street drugs.

B. If an officer develops reasonable cause to believe that a substance other than alcohol is involved in the intoxication of the arrestee, the Code of Virginia (§ 18.2-268.2) provides for the mandating of a blood test.

C. The arrestee has the right to take an EC/IR II test; the officer in addition, may then require the taking of a blood test. The EC/IR II is not required in cases where no alcohol is present (.00 reading on a Preliminary Breath test).

D. If the probable cause for another intoxicant exists and the arrestee refuses the second test, he or she can still be charged with Unreasonable Refusal. If this occurs follow the same procedure as listed in 11.8.08, Sections D, E and F.

E. In all cases of suspected mixed usage of alcohol and other substances, if possible, the officer should pre-screen the arrestee. An Alco-sensor should be used to determine if sufficient alcohol is in the arrestee’s system to go forward with the DWI charge based solely on alcohol intoxication. If the B.A.C. is less than .08% and there is an articulable reason to suspect drug presence, a blood test may be required. If the B.A.C. is .08% or greater, the State Laboratory will not test for other drugs without prior written request from the Commonwealth Attorney.

F. If drug analysis is required, the State Laboratory technicians will first test for alcohol. They will then do preliminary testing to identify the intoxicating substance(s) that are present in the sample. Once the substance(s) are identified, a scientifically precise test will determine the exact level present.

G. If the arresting officer develops information concerning a possible identity of the intoxicating substance(s) involved, he or she will advise the State Laboratory by making a notation on the Request for Laboratory Examination (DGS-70-001) and forward a copy of the DWI field worksheet or report with the sample.
H. The officer must complete the Request for Laboratory Examination form (DGS-70-001).

11.8.12 ACCIDENT INVESTIGATION

A. When an arrest for DWI is made as the result of an officer investigating a traffic crash which he or she did not witness, the officer will investigate and document the following:

- The time and date of the collision.
- The location of the collision.
- The names of all parties involved.
- The vehicle information.
- The weather and lighting conditions.
- Any witness statements.
- The officer's observations at the scene.
- Any evidence collected.
- The accident report (if available).
- Any other relevant information.
C.  In accident cases, where a suspect is arrested for DWI on the scene, or at another location, they should be taken to booking first, unless medical evaluation on the scene by medics determines that transportation to the hospital is medically necessary or requested by the suspect.

1. If the suspect is transported by ambulance to the hospital, the officer will then have to use a blood test as the implied consent test since the breath test is not available at the hospital. The name, work address, and phone number of the medic treating the suspect in the rear of the ambulance will be obtained and listed in the officer’s report.

2. If the suspect is transported to booking and is refused by the booking deputies/jail nurse, then the suspect may be transported by the officer to the hospital and a blood test taken under implied consent. The officer will obtain the deputies and jail nurse’s name, address, and phone number and list them as a witness in the officer’s report.

It should be noted that Virginia law now allows a law-enforcement officer to arrest a DWI suspect at any location within three hours of a motor vehicle accident as long as the officer has probable cause to suspect that the person was driving or operating a motor vehicle while intoxicated (Code of Virginia § 19.2-81).

BY AUTHORITY OF:

Earl L. Cook
Chief of Police
The purpose of this directive is to define the responsibilities of this Department and the Fire Marshal's Office for the investigation of incidents involving fire, hazardous materials, and environmental offenses.

It is the policy of this Department to always work in a productive and cooperative relationship with the Fire Department in the handling of all incidents with concurrent jurisdiction.

A. The Fire Marshal's Office is responsible for the investigation and prosecution of all offenses involving:
   1. Hazardous materials;
   2. Fires;
   3. Fire bombings;
   4. Bombings;
5. Attempts or threats to commit such offenses;
6. False alarms relating to such offenses;
7. Possession and manufacture of explosive devices, substances and firebombs; and
8. Environmental crimes, i.e., the discharge of a toxic substance into the air, water, or soil.

B. The Police Department will assist the Fire Marshal's Office, upon request, in these investigations.

C. The Police Department is responsible for the investigation of non-accidental deaths and other criminal offenses in fire related incidents (see 11.9.04, B).

D. Officers at crime scenes or observing situations which they feel should be brought to the attention of the Fire Marshal's Office will notify their supervisor and indicate on the Offense/Incident Report (APD-7) that a copy of the report should be forwarded to the Fire Marshal's Office. Requests for a Fire Marshal to respond to a scene will be made by a supervisor through the Department of Emergency Communications (DEC).

E. Officers observing the commission of arson or establishing probable cause for an arson charge, which requires an immediate apprehension, should affect the arrest. The arresting officer will contact the Fire Marshal's Office and request assistance in processing evidence and gaining expert opinions on matters that are unique to the investigation and prosecution of arson.

F. Officers investigating complaints involving fires will ensure that the Fire Marshal's Office is notified unless the Fire Department is on the scene.

G. The Information Services Commander will ensure that copies of all fire related reports are sent to the Fire Marshal's Office.

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### 11.9.03 REPORTING

A. Officers will take reports on all fire related incidents, including, but not limited to:
   1. A fire related death;
   2. A fire related injury;
   3. Fires involving criminal offenses;
   4. Deliberately set fires; and
   5. Anytime specifically requested by the Fire Marshal's Office.

B. Notification of the Fire Marshal's Office does not relieve the officer at the scene from the responsibility of completing an APD-7.
A. If requested by the Fire Marshal's Office, an investigator from Criminal Investigations will be assigned to assist the Fire Marshal's Office with any fire related case which is a result of:
   1. Arson;
   2. Suspected arson;
   3. An accidental fire resulting in death; or
   4. Any incident where assistance is requested and at the approval of the Criminal Investigations Section (CIS) commander.

B. Deaths: Fire deaths, which result from an accidental cause, will remain the primary responsibility of the Fire Marshal's Office, with the notification of the Police Department. Fire deaths which result from arson, suspected arson or any other criminal offense will be investigated by the Criminal Investigations Section of the Police Department, with the assistance of the Fire Marshal's Office.

C. Other Offenses: When the examination of a crime scene, i.e., burglary, auto theft, larceny, etc., indicates that a fire or an offense listed in section 11.9.02.A., above, is also involved, the investigating officer will notify the Fire Marshal's Office and provide the case number. He or she will also document this notification in the report.

By Authority Of:

Earl L. Cook
Chief of Police
11.10.01 PURPOSE AND POLICY

The purpose of this directive is to provide guidance for the Department’s initial response to active violence incidents where the suspect(s) is taking aggressive actions intended to inflict serious bodily injury to victims. This guidance will generally be applicable until the threat(s) is located and stopped or until the Incident Command System (ICS) is activated and sufficient additional resources are deployed.

It is the policy of this department to seek out, engage and stop as rapidly and safely as possible, suspects who are actively injuring victims. It is also essential that the department establishes and maintains a sufficient level of preparedness to respond to such incidents. The protection of life is of paramount importance and the primary goal in completing our mission.

[46.1.10.c]

11.10.02 DEFINITIONS

Active Violence Incident – an incident at a populated location in which one or more suspects is actively firing a weapon, using explosive devices or otherwise seriously assaulting or attempting to locate and assault multiple victims.
11.10.03 PREVENTION AND EARLY DETECTION

All Department personnel must be aware of and recognize behaviors by students or other persons that indicate they may pose a threat to schools, worksites or other locations.
The Special Operations Division (SOD) commander is responsible for overseeing the Department’s preparations and planning for response to an active violence incident.
11.10.04 PROCEDURES
D. Supplementary Resources

1. The on-scene supervisor or watch commander will coordinate with responding Fire Department and Emergency Medical Service units and any other school or facility personnel, City or law enforcement resources called to assist with the handling of the incident. [46.1.10.b]

2. The on-scene supervisor or watch commander will coordinate with the PIO concerning public notifications for awareness and safety. [46.1.10.a]

3. As needed, request additional outside resources such as mutual aid from neighboring law enforcement agencies, the assistance of a police or med-evac helicopter or assistance from Transportation and Environmental Services to close streets in the affected area.
E. Post Incident Responsibilities

1. Police personnel will remain at the incident location and assist in restoring order.
2. An After-action report will be produced.
3. As needed, Critical Incident Stress Management (CISM) Teams will be activated.
4. An annual review of this directive and training needs will be conducted by the SOD commander. This review will be completed in a memorandum form and submitted through the chain of command to the Chief of Police for comment/approval.

BY AUTHORITY OF:

Michael L. Brown
Chief of Police
Alexandria Police Department
Directive 11.12
Lockouts

Effective Date: 07-14-2015  |  Cancells: 04-25-2008
Updated Date:  |  Section(s):  |  SME Review Date:
Updated Date:  |  Section(s):  |  2018
Updated Date:  |  Section(s):  |

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11.12.01 POLICY AND PURPOSE
11.12.02 PROCEDURES

11.12.01 PURPOSE AND POLICY

It is the policy of this Department to assist citizens locked out of their residences or vehicles only in emergency situations, and to assist other City agencies upon request. The purpose of this directive is to set forth procedures for assisting citizens when an emergency requires immediate access to their home or vehicle.

11.12.02 PROCEDURES

A. An officer will be dispatched when:

1. A dispatcher has determined that an emergency situation may exist as described below:
   a. Medical emergency.
   b. Child or disabled person locked in a home or vehicle.
   c. Animal locked in a vehicle in the sunlight, extreme cold or whose welfare is otherwise in jeopardy. In these cases an animal control officer should be requested to respond, if available, to take custody of the animal and to handle any potential animal cruelty or neglect charges.
   d. When the welfare of a person is in jeopardy.
2. A dispatcher cannot determine whether or not an emergency exists and dispatches an officer to make the determination on the scene.

3. For a police-related matter as authorized by a supervisor.

B. **If no emergency is determined to exist** as outlined above in 11.12.02.A, Department of Emergency Communications (DEC) employees will advise the caller that for liability reasons the Department does not perform these services in non-emergency situations. The caller will be referred to private assistance such as a tow company/tow truck, locksmith, auto repair shop, or auto club (*i.e.* AAA).

C. **Upon arrival on the scene, the officer will:**

1. Determine if an emergency situation exists as described in 11.12.02.A, and, if it does, proceed as follows:

2. Request proper identification from the requesting party and make a reasonable inquiry to determine that the requesting party has a right to gain entry (except in life-threatening situations or emergencies where immediate action is necessary).

3. Advise the requesting party that the City is not responsible for any damage incurred by the assisting officer, and that force might be needed to gain entry.

4. Call for assistance, when necessary, from other agencies such as the Fire Department, Emergency Medical Technicians or Animal Control.

5. Avoid forcible entry, if possible.

6. Enter the vehicle, if necessary.

7. Use extreme caution when using entry tools (such as a Slim Jim, coat hanger or other such device) on vehicles that may be equipped with side-impact air bags.
   There have been reported incidents of *air* bags activating and sending the entry tool upward with sufficient force to injure or kill.

D. Supervisors will respond when requested and will determine if a report is necessary.

**By Authority Of:**

**Earl L. Cook**
Chief of Police
11.13.01 POLICY/PURPOSE

It is the policy of this Department to protect the safety, dignity and rights of persons with mental illness and to protect the community from potentially dangerous behavior.

Mental illness is described as any of the various conditions characterized by impairment of an individual’s normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection or head trauma.

The purpose of this Directive is to establish procedures for dealing with persons who have a mental illness. These procedures include the establishment of Crisis Intervention Teams (CIT) consisting of officers with specialized training in recognizing symptoms of mental illness and identifying persons in crisis. In crisis situations involving persons threatening a high-risk suicide attempt, a member of the Hostage Negotiations Team (HNT) and a member of the Special Operations Team (SOT) should be called to
assist with the assessment of the incident. A high-risk suicide attempt is defined as one in which the attempter is threatening suicide by a method that can cause harm to others to wit: firearm, edged weapon or jumping from a high place. Nothing in this directive shall prohibit any officer from initiating lawful arrest procedures whenever appropriate.

11.13.02 AUTHORITY

Code of Virginia § 37.2-808 states in part, “A law enforcement officer who, based upon his observation or the reliable reports of others, has probable cause to believe that a person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, (ii) is in need of hospitalization or treatment, and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment, may take that person into custody and transport him/her to an appropriate location to assess the need for hospitalization without prior judicial authorization. Such evaluation shall be conducted immediately by a person designated by the community services board who is skilled in the diagnosis and treatment of mental illness in order to assess the need for hospitalization.” “The person shall remain in custody until a temporary detention order is issued, until the person is released, or until the emergency custody order expires. An emergency custody order shall be valid for a period not to exceed eight hours from the time the law-enforcement officer takes the person into custody.”

Under this section of the law, responsible person(s) may petition a magistrate to issue an Emergency Custody Order (ECO) requiring that a person (as described above) be taken into custody and transported to a convenient location to be evaluated for the need for hospitalization.

Code of Virginia 37.2-808 further states:

"The magistrate issuing an emergency custody order shall specify the primary law-enforcement agency and jurisdiction to execute the emergency custody order and provide transportation. However, in cases in which the emergency custody order is based upon a finding that the person who is the subject of the order has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, the magistrate may authorize transportation by an alternative transportation provider, including a family member or friend of the person who is the subject of the order, a representative of the community services board, or other transportation provider with personnel trained to provide transportation in a safe manner, upon determining, following consideration of information provided by the petitioner; the community services board or its designee; the local law-enforcement agency, if any; the person's treating physician, if any; or other
persons who are available and have knowledge of the person, and, when the
magistrate deems appropriate, the proposed alternative transportation provider, either
in person or via two-way electronic video and audio or telephone communication
system, that the proposed alternative transportation provider is available to provide
transportation, willing to provide transportation, and able to provide transportation in a
safe manner. When transportation is ordered to be provided by an alternative
transportation provider, the magistrate shall order the specified primary law-
enforcement agency to execute the order, to take the person into custody, and to
transfer custody of the person to the alternative transportation provider identified in the
order. In such cases, a copy of the emergency custody order shall accompany the
person being transported pursuant to this section at all times and shall be delivered by
the alternative transportation provider to the community services board or its designee
responsible for conducting the evaluation. The community services board or its
designee conducting the evaluation shall return a copy of the emergency custody order
to the court designated by the magistrate as soon as is practicable. Delivery of an order
to a law-enforcement officer or alternative transportation provider and return of an order
to the court may be accomplished electronically or by facsimile.

Transportation under this section shall include transportation to a medical facility as
may be necessary to obtain emergency medical evaluation or treatment that shall be
conducted immediately in accordance with state and federal law. Transportation under
this section shall include transportation to a medical facility for a medical evaluation if a
physician at the hospital in which the person subject to the emergency custody order
may be detained requires a medical evaluation prior to admission.

A law-enforcement officer who is transporting a person who has voluntarily consented
to be transported to a facility for the purpose of assessment or evaluation and who is
beyond the territorial limits of the county, city, or town in which he serves may take such
person into custody and transport him to an appropriate location to assess the need for
hospitalization or treatment without prior authorization when the law-enforcement officer
determines (i) that the person has revoked consent to be transported to a facility for the
purpose of assessment or evaluation, and (ii) based upon his observations, that
probable cause exists to believe that the person meets the criteria for emergency
custody as stated in this section. The period of custody shall not exceed eight hours
from the time the law enforcement officer takes the person into custody.

A representative of the primary law-enforcement agency specified to execute an
emergency custody order shall notify the community services board responsible for
conducting the evaluation as soon as practicable after execution of the emergency
custody order or after the person has been taken into custody.

Any person taken into emergency custody shall be given a written summary of the
emergency custody procedures and the statutory protections associated with those
procedures.

If an emergency custody order is not executed within eight hours of its issuance, the
order shall be void and shall be returned unexecuted to the office of the clerk of the

issuing court or, if such office is not open, to any magistrate serving the jurisdiction of the issuing court.”

**Code of Virginia § 37.2-809** - details procedures for the issuance and execution of involuntary temporary detention orders. Temporary Detention Orders (TDOs) are issued by a magistrate upon the sworn petition of any responsible person, treating physician, or upon his own motion and only after an evaluation conducted in-person or by means of a two-way electronic video and audio communication system as authorized in § 37.2-804.1 by an officer or a designee of the local community services board to determine whether the person meets the criteria for temporary detention. A temporary detention order may be issued if it appears from all evidence readily available, including any recommendation from a physician or clinical psychologist treating the person, that the person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, (ii) is in need of hospitalization or treatment, and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. The magistrate shall also consider the recommendations of any treating or examining physician licensed in Virginia if available either verbally or in writing prior to rendering a decision. Any temporary detention order entered pursuant to this section shall provide for the disclosure of medical records pursuant to § 37.2-804.2. This subsection shall not preclude any other disclosures as required or permitted by law."

Detention orders are issued in quadruplicate. The officer serving the detention order will return the original to the magistrate so it may be forwarded to the court, leave the second and third copies with the Mental Health representative at the final destination hospital, and leave the fourth copy with the patient. The final destination hospital will be noted on the original copy by the serving officer.

*The person detained or in custody shall be given a written summary of the temporary detention procedures and the statutory protections associated with those procedures.*

The office of Sheriff handles transporting persons from the final destination hospital to the court or other mental health institutions.

**Code of Virginia § 37.2-810** details procedures for transportation and detention of persons with mental illness. Should such person escape from custody, procedures can be found in § 37.2-833.

**Code of Virginia § 9.1-187** establishes Crisis Intervention Team programs. It supports the development and establishment of crisis intervention team programs in areas throughout the Commonwealth to assist law-enforcement officers in responding to crisis situations involving persons with mental illness, substance abuse problems, or both. The goals of the crisis intervention programs are to:
1. Provide immediate response by specially trained law-enforcement officers;

2. Reduce the amount of time officers spend out of service awaiting assessment and disposition;

3. Afford persons with mental illness, substance abuse problems, or both, a sense of dignity in crisis situations;

4. Reduce the likelihood of physical confrontation;

5. Decrease arrests and use of force;

6. Identify underserved populations with mental illness, substance abuse problems, or both, and linking them to appropriate care;

7. Provide support and assistance for mental health treatment professionals;

8. Decrease the use of arrest and detention of persons experiencing mental health and/or substance abuse crises by providing better access to timely treatment;

9. Provide a therapeutic location or protocol for officers to bring individuals in crisis for assessment that is not a law-enforcement or jail facility;

10. Increase public recognition and appreciation for the mental health needs of a community;

11. Decrease injuries to law-enforcement officers during crisis events;

12. Reduce inappropriate arrests of individuals with mental illness in crisis situations; and

13. Decrease the need for mental health treatment in jail.

**Code of Virginia § 9.1-188** requires the Department of Criminal Justice Services (DCJS) to develop a training program for all persons involved in crisis intervention team programs.

**Code of Virginia § 9.1-189** requires that each crisis intervention team develop a protocol that permits law-enforcement officers to release a person with mental illness, substance abuse problems or both, whom they encounter in crisis situations, from their custody when the crisis intervention team has determined the person is sufficiently stable and to refer him for emergency treatment services.

**Code of Virginia § 9.1-190** requires that the DCJS, and the Department of Behavioral Health and Developmental Services assess and report on the impact and effectiveness of the crisis intervention team programs in meeting the program goals. The assessment shall include, but not be limited to, consideration of the number of incidents, injuries to the parties involved, successes and problems encountered, the overall operation of the crisis intervention team programs, and recommendations for improvement of the program. The DCJS and the Department of Behavioral Health and Developmental

Officers having questions concerning any of the procedures cited above may access the specific code references through the Department's electronic directives system, or by referring to a State Code manual.

### 11.13.03 CRISIS INTERVENTION TEAM (CIT)

**Protocol:**

Crisis Intervention Team (CIT) Officers will assist police personnel when interacting with persons with mental illnesses and co-occurring disorders.

Based on the totality of the circumstances the CIT Officer will determine the appropriate course of action to include but not limited to criminal charges, Emergency Custody Order, or being released with recommended follow-up by mental health.

CIT Officers should consider consulting with Mental Health, booking, and other pertinent resources when determining the course of action. CIT Officers should consider Detox, the subject’s family, and the option of drop off at the Mental Health Center as options when releasing the subject from custody.

**Duties:**

A. On duty CIT member may be dispatched and/or volunteer to respond to the scene to assist with the evaluation of the person.

B. An on-scene officer may request a supervisor to assign an on duty CIT officer for assistance if needed.

C. On duty HNT personnel should be dispatched to high-risk suicide attempts. In such cases, if a CIT officer arrives on-scene prior to HNT personnel, HNT personnel will assume the lead role in establishing dialogue with the person upon their arrival.

D. All CIT officers that respond to calls involving a subject with a suspected mental illness will complete a CIT Incident Card (APD-0019) and appropriate report. They will then forward the Incident Card to the CIT Coordinator.

**CIT Coordinator:**

The Police Department’s CIT Coordinator will maintain a database of CIT contacts with subjects and any assigned follow-up. The Coordinator will submit reports as required by
the Department of Criminal Justice Services (DCJS).

11.13.04 RECOGNITION OF PERSONS SUFFERING FROM MENTAL ILLNESS

A. Indicators of Mental Illness: [41.2.7.a]

At times, officers will be faced with a situation in which no friends or family are available to provide insight into the medical history of the individual in question. Therefore, officers must have the ability to pick up on verbal, environmental, and behavioral clues, which establish the mental state of the individual in question.

These indicators include:

1. Verbal Cues:
   a. Illogical thoughts such as loose associations, grandiose ideas, ideas of persecution, and obsessive thoughts;
   b. Unusual speech patterns such as nonsensical speech or chatter, word repetition, extremely slow or rapid speech; and
   c. Verbal hostility or excitement such as talking excitedly or loudly, threatening harm, and argumentative or belligerent hostility.

2. Environmental cues:
   a. Strange decorations or inappropriate use of household items;
   b. Hoarding and accumulating trash or waste matter; and
   c. Strange attachment to childish objects or unusually shaped items.

3. Behavioral cues:
   a. Wearing bizarre makeup, clothing, or clothing which is inappropriate for the season;
   b. Strange posture or mannerisms such as constantly looking over their shoulder or maintaining an unusual position for a long period of time;
   c. Continuous pacing;
   d. Sluggish or repetitive movements;
   e. Responding to voices or objects that are not there;
   f. Confusion about or unawareness of surroundings;
   g. Lack of emotional response;
   h. Self-inflicted injury;
   i. Facial expressions of sadness or grief; and
   j. Inappropriate emotional reactions.

B. Communicating with Mentally Ill Persons:

Proper communication skills are key in de-escalating a situation involving an individual having, or suspected of having, a mental illness. Remember, your goal is to control the situation. Therefore, the following procedures will apply when communicating with persons suspected of suffering from mental illness:
1. At least two officers will be dispatched to the scene.

2. Upon arrival, only one officer will communicate with the mentally ill person and will:
   a. Speak in a clear and simple manner.
   b. Never be judgmental or taunting toward the person.
   c. Assure the person of his/her safety.
   d. Attempt to calm the individual by showing an understanding of his/her feelings.
   e. Encourage communication and allow the person to vent his/her emotions.
   f. Ask one question at a time and allow the individual adequate time to answer.
   g. Maintain eye contact and repeat the question if the individual is distracted or confused by any question.
   h. Ask the individual to repeat any instructions back to ensure comprehension.
   i. Ask open-ended questions to avoid yes or no answers.

3. The other officer(s) will:
   a. Communicate with family, friends, or neighbors regarding the mentally ill person for additional data and medical history of the person.
   b. Remove friends, family, and neighbors from the scene if they are agitating the mentally ill person.

4. All officers will:
   a. Maintain a non-threatening posture and voice;
   b. Not deceive, stare at, or ridicule mentally ill individuals;
   c. Not take verbal abuse personally;
   d. Avoid using force unless the individual becomes violent toward himself, officers, or others;
   e. Keep their weapon side away from the individual and the firearm holstered unless its use is justified.
   f. Work together to restrain the individual, if necessary.

Remember, hostility should not be met with hostility, but, rather, with carefully applied verbal commands or physical restraint. Mentally ill persons will not react conventionally to orders. The use of a weapon must be restricted to defending your life and that of other persons. Think safety and treatment, not punishment and retribution.

C. Call Classification Code

A new call classification code has been added to our dispatch system to specifically track calls for service involving mental illness cases called, "Mental Health Case". The dispatchers and call takers can select this as a classification type, and Officers can also change the call type to this classification when they complete an incident. The Communications code is "9936".

This classification should be used anytime an officer transports a subject to the hospital, or contacts Mental Health on any call involving a person in need of mental health services. Depending on the information received by Communications, calls may still initially start out with another classification (i.e., Suicide, Suspicious Person, etc.) but once the Officer has completed the investigation he/she should reclassify it as a "Mental Health Case". Officers should note in the "Remarks/Comments" section whether or not an attempt was made to obtain a TDO and whether or not it was actually obtained.

11.13.05 NON-CRIMINAL CASES

If there is no offense warranting arrest, the following procedures will apply:

A. **Voluntary Admission**

1. If the person appears to be of no danger to self or others, the officer will consult a supervisor to ascertain if transportation should be provided.

2. The responding officer may suggest that the family contact personnel at the Mental Health Center for assistance in accessing the least restrictive care.

3. If no family members can be readily contacted and the person appears to be a danger to self or others, the responding officer will make the "heads up" phone call to INOVA Alexandria Hospital (as listed in B.6.b. below) and may (non-custodially) transport the person to INOVA Alexandria Hospital.

4. The transport will be accomplished with an additional officer as needed. A supervisor will be consulted in all cases and advise whether a second officer will be utilized to assist in the transport. Officers do not need to stand by INOVA Alexandria Hospital with a Voluntary commitment.

5. No PD-7 is required in a voluntary admission case.

B. **Involuntary Detention**

The steps below are procedures for the involuntary detention of a person suspected of being mentally ill.

1. Officers responding to incidents involving persons with suspected mental illness will advise the family that they may petition a Magistrate or the General District Court for a detention order. The family should obtain assistance from Alexandria Community Services Board (703-746-3400) via a Mental Health Emergency Service Worker (MHESW) to obtain a Temporary Detention Order.
2. If the family declines to petition for a detention order and the person appears to be of no danger to himself or herself or others, the responding officer will return to service after referring the family to the Alexandria Mental Health Center.

3. If no family or other responsible party is present, and the person is no danger to self or others but exhibits obvious signs of mental illness, the officer will call the Mental Health Center and inform staff of the circumstances surrounding the call for service. Mental Health staff will arrange follow-up or outreach efforts.

4. If it is determined that the person has been personally examined within the previous seventy-two hours by a Mental Health representative, or other person skilled in the assessment and treatment of mental illness, a magistrate may issue a temporary detention order without an in-person evaluation.

5. In talking to either a magistrate or the Mental Health representative, officers will simply describe the activities of the person, avoiding the use of technical terms.

6. If no family is available and the Officer has probable cause to believe that the person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, (ii) is in need of hospitalization or treatment, and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment, the responding officer will make notification as described below and custodially transport the person to INOVA Alexandria Hospital, accompanied by a second officer if needed.

   a. Notification of Alexandria Community Services Board (Mental Health) and INOVA Alexandria Hospital - The 24-hour telephone number for the Alexandria Mental Health Center, located at 720 N. St. Asaph Street, is 703-746-3400. After normal working hours this number is answered by a Mental Health staff member, who will furnish any necessary assistance. Officers will call the above number when they find themselves in a situation that may result in taking an individual to INOVA Alexandria Hospital. Upon receiving this notification, the on-duty mental health worker will go to the emergency room to assist the police in a more timely manner. This notice should minimize waiting for a mental health assessment of an individual in police custody. It should be noted, however, that the Mental Health Emergency Service Worker (MHESW) cannot evaluate the patient in the Emergency Room (ER) until they have been asked to do so directly by ER staff.

   b. Officers will also make a “heads up” phone call to the charge nurse at INOVA Alexandria Hospital at 703-504-3065, which is a 24-hour telephone number. Advise the charge nurse of the following if practical to do so:
7. **Officers have the statutory authority to detain the person for up to eight (8) hours; either by execution of an ECO, or based on probable cause. Officers will follow normal search and handcuffing procedures specified for arrest situations, and may take any other reasonable steps concerning physical restraint.**

a. The officer shall give written summary of the emergency custody procedures and the statutory protections associated with those procedures to the detainee.

b. The MHESW will evaluate the person at INOVA Alexandria Hospital and advise if they will obtain a TDO. If a TDO is not obtained and there are no criminal charges, the officer should complete the “Mental TDO” report and is no longer responsible for the person.

c. If a TDO is obtained, the officer will execute it, give a written summary of the temporary detention procedures and the statutory protections associated with those procedures to the detainee and complete the “Mental TDO” report.

d. Once cleared medically, the charge nurse will advise the officer to transport the person to a particular INOVA Hospital for mental health detention. Mount Vernon Hospital is the primary location and Fairfax Hospital is the secondary.

e. A supervisor will be consulted in all cases and will advise whether a second officer will be utilized to assist in the transport. Beginning and ending mileage will be documented. There will be a short registration process at the destination hospital and the officer’s responsibility for the person will then be complete.
A. Persons believed to be mentally ill may still be taken into custody if they have committed an offense warranting a custodial arrest.

B. Persons believed to be mentally ill who are subject to custodial arrest may be interviewed about the offense, if it appears to the officer that the defendant, notwithstanding mental illness, is capable of a rational understanding of the charges against him and is capable of understanding his rights pursuant to Miranda v. Arizona. If the officer believes the person is capable of such understanding, the interview should be conducted in accord with the requirements of appropriate procedures and directives governing interviews. [41.2.7.c.]

Whether or not an officer conducts an interview under such circumstances, the officer should document in detail all observations made related to the mental health of the person taken into custody on a criminal charge, in accord with the factors listed as indicators of mental illness in Section 11.13.03.A. This information may prove important in the prosecution of the case in establishing the defendant's mental state at the time of the offense, or competence to stand trial. Such information should be included in a supplemental report completed by the officer.

C. Officers will advise a booking deputy of the arrestee's apparent mental condition so appropriate monitoring and referral to mental health care while in detention will occur.

D. Persons considered a danger to self or others (as described in 11.13.02) will be custodially taken to INOVA Alexandria Hospital for evaluation by a MHESW, the responding officer will make notifications to the CSB and to INOVA Alexandria Hospital (as listed in B.6.a and b. above). The officer shall give the detainee a written summary of the emergency custody procedures and the statutory protections associated with those procedures. If a Temporary Detention Order (TDO) is issued, it will be executed and a written summary of the temporary detention procedures and the statutory protections associated with those procedures will be given to the detainee. Criminal warrants may still be obtained, but executed only when the person is no longer detained for mental health reasons.

1. Once cleared medically, the charge nurse will advise the officer to transport the person to a particular INOVA Hospital for mental health detention. INOVA Mount Vernon Hospital is the primary location and INOVA Fairfax Hospital is the secondary.

2. A supervisor will be consulted in all cases and will advise whether a second officer will be utilized to assist in the transport. Beginning and ending mileage will be documented. There will be a short registration process at the destination hospital and the officer’s responsibility for the person will then be complete.
E. Officers will document actions taken in all cases involving persons involuntarily detained due to mental illness by completing an APD-7 and classifying the report title as “Mental TDO”. In criminal cases, the details will be included in the report documenting whatever criminal offense is involved, entitled as such, to include “Mental TDO”. When appropriate, the supervisor approving a report involving mental illness will cause a flag to be entered in the hazard file in Communications.

11.13.07 ESCAPEES FROM MENTAL INSTITUTIONS

A. When officers apprehend an escaped mental patient as a result of a Teletype or other means, they will verify the wanted status with VCIN. After verification the patient will be transported to one of the below locations, depending upon the time of day. Prior to transporting the patient, the officer will notify the appropriate facility by phone and fax them a copy of the Teletype, which will expedite the processing of the patient. A second officer will be considered for transport as outlined in this directive.

MONDAY - FRIDAY, 8 AM to 5 PM:
Northern Virginia Mental Health Institute
3302 Gallows Road
Falls Church, Va. 22042
(Located behind Fairfax Hospital, take Gray entrance)
Phone (703) 207-7157
Fax (703) 645-3119 or (703) 207-7150

MONDAY - FRIDAY, 5 PM to 8 AM, WEEKENDS AND HOLIDAYS:
Woodburn Mental Health Clinic
3340 Woodburn Road
Annandale, VA. 22003
(Located 2 blocks from INOVA Fairfax Hospital.)
Phone (703) 573-5679
Fax (703) 876-1640

B. Arresting officers will complete an Offense/Incident Report (APD-7) entitled “Mental TDO” and a Suspect/Arrest Report (APD-7B) recording all pertinent information concerning the apprehension of the escapee. No warrants, fingerprints, photographs or Central Criminal Records Exchange (CCRE) forms are required.

C. A copy of the Teletype will be attached to the (APD-7). Another copy of the Teletype will be left with the supervisor of the facility involved, either Northern Virginia Mental Health Institute or Woodburn Mental Health Clinic.
D. Arresting officers are responsible for notifying the Office of Sheriff, which is responsible for contacting the mental institution involved and making the arrangements for returning the escapee. Officers will also notify a Communications supervisor, who is responsible for sending a message to the originating agency.

11.13.08 TRAINING

A. Entry level training on this directive will be completed and documented by the Patrol Training Coordinator during local training for new employees. [41.2.7.d]

B. Refresher training on this directive must be completed at least every three years, and documented by the Personnel and Training Section. [41.2.7.e]

By Authority Of:

Earl L. Cook
Chief of Police
11.14.01 POLICY & PURPOSE

The policy of this department is to provide prompt and appropriate response to all calls for service.

The purpose of this directive is to establish procedures for handling calls for service involving vehicles that were used in the commission of, and/or flee from, serious felonies.

11.14.02 DEFINITIONS

Carjacking – a robbery that involves the theft of a motor vehicle.

Felony Vehicle – a vehicle used in the commission of, and/or to flee from, a serious felony, such as murder, rape, robbery, felonious assault, burglary, etc. This determination shall be made by the officer responsible for handling the call or the scene supervisor. Felony vehicles may remain in VCIN/NCIC for up to 90 days.

Grand Larceny Auto – theft of an automobile valued over $200.00.
11.14.03 RESPONSIBILITIES AND PROCEDURES

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6. Officers must note on their incident report (APD-7) the name of the ISS employee notified of the felony or carjacked vehicle entry and the time of the notification.

7. Officers or detectives assigned follow-up investigations of cases involving felony vehicles entered into VCIN/NCIC are responsible for contacting ISS to cancel lookouts when they are no longer needed. A supplement documenting the cancellation will be completed.

C. ISS Responsibilities and Procedures:

1. Vehicles taken in carjackings (confirmed) will immediately be entered into VCIN/NCIC as stolen, with the appropriate caution code, once an officer on the scene confirms the offense and provides the necessary information.

2. A copy of all lookouts and entries to VCIN/NCIC will be printed and forwarded to the Criminal Investigations Section (CIS).

3. ISS employees who receive information that a vehicle was recovered by another agency, such vehicle having been previously entered by APD into VCIN/NCIC with a request to hold it for evidentiary processing, shall inquire if the vehicle will be processed by the other agency.

   If not, and if the vehicle is recovered in the metropolitan area:

   a. **ISS personnel will inform the recovering agency of the interest of APD to process the vehicle.**

   b. **ISS personnel will notify Crime Scene Investigations (CSI) and provide them with the vehicle recovery information, including the recovering agency, location, APD case number and the vehicle’s identifying information.**

   c. The Crime Scene Investigations Section will make contact with the CIS commander or supervisor if there is a concern or question whether CSI should respond.
4. The ISS employee receiving a Teletype notification of any recovered vehicle will make a copy of the Teletype and forward it to CIS immediately. A notation will be made on the Teletype of the ISS employee’s name. When a recovery occurs between 7:00 AM and 5:00 PM phone contact will be made with a CIS administrative support as well.

BY AUTHORITY OF:

Earl L. Cook
Chief of Police
It is the policy of this Department to use a victim-centered approach in the investigation of sexual violence. A victim’s distress may create an unwillingness or psychological inability to assist with the investigation. Officers and detectives play a significant role in both the victim’s willingness to cooperate in the investigation and ability to cope with the emotional and psychological after effects of the crime. Therefore, it is especially important that these cases be handled from a nonjudgmental perspective so as not to communicate in any way to a victim that the victim is to blame for the crime.

The Department recognizes the fact that sexual assaults (rape, forcible sodomy, sexual battery, object penetration, and attempts thereof) are personal violent crimes that have great psychological and physical effects on the victims. Those who are lesbian, gay, bisexual or transgender identified may have specific privacy needs depending on whether the individual is "out" to others in their lives. Sensitivity and awareness about the particular obstacles and barriers victims of same-sex sexual assault face in reporting is of critical importance.

The purpose of this directive is to provide officers with procedures for responding to reports of sexual violence, assisting victims, and conducting brief, preliminary interviews with victims, witnesses, and suspects.

Pursuant to Virginia Code §19.2-9.1 neither the detective assigned nor any other law enforcement officer, attorney for the Commonwealth, or other government official shall ask or require a victim of an alleged sex offense to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an offense. If a victim is requested to submit to a polygraph examination during the course...
of a criminal investigation, such victim shall be informed in writing and that the refusal of
a victim to submit to such an examination shall not prevent the investigation, charging,
or prosecution of the offense.

11.15.02 DEFINITION

Sexual Violence as used in this directive refers to felony crimes of sexual assault. Those crimes include rape, attempted rape, forcible sodomy, carnal knowledge (statutory rape), aggravated sexual battery, inanimate or animate object sexual penetration, crimes against nature and incest, and indecent liberties with child.

11.15.03 PROCEDURES

A. Dispatcher or Call Taker

1. When a caller reports a sexual assault, Department of Emergency Communications (DEC) personnel should elicit the initial facts of the situation and determine whether the victim or others are in life-threatening danger or in need of emergency medical attention.
C. First line Supervisors

1. Respond to assist officers investigating felony sexual assaults.

2. Exhibit sensitivity to victims and ensure that victims are dealt with properly by clarifying their expectations to line officers.

3. Call the on-duty Criminal Investigations Section supervisor as soon as a felony sex offense is confirmed. If CIS is not on-duty, contact the commander of the Crimes Against Person Section.

4. Ensure that patrol officers complete a report that documents their actions at the crime scene.

5. If a suspect is located, ensure that officers do not mirandize or question about the offense.

D. Criminal Investigations Section

1. A detective will respond to handle a sexual assault investigation as soon as he/she is made aware of the offense.
2. As soon as a detective arrives, he/she assumes control of the crime scene and the investigation.

3. The investigation of the case will be handled in accordance with standard operating procedures of the Criminal Investigations Section.

4. All medical fees expended in the gathering of evidence through physical evidence recovery kit examinations conducted on victims complaining of sexual assault under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 shall be paid by the Commonwealth pursuant to subsection F of § 19.2-368.11:1. Victims complaining of sexual assault shall not be required to participate in the criminal justice system or cooperate with law-enforcement authorities in order to be provided with such forensic medical exams.

5. Information on legal and community resources available to alleged victims of sexual assault will be provided by the assigned detective. Note, this may be accomplished by giving the victim a victim assistance card.

E. Crime Scene Investigation

1. ONLY Crime Scene Investigators will process evidence at the scene of any sexual assault.

2. The scene will be processed in accordance to the standard operating procedures of the Crime Scene Investigations Section.

BY AUTHORITY OF:

Earl L. Cook
Chief of Police
11.16.01 PURPOSE AND POLICY [61.1.13]

The purpose of this directive is to set forth standards for the enforcement of parking violations, including guidelines for the booting of vehicles, the use of vehicle check notices, and guidance for handling contested parking citations.

It is the policy of this Department to accurately account for all parking citations and to provide a method for reviewing and administratively handling contested citations, invalid citations, and citations issued in error.

11.16.02 AUTHORITY

The authority to enforce parking violations is provided by law in the Alexandria City Code:

- Title 10, Chapter 4 governs parking violations.
- Title 3, Chapter 2, Article S sets forth payment, contesting and enforcement of parking citations.
- Title 5, Chapter 8, Article C provides for disposition of abandoned vehicles.
- Title 13, Chapter 1, Section 19 addresses the unauthorized removal of a boot from a vehicle.
A. Police Department Responsibilities:

1. Officer Responsibilities:

   a. When working and available, Parking Enforcement Officers (PEOs) have the primary responsibility of enforcing all parking violations throughout the city. Police officers have the primary responsibility of enforcing parking violations when PEOs are not working or are not available.

   b. Officers/PEOs will ensure that all Parking Citations are filled out completely and legibly.

      i. PEOs using automated ticketing devices will take photos of each violation, license plate of the violator vehicle and any other applicable photos for evidentiary purposes.

      ii. Officers/PEOs will make “Officer’s notes” about the violator’s actions for use as evidence of the violation.

      iii. Officers/PEOs should refer to the state or city code for elements of an offense.

   c. Completed hand written paper Parking Citations will be turned over to a supervisor for review and approval, and will be turned in to the lower level mailbox marked “Parking Tickets” prior to the end of the officer’s shift.

2. Supervisor Responsibilities:

   A supervisor will review each citation. If approved, they will legibly note their initials and serial number in the upper right hand corner of each citation prior to it being placed into the lower level mailbox marked “Parking Tickets”.

3. Nothing in this order prohibits PEOs or police officers from taking enforcement action when necessary, including when assigned by the Department of Emergency Communications (DEC) or when citizens advise of violations.

B. The Finance Department is responsible for handling all fees associated with parking citations. The Impound Lot business hours for vehicles that are immobilized and/or impounded is Monday thru Friday, 8:00 A.M. to 6:45 P.M. and can be reached at 703-746-4664.

C. Duncan Solutions is the city’s contractor responsible for handling the Department’s citation management system.
A. Routinely PEOs and police officers will issue a citation upon observation of a vehicle parked and/or unattended in violation of law. This is not intended to infringe on the normal discretion that such employees have in application of their duties, however employees should be prepared to articulate their reasons for the use of discretion, if needed.

B. Immobilization (Booting) of Illegally Parked Vehicles:

1. Only PEOs will boot vehicles. Booting will be done in accordance with the Parking Enforcement SOP on vehicle immobilization.

2. For the general information of other employees, a summary of vehicle booting procedures is below. For complete booting procedures see the Parking Enforcement SOP on vehicle immobilization.
   a. Vehicles may be booted when there are at least three outstanding parking citations over 30 days old. The PEO will verify the vehicle is bootable through the use of the MDB’s Duncan Autoprocess program; otherwise they will contact the Parking Unit office.
   b. If the vehicle qualifies for booting, the PEO will mark out on the MDB or advise the dispatcher of their location and then apply the boot.
   c. If the operator of the vehicle returns and a problem arises, the PEO may request a police officer and/or supervisor for assistance.
   d. After the boot is applied, the PEO will complete an Immobilization Notice (APD-200 form) and place the original on the driver’s side of the windshield. The PEO will mark themselves available on the MDB or advise the dispatcher.
   e. The PEO will immediately record the status of the booted vehicle in the Duncan program via the MDB. If the MDB is inoperable the PEO will advise the Parking Enforcement office that the vehicle was booted, the location of the vehicle and the boot number so it can be entered into the Duncan Solutions computer program.
      i. If a vehicle is booted after hours and the MDB is inoperable it is the booting officer’s responsibility to ensure the information is entered in a timely manner by responding to the Parking Enforcement office to enter the necessary information in the Duncan program.
      ii. It is important to do this before the vehicle owner/operator responds to the city’s Finance Department to pay the citations.
   f. If a booted vehicle is located within a restricted location (i.e.; HOV) the vehicle will be booted until it is relocated then re-booted following guidelines stipulated in Police Directive 11.22, Impounding/Removing Vehicles. The vehicle may be impounded after 24 hours if the outstanding citations are not paid.
g. If the vehicle qualifies to be booted, the vehicle may be impounded instead of booted if at least one of the following conditions apply:
   i. The total amount of fines due is $300 or more;
   ii. The tires of the vehicle are too big to boot; and/or
   iii. The vehicle may be damaged if the boot is applied.

h. Vehicles shown in the Duncan Solutions computer as “escaped from boot” may be impounded.

i. After 24 hours, if the citations remain unpaid the vehicle will be impounded (see Police Directive 11.22, Impounding/Removing Vehicles). The boot will not be removed until the wrecker has arrived on the scene.

j. Once the boot is removed, either after the citations are paid or the vehicle is impounded, the PEO will immediately record the change in vehicle status through the MDB’s Duncan Autoprocess program, otherwise advise the Parking Enforcement office so the Duncan computer program can be updated.

k. It is the Parking Enforcement Officer’s responsibility to record the booted status of a vehicle on the boot scratch sheet form located in the Parking Unit office (for entry into the boot scratch database).

C. Seventy-Two Hour Checks of Vehicles

1. Employees initiating a seventy-two hour check, whether due to a citizen complaint or personal observation, will conduct a wanted check of the vehicle (both VIN and license plate number) prior to issuing the Vehicle Check Notice (APD-52C). If the wanted check is negative, an APD-52C will be issued. The yellow copy will be placed on the vehicle.

2. On the white original and gold copy, the employee will make notes sufficient to establish at a later time whether the vehicle has been moved since the APD-52C was issued. An example includes drawing the front and rear tires of the curb-side of the vehicle and indicating where the air valve stems are located on each tire. If using this method of “marking” the vehicle’s location, do not put that information on the pink or yellow copies of the APD-52C. The employee will keep the original (white) APD-52C.

3. The employee will make a reasonable effort to locate the owner at the time the APD-52C is placed. This may be done by leaving the pink copy at the address of the registered owner, if the address is within the city limits and if personal contact is not practical. If the registered owner is local but outside the city limits, a reasonable effort will be made by the officer to notify the owner by phone of the seventy-two hour check.

4. The gold copy will be forwarded to DEC and will be kept on file for seven days. After seven days, the gold copies of the APD-52Cs will be sent to the issuing employee for follow up.

5. It is the issuing employee’s responsibility to follow up on APD-52Cs.
6. Upon observation by a PEO or police officer, or after receiving a citizen complaint with employee confirmation, a vehicle having an expired APD-52C will be cited for the violation and may be impounded following established impound procedures (see Police Directive 11.22, Impounding/Removing Vehicles). The officer will notify DEC of the impound. The employee impounding the vehicle will attach the APD-52C (original or DEC copy) to the Towed Vehicle Report (APD-52) and file it with the other impound paperwork.

D. Abandoned Vehicles

1. Alexandria City Code §5-8-21 defines an abandoned vehicle as a motor vehicle, trailer or semi-trailer, or any part thereof that:
   a. Is left unattended on public property for a period of more than 48 hours in violation of the Code of Virginia (1950), as amended, or this code; or,
   b. Is left unattended on the shoulder of a primary highway.

2. Alexandria City Code §5-8-22 only gives the authority to impound abandoned, unattended and immobile vehicles. Under this section a citation is not applicable. The officer need only place a 48-hour check (Abandoned Vehicle Check Notice - APD-52D) as appropriate.

3. Distribute the original and copies of the APD-52D in the same manner as the APD-52C (listed above in 11.16.04. C).

4. Also see City Code §§5-8-61(2) and 5-8-21(2)(a) for further information.

E. Vehicles displaying United States diplomatic license plates will not be cited for failing to display a city tag or state inspection sticker.

F. Accountability of the Parking Citation and Copies:

1. Officers will sign out Parking Citation books from the Property Section during regular business hours. When Property is closed Officers will sign out Parking Citation books from the Information Services Section (ISS). Property and/or ISS personnel will forward the completed sign out sheet (APD-0226) to the Parking Unit so it can be logged in the automated tracking program.

2. A parking citation that is begun but not completed must be voided (by a supervisor legibly noting their initials and serial number and writing VOID across it) and turned in to the lower level mailbox marked “Parking Tickets” prior to the end of the officer’s shift.

3. The loss of a parking citation will be reported to the officer’s immediate supervisor and email notification forwarded to the Parking Sergeant (for entry in the automated tracking program).

4. The top copy of the parking citation is given to the violator or placed on the windshield of the violator vehicle. The second copy is turned in to the officer’s supervisor for approval prior to the end of the officer’s shift. The approved copy is turned in to the lower level mailbox marked “Parking Tickets”.
CONTESTED CITATIONS

A. If the ticket is valid on its face or validity is unknown, regardless of whether it has been entered into the Duncan Solutions Computer, citizens should be advised to follow the instructions on the back of the citation for contesting the citation.

1. Complaints received by police employees regarding parking citations, parking issues or parking staff will be referred to the Parking Unit Supervisors.
   a. Complaints received by telephone or in person: Regardless of the source of the complaint, the employee should listen to complaining persons to allow them to have an opportunity to express themselves.
      i. If complaining parties are still unsatisfied and wish to speak to the issuing employee's supervisor, they should be afforded the opportunity to do so. However, unless the supervisor discovers some mistake in the citation, the supervisor will again advise the person to follow the instructions on the back of the citation to contest it.
      ii. Reminder: do not become involved in arguments or discussions on the merits of the citation, and courteously give any information requested as to the procedure for handling the citation (see Police Directive 2.2, Rules of Conduct).
   b. Complaints received by email, letter or fax: Any written complaint about a parking citation will be brought to the attention of the citation writer’s supervisor or commander and will be responded to in writing, either by email, through the mail or by return fax.
      i. Commanders will create acceptable written responses for use within their command.
      ii. If a parking citation was received with the original correspondence, it will be returned with the response.

B. If the ticket is invalid and NOT yet entered into the Duncan Solutions Computer: If a supervisor determines that a citation is invalid on its face, or that good cause exists for the citation to be retracted, that supervisor may void the citation.

1. Examples of citations that may qualify for voiding:
   a. Officer error
   b. Equipment malfunction
   c. Other extenuating circumstances.

2. Handwritten paper Parking Citations may be voided by recovering both copies and writing VOID on the bureau copy, after which both will be submitted as usual after review by a supervisor.
C. **Appeals:** Parking citations are contested in the Alexandria General District Court. Appeals of the decision of the General District Court must be made within ten (10) days to the Circuit Court, through the General District Court clerk’s office. The General District Court clerk’s office automatically schedules the hearing date upon receiving notice of the appeal. The appeal paperwork is also automatically forwarded to the Commonwealth’s Attorney’s Office, for the hearing which occurs in the Circuit Court. Once the Commonwealth’s Attorney’s Office receives notice of the appeal, a subpoena is sent to the involved Officer/PEO. The Commonwealth’s Attorney Office will contact the Officer/PEO prior to the hearing if more information is needed.

D. Commanders should share information about parking issues that come to their attention with the Parking Unit.

**BY AUTHORITY OF:**

Earl L. Cook  
Chief of Police
Alexandria Police Department
Directive 11.17

Public Intoxication

Effective Date: 04-01-2015
Cancels: 05-01-2009

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11.17.01 POLICY AND PURPOSE

It is the policy of this Department to have persons who are subject to arrest for public intoxication (also called "drunk in public") and who meet the below criteria, evaluated for admittance to the Alexandria Detoxification Center (Detox) prior to being transported to the Sheriff's Office at the Adult Detention Center.

The purpose of this directive is to set forth procedures for evaluating and transporting publicly intoxicated persons to Detox as an alternative to arrest. The diversion of such persons from the criminal justice system is intended to reduce the use of criminal justice resources and to assist individuals in receiving needed services.

11.17.02 AUTHORITY

Detox provides non-medical alcohol and drug detoxification services. Since the General District Court has approved Detox, officers are authorized to transport public inebriates to the Detox Center in lieu of arrest, in accordance with Virginia Code
18.2-388, and Alexandria City Code 13-1-5. It should be noted that the charge of public intoxication, whether the intoxication results from alcohol, any drug, or other intoxicant is applicable under both the state code and the city code.

Under no circumstances will an officer issue a Virginia Uniform Summons for violating Virginia Code Section 18.2-388 or Alexandria City Code Section 13-1-5 to any person arrested for public intoxication. This includes any person transported to the Detox Center or a hospital.

11.17.03 RULES AND RESPONSIBILITIES

A. Adult persons taken into police custody for public intoxication will be taken to the Detox Center in lieu of arrest and transport to the Alexandria Sheriff’s Detention Center to be brought before a magistrate except when:

1. Other criminal charges are placed against the individual, including those that are releasable on a summons and interdiction. Note that officers should use appropriate discretion in placing additional charges that may arise as the result of the subject’s intoxication.

2. The person is wanted for other criminal charges.

3. The person is uncooperative or violent.

4. The person refuses to go to the Detox Center.

5. The person has walked away from the Detox Center in the last 72 hours.

6. The Detox Center is full.
   a. Employees will notify the dispatcher when they become aware that the Detox Center is full.

11.17.04 PERSON MEETS CRITERIA FOR DETOX CENTER

A. If the person meets the criteria for admittance to the Detox Center the officer will:

1. Transport the person to the Detox Center in accordance with Police Directive 10.27, Prisoner Transport.

2. Allow the Detox Center counselor to advise the person of the rules and regulations of the program.
3. Complete a Police Diversion Record and turn it over to the Detox center counselor if the person is accepted.

4. Complete an APD-7B and mark the appropriate box, (Detox or Arrest).

B. If the person is rejected by the Detox Center for medical reasons only, the officer will transport the person to the hospital in lieu of arrest, only if the person is willing to go to the hospital.

1. The officer may leave the person at the hospital in lieu of arrest.

2. If the officer chooses to charge the subject with drunk in public under the Virginia or City of Alexandria Code, the officer will respond to the magistrate’s office and petition the magistrate for a warrant releasable as a summons. The officer will then respond back to the hospital and execute the summons. These actions will be documented on the APD-7B.

C. If the person is rejected by the Detox Center for reasons other than medical, or the person refuses to go to the hospital, the officer will:

1. Transport the person to booking in accordance with Police Directive 10.27, Prisoner Transport.

2. Obtain a warrant from the magistrate for public intoxication.

3. Give the Police Diversion Record to the booking deputy, making sure the reason for rejection is put on the Police Diversion Record.

4. Mark the appropriate box, (Detox or Arrest) on the APD-7B.

11.17.05 PERSON DOES NOT MEET CRITERIA FOR DETOX CENTER

A. If the person does not meet the criteria for admittance to the Detox Center the officer will:

1. Transport the person to booking in accordance with Police Directive 10.27, Prisoner Transport.

2. Obtain a warrant from the magistrate for public intoxication.

3. Mark the appropriate box, (Detox or Arrest) on the APD-7B.

B. Whenever the officer transports the inebriate to the Alexandria Sheriff’s Detention Center, regardless of whether or not they meet criteria for Detox or has been refused by Detox, the person has been arrested.
C. If the Sheriff’s Office refuses to admit the person for medical reasons, the officer will transport the person to the hospital and **must** retain custody of the person until he/she has been treated and cleared by the hospital. Once cleared, the person will be transported back to the Detention Center and brought before a magistrate.

### 11.17.06 UNCONSCIOUS PERSONS

1. When an officer encounters an unconscious person or person in obvious need of medical attention, whether suspected of public intoxication or not, Emergency Medical Services (EMS) will be called to *evaluate the subject and transport him/her to the hospital, as necessary.*

2. If the subject is transported to a hospital, no further action is required by the officer unless needed to escort EMS on the transport due to the person’s behavior.
   
   a. *If medical staff requests an officer to respond to the hospital due to the person’s behavior and they have completed treatment of the person or determined that the person does not need medical attention, the officer will obtain discharge papers, which may be required prior to admittance to the Detox Center or the Adult Detention Center.*

   b. *The officer will then take the person to the Detox Center unless one of the exceptions under 11.17.03.A has been met.*

   c. *If the person does not meet criteria for Detox he or she will be taken to the Alexandria Sheriff’s Detention Center to be brought before a magistrate.*

3. If the subject is not transported to a hospital by EMS, the officer will take the person to the Detox Center unless one of the exceptions under 11.17.03.A has been met.

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**By Authority Of:**

**Earl L. Cook**  
Chief of Police
Alexandria Police Department
Directive 11.21

Traffic Enforcement

Effective Date: 04-14-2015  
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11.21.01 POLICY/PURPOSE

The Alexandria Police Department is committed to strict enforcement of all hazardous violations that contribute to personal injury, death, or serious property damage. These violations include, but are not restricted to:

Operation of a vehicle by a driver under the influence of alcohol/drugs; [61.1.5, a]
• Operation of a vehicle after driving privileges have been suspended or revoked; [61.1.5, b]
• Speed violations; [61.1.5, c]
• Other hazardous violations; [61.1.5, d]
• All multiple violations, if hazardous in nature; [61.1.5, i]
• All newly enacted laws, if hazardous in nature; [61.1.5, j]
• All violations identified in the course of an accident investigation; and [61.1.5, k]
• Pedestrian/bicycle violations likely to lead to injury or death; [61.1.5, l]

Officers may exercise discretion, based on the circumstances, for the following violations:
• Off-road vehicle violations; [61.1.5, e]
• Equipment violations; [61.1.5, f]
• Public carrier/commercial vehicle violations; and [61.1.5, g]
• Other non-hazardous violations not contributing to personal injury or serious damage. [61.1.5, h]

This enforcement policy is not meant to restrict officers from taking action or from using their discretion to place charges in order to reduce nuisance conditions, resolve problems or accomplish the proper and safe operation of vehicles on a City right-of-way. [61.1.5, a - l]

### 11.21.02 Authority

The authority governing this Directive is provided in the Code of Virginia, Title 46.2 and Section 15.2-1704, and Title 10 of the Alexandria City Code. All officers are given the authority, under State code, to enforce State and City traffic code.

### 11.21.03 Responsibilities

A. **The Chief of Police** is responsible for providing clear guidance on the Department’s traffic enforcement policy and the use of discretion in traffic enforcement. [1.2.6; 61.1.5]

B. **The Patrol Operations Bureau (POB) Commander** is responsible for ensuring that the Department's traffic enforcement policy is implemented. [61.1.5]

C. **The Traffic Division Commander** is responsible for:
   1. Ensuring that the Department's selective traffic enforcement personnel are utilized in an efficient and effective manner to reduce accidents and address special problems and that their activities, techniques, and deployment are evaluated and reported to the POB Commander. The Commander will also ensure that an annual analysis of traffic accidents is conducted, and used as a means to reduce traffic accidents. [61.1.1; 61.1.6]
2. Assigning the Traffic Unit Supervisor to maintain liaison with local and/or regional traffic planning committees, such as the Council of Governments Traffic Committee and the City of Alexandria’s Traffic and Parking Board, and reporting, as needed, to the POB Commander. [61.3.6]

3. Transmitting accident information and other enforcement data to local/regional traffic engineering authorities, such as the Council of Governments, U.S. Department of Transportation, and the City’s Department of Transportation and Environmental Services (T&ES). [61.3.1, b]

D. The Commander of the Information Services Section is responsible for ensuring proper classification and routing of reportable accident reports to the Division of Motor Vehicles. [61.3.1, b]

E. The Traffic Unit Supervisor is responsible for conducting quarterly inspections of, and for coordinating calibrations and repairs on, all radar equipment.

F. Supervisors are responsible for the review of a VUS (to include ensuring the ISS copy is legible) and any reports relating to traffic offenses written by officers. Supervisors will ensure that the reported information is accurate, complete and that the paperwork is turned in to Information Services.

G. All Sworn and Limited Enforcement Personnel are responsible for complying with Department policies on traffic enforcement, direction and control. The POB has the primary responsibility for traffic enforcement, with Traffic Enforcement serving specialized enforcement needs.

H. All Sworn and Limited Enforcement Personnel are responsible for:
   1. Providing general assistance to highway users, as necessary; [61.4.1.a]
   2. Arranging for provision of fuel, mechanical and/or towing services, according to established Department policies and contract agreements; [61.4.1.b]
   3. Providing assistance and protection to persons stranded in vehicles, which may include transporting motorists away from hazardous locations to a place of safety; and [61.4.1.c]
   4. Providing emergency assistance whenever possible, to include emergency medical assistance (if so trained) and short-term fire-suppression activities. [61.4.1.d]
I. All Sworn and Limited Enforcement Personnel are responsible for referring (through DEC) complaints of traffic engineering or highway maintenance concerns to the appropriate agency, such as City T&ES or the Virginia Department of Transportation, as soon as they become aware of such conditions. DEC personnel are responsible for promptly relaying such messages to the appropriate agencies. This does not preclude employees from calling the My City Program at 703-746-5555 to report non-hazardous conditions and thus relieve Communications of the task. [61.3.1.a; 61.4.2]

11.21.04 TRAFFIC DIRECTION AND CONTROL

A. Any Department personnel authorized to direct traffic will ensure:
   • that proper traffic direction and control is maintained at scenes of traffic accidents by establishing a safe traffic pattern around the crash scene using flares, reflectors, cones or barricades as available; [61.3.2.a]
   • the use of standard hand and arm signals, gestures, voice commands, and whistle to control the actions of vehicles, in accordance with Code of Virginia § 46.2-1309; [61.3.2.b]
   • the provision of assistance to Fire Department personnel at fire scenes, to include maintaining open access to and from the scene for Fire apparatus and emergency rescue personnel, providing crowd control, and arranging for any other assistance required by the fire scene commander or other proper authority; [61.3.2.c]
   • that special measures are taken when necessary during periods of adverse road and weather conditions to facilitate the smooth flow of traffic, such as removal of obstructing vehicles; [61.3.2.d]
   • that only personnel who have received specialized training from City T&ES are permitted to manually operate traffic control devices, and then only in accordance with Code of Virginia § 46.2-833 and 834; [61.3.2.e]
   • that temporary traffic control devices (such as flares or traffic cones) are used when appropriate, and retrieved and/or disposed of afterward. Approval from a supervisor or commander is required before requesting delivery of semi-permanent traffic control devices (such as barricades) by T&ES; and [61.3.2.f]
   • that any Department personnel directing traffic are in uniform and wearing a reflective garment. [61.3.2.g]
B. **Sworn and Limited Enforcement Personnel** directing traffic at scenes of special events or unusual occurrences (e.g., civil disorders; hostage/barricade situations) must allow only authorized traffic to enter the perimeter. All other traffic must be routed to other areas.

C. Escort Services may be provided under certain circumstances so that safe, efficient and orderly passage on the City’s streets can be shared with the normal traffic. With prior approval, escorts may be provided to:

- Funerals (in accordance with Traffic Unit Standard Operating Procedures);
- VIPs (in accordance with Special Operations Team Standard Operating Procedures);
- Public officials, dignitaries, organized groups, parades, and special events;
- Oversized vehicles and hazardous/unusual cargo;

Note: Requests for escorts should be referred to the Traffic Unit Supervisor for consideration during normal business hours. The Traffic Unit Supervisor may approve routine requests for escorts under guidelines provided through the normal chain of command. Requests for escorts that come in after normal business hours, and that will occur before the next business day, should be referred to the Patrol Watch Commander for appropriate action.

D. No AM or PM rush hour escorts are permitted without the permission of the Chief of Police, and all unusual escort requests must have advance approval from the POB Commander.

E. Officers will not escort civilian vehicles in medical emergencies because of the inherent danger to all parties involved and other users of the highways. Officers should instead call for an ambulance and provide security and assistance until the ambulance arrives.

**11.21.05 ENFORCEMENT**

A. Only sworn officers operating police vehicles completely equipped as an emergency vehicle, i.e., emergency light and siren, are permitted to initiate a traffic stop. (See also: VA Code 46.2-1061)

B. Officers are guided by their own discretion in the enforcement of traffic laws and ordinances. However, the policy statement in 11.21.01 should be the officer’s primary source of guidance when determining whether to issue a citation or give a verbal warning. Officers should consider the severity of the offense and whether a warning will better facilitate voluntary compliance with the traffic code.
C. When staffing permits, officers may set up stationary traffic posts at their discretion (in accordance with guidelines on fixed traffic posts provided by the Commonwealth's Attorney's Office.) The locations selected should be based on knowledge of the traffic problems in their beat areas. Supervisors may direct that officers conduct mobile patrols and/or stationary traffic posts in specified areas, to address particular traffic problems that have been brought to their attention. Supervisors may authorize the use of unmarked vehicles and/or covert traffic surveillance if necessary to accomplish a police purpose. Unmarked vehicles should not normally be used to accomplish traffic stops when other vehicles are available (except unmarked vehicles assigned specifically for radar enforcement).

Reducing traffic collisions is the ultimate goal of selective traffic enforcement. Efforts toward this may be accomplished by the following:

- Sector commanders can obtain accident/collision data from PRISM or the SRS reports.
- Sector commanders should analyze the data and determine if additional enforcement will assist with the reduction of traffic collisions at these locations. Deployment of selective enforcement should be made so the majority of resources are utilized during the peak accident times and assigned to the areas with the greatest concentration of accidents with emphasis placed on enforcement action directed against those violations determined to be causative.
- Sector commanders will evaluate the effectiveness of the accident reduction efforts and provide this information at the scheduled SRS meetings.
- The commander of the Traffic Division will be responsible for providing a yearly report outlining the efforts of the Department and any collision reductions accomplished [61.1.6.a – c; 61.1.1]

D. Highway safety, deterrence and public awareness, and voluntary compliance are primary goals of radar speed enforcement. The radar enforcement program is designed to detect and apprehend those vehicle operators violating speed laws of the Commonwealth of Virginia and the City of Alexandria.

E. Whenever possible, officers will enforce traffic violations involving the illegal use of radar detectors to avoid police radar.

F. Only personnel who have received specialized training in the use of the Department's speed measuring devices are authorized to use those devices for enforcement (see also 11.21.08).
A. The following guidelines apply in all cases in which an employee attempts a traffic stop, regardless of the nature of the stop.

B. Except when performing routine traffic direction and control duties, employees will not intentionally stand, move or remain in front of, near, or in close proximity to a moving vehicle for any reason.

C. Employees conducting routine traffic direction and control must have a planned and available escape route before placing themselves in any location in which traffic is normally traveling.

D. Employees conducting routine traffic enforcement from a stationary location such as radar details, roadside safety or sobriety checkpoints are permitted to signal traffic to stop by briefly entering the roadway at a point not directly in the path of the vehicle they intend to stop. Employees must enter the roadway only long enough to provide the signal to stop and must promptly remove themselves from the roadway, regardless of whether or not the driver appears to be complying with their signal.

E. Officers engaged in traffic stops should remember their responsibility to the public for attempting to alter favorably the violator's future driving habits. Officers should be courteous but firm, maintain control of the situation, and minimize conflict between the officer and the violator. Officers must have an articulable reason for making a traffic stop.

F. At the initiation of traffic stops, officers will inform the dispatcher of:
   1. their location;
   2. the vehicle tag number;
   3. the vehicle description (e.g., red Camaro.)
   4. Officers may, at their discretion or upon a dispatcher's request, provide additional information.

G. Officers will select appropriate locations for traffic stops, avoiding curves, hills, heavy-traffic and poorly lit areas, and should attempt to stop vehicles to the side of the highway, out of traffic lanes.

H. Officers will activate their emergency lights to indicate to violators that they must stop. The siren and/or public address system may be used, if necessary, to stop the vehicle. The emergency lights are to be left on until the traffic stop is concluded.

I. Officers should stop their vehicles a safe distance behind a violator's vehicle. The police vehicle should be angled so that the headlights and spotlight afford cover at night. Spotlights may be used to illuminate the interior of the vehicle for
officer safety. Officers should use caution when approaching vehicles, being sure to watch the occupant(s), doors and trunk.

J. Absent any mitigating or exigent circumstances, officers shall immediately greet and identify themselves to the operator and state the basis for the stop.

K. Mitigating and exigent circumstances shall only include articulable officer safety concerns, medical emergencies or situations where the best interests of the department and the City would not be served by advising the basis for the stop.

L. Whenever possible, after traffic stops have been completed, officers should maneuver their vehicles in such a manner as to facilitate the safe re-entry of vehicles into the traffic flow.

11.21.07 FELONY STOPS

The term "felony vehicle stop" has its basis in training and is meant to differentiate from a normal traffic stop, as a way of teaching employees to protect themselves in potentially dangerous situations. Employees with arrest authority should be governed by their training and experience when determining when and how to perform a felony vehicle stop.

A. Justification for felony vehicle stops

Following are examples of and proper procedures for use of the "felony vehicle stop" technique:

- When stopping a vehicle matching the description of one seen leaving the location of a homicide, armed robbery, felonious assault or other serious, violent crime where weapons are used, displayed, or implied;
- When stopping a vehicle containing occupants wanted for questioning in a felony, when the occupant(s) have shown, by their actions, that they intend to avoid being detained (e.g., ramming police or private vehicles and continuing to attempt to drive away; attempting to intentionally injure officers with a vehicle);
- When an officer will be able to clearly articulate (in court) the belief that one or more occupants of the vehicle has behaved in such a manner as to put the officer in fear or his or her life.

B. Procedures for felony vehicle stops
C. Officers should de-escalate a "felony vehicle stop" at any time they no longer feel that the vehicle or persons stopped match the description of the vehicle or persons wanted for the serious crime in question. Once the perceived danger has passed, officers should explain the purpose of the stop to the driver (as in 11.21.06.J).

11.21.08 USE AND MAINTENANCE OF RADAR EQUIPMENT

A. Only personnel who have received the mandated 40-hour radar operator course and have completed an approved course of field training with an experienced radar operator may be authorized to use the radar equipment. Patrol Sector Commanders will arrange for this training to be provided for a sufficient number of officers on each division, and will ensure documentation of the training given. Trainers will use a checklist to ensure thoroughness of training; the original checklist will be placed in the officer's permanent training file in Personnel and Training and a copy will be placed in the officer's squad file. [61.1.9.e]

B. Radar may be used to address problems, which cannot be handled in a timely manner by the Special Operations Division. [61.1.9.b]

C. All mandated tests for accuracy must be properly completed before and after radar is worked and before any case will be prosecuted. These mandated tests include:
   - Visual inspection of radar;
   - Internal circuit check;
• Light diode check;
• Tuning fork test;

**Note:** If for any reason the tests for accuracy cannot be completed after working radar, a list of all defendants issued summonses for speeding will be presented to the Assistant Commonwealth's Attorney assigned to prosecute traffic cases so it can be determined if he or she wishes to proceed with prosecution. If the decision is to not prosecute the cases, a list of all defendants will be given to the Clerk of the General District Court.

D. Radar may be used in stationary or moving mode, at the discretion of the operator. **[61.1.9.b]**

E. The radar antenna may be mounted on the outside or the inside of the vehicle, at the discretion of the operator. However, all components of the radar unit will be mounted securely on the inside of the vehicle during inclement weather. **[61.1.9.b]**

F. Radar units or tuning forks that malfunction will be taken out of service for repair immediately. These items of equipment will be reported to the Traffic Unit Supervisor, who will ensure the coordination of any work to be completed. All maintenance must be performed in accordance with manufacturer's specifications. The Traffic Unit Supervisor will also ensure that regular, required maintenance is performed in accordance with the manufacturer's recommendations. **[61.1.9.c-d]**

G. The **Traffic Division Commander** will ensure that all radar equipment purchased complies with standards set by the Division of Purchases and Supply, pursuant to Code of Virginia § 2.2-1112 and as specified in Code of Virginia § 46.2-882. **[61.1.9.a]**

H. The **Court Liaison Officer** will ensure that a file containing all certificates of calibration is maintained at the Commonwealth's Attorney's Office. Officers must sign out the file prior to taking it to court and return the file immediately after court and sign it in. The file will contain certificates of calibration for the radar units and tuning forks. No calibration or testing for radar equipment and vehicles will be valid for longer than six months. All expired certificates of calibration will be kept on file for as long as administratively necessary. **[61.1.9.d]**

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**11.21.09 VIRGINIA UNIFORM SUMMONS (VUS)**

A. A VUS will be completed whenever a person is charged with a violation of any City or State code relating to the operation of any motor vehicle. Officers will fill the VUS out completely, using all blocks that apply and using standard abbreviation codes found on the back of the Suspect/Arrest Report (APD-0007B). Officers will print legibly, using a black ballpoint pen. **[61.1.2.b]**
In the boxes marked Law Section and Describe Charge, the officer should enter the code section and a brief description of the charge. All traffic offenses having an appropriate city code section will be cited under that section (except DWI; because of an existing conflict between the City and State codes on DWI, the Commonwealth's Attorney has requested that officers charge all DWI violations under the State code until further notice.)

If a violator is charged with multiple offenses resulting from one incident, a separate VUS must be completed for each charge. Page numbers must be placed in the space provided in the upper right corner.

In speeding violations, the officer must indicate whether it is a pace or radar violation, and the violator's speed and the posted speed limit must be shown (e.g., 10-3-874, Speeding 40/25 pace or 10-3-875, Speeding 50/35 radar).

The officer will instruct the violator to sign the summons in the space provided, after briefly explaining the charge, court appearance and the reason for the violator's signature. Officers must check the appropriate box in the Mailing Address block.

In the box marked Accident, the officer should check yes if an accident was involved, so court personnel will know to issue a witness subpoena.

In the box marked Location of Offense, the officer should enter an accurate description of the location (e.g., 915 N. Columbus St.).

In the boxes marked Officer and Code/Badge No., the officer should legibly print the first and middle initial, last name, unit assignment (required to facilitate return of transcripts), and serial number.

When the time of the arrest differs from the time of the offense, the arrest time will be entered in the space provided for that purpose in the lower right corner.

B. Court Date - Officers will select an assigned court date approximately four weeks from the date of the offense unless:

- the charge is one which requires the violator to appear in court within ten (10) days;
- the violator is taken into custody and the officer or the magistrate must select the court date;
- the violator invokes the right to an immediate trial;
- the officer believes that the assigned court date is inconvenient for the violator; or
- the violator is a juvenile.

1. Advisement Within Ten (10) Days - The charges for which adult violators must appear in court for the advisement of counsel within ten (10) days are:
   - Driving While Intoxicated (18.2-266);
   - Driving on Suspended Permit (46.2-301);
   - Hit and Run, Unattended Property, more than $250 in damage (46.2-896);
- No Valid Operator’s License (46.2-300);
- Habitual Offender (46.2-357(A);
- Display an Altered Operator’s License (46.2-346);
- Driving While Revoked – DWI Related (18.2-272 or 46.2-391 (D)(1);
- Unauthorized Possession of an Inspection Sticker (46.2-1172);
- Any traffic-related Class 1 misdemeanor not specifically delineated above.

2. Mandatory Appearance - The charges listed in 1 above (considered jailable offenses), court appearance is required and the appropriate box must be checked on the VUS. Appearance and check box completion is also required for all other offenses in which the court will not accept pre-payment of fines. The list of offenses for which the court requires appearance changes as code sections are added or deleted by DMV. Officers are encouraged to check with the court when in doubt.

3. Suggested Court Date - When the court date entered on the VUS is not the trial date, the officer will place the desired court date in the space provided for that purpose in the lower right corner.

4. In Custody or demanding a hearing - When a violator is taken into custody or demands a hearing at the next session of court, the arresting officer will give the first and second pages of the VUS to the magistrate, after a supervisor has approved it.

C. Witnesses - Witnesses to a traffic violation whose testimony is necessary for a conviction will be issued a Witness Subpoena (APD-4) by the arresting officer. Witness information (name, address, etc.) will be completed on the back of the first copy of the VUS. A notation should be made below the witness information indicating that an APD-4 has been issued. If a violator is taken into custody and brought before a magistrate, the arresting officer will not issue an APD-4. The Commonwealth’s Attorney will subpoena witnesses in this instance.

D. Driver Record Information - Officers will request driver record information by forwarding the fourth copy of the VUS to the Information Services Section (ISS). If a VUS is not issued, driver record information may be obtained by requesting a transcript from ISS. ISS will forward the driver records to the requesting officer once the transcripts are obtained. Officers may request driver record information for any charge.

E. Accountability of the VUS and Copies - Officers will sign out VUS books from ISS. Officers will issue the VUS in numerical order, and will only use their own VUS, except for emergencies. Officers obtaining a VUS from another officer will attach a note informing ISS personnel that the VUS is attributable to an officer who is not logged out with that VUS (for entry in the automated tracking program.) A VUS that is begun but not completed must be voided (by a supervisor initialing and writing VOID across it) and turned in to Information
Services. The loss of a VUS must be immediately reported to the officer's immediate supervisor and written notification forwarded to the Information Services Commander. Information Services personnel are responsible to ensure that each VUS is properly accounted for.

When released on a VUS, the violator will be given the third page.

The court and DMV copies (pages 1 and 2) will be turned in to Information Services, to be forwarded to court. If a VUS is the result of a warrant, the warrant will be attached to the court copy (page 1). The fourth page will be forwarded to Information Services. The top portion will be retained for at least ninety days. The issuing officer will retain his or her copy (page 5).

F. Documentation - Officers will make field notes about the violator's actions for use as evidence of the violation. Officers should refer to the Virginia State Code for the elements of an offense.

11.21.10 DRIVING WHILE SUSPENDED OR REVOKED

Upon receiving radio confirmation that a (DMV) teletype indicates a person's privilege to operate a motor vehicle in Virginia has been suspended or revoked, officers will charge and release the violator on a VUS under City Code 10-3-301 (except DWI cases requiring mandatory impounds.) When officers determine from a DMV record that a person whom they had seen driving had a suspended or revoked license at the time they witnessed the driving, they will obtain a warrant.

Warrants should be obtained only if the DMV record indicates:

- personal service of the notification of suspension or revocation was made;
- there is some other indication that the violator has been advised of the suspension or revocation (e.g., the driver admits to knowing his or her license was suspended or revoked); or
- the driver was notified by the court or law enforcement officials.

11.21.11 TRAFFIC WARRANTS

When obtaining a traffic offense warrant related to a previous traffic offense in which a VUS was issued, the obtaining officer must attach a copy of the original VUS to the warrant.

A VUS will be completed in conjunction with a magistrate's "Summons to Appear and Answer" when it relates to a traffic offense. If warrants involve both felony and misdemeanor traffic charges against a violator, a separate VUS will be completed for each warrant. The case number on the warrant and the name of the officer originating the warrant will be placed in the spaces provided in the lower right corner of the VUS.
When serving a Fail to Appear Traffic Capias, only "Fail to Appear Traffic Capias" will be written in the Describe Charge block. When serving a Fail to Appear Traffic Bench Warrant, the officer will write "46.2-938" in the Law Section block. In the Describing Charge block, the officer should enter "Fail to Appear". The original charge should not appear on the summons. A Suspect/Arrest Report (APD-0007B) is required in all Fail to Appear traffic arrests.

11.21.12 TRAFFIC WARRANTS FROM OTHER JURISDICTIONS

A VUS must be completed for traffic arrests made on warrants originating and returnable to other jurisdictions, as well as an APD-0007B. Officers will enter in the Offense/Incident block on the APD-0007B "Foreign Warrant." The VUS contains pre-printed information about the Alexandria Courts. The pre-printed information should be neatly crossed out and the other jurisdiction's information substituted. The Jurisdiction of Offense block will be completed if the other jurisdiction's code is known. The executing officer will attach a copy of the warrant to the VUS. If the name of the officer originating the warrant is known, it will be entered in the space provided in the lower right corner.

11.21.13 JUVENILE VIOLATORS

Officers are to personally notify the parents or legal guardian of any juvenile who is stopped for a traffic violation, regardless of whether or not a VUS is issued. Contact should be made during the stop if at all possible to maximize its effectiveness. However, contact can be made by telephone or in person as soon as practical and before the end of the officer's shift.

While the decision to issue a warning or a VUS is still left largely to the individual officer's discretion, we must ensure that parents are notified of unsafe driving as an additional means to gain young drivers' compliance with traffic laws.

The procedures for the release of juveniles on a VUS are the same as for the release of adults, with the following exceptions and additions:
- juveniles may not prepay any traffic fine, they must always appear in court for any charge;
- parent information must be completed on the back of the first copy of the VUS;
- the box for Juvenile and Domestic Relations Court will be checked;
- juveniles will be told that at least one of their parents (or legal guardian) must appear with them;
- officers should select a court date on a Thursday at 9:00 a.m. at least three (3) weeks from the date of the offense. Traffic offenses requiring advisement, which are the same as those cases listed in 11.21.9, B.1, will also be set for a
Thursday at 9:00 a.m. (excluding holidays). Please allow one or two weeks so the court can summons the parent or guardian. The officer does not have to appear at the advisement. If an officer writes an advisable offense (e.g., No O.L.) plus an offense which does not require advisement (e.g., speeding 44/25), the officer should mark the summonses “1 of 2” and “2 of 2”. Set the court date for the offense not requiring advisement for any Thursday at 9:00 a.m. Put that same date as the suggested court date on the VUS for the advisable offense.

11.21.14 RECIPROCAL STATES AGREEMENT [61.1.3.a]

Residents of reciprocal states possessing valid operator licenses are not required to post bond or collateral to secure their appearance for trial. Reciprocating state violators may be released on their personal recognizance by signing the issued VUS. This agreement only applies to those traffic violations for which a Virginia resident can be released on a VUS, rather than being brought before a Magistrate and processed through Booking. A current copy of the "Magistrate’s Handbook" can be reviewed for an up-to-date list of all states participating in this agreement. The terms of the agreement also apply to Virginia residents traveling in reciprocal states. The provisions of the agreement do not apply to parking violations, highway weight limit violations and violations of the law governing the transportation of hazardous materials.

11.21.15 INCOMPETENT DRIVERS [61.1.12]

When officers doubt the competency of a person’s driving skills, they should use DMV form Med 3, Driver Medical Review Request (available through InfoPath), to recommend that DMV re-test the driver.

11.21.16 IMMUNITY [61.1.3.d]

A. Diplomatic
   1. When a driver having diplomatic immunity is stopped for a traffic violation, and has proper and valid identification indicating immunity, officers may issue a VUS. The issuance of a traffic VUS does not constitute an arrest or detention.

   2. When a violator is a diplomat, officers will attempt to obtain a signature to appear on the VUS; it is, however, not mandatory. If the violator will not
sign, enter "Refused" on the signature line. In all cases where a diplomat receives a VUS, the issuing officer will make a notation on the signature line indicating that the violator is a diplomat.

3. The primary consideration in a DWI incident is that the driver does not endanger himself or herself or the public. Preventive steps may include taking the subject to another location to permit sufficient recovery to drive safely, providing transportation, or taking other appropriate corrective action while respecting any immunity that may apply. Access to a telephone must be provided.

4. Once it is confirmed that officials are entitled to criminal immunity, they will not be subjected to any sobriety or other mandatory test, and, except in extreme cases, should not be restrained. The driver should be told that the officer's primary responsibility is to care for the safety of the Official and the safety of others. Force must not be used except when necessary to prevent injury to the Official or others and then only the absolute minimum.

5. Diplomatic ownership of a vehicle or the immunity of a driver or passenger does not prevent the issuance of a traffic VUS or a parking citation. Vehicles bearing diplomatic plates may be towed, if necessary, to prevent a serious obstruction of traffic circulation. As a courtesy, prior to taking such action, contact should be attempted with the mission involved to seek the voluntary removal of the vehicle.

6. Papers, documents or the archives of a person entitled to immunity or in a vehicle bearing valid federal diplomatic plates remain inviolable, even if the driver is restrained or the vehicle is removed or immobilized.

7. Officers must, in addition to normal procedures, send a copy of the VUS and State accident report (FR-300P) to:
   U.S. Department of State
   Office of Foreign Missions
   Driver Records Unit
   3005 Massachusetts Avenue, N.W.
   Washington, D.C. 20008

Whenever:
   a. The VUS is issued to the driver of a vehicle (or an accident involves a vehicle) with U.S. Department of State Diplomatic License Plates.
   b. The VUS is issued to (or an accident involves) the bearer of a U.S. Department of State Diplomatic driver's license.
c. The VUS is issued to (or an accident involves) a driver whose identity has been confirmed as a member of a foreign mission.

8. Telephonic Information/Verification - Inquiry should promptly be made to the Department of State in any case where an individual claims immunity and cannot present satisfactory identification or in any case where the officer has reason to believe that invalid identification is being presented. The following telephone numbers are provided for use in this connection:

RE: Diplomatic and Consular Personnel and International Organizations Other Than the United Nations

**During Business Hours (0800 - 1700 EST):**
- Current status of U.S. Department of State driver licenses, diplomatic license plates, registrations, or other diplomatic motor vehicle information: (202) 895-3521, Fax: (202) 895-3646
- For reporting traffic incidents or accidents, issuance of citations, etc., involving Foreign missions personnel: (202) 895-3521
- Send all citations and/or reports to: Fax: (202) 895-3646
- To verify immunity status: (202) 647-1985 or (202) 647-1727

**Please Send Copies Of Criminal Incident Reports And Citations To:**
- The Office of the Chief of Protocol Fax: (202) 647-1198
- Diplomatic Security Service Protective Liaison Division Fax: (202) 895-3613

**After business hours:**
- After business hours, all inquiries should be made to the U.S. Department of State Diplomatic Security Command Center (operates 24-hours daily):
  - Information is available from the Communications Section of the U.S. Mission to the United Nations (USUN - operates 24-hours daily): (212) 415-4444
B. Legislative

Federal and State legislators are immune from arrest, excluding treason, felonies or breaches of the peace, only while attending or going to or from their respective legislative assemblies when in session. The Commonwealth's Attorney has determined that DWI qualifies as a breach of the peace and officers should take appropriate action when faced with such a violation. Officers may use their discretion when issuing a VUS to a legislator under circumstances mentioned in this section. Issuance of a VUS does not constitute an arrest or detention, but officers should make every effort to avoid unnecessarily detaining a legislator traveling to a legislative session.

11.21.17 MILITARY PERSONNEL

The Military District of Washington has no procedures requiring law enforcement personnel to notify military authorities upon the arrest of military personnel. Officers should not notify military authorities of any arrests of military personnel, unless a "hit" on a wanted check shows that the person is wanted by military authorities for Unauthorized Absence or a similar offense that requires military authorities to immediately take custody of the person. The Office of Sheriff will respond to telephone requests from military authorities in reference to any military personnel being held at the Detention Center, on a case-by-case basis.

11.21.18 ROADSIDE SAFETY CHECKS

Officers are permitted to conduct safety checks for the purpose of checking operation of vehicular safety equipment such as lights, brakes, and other legally mandated equipment; and to conduct educational and enforcement safety checkpoints for the purpose of improving compliance with laws related to the use of safety restraint systems. All safety checkpoint plans shall be reviewed and approved by the Patrol Sector Commander prior to implementation.

A. Prior to the deployment of a roadside safety check or Traffic Checkpoint, Police Communications shall be notified of the location, authorizing supervisor's identity (unit numbers), patrol units assigned and purpose of the road check.

B. A supervisor shall oversee road check site(s). The responding supervisor will examine each road check site to determine the effectiveness and adherence to department policy. The supervisor must pre-determine which vehicles are going to be stopped. This can be all vehicles, or just those with observable violations as they approach, i.e., expired inspection or tags, damaged windshield, or child not in a safety seat.

C. A minimum of two officers will be utilized when staffing a roadside safety check site.
D. Officers assigned to a roadside check shall be in uniform and will wear a traffic vest for high visibility. Procedures identified in 11.21.06.D will be followed.

E. If traffic should become congested during a road check, so that delays in excess of five minutes are being experienced, traffic shall be directed to continue and not be diverted to the checkpoint area.

F. Upon diverting a vehicle to the checkpoint area, officers shall check the following:

1. Vehicle registration
2. Vehicle inspection
3. Driver's license
4. Insurance card
5. Safety belt usage
6. Other apparent equipment violations (i.e. lamp defects, tires, etc.)

G. If observations of a driver raise reasonable suspicions that they are driving in violation 18.2-266, an investigation will be conducted to determine his/her level of impaired ability to operate a motor vehicle.

H. If there are no violations and no probable cause to believe that other violations exist, officers will courteously direct the motorist to proceed out of the road check, without delay. If violations are discovered, drivers will be cited pursuant to the department’s policy governing traffic enforcement.

I. Procedures for stationary DWI Checkpoints are listed in the addendum to PD 11.8, DWI Enforcement.

11.21.19 RELATED INFORMATION


By Authority Of:

Earl L. Cook
Chief of Police
IMPOUNDING/REMOVING VEHICLES

Effective Date: 12-30-2015

Updated Date: 
Updated Date: 

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11.22.01 POLICY AND PURPOSE

The purpose of this directive is to establish procedures for the impounding or removal of vehicles.

11.22.02 AUTHORITY

The authority to remove or impound vehicles must be specifically provided by law or clearly implied as a matter of duty.

Statutory Authority – is provided by legislative acts of either the State or the City. They may be expressed as a mandatory duty but are usually permissive in nature. In either event, all statutory conditions set forth are to be met in order for the removal or impound to be lawful.

Implied Authority – is the authority to remove or impound a vehicle in the absence of statutory authority when it is necessary for the proper performance of duty (taking custody of a stolen vehicle, protecting the vehicle of an arrestee, or securing a vehicle for evidentiary purposes).
11.22.03 RULES AND RESPONSIBILITIES

A. Any vehicle whether attended or unattended, either on public or private property, may be impounded or removed if:

1. The vehicle constitutes evidence;
2. There is a need for safekeeping;
3. Seizure is mandatory; or
4. An emergency exists and the operator is unable or unwilling to remove the vehicle and its removal is necessary to properly handle the emergency.

B. Unattended or abandoned vehicles on public streets parked in violation of law or vehicles that constitute a hazard to traffic are subject to impoundment (see also Alexandria City Code §5-8-22).

C. Duty to Owner or Operator

1. In all impoundments of vehicles not constituting evidence or confiscation, the impounding officer will make all reasonable efforts to contact the owners or operators to provide them with the opportunity to remove the vehicle.
2. No persons whom an officer has reason to believe is mentally disturbed or intoxicated will be permitted to remove, authorize removal or otherwise participate in the disposition of any vehicles. When vehicles are owned by such persons, or are in their custody but owned by a member of the immediate family, then a competent member of the immediate family may assume responsibility for the vehicle.

11.22.04 PROCEDURES

A. Impounding officers are responsible for determining who is the actual titled owner of vehicles they impound. They will ensure that both the Vehicle Identification Number (VIN), read from the vehicle, and the state tag(s) are checked separately for being stolen in VCIN and NCIC. The officer will also obtain separate registration listings on the VIN and the state tag. If the computers are not in operation at the time, the impounding officer will request that the inquiries be held until returns are available.

B. DEC employees will staple all VCIN/NCIC listing inquiries and replies to the Inquiry or Request Data Form (APD-32B). As soon as the officer marks back in service, indicating that the vehicle has been impounded, the dispatcher will forward the information to a call taker who will enter the impound information from the APD-32B into the Naviline Management System Tow History. The APD-32B and attached returns will then be held until the Towed Vehicle Report is sent to DEC.
C. **Towed Vehicle Report (APD-0052)**

1. The APD-0052 is designed to document the actions taken to comply with City and State laws governing impoundments and confiscations. An APD-0052 will be completed on all vehicles removed or impounded by this Department for any reason.

2. Any damage on vehicles will be noted on the APD-0052 prior to the vehicle being moved. The impounding officer will remain with the vehicle until it is physically removed from the scene by the tow truck unless directed otherwise by a dispatcher or supervisor. If for some reason the impound is cancelled, the officer will notify the dispatcher.

3. The impounding officer is responsible for the following distribution of the APD-0052.
   
   a. The original (white) and the second copy (yellow) will be submitted to a supervisor for review before ending the tour of duty.
   
   b. After supervisory review and signature, it will be delivered to Headquarters and turned over to DEC prior to the end of the day (or tour of duty);
   
   c. DEC personnel will verify that the information on the impounded vehicle has been properly entered into the Naviline system and attach the proper APD-32B and DMV returns. If the owner of the vehicle has not been notified of the impoundment, the vehicle will be entered into the VCIN stored vehicle system. The APD-0052 and all attachments will then be given to the DEC supervisor.
   
   d. The DEC supervisor verifying the impounded vehicle information will sign the APD-0052 and forward it to the Property Section.
   
   e. Property Section personnel will ensure that a registered letter is sent to owners and lien holders of unclaimed vehicles advising them of the impoundment within 15 days of the impound.
   
   f. The third (pink) copy will be given to the wrecker driver by the impounding officer to be turned over to the Impound Lot staff with the vehicle. The impounding officer must complete as much of the APD-0052 as possible before giving the pink copy to the wrecker driver.

D. **Removal of Property from the Vehicle**

1. When a vehicle is impounded, the impounding officer is responsible for inventorying all property located in the passenger area and, if the keys are available, in the locked compartments (trunk, glove compartment or console, etc.).

2. All property of any value must be listed on a Property Inventory (APD-39).

3. Valuable property (i.e. portable electronic devices, computers, wallets, jewelry, etc) will be inventoried and turned into Property for safekeeping.
4. Property deemed to have little monetary value must be secured out of view in a locked trunk or glove compartment of the vehicle. The APD-39 will indicate which articles of property were left in the vehicle.

5. The fourth copy of the APD-39 will be left in the vehicle. This procedure will be followed regardless of the anticipated length of time the vehicle will be impounded.

E. **Abandoned Vehicles/Vehicles Parked Over 72 Hours:** The officer initiating the appropriate check notice will make reasonable efforts to locate and notify the owner of the vehicle in order to give the owner an opportunity to move the vehicle before impoundment (see Directive 11.16, Parking Enforcement).

F. **Towing and Storage**

1. The City contracts for towing services on a yearly basis. Any officer having problems with the contract company will notify, in writing, the Division Chief of Fleet & Fiscal Management (through channels) denoting the particular problem(s).

2. All vehicles impounded by officers of this Department will be taken to a City lot designated for this purpose unless otherwise authorized by a sergeant or higher authority. If a vehicle is not being towed or stored for a police purpose, the registered owner, or his or her agent, may authorize the removal of their vehicle to a private facility.

3. Impounded vehicles will not be towed to Headquarters unless specifically authorized by a sergeant or higher authority. If vehicles are to be processed for evidentiary value by Crime Scene Investigators, they will be towed to the Impound Lot and put on the processing list by the officer involved in the impoundment. If the vehicle is authorized to be towed to Headquarters for processing, a second Towed Vehicle Report will be completed for any future location change. The form will be forward through channels and the change entered in the Naviline System.

4. In certain circumstances it may be appropriate for the Department to authorize a waiver of impoundment and/or storage fees for an impounded vehicle. This will generally occur when a vehicle was improperly or mistakenly impounded or when emergency circumstances justify a waiver of fees. Such a request must be approved by a watch commander or higher authority and must be submitted in writing to the Transportation Division Chief at the impound lot. The memorandum should include the reasons for the waiver of fees and should be promptly delivered to the impound lot either in person or via email.

G. **Repossessed or Privately Towed Vehicles:** All vehicles repossessed or towed by private citizens or entities (i.e. apartment complexes, businesses with private parking lots, etc.) that come to the attention of this Department will be entered into the Naviline System by DEC personnel.
H. **Limiting or Stopping Impoundment Activities**: In times of emergency, or when inadequate storage facilities exist, orders to cease or to limit impoundments on a priority basis may be issued by a watch commander, patrol sector commander or higher authority.

I. **Placing A Hold On A Vehicle**

1. Holds will not be placed on vehicles unless the vehicles are to be used for evidentiary purposes.

2. The investigating officer may place a hold with authorization from a supervisor. The officer must enter the name of the authorizing supervisor on the APD-0052.

3. Holds may not exceed five (5) days (or 120 hours) without written approval, via email or in memorandum form, from a sergeant or higher authority. The memorandum extending the hold must be sent to the Impound Lot, with a copy forwarded to Property. The memorandum will specify:
   a. Case number;
   b. Vehicle description;
   c. Registered owner;
   d. Reason for extending hold;
   e. Specific number of days the hold is being extended; and
   f. Name of impounding officer.

4. A hold is not necessary if confiscation proceedings are initiated. However, the intent to confiscate must be clearly indicated APD-0052 before detaching the third (pink) copy from the form. Refer to the procedures on confiscation (see 11.22.04.K, below).

5. If a hold is no longer needed for any reason, such as when the initial 5 day hold period is over or when an extension period expires, a sergeant or higher authority will make written notification, via email or memorandum to the Impound Lot staff that the hold is lifted. A copy of any notification authorizing the release of a hold will be forwarded to Property, to be attached to the APD-0052.

J. **Recovery of Stolen Vehicles**

1. Any officer recovering a stolen vehicle will notify Information Services as soon as possible, in the same manner as reporting a stolen vehicle. Information Services will cancel the VCIN/NCIC entry, or enter a locate message, whichever is appropriate. All messages will be attached to the APD-7.
2. The recovering officer will request that the vehicle be placed on the processing list for the Crime Scene Investigations Section if there is reason to believe that the vehicle may contain latent prints or other evidence of value.

3. The recovering officer will notify the owner. If this cannot be done, the officer will notify a DEC supervisor who will see that the owner is notified as soon as possible. The notification, or lack of notification, will be recorded on the APD-0052 and the APD-7. Recovered vehicles will be impounded and an APD-0052 completed, or released to the owner and a Property Inventory (APD-39) completed, including the receipt portion.

K. Confiscations

1. State law provides for the seizure of vehicles with the intent to confiscate for certain violations.
   a. Court Order – seizure and impoundment of a vehicle as bond may be ordered by a court.
   b. ABC Violations – vehicles used illegally to acquire or transport alcohol (§4.1-339).
   c. Certain Equipment – vehicles equipped with gas, flame or "smokescreen" emitting devices (§46.2-1087).
   d. Lottery Operations – vehicles used in promotion, operation or conduct of lottery or attempted lottery (§19.2-386.30).
   e. Narcotics Violations – vehicles used in connection with the illegal manufacture, sale, or distribution of controlled substances or possession with intent to distribute controlled substances (§19.2-386.22).
   f. Racing – vehicles used in prearranged, organized, and planned speed competition on a street or highway (§46.2-867).
   g. Theft related offenses/white collar crimes – vehicles used for:
      i. Transportation of stolen goods valued at two hundred dollars ($200.00) or more (§19.2-386.16);
      ii. Transportation of stolen property obtained as a result of a robbery, without regard to the value of the property (§19.2-386.16);
      iii. Transportation of stolen credit cards or forged checks (§19.2-386.19);
      iv. Transportation of property stolen during a suspect’s 3rd or subsequent larceny regardless of the value of the stolen property ("felony petit larceny") (§19.2-386.19);
v. Vehicles may also be seized if they are used in substantial connection with a grand larceny/felony petit larceny, even if the goods were not transported in the car, if the item stolen is something that is typically fenced or laundered such as electronics, jewelry, etc. (§19.2-386.19).

h. Felony Driving While Intoxicated – 3rd or subsequent DUI arrest within ten years if the vehicle is solely owned and operated by the suspect (§ 18.2-270).

i. Prostitution, Human Trafficking Offenses—vehicles used during the commission of, or in an attempt to commit, a second or subsequent offense of § 18.2-346, 18.2-347, 18.2-348, 18.2-349, 18.2-355, 18.2-356 or 18.2-357 or of a similar ordinance of any county, city or town.

2. The confiscating officer will notify the Commonwealth’s Attorney as soon as possible that a vehicle has been seized. The officer will forward a copy of the APD-0052 to the Commonwealth’s Attorney or designee.

3. Property will call the Impound Lot to verify that the vehicle is being held for confiscation. After reviewing the APD-0052 with the necessary signatures, Property will forward a photocopy to the Impound Lot.

4. If for any reason the impounding officer, or any other officer, finds it necessary to begin confiscation on a vehicle that already has been impounded, the confiscating officer will immediately notify the Impound Lot that confiscation proceedings have begun and notify the Commonwealth’s Attorney or designee.

5. If for any reason confiscation proceedings are halted, the confiscating officer is responsible for obtaining a written release for the vehicle (signed by the Commonwealth's Attorney or designee). The confiscating officer must deliver the release to Property and a copy must be forwarded to the Impound Lot.

L. Administrative Impoundment of a Motor Vehicle (VA Code §46.2-301.1)

1. State law provides for the impoundment or immobilization of a vehicle when the driver is arrested for driving after his driver's license, learner's permit or privilege to drive has been so revoked or suspended for a violation of the following:

a. A violation of §18.2-51.4 or 18.2-272 or driving while under the influence in violation of §18.2-266, 46.2-341.24 or a substantially similar ordinance or law in any other jurisdiction,

b. Driving after adjudication as an habitual offender, where such adjudication was based in whole or in part on an alcohol-related offense, or where such person's license has been administratively suspended under the provisions of §46.2-391.2, or
c. Driving after such person's driver's license, learner's permit or privilege to drive a motor vehicle has been suspended or revoked for unreasonable refusal of tests in violation of §18.2-268.3, 46.2-341.26:3 or a substantially similar ordinance or law in any other jurisdiction.

d. Driving without an operator's license in violation of § 46.2-300 having been previously convicted of such offense or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction, unless the license of the driver was expired for less than one year prior to the offense, or the driver is under 18 years of age.

2. The impoundment or immobilization for violations of sections “a” through “c” above shall be for a period of thirty days.

3. The period of impoundment or immobilization for violations of section “d” above shall be until the driver obtains a valid operator’s license pursuant § 46.2-300 or for a period of three days, whichever is less. If at any time during the three-day impoundment period the driver presents a valid operator's license to the court, the court shall authorize the release of the vehicle upon payment of all reasonable costs of impoundment or immobilization to the person holding the vehicle.

4. The arresting officer shall serve a Notice of Impoundment form (F-APD-052G) upon the arrested person.

   a. The arrestee does not have to sign his/her copy. If the person chooses not to sign, the officer shall write, "refused" on the line provided for signature of driver. Proper distribution is listed on the bottom of the form.

5. The arresting officer shall include a detailed narrative of the circumstances establishing probable cause for the stop and resulting impound on the reverse side of the green copy before forwarding it to the Commonwealth’s Attorney.

6. The appropriate block on the Towed Vehicle Report (Reason for hold: §46.2-301.1) will also be checked.

By Authority Of:

Earl L. Cook
Chief of Police
11.23.01 PURPOSE AND POLICY

The purpose of this directive is to establish guidelines concerning the enforcement of vice and narcotics laws.

It is the policy of this Department to suppress narcotics, vice, and organized crime-related activities and to create a negative impact on the financial gains of persons engaged in such activities. It is our policy to develop intelligence on individuals and establishments for the purpose of designing operational strategies to investigate, arrest, prosecute, and convict for violations of federal, state, and local laws.

11.23.02 RULES AND RESPONSIBILITIES

A. Vice/Narcotics (V/N) is specifically responsible for the detection, arrest and prosecution of individuals engaged in:
   1. The illegal use, possession, sale, distribution, or manufacture of controlled substances;
   2. Illegal gambling;
   3. Prostitution;
4. Pornography and obscenity;
5. Alcohol violations; and

B. The Vice/Narcotics Commander is responsible for the overall management of narcotics and vice enforcement activities. This includes the following units:
   1. Vice;
   2. Drug Task Force; *Electronic Surveillance Detail*, and

C. The Vice/Narcotics Operations Sergeant is responsible for:
   1. Supervising all investigations concerning violations of narcotics, vice, and alcohol laws; and
   2. Ensuring that deconfliction is completed and appropriately noted on the operations plan.
   3. Conducting a rolling annual review of each active informant file.

D. The Vice/Narcotics Administrative Sergeant is responsible for:
   1. Managing the special investigative funds account;
   2. Formulating and administering the Vice/Narcotics budget;
   3. Overseeing patrol-initiated narcotics case jackets;
   4. Submitting monthly and quarterly reports;
   5. Supervising detectives handling electronic surveillance-related functions;
   6. Supervising Vice/Narcotics detectives assigned to task forces; and
   7. Other support functions as deemed appropriate.

E. All officers are responsible for the enforcement of vice and narcotics violations that occur in their area of responsibility. Officers will monitor locations where these offenses are likely to occur and take appropriate action when violations are observed.

F. Officers wishing to seize drug assets for forfeiture are responsible to coordinate their efforts with the Vice/ Narcotics *Operations* Sergeant.

G. Officers will forward any intelligence concerning Vice/ Narcotics matters to the *Operations Sergeant via departmental email.*

H. Officers are responsible for forwarding narcotics case jackets (via the Case Review Officer) to Vice/Narcotics within four (4) days of an arrest.

I. *The Watch Commander* must contact the Vice/Narcotics *Commander* or designee prior to executing search warrants relating to vice or narcotics.
J. Vice/Narcotics detectives will aid other officers when specialized assistance is needed concerning the investigation of vice or narcotics violations.

K. The Information Services Section Commander is responsible for ensuring that copies of all vice or narcotics related Virginia Uniform Summons (VUS) and Central Criminal Exchange Records (CCRE) are forwarded to the Vice/Narcotics Operations Sergeant.

L. All Vice/Narcotics records will be maintained in accordance with Police Directives 3.6A, Security of Arrest Records, and 3.6B, Release of Information from Reports and Records. This information will be made available to other law enforcement officers as needed.

### 11.23.03 CALLBACK OF VICE/NARCOTICS PERSONNEL

A. After normal working hours, the decision to call back Vice/Narcotics personnel rests with the Watch Commander. The seriousness of the incident, along with the ability of on-duty personnel to successfully complete the investigation, should be taken into consideration.

B. The Watch Commander will contact the Vice/Narcotics Commander. Direct contact with Vice/Narcotics detectives is not to be made without the approval of the Vice/Narcotics Commander.

C. Vice/Narcotics call-back will be made in the following order:

1. Vice/Narcotics Commander
2. Operations Sergeant
3. Administrative Sergeant

D. A Vice/Narcotics supervisor will contact a Vice/Narcotics detective if the callback is warranted.

By Authority Of:

Earl L. Cook  
Chief of Police
The policy of this Department is to provide assistance to the immediate family of an employee who is seriously injured or killed in the line of duty. While this policy is primarily written for circumstances related to sworn officers, due to the increased likelihood of their involvement in tragic situations, elements of the policy may also be used to address the following events, at the discretion of the Chief of Police or designee:

- Serious injury or death of an off-duty officer;
- Serious injury or death of a retired sworn officer;
- Serious injury or death of a civilian employee, on or off-duty.

The Guidelines that follow are intended to expedite this assistance to reduce trauma experienced by the affected family.

The purpose of this directive is to describe guidelines for Departmental response to serious line of duty injuries, line of duty deaths, and deaths from natural causes.
11.24.02 DEFINITIONS

**Line of Duty Injury** - Any injury sustained by an on-duty sworn officer or any injury sustained by an off-duty sworn officer providing law enforcement related services.

**Line of Duty Death** - Any death sustained by an on-duty sworn officer, or any death sustained by an off-duty sworn officer providing law enforcement services.

11.24.03 RULES & RESPONSIBILITIES

**A.** *The Watch Commander will be notified when the need exists to check on the welfare of an employee at their home to ensure that he/she and/or a supervisor are present during the status check.*

**B.** In the event of a Line of Duty Death or serious injury a Benefits Coordinator (BC), designated by the Chief of Police, will provide the family with information regarding any benefits they may be due and prepare any documentation necessary to obtain those benefits.

**C.** A Family Liaison Officer (FLO), designated by the Chief of Police, will have duties which include but are not limited to:

1. Ensure the **NEEDS OF THE FAMILY are a priority as related to the needs or wishes of the Department.**

2. Meet with the family regarding funeral arrangements and advise them what the Department can provide. In some cases a family may elect to have a private service. We may need to assist with the private service and a memorial service for that officer;

3. Transport the family from the hospital to home, and anywhere else they request;

4. Ensure babysitters, if requested, are available for family members during the wake and funeral service. Possible sources of babysitters could be police employees’ family members, or the community or church of the deceased family;

5. Coordinate with the Benefits Coordinator to find out what financial assistance are available for out-of-town family and for feeding funeral attendees after the funeral;

6. Ensure the family, including parents, receive recognition, and that they have proper placement in the funeral procession and the funeral;

7. Ensure the family is briefed on the funeral proceedings;

8. Ensure the family is not left alone. Someone should be with the family 24 hours a day. If the family refuses, an officer will be assigned to the residence and remain outside;
9. Ensure someone is always at the home even when the family is not. This may mean posting an officer outside the home while the family is away for meetings or appointments;

10. Meet with the family while at the hospital or at their home immediately after they return from the hospital; and

11. Contact Concerns of Police Survivors (COPS) at their national office (573-346-4911) and coordinate a meeting with a local COPS representative for the family.

D. The Family Liaison Officer does not necessarily have to be a member of the Critical Incident Stress Management Team (CISM).

1. He or she should be aware that the CISM Team is available for debriefings and to help with family support at the hospital, wake, funeral, and the period following the funeral.

2. The Family Liaison Officer should know the deceased officer and be aware of the family relationships, but should not be so emotionally involved as to be ineffective. The Family Liaison Officer acts as a FACILITATOR between the family and the Department. This is NOT a decision making position.

3. The Family Liaison officer will be issued a portable telephone and will provide the family with the number.

E. When an employee is killed or seriously injured on or off-duty, unless otherwise noted, the appropriate commanding officer or designee will:

1. Make immediate verbal notification to the Chief of Police, City Manager, and all other ranking officials of this Department, as necessary. Prior to ending the tour of duty a written memorandum will be forwarded to the Chief of Police. The memorandum will include the date, location, cause and extent of injuries. Serious injury in this instance means an injury that could result in death or disability.

2. Notify family members and significant others as soon as possible. The notification will be made by the Chief of Police or designee and an employee who is also a friend of the family; and if available, a department chaplain. In the absence of the Chief of Police or designee, the deputy chief or the captain having first knowledge of the facts will make the notification.

3. The Watch Commander will coordinate on-duty personnel notification with the DEC supervisor. The Watch Commander will notify each on-duty supervisor who will in turn notify their on-duty staff of the death or serious injury of the employee. Department employees are cautioned to limit and carefully craft their personal communications and notifications of the incident to those other than on-duty personnel. The goal is to ensure timely and appropriate notification to family members and others close to the employee.

4. Notify the commander of the Critical Incident Stress Management Team (CISM).

5. As soon as possible, relieve the employees' work group and other close friends who are working and have them respond to headquarters to receive further information and CISM services.
6. The Watch Commander will call back an Incident Commander to coordinate further department notifications and any needed department response to the incident. Within family wishes, it is recommended to handle viewings, funeral arrangements and receptions similar to a special event.

7. Provide transportation for immediate family members and significant others to the hospital, if needed.

8. Ensure that all work related injury forms have been completed and submitted as required by department policy and the City’s Administrative Regulations.

11.24.04 GUIDELINES

A. Notification/Family/Significant Others Support Services: The following procedures will be followed for line of duty deaths, or any death sustained by an off-duty sworn officer providing law enforcement services:

1. A Personal Data form (F-OMB-5051) will be maintained in every member's personnel file. Form F-OMB-5051 should be used to obtain information for notification of family in case of death or serious injury.

2. The names of the deceased will not be released to the news media until the survivors (spouse, significant other, children, siblings, parents) living in the area are notified. For survivors living outside the area, the Chief of Police, or designee, should request a personal notification by members of the local law enforcement agency.

3. If there is knowledge of a medical problem with an immediate survivor then medical personnel should be readily available when notification is made.

4. Notification will be in person and not by phone. If possible, the following personnel should accompany the informing officer: Chief of Police, or designee, Department of Human Services Mental Health worker, chaplain, priest, pastor, etc. Notification should not be postponed if these people are not available. The injured or dead officer's name should be used. The use of the words "dead" or "died" is preferred over "passed away" or "expired."

5. The informing officer will advise the family of the specifics of the incident and should be prepared for the various responses the family may have: anger, fainting, hysteria, physical violence, shock, or no apparent reaction.

6. If the officer is still alive, the family will be taken to the hospital IMMEDIATELY. If the family refuses or insists on driving their own vehicle an officer should accompany them or be provided if the family requests the children not go to the hospital.

7. The officer making the notification will advise the officer in charge at the hospital that he/she is en-route with the family. This notification should be made by telephone, if possible.
B. **Assisting the Family at the Hospital:**

1. The Chief of Police, or designee, SHOULD BE at the hospital and coordinate with the hospital. An update should be given to the family as soon as they arrive.

2. Two separate waiting facilities will be designated: one for the family and one for co-workers.

3. *Attempt to coordinate family visits with the investigating detective.* Allow the family to visit the injured/deceased officer. DO NOT BE OVERLY PROTECTIVE OF THE FAMILY. "Prepare" the family for what they may see. **If the family requests,** they should be accompanied while they visit.

4. A separate area for the press should be established. It is recommended that the family *use discretion in granting an interview with the press.* Keep the press away from the family; all inquiries should be handled by the PIO.

5. Personnel who made the notification should be at the hospital.

6. The hospital should be instructed that the family **SHOULD NOT** receive any of the hospital bills at their residence. ALL hospital bills should be sent to the City’s Risk Manager.

C. **Funeral Considerations For Line Of Duty Deaths:** It should always be remembered that a funeral for a line of duty death is a **family funeral** first, and a Police Department funeral second. The wishes of the family always take precedence over the Department's wishes in regard to funeral arrangements. The Department should assist and advise the family when appropriate. The Chief of Police may appoint a coordinator for the funeral.

1. Teletype notification of a line of duty death should be sent nationwide. Many jurisdictions send officers great distances to attend these funerals. The Teletype should include information about the viewing, funeral services, and interment. Specific information should be included in the teletype, including location, parking, reporting and staging times, color guard instructions, motor instructions, etc.

2. A **Program** is a meaningful addition to the funeral service. The program could include background information on the slain officer, a photograph of the officer, acknowledgments, prayers, and directions to a reception location. The Public Information Office can assist in arranging production of the program.

3. Initial wake and funeral arrangements have to take into account many items; the following should be considered:
   a. The Department should be attentive to any special needs of the family, such as the transportation of out-of-town family members who will be arriving in the area. Transportation to and from the funeral home for the family should also be provided.
   b. If burial will be in uniform, the Department needs to ensure that the correct size uniform is taken to the funeral home.
   c. Condolences and messages to the family should be directed "Care of Alexandria Police Department (Headquarters address)." The home
address and telephone number of the injured or deceased officer's family must never be released. Inquiries can be directed to the Family Liaison Officer.

4. Logistical Arrangements for Wake/Viewing
   a. Ensure all Department personnel are notified of the date and times for the wake/viewing.
   b. Traffic control and assistance should be provided by the Department prior to, during, and after viewing hours.
   c. Honor guard generally stands guard at the foot and head of the casket during the viewing hours. This is done only if agreed to by the family. The Department flag can be posted at the foot of the casket and displayed so that the badge on the flag faces outward.
   d. The Department should provide transportation for the family to the funeral home and back home after the viewing. The Department may wish to consider assigning a sufficient number of officers and vehicles to the family for several days to assist with all transportation matters.

5. Logistical Arrangements for the Funeral Service
   a. A decision concerning uniform of the day should be made and disseminated to all personnel. It is preferable to have officers in long sleeve shirt, tie and traditional hat.
   b. Color guards and officers at the funeral need to be given specific instruction on where to assemble. Officers also need to be instructed on what commands will be given by the color guard coordinator.
   c. Arrangements need to be made for use of a public address system for those officers who cannot be seated in the church. Alexandria officers should always be seated inside the church before other jurisdictions. Preference may also be given to the unit or section of the deceased.
   d. Traffic control during the funeral can be relegated to the Office of the Sheriff.
   e. Several pews need to be reserved for the family, significant others, VIPs such as City officials, chiefs of police, and other constitutional officers.
   f. Officers should cover their breast badges with a mourning band from the time of death until a specified time period. Usually the period is until the day after burial, or for a 30-day period for one of ours, at the discretion of the Chief of Police.

6. Protocol For the Use and Presentation of the Flag.
   a. The flag should be placed on the casket with the stars on the left shoulder, and the label facing up. During the graveside service, the honor guard will hold the flag at waist level just above the casket.
b. The flag should not be lowered into the grave or allowed to touch the ground. At the conclusion of the graveside service, the flag should be taken from the casket and folded as detailed below.

c. The flag folding should be a distinctive feature of the ceremony. When the flag is folded it should be given to the Chief of Police by the Honor Guard Commander. The Chief of Police will then present the flag to a family member. Whenever the flag is handed from one person to another, the relinquishing officer will salute the accepting officer.

d. It is permissible to present more than one flag to the family of the officer. If the family requests more than one flag, subsequent flags will be presented already folded in the same manner as the initial flag.

D. **Post Funeral Support:**

1. Routine checks of the survivor's home will be made for eight (8) weeks following the funeral.

2. The Benefits Coordinator will meet with the surviving family within two (2) days of the death. The Benefits Coordinator will provide the family with information on all the benefits available to the family from outside sources and from personal insurance policies. This officer will assist with the filing of appropriate forms and following through with the family to ensure that the benefits are received.

   a. A list of benefits should be provided to the family. The list should include the organization's name, address, phone number, and contact person, if available.

   b. Surviving children from a previous marriage should be provided with a list.

   c. The family should be advised of the loss of health benefits after thirty (30) days.

3. If criminal violations surround the death, the family should be informed of developments prior to any press release.

   a. The survivors should be informed of, transported to, and accompanied to any court proceedings.

   b. **DO NOT BE OVERLY PROTECTIVE OF THE FAMILY.** They should be allowed to hear all of the testimony.

4. If there are no court proceedings surrounding the circumstances of the officer's death, then all details of the incident will be relayed to the family.

E. **FOLLOW-UP:**

1. The Family Liaison Officer and Benefits Coordinator should remain in contact with the family and offer departmental support for as long as the family feels the need.

2. Monthly phone calls are appropriate during the first year, then dwindling off to quarterly.
3. The officer's death date should be observed annually by sending a note to the surviving family members (parents, spouse, children).

BY AUTHORITY OF:

Earl L. Cook  
Chief of Police
LINE OF DUTY DEATH CHECKLIST

A. Death or Critical Injury Notification
   1. Make necessary notifications to Police Department:
      a. Chief of Police and Deputy Chiefs
      b. Each Deputy Chief should notify their unit commanders. The unit
         commanders should start a notification process to all employees under
         their command.
      c. Media Officer
      d. CISM Team Commander
      e. Risk Manager for the City
   2. Make other official notifications via VCIN to
      a. Virginia State Police (VSP)
      b. Federal Bureau of Investigation (FBI)
   3. Maintain confidentiality of victim’s identity until notification of family.
   4. Notification to family as soon as possible by Chief of Police, or designee. CISM,
      Department of Human Services, clergy may also be involved. Have medical
      assistance attending for family notification, if necessary.
   5. Family is taken to hospital, if employee is still alive (they may still want to go to
      the hospital if the officer is deceased.)
   6. Provide babysitter, if necessary.
   7. Private area is provided to family at the hospital.
   8. Separate area established for media.
   9. Prepare family for what they may see.
  10. Family Liaison Officer (FLO) designated by the Chief of Police.
  11. Benefits Coordinator (BC) designated by the Chief of Police.

B. Wake and Funeral Checklist
   1. Nationwide Teletype is sent reference officer’s death.
   2. The needs of the family come before those of the Department.
   3. FLO meets with family to assist with funeral arrangements.
   4. Honor guard.
   5. Motorcycle escort.
   6. Babysitters are provided.
   7. Security is maintained at family’s residence.
   8. Transportation provided for family, if requested.
   9. FLO meets with BC to find what assistance is available for funeral.
  10. FLO makes contact with Concerns of Police Survivors (COPS). COPS National
      office is 573-346-4911. Also contact the local COPS chapter closest to where
      the family lives (either Richmond-area COPS or Washington, D.C., COPS).
  11. Chief of Police issues instructions regarding uniform of the day.
  12. Logistical support at church is provided.
  13. Parking and seating is reserved for family and VIP.
  15. Portable toilets for funeral.
  16. Tow truck and motorcycle mechanic for funeral.
17. Refreshments
18. Public address system.
19. Taps and 21 gun salute. (US Capitol Police can provide these services).
20. Pallbearers can be the honor guard, or the family may wish to choose others. If the honor guard does not act as pallbearers they can assist at the church by giving out programs and seating attendees.
21. Arrangements need to be made so as many officers as possible can attend the funeral services. Other police agencies can be used to assist with traffic direction along the funeral route, assist with day-to-day calls for service, and assistance immediately following the funeral.
22. The funeral route from the church to the cemetery may involve a final drive by police headquarters. There should be black bunting draped over the entrance to the Police Department. Any employees present at the Department should stand outside and salute as the hearse passes.
23. Reporters and television crews should be placed in a central location, but at a discreet distance from the family. This location needs to take into account a large number of people from the media.

C. Post Funeral Support
1. Routine checks are made of survivor's home.
2. BC meets with family within two (2) days of the death to advise of benefits available.
3. Family is advised of imminent loss of health benefits.
4. Family is briefed on future court proceedings, if any.

D. Follow-Up
1. FLO and BC remain in contact with family for as long as family feels the need.
2. Employee's death is observed annually.
3. A Public Information Officer will be designated by the Chief of Police, or his/her designee, to handle the media. If the family agrees to an interview this officer should screen the questions so that upcoming legal proceedings are not jeopardized.
11.25.01 PURPOSE / POLICY

The purpose of this directive is to provide guidance for the prompt handling of vehicles reported stolen to this department and to ensure compliance with VCIN/NCIC regulations.

11.25.02 DEFINITIONS

§ 18.2-95. Grand larceny defined.

Any person who (i) commits larceny from the person of another of money or other thing of value of $5 or more, (ii) commits simple larceny not from the person of another of goods and chattels of the value of $200 or more, or (iii) commits simple larceny not from the person of another of any firearm, regardless of the firearm’s value, shall be guilty of grand larceny.

§ 18.2-102. Unauthorized use of animal, aircraft, vehicle or boat; consent; accessories or accomplices.

Any person who shall take, drive or use any animal, aircraft, vehicle, boat or vessel, not his own, without the consent of the owner thereof and in the absence of the owner, and with intent temporarily to deprive the owner thereof of his possession thereof, without intent to steal the same, shall be guilty of a Class 6 felony; provided, however, that if the value of such animal, aircraft, vehicle, boat or vessel shall be less than $200, such person shall be guilty of a Class 1 misdemeanor. The consent of the owner of an animal, aircraft, vehicle, boat or vessel to its taking, driving or using shall not in any case be presumed or implied because of such owner's consent on a previous occasion.
to the taking, driving or using of such animal, aircraft, vehicle, boat or vessel by the same or a different person. Any person who assists in, or is a party or accessory to, or an accomplice in, any such unauthorized taking, driving or using shall be subject to the same punishment as if he were the principal offender.

### 11.25.03 PROCEDURES

#### Stolen Vehicles

Officers handling calls for stolen vehicles where the registered owner is not present or immediately available will take the report from the complainant and document the relationship between the complainant and the registered owner, and whether the complainant is, at the time of the offense, the person responsible for the vehicle. Officers will document the anticipated return date and time for the owner to ensure follow-up and prosecution can be made. (Example: vehicle owner leaves for vacation, neighbor left watching over property, sees vehicle has been taken and makes report. The investigating Officer will take a report and have the vehicle entered into VCIN/NCIC) Officers will not defer taking a report until the return of the registered owner.

To ensure the rapid reporting of stolen vehicles, any officer/employee taking a report of a stolen vehicle will, as soon as possible and before completing the report:

1. Verify the vehicle information and insure its accuracy prior to contacting ISS. Sources for verification include DMV, insurance, registration papers, title, dealership invoice, etc. Document(s) containing the VIN should be faxed to ISS as soon as possible when vehicles are stolen from dealerships or are otherwise unregistered;

2. Contact Information Services in person or by phone;

3. Provide Information Services with the case number, owner's name and address and a complete description of the vehicle. The employee will then note in the report the name of the Information Services employee who was contacted and the date and time; and

4. Broadcast a lookout over the radio and/or MDB.

#### Recovery of Stolen Vehicle

1. Any officer/employee recovering a stolen vehicle will contact Information Services Section in person or by phone as soon as possible, in the same manner as reporting a vehicle stolen.

2. Information Services will clear the VCIN/NCIC entry, or enter a locate and administrative message, whichever is appropriate.
3. The Communications Section shall forward any hit confirmation requests and positive responses to ISS for attachment to the report.

5. The recovering officer will notify the owner.

6. If the recovering officer is unable to notify the owner, he or she will notify a Communications supervisor, who will ensure that the owner is notified as soon as possible. The notification, or lack of notification, will be recorded on the APD-7.

7. Recovered vehicles will be impounded and an APD-0052 completed, or released to the owner and a Property Inventory (APD-39) completed, including the receipt portion.

8. The Information Services supervisor is responsible to ensure that a VCIN message containing full recovery information is sent to the originating agency whenever an out-of-town stolen vehicle is recovered.

9. Whenever a Teletype or other official notification is received from another jurisdiction to the effect that a vehicle reported stolen in Alexandria has been recovered by that agency, the Information Services supervisor will:
   a. Ensure that the original APD-7 is supplemented to that effect;
   b. Ensure that VCIN/NCIC entries are cleared;
   c. Ensure that an auto theft investigator in CIS is notified; and
   d. Notify the owner of the recovery.

**Unauthorized Use of a Vehicle**

When taking a report for unauthorized use of a vehicle, the Department employee taking the report should obtain as much information as possible. The person who took the vehicle, with or without permission, should be listed as the suspect and the narrative should include if a warrant has been obtained. **The vehicle cannot be entered into NCIC/VCIN until a warrant has been issued.** The warrant can be obtained by the complainant, detective, or by the investigating officer as circumstances dictate. Upon the issuance of the warrant, the officer/employee having this knowledge shall contact ISS to cause the vehicle to be entered into NCIC/VCIN. These steps will be documented in the report or supplement.

*By Authority Of:*

David P. Baker  
Chief of Police
11.26.01 POLICY AND PURPOSE

The purpose of the Honor Guard Unit is to provide the department with a select group of officers who will represent the department at all required special events, and to perform all drill and ceremonial duties at functions designated by the commander of the Special Operations Section with the approval of the Chief of Police.

11.26.02 DEFINITIONS

**Full Honors** – Provided at the discretion of the Chief of Police, and with approval by the family. This presence is meant to signify respect for active police officers and special police officers (SPOs) killed in the line-of-duty.

**Modified Honors** – A modified presence of a less formal degree than for a funeral with full honors and provided at the discretion of the Chief of Police and approved by
the family. It is meant to signify respect for a current sworn employee who has passed away while employed by the department, but not in the line-of-duty.

**Qualified Honors** – A presence representing the department may be provided at viewings and services for immediate family members of full-time employees.

**Simple Honors** – Simple honors is a presence symbolic of respect for the deceased by the department at the discretion of the Chief of Police and approved by the family. Simple honors may be extended to retired police officers, department civilian employees, and retired department civilian employees. This may also be extended to department volunteers at the discretion of the Chief of Police.

**Colours** – National, State, City and organizational flags carried by color bearing units of the Honor Guard.

**Colours Team** – A detail of six (6) or more officers that will carry the Colors, as well as two (2) rifles.

**Executive Officer** – A sergeant or other member of the unit authorized to serve as the commander of the unit in the absence of the commander.

**Firing Party** – A unit consisting of Honor Guard officers with one commander and seven (7) rifle officers.

**Officer in Charge (OIC)** – the sergeant or officer in charge of a particular Honor Guard detail.

**Pallbearers** – Honor Guard members that are assigned to carry the casket.

**Sentinels** – Officers assigned to casket guard duty.

**Greeters** – Officers assigned at a funeral home or church to greet mourners during the funeral of an immediate family member of a department employee.

**Honor Guard Group** – A team of eight (8) officers that includes a Team Leader and Assistant Team Leader. Three groups (A, B & C) make up the Honor Guard Unit. Each may be led by a sergeant, but not necessarily. Each team will be on call for one month and will handle any details that come during that month. Group A will be responsible for January, April, July, and October. Group B will be responsible for February, May (excluding National Police Week activities), August, and November. Group C will be responsible for March, June, September, and December.
11.26.03 HONOR GUARD SELECTION

A. **Vacancies** - When a vacancy occurs on the Honor Guard Unit, there will be a formal selection process as outlined in Police Directive 4.11A, Transfers.

B. **Selection Criteria** - Honor Guard members will be selected using the following criteria.
   1. Willingness to participate.
   2. Must remain with the Honor Guard for a minimum of 3 years and perform at least 3 details each year, excluding Police Week functions.
   3. Appearance (deportment, carriage, wearing of uniform, etc.).
   4. Attitude toward and interest in departmental activities.
   5. Ability to adhere to orders.
   7. Exhibited professionalism.
   8. Ability to learn and properly execute ceremonial drill movements, including:
      a. Stationary drills
      b. Marching manual
      c. Rifle manual
      d. Colors manual
   9. Availability for assignment on short notice

11.26.04 ATTENDANCE

A. Honor Guard members must attend all meetings, practice sessions and functions unless excused by the team leader, with the concurrence of the Honor Guard commander or executive officer.

B. Members must be prompt for all engagements and must arrive at the locations specified in the proper uniform and with the required equipment for that event.

C. Members failing to attend scheduled engagements without being properly excused will be subject to disciplinary action and temporary or permanent removal from the unit.

11.26.05 APPEARANCE

A. **Uniform** - The uniform will be worn with pride and will, by its appearance, signify the highest tradition and professionalism of law enforcement. All members of the Honor Guard will report for duty with their uniforms neat, clean and pressed. Uniform inspections will be conducted prior to assignment.
B. **Shoes** - Issued shoes will be shined, free of dirt and dust, and taps will be properly secured. Shoelaces will be tucked and black socks will be worn.

C. **Accoutrements** – If worn, accoutrements will be cleaned and polished. Such items include nameplates, the Honor Guard pin, commendation bars, or other awards and pins issued or approved by the Chief of Police.

D. **Hats** - Will be clean and free of lint and dust. Visors will be shined and the hat insignia will be polished.

E. **Hairstyles** - Department policy for hairstyles will be strictly adhered to.

### 11.26.06 FUNERAL PROTOCOL

Depending on the type of funeral and associated tasks, the Honor Guard commander will request approval from the Chief of Police for the Honor Guard to be detailed. The Honor Guard will send a detail to a funeral if the detail can be completed within the same day. Any funeral requiring overnight lodging must be approved by the Chief of Police. Honor Guard services are provided at the discretion of the Chief of Police. The Honor Guard will work closely with the department-designated family liaison for the funeral. **The wishes of the family will always take priority over the Department's wishes regarding funeral arrangements unless it goes against established Federal or local protocol.**

A. **Full Honors**

   In the event of a line-of-duty death, an official thirty (30) day period of mourning will be declared. All departmental flags will fly at half-staff and all members may wear a black mourning band on their badges. Police headquarters will be draped with black bunting. Funerals with full honors will consist of the following elements:

   1. Motorcycle escort.
   2. Sentinel detail will be posted at the casket during viewing.
   3. Colors team
   4. Active pallbearers (minimum of six Honor Guard members).
   5. Firing detail consisting of seven officers with rifles and/or shotguns and a firing detail commander.
   6. Two buglers (if available) and/or bag pipe.
   7. Honor Guard commander.
   8. Chief of Police or designee will attend.
   9. Protocol dictates the following order for the funeral procession:
      a. Motorcycle escort.
      b. Assigned Commander.
      c. Clergy.
      d. Hearse.
      e. Family.
      f. Alexandria Police Department employees.
g. Friends, patriotic or fraternal organizations and visiting police.
h. Active pallbearers, Colors Team, firing detail and bugler will leave separately and proceed directly to the grave site.

B. **Modified Honors**
In the event of a non-line-of-duty death of a sworn employee, a mourning period lasting fourteen (14) days will be declared. All departmental flags will fly at half-staff and all members may wear a black mourning band on their badges for this period. Funerals with modified honors will consist of the following:
1. Colors Team.
2. Sentinel Detail will be posted at the casket during viewing
3. Active pallbearers (minimum of six) consisting of Honor Guard members.
4. Chief of Police and/or designee attends.

C. **Simple Honors**
In the event of the death of retired sworn officers, active department civilian employees, retired department civilian employees, or long-term active volunteers, an official period of mourning will be declared. This period will last from the announcement of the death until the close of business on the day of the funeral. All departmental flags will be flown at half-staff. Funerals with simple honors will consist of the following:
1. Sentinel Detail - Honor Guard is present during the afternoon and evening visiting hours.
2. The Chief of Police and/or designee attends.

D. **Qualified Honors**
In the event of the death of immediate family members of full-time employees, the Honor Guard may be called upon to serve as greeters. Funerals with qualified honors will consist of the Honor Guard’s presence during visiting hours and/or memorial services in the capacity of greeters or representatives of the department.
1. For the purposes of this section, “immediate family” will mean a spouse, child, stepchild, parent, legal stepparent or guardian, parent-in-law, grandparent, brother or sister.
2. Employees must initiate the request for the Honor Guard through their chain of command to the commander of the Honor Guard Unit.
3. Services must be within the Washington metropolitan area.

E. **Additional Funeral Protocol**
1. Formations:
   a. The formations for the Honor Guard, Colors Team, processions and all police personnel will be coordinated and directed by the Honor Guard commander, or designee.
   b. The detail commander or designee will call commands for all assembled police personnel.
c. One pre-designated Colors Team commander will echo all commands when Colors Teams are to perform a different movement than other detail units.

d. As the casket appears from inside the funeral building, a command to present arms will be given by the designated detail commander.

e. Once the casket is placed in the hearse, the detail commander will give the command to order arms.

2. Grave Site:
   a. The Colors Team Detail, Firing Party and the Casket Team should coordinate at the gravesite prior to the procession arrival.
   b. As the hearse appears, the detail commander will bring the detail to attention.
   c. When the back door to the hearse is opened and the casket appears, the commander will bring the detail to present arms.
   d. Once the casket has been placed at the gravesite, the command will be given to order arms.
   e. The detail should be brought to parade rest during the gravesite funeral service.
   f. At the conclusion of the funeral service, the detail will be brought to present arms and the firing party will be signaled to fire. The firing party will fire three (3) volleys using rifles or shotguns with blank rounds.

3. The Playing of Taps
   a. Whenever possible, taps should be echoed.
   b. During taps, the pallbearers will fold the flag that drapes the casket. The ideal fold shows only four stars, and no red.
   c. An Honor Guard member will present the flag to the Chief of Police or designee.
   d. The Chief of Police (or designee) will present the flag to the next of kin.

11.26.07 RESPONSIBILITIES

A. Honor Guard Commander Responsibilities
   1. Maintain a fully equipped Honor Guard.
   2. Coordinate all Honor Guard functions.
   3. Promote regular training sessions to practice drill and ceremony procedures.
   4. Serve at all department-related funerals.

B. Honor Guard Team Leader Responsibilities
   1. Coordinate all details assigned to their group to include:
      a. Notifying members of upcoming events.
      b. Ensuring sufficient staffing for events.
      c. Ensuring each member has received approval from their supervisor regarding appearances, including off-duty events,
   2. Ensure team members are trained to handle all Honor Guard events,
3. Designate training dates, with the approval of the Chief of Police,
4. Submit training lesson outlines to the Honor Guard commander for approval.
5. Submit after-action reports after each assigned event. Each report should include:
   a. A list of those members in attendance.
   b. The starting and ending times of the detail.
   c. Related overtime slips.
   d. A brief description of the event.
   e. Any recommendations to improve future events, if appropriate.

C. Honor Guard Member Responsibilities
1. Maintain military bearing at all times during Honor Guard events.
2. Represent the department in the highest professional manner during all events.
3. Maintain proficient skills in drill and ceremony.
4. Maintain all equipment in the best possible condition.
5. Obtain their supervisor's approval for each Honor Guard appearance if it will affect the officer's regular duty.
6. Respond expeditiously to notices regarding future events so that the Unit's response can be coordinated in a timely way. This will be done within twelve (12) hours of the officer receiving the page or telephone message. The response should include their availability or status.
7. Be responsible for working any detail that occurs during their on-call month. It will be the responsibility of the member to find a replacement for a detail that they are unable to attend due to pre-approved leave, vacation, day off, etc.

D. Requests for Honor Guards
1. Honor Guards are frequently needed on short notice. To expedite coordination of the details, requests should be forwarded to the Honor Guard commander as soon as possible.
2. Employees receiving teletypes or other communications regarding the death of a police officer will forward the information to the Honor Guard commander in a timely manner. The commander or designee will respond to the requesting agency regarding our attendance.

11.26.08 UNIFORMS AND EQUIPMENT

A. It is the policy of this department to equip Honor Guard members with the equipment necessary to accomplish their mission.

B. Issued Uniforms and Equipment
The following items will be issued to each Honor Guard member.
1. Class-A uniform (1)
2. Overcoat (1)
3. Honor Guard Badge (1)
4. Shoes with build-up (1)
5. Hat with hatband (silver or gold) (1)
6. Hat rain cover
7. White gloves (2 pairs)
8. Shoulder cords (1) white and (1) black
9. Honor Guard nameplates (2 each)
10. Sam Browne belt - Clarino leather (1)
11. Holster - Clarino leather (1)
12. Handcuff case - Clarino leather (1)
13. Double magazine pouch - Clarino leather (1)
14. Honor Guard pin (2)
15. Shoulder strap - Clarino leather (1)
16. Belt keepers with "D" ring - Clarino leather (2)
17. Alpha-numeric pager (1)
18. Sunglasses (1)
19. Tie (1)
20. Garment bag (1)
21. Equipment bag (1)

C. Maintenance of Uniforms and Equipment
1. Uniforms and equipment will be inspected on a regular basis in accordance with Police Directive 6.3, Uniforms, Appearance and Care of Equipment.
2. Unit members who require replacement items must submit a memorandum to the Honor Guard procurement officer outlining the reason(s) for replacement.
3. All purchase requests will be routed through Fiscal Management for approval by the Chief of Police.
4. All uniform and equipment purchase requests will be coordinated and issued through the Property Section.
5. Upon resignation or retirement from the Honor Guard Team, all uniform and equipment must be turned in to the Property Section for re-issue.

By Authority of:

Earl L. Cook
Chief of Police