



Board of Public Works & Safety and Stormwater Board

Regular Meeting Agenda

2:00 p.m., August 8, 2022

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

To access online streaming of the meeting, go to <https://goshenindiana.org/calendar>

Call to Order by Mayor Jeremy Stutsman

Approval of Minutes: August 1, 2022

Approval of Agenda

- 1) Opening of bids:** Purchase of four 2023 Hybrid Pursuit Sports Utility Vehicles
- 2) Police Department:** Request to approve the promotion of Kraig R. Caridine to Patrol Officer, effective Aug. 9, 2022
- 3) Police Department:** Request to approve the resignation of Patrol Officer David Stump, retroactive to Aug. 6, 2022
- 4) Police & Legal Departments:** Request to approve a conditional offer of employment to Austin James Shapland as a Probationary Patrol Officer
- 5) Building owner:** Request by David Pottinger to approve placement of a dumpster in back of 211-213 Main Street, beside the alley, for waste material associated with a roof replacement
- 6) Downtown Goshen, Inc.:** Request for closure of Main Street, from Lincoln to Clinton streets, on Sept. 2, 2022 for the previously postponed First Friday Classic Car Show
- 7) Downtown Goshen, Inc.:** Request for closure of parking spaces on West Washington Street for the duration of Arts on the Millrace, Sept. 10, 2022
- 8) Legal Department:** Resolution 2022-26, Approving Certain New or Revised City of Goshen Police Department Policies and Repealing Certain Policies
- 9) Engineering Department:** Request to approve the lowering of the water level in the Mill Race Canal for the 2020-2022 Goshen Biennial Bridge Inspection Program



CITY OF GOSHEN STORMWATER BOARD

Regular Meeting Agenda

2:00 p.m., August 8, 2022

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Members: Mayor Stutsman, Mike Landis and Mary Nichols

10) Stormwater Department: Accept the post-construction stormwater management plan for Green Oaks Assisted Living

11) Stormwater Department: Accept the post-construction stormwater management plan for Keystone RV Shipyard Building & Gravel Storage Lot

12) Stormwater Department: Accept the post-construction stormwater management plan for Beacon Health Dunlap Outpatient Center

Privilege of the Floor

Approval of Civil City and Utility Claims

Adjournment



BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD

MINUTES OF THE August 1, 2022 REGULAR MEETING

Convened at 2 p.m. at Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Present: Mayor Jeremy Stutsman and members Mike Landis, Mary Nichols, DeWayne Riouse and Barb Swartley

Absent: None

CALL TO ORDER: Mayor Stutsman called the meeting to order at 2:00 p.m.

REVIEW/APPROVE MINUTES: Mayor Stutsman presented the minutes of the July 25, 2022 regular meeting. Board member DeWayne Riouse moved to approve the minutes as presented and the motion was seconded by Board member Mary Nichols. Motion passed 5-0.

REVIEW/APPROVE AGENDA: Mayor Stutsman presented the meeting agenda. Board member Riouse moved to approve the agenda as submitted. Board member Nichols seconded the motion. Motion passed 5-0.

1) Police Department: Promotion and swearing in of Paige E. Hershberger as a Patrol Officer

City Police Chief José Miller asked the Board to approve the promotion of Paige E. Hershberger from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Aug. 2, 2022. Chief Miller said on Aug. 2, 2022, Officer Hershberger will have completed her 12-month probationary period. He added that Officer Hershberger has demonstrated that she will be a great addition to the Goshen Police Department and to this community.

Riouse/Nichols moved to approve the promotion of Paige E. Hershberger to the rank of Patrol Officer, effective Aug. 2, 2022. Motion passed 5-0. The Mayor then swore Officer Hershberger into office.

2) Police Department: Promotion and swearing in of Kaleb E. Rucker as a Patrol Officer

City Police Chief José Miller asked the Board to approve the promotion of Kaleb E. Rucker from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Aug. 2, 2022. Chief Miller said on Aug. 2, 2022, Officer Rucker will have completed his 12-month probationary period. He added that Officer Rucker has demonstrated that he will be a great addition to the Goshen Police Department and to this community.

Riouse/Nichols moved to approve the promotion of Kaleb E. Rucker to the rank of Patrol Officer, effective Aug. 2, 2022. Motion passed 5-0. The Mayor then swore Officer Rucker into office.

3) Fire Department: Promotion and swearing in of Michael L. Fairfield as a Private First Class

City Fire Chief Danny Sink asked the Board to approve the promotion of Michael L. Fairfield to the rank of Private First Class, effective Aug. 2, 2022. Chief Sink said on Aug. 2, 2022, Private First Class Fairfield will have completed his probationary year with the Goshen Fire Department. He added that Private Fairfield merits promotion based on his performance and recommendations from his shift Battalion Chief and Training Officer.



Riouse/Nichols moved to approve promotion of Michael L. Fairfield to the rank of Private First Class, effective Aug. 2, 2022. Motion passed 5-0. The Mayor then swore Private First Class Fairfield into office.

4) Fire Department: Promotion and swearing in of Daniel J. Kurtz as a Private First Class

City Fire Chief Danny Sink asked the Board to approve the promotion of Daniel J. Kurtz to the rank of Private First Class, effective Aug. 2, 2022. Chief Sink said on Aug. 2, 2022, Private First Class Kurtz will have completed his probationary year with the Goshen Fire Department. He added that Private Kurtz merits promotion based on his performance and recommendations from his shift Battalion Chief and Training Officer.

Riouse/Nichols moved to approve promotion of Daniel J. Kurtz to the rank of Private First Class, effective Aug. 2, 2022. Motion passed 5-0. The Mayor then swore Private First Class Kurtz into office.

5) Fire Department: Promotion and swearing in of Timothy C. Perry as a Private First Class

City Fire Chief Danny Sink asked the Board to approve the promotion of Timothy C. Perry to the rank of Private First Class, effective Aug. 2, 2022. Chief Sink said on Aug. 2, 2022, Private First Class Perry will have completed his probationary year with the Goshen Fire Department. He added that Private Perry merits promotion based on his performance and recommendations from his shift Battalion Chief and Training Officer.

Riouse/Nichols moved to approve promotion of Timothy C. Perry to the rank of Private First Class, effective Aug. 2, 2022. Motion passed 5-0. The Mayor then swore Private First Class Perry into office.

6) Fire Department: Approve agreement with Emergency Services Marketing Corp., Inc., for the "I am Responding" emergency notification service

City Attorney Bodie Stegelmann asked the Board to approve and execute the agreement with Emergency Services Marketing Corp., Inc., for the "I am Responding" emergency notification service at a rate of \$800 a year.

Stegelmann said the "I am Responding" program will replace the Goshen Fire Department's current emergency notification system and will allow the Fire Department to coordinate with other departments to provide mutual aid.

Emergency Services Marketing Corp., Inc. will be paid \$800.00 per year for the service.

Riouse/Nichols moved to approve and authorize Chief Sink to execute the agreement with Emergency Services Marketing Corp., Inc., for the "I am Responding" emergency notification service at a rate of \$800 a year. Motion passed 5-0.

7) City of Goshen request: Approve the placement of a Welcome Week banner on Main Street, Aug. 12-Sept. 4, 2022

Mayor Stutsman asked the Board to approve the placement of a Welcome Week banner on Main Street beginning Aug. 12 through Sept. 4, 2022. The Mayor said the City of Goshen is requesting permission to place a banner on Main Street because Goshen College students will be arriving in waves beginning Aug. 5, but the new first-year students will move in and begin with Welcome Week on Aug. 21. Returning students arrive on Saturday, Aug. 27 and classes begin on Monday, Aug. 29.

Board member Landis said he knows other organizations have asked for banners on Main Street and asked the City's criteria for approving them. **Mayor Stutsman** said the City usually declines such requests. However, he said the City makes exceptions for events or initiatives it is co-sponsoring, such as welcoming Goshen College students.



Riouse/Nichols moved to approve the placement of the Welcome Week banner on Main Street beginning Aug. 12 through Sept. 4, 2022. Motion passed 5-0.

8) Legal Department: Acceptance of easements from 510 Apple, LLC

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, asked the Board to accept the permanent easement for storm sewer utility purposes and the temporary easement from 510 Apple, LLC, and authorize the Mayor to execute the acceptance for each.

Marks said both easements are located on the north side of Kercher Road, west of Southside Park Court. She said the permanent easement is for storm sewer utility purposes, and the temporary easement will be used for accessing and constructing the storm sewer under Kercher Road and connecting to an existing storm sewer. The temporary easement will end and automatically be released after completion of the project by Dec. 31, 2022.

Riouse/Nichols moved to accept the permanent easement for storm sewer utility purposes and the temporary easement from 510 Apple, LLC, and authorize the Mayor to execute the acceptance for each. Motion passed 5-0.

9) Legal Department: Acceptance of easement from Waterford Commons Business Park, LLC

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, asked the Board to accept the temporary easement from Waterford Commons Business Park, LLC, and authorize the Mayor to execute the acceptance. **Marks** said the easement is located on the south side of Kercher Road. She said this area will be used for accessing and constructing a storm sewer under Kercher Road and connecting to an existing storm sewer. The temporary easement will end and automatically be released after completion of the project by Dec. 31, 2022.

Riouse/Nichols moved to accept the temporary easement from Waterford Commons Business Park, LLC, and authorize the Mayor to execute the acceptance. Motion passed 5-0.

10) Legal Department: Approve and execute the agreement with Newbury Construction Company, LLC, for installation of a metal roof at the Goshen Municipal Airport, Hanger B

Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the agreement with Newbury Construction Company, LLC, for installation of a metal roof at the Goshen Municipal Airport, Hanger B. Newcomer said Newbury, which is based in Lagrange, will be paid \$33,935.98.

Board member Landis asked if there were multiple contractors who bid on the project or if Newbury was the only one that sought the work. **City Attorney Bodie Stegelmann** said Newbury has been the low bidder for previous airport work. He said the City reached out to three contractors for bids, but only Newbury responded.

Riouse/Nichols moved to approve and execute the agreement with Newbury Construction Company, LLC, for installation of a metal roof at the Goshen Municipal Airport, Hanger B. Motion passed 5-0.

11) Legal Department: Approve and execute the agreement with OJS Building Services, Inc., for a HVAC Planned Maintenance Agreement for the Goshen Police and Courts Building.

Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the agreement with OJS Building Services, Inc., for a HVAC Planned Maintenance Agreement for the Goshen Police and Courts Building.



Newcomer said OJS Building Services, Inc., of Mishawaka will be paid \$7,880.00 in equal semi-annual installments of \$3,940.00.

Riouse/Nichols moved to approve and execute the agreement with OJS Building Services, Inc., for a HVAC Planned Maintenance Agreement for the Goshen Police and Courts Building. Motion passed 5-0.

12) Legal Department: Approve and execute the agreement with OJS Building Services, Inc., for a HVAC Planned Maintenance Agreement for the Goshen Police Training Facility

Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the agreement with OJS Building Services, Inc., for a HVAC Planned Maintenance Agreement for the Goshen Police Training Facility. Newcomer said OJS Building Services, Inc., of Mishawaka will be paid \$7,300.00 in equal semi-annual installments of \$3,650.00.

Riouse/Nichols moved to approve and execute the agreement with OJS Building Services, Inc., for a HVAC Planned Maintenance Agreement for the Goshen Police Training Facility. Motion passed 5-0.

13) Legal Department: Approve entry agreements for the stormwater project in The Crossing subdivision

Shannon Marks, the Legal Compliance Administrator for the City Legal Department, asked the Board to approve the attached Right of Entry Agreements for the stormwater project in The Crossing subdivision, and authorize the Mayor to execute the Agreements on behalf of the City.

Marks said the City is constructing a stormwater project to improve drainage and stormwater retention facilities in The Crossing subdivision. As part of this project, Marks said it is necessary for the City to remove the existing berm constructed upon the rear yard of the real estate of the property owners located on the south side of Lighthouse Lane, construct a swale within the City's existing 25-foot stormwater drainage easement that extends along the southern boundary of the parcels of real estate, and grade and stabilize the rear yards.

Marks said the City has requested a temporary right of entry upon the following property owners' real estate to perform this work: 1. Sharon Price and Michael Price, husband and wife; 2. Ruth Borntreger; 3. Samuel Gutierrez Rangel; 4. Edward J. Plug and Irma O. Plug, husband and wife; 5. Jesus E. Araujo Gutierrez and Agny C. Medina De Araujo, husband and wife; 6. Tyler Kevin Rothhaar and Lillian Rothhaar, husband and wife; 7. Kirk J. Manning and Crystal A. Manning, husband and wife; 8. Scott J. Sloat and Celeste A. Sloat, husband and wife; 9. Carlos Avelar and Tania Samra, tenants by the entirety; and 10. The Crossing Development LLC.

Riouse/Nichols moved to approve the attached Right of Entry Agreements for the stormwater project in The Crossing subdivision, and authorize the Mayor to execute the Agreements on behalf of the City. Motion passed 5-0.

14) Water & Sewer Department: Request for the partial closure of Wilden Avenue, from Aug. 2 through Aug 4, 2022, to disconnect utilities at four homes

Kent Holdren, Superintendent of City Water Treatment and Sewer Collection, asked the Board for permission to close Wilden Avenue, between North 1st Street and North 2nd Street, to through traffic, on Tuesday, Aug. 2, starting at 7 a.m., and reopening for traffic on Thursday evening, Aug. 4, 2022.

Holdren said the closure is needed for the safety of work crews and the public because the City of Goshen Water and Sewer Department will be disconnecting utilities for four homes on Wilden Avenue.



Holdren said City staff will notify Goshen Schools and EMS and ensure that the garbage is moved to the appropriate locations for pick up. **Board member Landis** clarified the start date of the closure with **Holdren**.

For the record, **Mayor Stutsman** also stated that **Holdren** was married over the weekend. He added that he heard it was a "beautiful ceremony."

Riouse/Nichols moved to allow the closure of Wilden Avenue, between North 1st Street and North 2nd Street, to through traffic, on Tuesday, Aug. 2, starting at 7 a.m., and reopening for traffic on Thursday evening, Aug. 4, 2022. Motion passed 5-0.

15) Engineering Department: Approve lane restrictions and trail closure along Kercher Road, Aug. 8 until Sept. 3, 2022, for work on the Kercher Road Storm Sewer Crossing project

City Director of Public Works & Utilities Dustin Sailor asked the Board to approve lane restrictions and a trail closure along Kercher Road from August 8 until Sept. 3, 2022.

Sailor said Niblock has requested permission to shift the eastbound lane and close the pedestrian trail along Kercher Road from Messick Drive to Southside Park Court, from Aug. 8 to Sept. 3, 2022. Two-way traffic will be maintained with two, 12-foot-wide lanes. All necessary traffic control devices and temporary pavement markings will be utilized. The lane restrictions and closure were requested as part of the Kercher Road Storm Sewer Crossing project.

Riouse/Nichols moved to approve lane restrictions and the trail closure along Kercher Road from Aug. 8 until Sept. 3, 2022. Motion passed 5-0.

16) Engineering Department: Approve lane restriction on Chicago Avenue, Aug. 2, thru Aug. 12, 2022, for the installation of fiber conduit by TCS Communications, LLC.

City Director of Public Works & Utilities Dustin Sailor asked the Board to approve a lane restriction on Chicago Avenue, beginning Aug.2 through Aug. 12, 2022, for the installation of fiber conduit.

Sailor said TCS Communications, LLC. working for Frontier Communications, has requested a lane restriction to install fiber conduit along Chicago Avenue. The limits of the work zone are from Pike Street to Riverside Boulevard. He said traffic controls will include signs, cones and flaggers as required. The contractor will be allowed one lane to work within at any one time.

Riouse/Nichols moved to approve a lane restriction on Chicago Avenue, beginning Aug.2 through Aug. 12, 2022, for the installation of fiber conduit. Motion passed 5-0.

17) Engineering Department: Approve the closure of eastbound Jefferson Street, from Aug. 2 thru August 4, 2022, for utility connections work at 114 W. Jefferson St.

City Director of Public Works & Utilities Dustin Sailor asked the Board to approve the closure of eastbound Jefferson Street, from Aug. 2 through Aug.4, 2022, for utility connections to 114 W. Jefferson St. **Sailor** said Schrock Commercial has notified the Engineering Department of requested lane restrictions associated with utility connections for the future establishment, Barecito. He said Schrock Commercial requested Jefferson Street between 3rd and Main Street to be closed to eastbound traffic, Aug. 2 through Aug. 4, 2022.

Riouse/Nichols moved to approve the closure of eastbound Jefferson Street, from Aug. 2 through Aug.4, 2022, for utility connections to 114 W. Jefferson St. Motion passed 5-0.



18) Engineering Department: Approve and authorize the Mayor to sign an indemnity agreement with Rieth-Riley Construction Co, Inc. for use of the vacant City property at 908 N 5th Street for construction staging
City Director of Public Works & Utilities Dustin Sailor asked the Board to approve and authorize the Mayor to sign the indemnity agreement with Rieth-Riley Construction Co, Inc. for use of the vacant City property at 908 N 5th Street for construction staging.

Sailor said the Wilden Avenue Reconstruction project is scheduled to begin construction this week. Due to limited space within the project limits, Rieth-Riley intends to use the vacant City property at 908 N 5th Street for staging of construction equipment and materials. He asked the Board to approve the indemnity agreement with Rieth-Riley for use of the City-owned property. Included in the agreement are requirements to incorporate the staging area in the project Stormwater Quality Control Plan and restore the area after construction is complete.

In response to a question from **Mayor Stutsman**, **Sailor** said this will be the staging area for the entire project.

Riouse/Nichols moved to approve and authorize the Mayor to sign the indemnity agreement with Rieth-Riley Construction Co, Inc. for use of the vacant City property at 908 N 5th Street for construction staging. Motion passed 5-0.

19) Engineering Department: Approve closure of three parking spaces in the southwest corner of City Hall to use as a staging area for the contractor filling the vault and rebuilding the steps

City Director of Public Works & Utilities Dustin Sailor asked the Board to approve the closure of three parking spaces at the southwest corner of City Hall to use as a staging area for work being done at City Hall..

Sailor said the three parking spaces along the southwest corner of the City Hall parking lot are needed, starting Monday, Aug. 1, to serve as a staging area for Vander Wey and Sons. He said the spots will be needed until the work is complete, which is expected to take three to four weeks.

Mayor Stutsman said the work will involve filling a vault and rebuilding the front steps of City Hall. **Clerk-Treasurer Aguirre** noted that because of the recent planting of a tree, more like 2½ spaces are available.

Riouse/Nichols moved to approve the closure of up to three parking spaces in the southwest corner of City Hall for a staging area for the contractor filling the vault and rebuilding the steps. Motion passed 5-0.

20) Engineering Department: Approve agreement with Abonmarche Consultants, Inc. to provide staking for the construction of the North Indiana Avenue Recycling Drop-off site

City Director of Public Works & Utilities Dustin Sailor asked the Board to approve the agreement with Abonmarche Consultants, Inc. for \$7,200.00 to provide staking for the construction of the recycling drop-off site on North Indiana Avenue.

Sailor said the Goshen Engineering Department is seeking approval of an agreement with Abonmarche Consultants, Inc. to stake the North Indiana Avenue Recycling Drop-off Site. Abonmarche will be paid at hourly rates shown in the agreement with a not to exceed amount of \$7,200.00. The construction of the project will be done by the City of Goshen Water and Sewer Department.

Riouse/Nichols moved to approve the agreement with Abonmarche Consultants, Inc. for \$7,200.00 to provide staking for the construction of the recycling drop-off site on North Indiana Avenue. Motion passed 5-0.



21) Engineering Department: Approve Change Order No. 1, in the amount of \$1,938.93, to allow HRP to remove a catch basin and plug two pipes at the West Goshen Crossing subdivision

City Director of Public Works & Utilities **Dustin Sailor** asked the Board to approve Change Order No. 1 in the amount of \$1,938.93, which is a 0.14% increase to allow HRP to complete the West Goshen Crossing Subdivision drainage improvements.

Sailor said during the grading of Basin 3, HRP found a catch basin that was not shown on the plans. The catch basin is sticking out of the ground and will need to be removed. Once removed the two pipes will need to be plugged with 2 feet of concrete and bricks. The approval of Change Order No.1 is for \$1,938.93, which raises the total project cost to \$1,368,029.16 and is a 0.14% increase.

Riouse/Nichols moved to approve Change Order No. 1 in the amount of \$1,938.93, a 0.14% increase, to allow HRP to complete the West Goshen Crossing Subdivision drainage improvements. Motion passed 5-0.

Privilege of the Floor (opportunity for public comment for matters not on the agenda):

Mayor **Stutsman** opened Privilege of the Floor at 2:30 p.m.

Dorma L. Metzger of Goshen, the owner of 206 N. Main Street, which was the subject of agenda item #22, addressed the Board of Works & Safety on the matter.

Metzger said three weeks ago, **Deputy City Mayor Mark Brinson** and another City staff member contacted her son, **Duane Metzger**, and ask to meet with them, which they did. She said **Brinson** proposed that the family donate the parking lot (with the vault underneath) to the City and the City would do the work to fill and seal the vault as required by the City. She said **Brinson** further told them there would be no cost for this work to New Image (which is adjacent to the parking lot and owned by the Metzgers) because this would be a tax-deductible property and a donation.

Metzger said she and her son were told that the contractor very likely would not begin the vault filling and sealing project until next construction season, which would be the spring of 2023. In the meantime, **Metzger** said they were told they could continue using the parking lot until construction began.

Metzger said using the City engineer's drawing as a guide, her son has done extensive work putting up multiple "no parking" signs and painting the approximately one-third of the parking lot that is over the vault area. She said these efforts have kept cars from entering this area.

Metzger said the diagram they have depicts only one door into the building. But she said there is a second door further back with entry into two-thirds of the building allowing for an additional tenant, who has been there for many years. She said parking needs to be allowed for handicapped entry from the parking lot and next to the building.

Metzger said that when the vault filling project is complete, the parking lot should be of benefit to the north end of town and help with the limited parking in the area. **Metzger** said she will be meeting with her accountant and real estate agent to discuss the particulars and will get back to **Brinson**. And **Metzger** said **Brinson** indicated he would put together a draft for **Metzger** and her son to review and they will then get back to him.

Mayor **Stutsman** thanked **Metzger** and said the Board of Works and Safety would get back to her in a moment. He asked if anyone else wanted to comment during Privilege of the Floor.



There were no further public comments, so Mayor Stutsman closed Privilege of the Floor at 2:32 p.m.

22) Board of Public Works and Safety Order: Continued hearing for vault at 206 N. Main Street (Dorma L. Metzger, property owner)

At 2:32 p.m., Mayor Stutsman opened a public hearing on the Order of the City of Goshen Building Commissioner for the Underground Vault at 206 N. Main Street, owned by Dorma L. Metzger of Goshen. Mayor Stutsman said the Board would consider Dorma Metzger's comments during Privilege of the Floor to be applicable for this hearing on her property.

City Attorney Bodie Stegelmann told the Board that he spoke to Deputy Mayor Brinson at the end of last week and he basically confirmed everything that Dorma Metzger just said. Stegelmann said it would take some time to get the proper paperwork together and he suggested continuing the hearing to mid- to late-September. He said the matter should be resolved by then.

Mayor Stutsman asked Board members if they had any questions. They did not.

Mayor Stutsman/Board member Riouse moved to continue the hearing for the vault at 206 N. Main Street (Dorma L. Metzger, property owner) to Oct. 3, 2022. Motion passed 5-0.

BACKGROUND:

On April 25, 2022, City Building Commissioner Myron Grise notified Jerry and Dorma Metzger, owners of 206 N. Main Street, that an underground vault on their property was in violation of Goshen City Code.

The Goshen Building Department and Clear Creek & Associates, Inc. inspected the property at 206 N. Main Street. Violations of the Neighborhood Preservation Ordinance (Minimum Housing Ordinance) were cited. The real estate was inspected again on April 27, 2021 which showed no significant improvement.

The real estate was deemed unsafe within the meaning of Indiana Code § 36-7-9-4 in that the underground vault and parking lot above the vault on the real estate is in an impaired structural condition that makes it unsafe and dangerous to person or property because of a violation of Goshen City Code Title 6, Article 3, Chapter 1 concerning building condition or maintenance.

The following violations of Section 6, Article 3, Chapter 1 of the Goshen City Code were cited by the Goshen Building Department inspector and have not been satisfactorily repaired or remedied:

1. There are multiple areas where the structure has begun to collapse or is in danger of collapsing (violation of Section 6.3.1.1 (p)).
2. There is water entering the vault and the ceiling is beginning to collapse causing the structure to be unsafe and dangerous (violation of Section 6.3.1.1 (b)).
3. There are multiple areas where the concrete is fractured and in danger of collapsing (violation of Section 6.3.1.1 (j)).



4. The support beams do not support the proper load required (violation of Section 6.3.1.1(1)).
5. Steel and concrete corrosion that is supporting the parking lot above the vault has severe cracking and is beginning to collapse (violation of Section 6.3.1.1 (o)).
6. The vault and parking lot above has deteriorated to the point that it is unsafe to be used as intended (violation of Section 6.3.1.1(r)).
7. The roof, walls and columns of the vault are all deteriorating so that the structural integrity cannot hold the loads imposed on the parking lot above (violation of Section 6.3.1. l(y)).

The property owners were ordered to seal and fill in the vault to the City of Goshen Engineering Department's specifications and ensure that it is in compliance with Title 6, Article 3, Chapter 1 of the Goshen City Code by June 3, 2022.

In the event that the property owners failed to comply with this Order, the City of Goshen could take action to make the required corrections and bill the owners for the costs of such work, including, the actual cost of the work performed and an amount equal to the average processing expense the City will incur in pursuing this matter. Such amounts could become a lien upon the property and can ultimately be enforced as any other judgment.

The Metzgers were further notified that a hearing would be held before the Board of Public Works and Safety on June 6, 2022 to review the Order of the City of Goshen Building Commissioner. The hearing was convened as scheduled.

June 6, 2022 hearing testimony, discussion and decision:

Speaking for property owners Jerry and Dorma Metzger was **Duane Metzger**, who said he was representing his parents. He said his father is deceased. Metzger said the size of the vault has been misinterpreted. He said it is only on an edge of the property, and is not as unsafe as alleged because it is not under the primary parking area.

Building Commissioner Myron Grise presented the Board with Memorandum, dated June 6, 2022, about the condition of the property at 206 N. Main Street

Grise said the property has been under review for a while, but the size of the vault was unknown until an inspection. A consultant for the City, Clear Creek & Associates, inspected the vault and rated it as needing immediate repair and should be filled. He said the City recently received a report that part of the parking lot was collapsing into the vault.

Grise reported that while a portion of the parking lot has been marked off to prohibit parking, the vault is showing increasing signs of failing and the parking lot is in danger of collapse. He showed photos of the vault's condition.

Grise said the family got an estimate to fill in the vault, but no work has been done. **Metzger** said the estimate was about \$34,000 about a year and a half ago. **Metzger** said he has worked to limit parking in the private lot. He suggested that the City purchase a portion of the lot and make the repairs. **Grise** said the vault has old equipment, other items and debris that will have to be removed before the vault is filled.

Asked by **Mayor Stutsman** about the options for the Board, **City Attorney Bodie Stegelmann** said the Building Commissioner was asking that vault be filled. **Grise** said he fears the vault will collapse and that a vehicle will fall through if the vault is not filled soon.



In response to a question from the Mayor, City Attorney Stegelmann said the City has had initial discussions about obtaining part of the parking lot. Mayor Stutsman said the Board could deem the vault to be unsafe and allow those City discussions to continue on how to resolve the situation.

Metzger, Grise and Board members discussed options on how to proceed as well as details of the private parking lot. City Public Works and Utilities Director Dustin Sailor said the lot could accommodate 11 vehicles. Stegelmann eventually recommended that the Board make a finding that the vault was unsafe, but delay any order for 30 to 45 days to allow the discussions to continue.

Mayor Stutsman/Landis moved to deem the area unsafe, but to continue the matter until July 18 to allow the City to conclude discussions with the property owner. Motion passed 4-0.

(NOTE: The scheduled hearing on July 18, 2022 was continued to Aug. 1, 2022 to allow City staff more time to speak with the property owners about the matter.)

At 2:34 p.m., the Mayor closed the hearing on the Order of the City of Goshen Building Commissioner for the Underground Vault at 206 N. Main Street.

As all matters before the Board of Public Works & Safety were concluded, Mayor Stutsman/Board member Riouse moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 5-0.

Mayor Stutsman adjourned the meeting at 2:34 p.m.

APPROVED

Jeremy Stutsman, Chair

Michael Landis, Member



Mary Nichols, Member

DeWayne Riouse, Member

Barb Swartley, Member

ATTEST

Richard R. Aguirre, City of Goshen Clerk-Treasurer

CITY OF GOSHEN, INDIANA



INVITATION FOR QUOTES SPECIFICATION DOCUMENTS

Description: Four (4) 2023 Hybrid Pursuit SUV(s)

Due Date and Time: August 8, 2022 at 1:45 P.M.

Contact: Carla Newcomer

Telephone Number: (574) 537-3816



Jose' D. Miller

Chief of Police

111 E Jefferson St
Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety
Mayor Jeremy Stutsman
Member Mary Nichols
Member Mike Landis
Member Barb Swartley
Member DeWayne Riouse

Date: August 8th, 2022

From: Jose' Miller, Chief of Police

Reference: Promotion of Kraig R. Caridine from Probationary Patrol Officer to Patrol Officer

I am requesting the Goshen Board of Public Works and Safety approve the promotion of Kraig R. Caridine from the position of Probationary Patrol Officer to the rank of Patrol Officer effective August 9th, 2022. On August 9th, 2022 Officer Caridine will have completed his twelve (12) month probationary period. Officer Caridine has demonstrated he will be a great addition to the Goshen Police Department and to this community.

Caridine will be present for the Board of Works Meeting.

Respectfully,

A handwritten signature in black ink, appearing to be "J. Miller".

Jose' Miller #116

Chief of Police

Goshen City Police Department
111 E. Jefferson Street
Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826



Jose' D. Miller

Chief of Police

111 E Jefferson St
Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety
Mayor Jeremy Stutsman
Member Mike Landis
Member Mary Nichols
Member Barb Swartley
Member DeWayne Riouse

Date: August 8th, 2022

From: Jose' Miller, Chief of Police

Reference: The Resignation of Probationary Patrol Officer David M. Stump

I am requesting that the Board of Public Works and Safety **approve the resignation of David M. Stump retroactive to Saturday August 6th, 2022.** Officer Stump has accepted a position with the Wakarusa Police Department. Just recently a new position was created at the department and after much discussion with his wife he felt it was best for he and his family that he accepts the job. Officer Stump previously worked as a reserve officer in Wakarusa and resides in the community. I wish the best for Officer Stump in his new position.

A handwritten signature in black ink, appearing to be "Jose' Miller".

Jose' Miller #116

Chief of Police

Goshen City Police Department
111 E. Jefferson Street
Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826

Good Afternoon Chief,

I am writing you today to announce that I have been offered and have accepted a position with the Wakarusa Police Department. My last day with Goshen will be Saturday August 6th, 2022. I appreciate the opportunity that Goshen has provided me to work as a police officer and I have enjoyed working with everyone there. The opening at Wakarusa was sudden and unplanned. After much debate between my wife and myself, we concluded that Wakarusa would be a better fit for our family. I will always be grateful for the training and experience that the Goshen Police Department and all of the amazing people there provided me.

Sincerely,

David Stump

A handwritten signature in black ink, appearing to read "David Stump". The signature is fluid and cursive, with a long horizontal stroke extending to the right.



CITY OF GOSHEN LEGAL DEPARTMENT

City Annex
204 East Jefferson Street, Suite 2
Goshen, Indiana 46528-3405

Phone (574) 537-3820 • Fax (574) 537-3817 • TDD (574) 534-3185
www.goshenindiana.org

August 8, 2022

To: Board of Public Works and Safety
From: Shannon Marks, Legal Compliance Administrator
Subject: Police Department Conditional Offer of Employment to Austin James Shapland

On behalf of the Police Department, it is recommended that the Board extend a conditional offer of employment to Austin James Shapland, as well as approve and authorize the Mayor to execute the attached Conditional Offer of Employment Agreement.

The agreement sets forth the conditions that the prospective employee must meet prior to beginning employment with the Police Department as a probationary patrol officer which includes being approved by the board of trustees of the Indiana Public Retirement System for membership to the 1977 Police Officers' and Firefighters' Pension and Disability Fund. Once employed, Austin will be required to successfully complete all training requirements, including complete the Tier I basic training requirements and obtain certification with the Indiana Law Enforcement Training Board.

The Police Department will request the Board to confirm the offer of employment when a position opening becomes available in the Department.

Suggested motions:

- (1) Move to extend a conditional offer of employment to Austin James Shapland as a probationary patrol officer.
- (2) Move to approve and authorize the Mayor to execute the Conditional Offer of Employment Agreement with Austin James Shapland.

GOSHEN POLICE DEPARTMENT CONDITIONAL OFFER OF EMPLOYMENT AGREEMENT

THIS AGREEMENT is entered into on _____, 2022, which is the date of the last signature set forth below, by and between **Austin James Shapland** ("Shapland") and **City of Goshen, Indiana**, acting through the Goshen Board of Public Works and Safety ("City").

In consideration of the terms, conditions and mutual covenants contained in this agreement, City and Shapland agree as follows:

PREREQUISITES TO BEGINNING EMPLOYMENT

City conditionally offers Shapland employment as a probationary patrol officer of the Goshen Police Department. Shapland accepts City's conditional offer of employment. City does not have a current position available in the Goshen Police Department. City and Shapland understand and agree that the offer of employment is contingent upon the following:

- (1) A personnel vacancy in the Goshen Police Department rank and file must exist. Shapland understands that currently no vacancy exists in the rank and file of the Police Department. Although the Police Department is initiating the pension physical and psychological testing, Shapland understands that no permanent employment will be offered until such time that a personnel vacancy is available and/or additional staffing is hired to increase the number of police officers.
- (2) Shapland must and agrees to submit a complete application for membership to the Indiana Public Retirement System (InPRS) and the 1977 Police Officers' and Firefighters' Pension and Disability Fund (1977 Fund). Shapland understands that the application for membership requires the completion of a comprehensive medical history and the administration and successful passage of the baseline statewide physical examination and baseline statewide mental examination.
- (3) City agrees to pay the initial cost for Shapland to complete the baseline statewide physical examination and baseline statewide mental examination as required by Indiana Code §§ 36-8-8-7(a) and 36-8-8-19. In the event that InPRS requires any additional reports and/or testing to establish physical and mental fitness beyond the baseline statewide physical examination and baseline statewide mental examination requirements, such costs for the additional reports and/or testing shall be at Shapland's expense.
- (4) InPRS will determine whether Shapland has any Class 3 excludable conditions. Shapland understands that if InPRS finds that Shapland has any Class 3 excludable conditions, Shapland will be prevented from receiving certain Class 3 impairment benefits for a certain period of time and will be disqualified from receiving disability benefits from the 1977 Fund throughout Shapland's employment if the disability is related to the Class 3

excludable condition. In addition, City will review the InPRS findings to determine whether the City's conditional offer of employment will be withdrawn.

- (5) City and Shapland understand that the board of trustees of the InPRS must approve the application for membership to the 1977 Fund. City will confirm its offer of employment to Shapland if the board of trustees of the InPRS approves the application for membership to the 1977 Fund. City's confirmation will occur when a position opening becomes available in the Goshen Police Department. In the event that approval is not given by the board of trustees of the InPRS, City withdraws this conditional offer of employment, and Shapland accepts City's withdrawal and this agreement shall be terminated.

AGREE TO ENROLL AND COMPLETE ALL TRAINING REQUIREMENTS

- (1) As a condition of employment, Shapland is required to successfully complete the pre-basic course required by Indiana Code § 5-2-1-9(e) in order to exercise police powers. Shapland agrees to attend the pre-basic course when instructed to do so, and successfully complete the pre-basic course within sixty (60) days of Shapland's first day of employment with City.
- (2) As a further condition of employment, City shall require and Shapland agrees to attend and successfully complete the basic training requirements established by the Indiana Law Enforcement Training Board at a certified law enforcement academy. Shapland agrees to maintain a physical condition in order to pass the physical entrance standards to the law enforcement academy as established by the Indianan Law Enforcement Training Board.
- (3) Shapland will be paid for the time Shapland spends in the pre-basic course under paragraph (1) and the basic training under paragraph (2). City will pay the cost of the pre-basic course and the basic training one (1) time.
- (4) If Shapland fails to successfully complete the pre-basic course, is unable to pass the physical entrance standards to the law enforcement academy, or fails to successfully complete the basic training requirements at any time within one (1) year of Shapland's first day of employment with City, Shapland's employment with City and the Goshen Police Department shall terminate.

AMENDMENT

This agreement may be amended only by the mutual written consent of the parties and approval by the Goshen Board of Public Works and Safety.

SEVERABILITY

The provisions of this agreement are severable, and if any provision shall be held invalid or unenforceable, in whole or in part, then such invalidity or unenforceability shall affect only such provision, and shall not affect any other provision of this agreement.

INDIANA LAW

This agreement shall be governed by and construed in accordance with the laws of the State of Indiana. Proper venue to enforce the terms and conditions of this agreement shall be in Elkhart County, Indiana.

BINDING EFFECT

This agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns.

ENTIRE AGREEMENT

This agreement constitutes the entire agreement between the parties, and supersedes all prior negotiations, agreements and understandings between the parties concerning, the subject matter hereof.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates as set forth below.

Austin James Shapland

Date: _____

Jeremy P. Stutsman, Mayor
City of Goshen, Indiana

Date: _____



Richard Aguirre, City Clerk-Treasurer
CITY OF GOSHEN

202 South Fifth Street, Suite 2 • Goshen, IN 46528-3714

Phone (574) 533-8625 • Fax (574) 533-9740

richardaguirre@goshencity.com • www.goshenindiana.org

To: City of Goshen Board of Works & Safety
From: Clerk-Treasurer Richard R. Aguirre
Date: August 8, 2022
Subject: David Pottinger request to place a dumpster in back of 211-213 Main Street, beside the alley, for waste material associated with a roof replacement

David Pottinger, the owner of the building at 211-213 Main Street in downtown Goshen, is seeking the Board's permission to place a dumpster in back of 211-213 Main Street, beside the alley, for waste material associated with a roof replacement. The building is located between Fables Books and John Hall True Value Hardware. The building's tenants are Twisted Britches Boutique and Planted Arrow.

Mr. Pottinger said the dumpster would be placed next to the building and parallel to the alley and will not infringe on any parking spaces. He asked for placement of the dumpster, retroactive to today, Aug. 8, and continuing until Aug. 11, 2022.

Mr. Pottinger said he would be present for the Board's meeting.

On the attached page are photos of the front and rear of 211-213 Main Street.

Suggested motion: Approve the request from David Pottinger to place a dumpster in back of 211-213 Main Street, beside the alley, for waste material associated with a roof replacement, from Aug. 8 to Aug. 11, 2022.



Richard Aguirre, City Clerk-Treasurer
CITY OF GOSHEN

202 South Fifth Street, Suite 2 • Goshen, IN 46528-3714

Phone (574) 533-8625 • Fax (574) 533-9740

richardaguirre@goshencity.com • www.goshenindiana.org





324 S Main St. Goshen, IN 46528
amanda@eyedart.com
(574) 238-6143

Board of Works Request
July 28, 2022

Downtown Goshen Inc. is requesting additional street closures due to the postponement of the First Friday Classic Car Show.

1. What parking spaces/streets do you want to close/use? **We request the closure of Main Street from Lincoln to Clinton with no parking.**
2. Why do you want to close them? What activities will take place? First Friday
3. When do you want to start the closure, and when will the closure end? **8 am - 10 pm on September 2nd, 2022.**
4. Are there any affected businesses, and are they supportive of your request to close the parking spaces? There are businesses on the street affected by the closure. They will be informed of our intent to attend the next Board of Works meeting in case of any concerns.
5. Do you require any barricades from the Street Department to accomplish the closure for your event? **We will require orange fencing and will collaborate with the Street Department** regarding our needs.

Thank you for your consideration.

Amanda McMahan
Event Coordinator
Eyedart Creative Studios



324 S Main St. Goshen, IN 46528
amanda@eyedart.com
(574) 238-6143

Board of Works Request
July 28, 2022

Arts on the Millrace is requesting the closure of parking spots for the duration of the event on September 10th, 2022.

1. What parking spaces/streets do you want to close/use? **We request the use of 4 parking spots in front of the Powerhouse Park on West Washington Street.**
2. Why do you want to close them? What activities will take place? Arts on the Millrace
3. When do you want to start the closure, and when will the closure end? **8 am - 10 pm on September 10th, 2022**
4. Are there any affected businesses, and are they supportive of your request to close the parking spaces? N/A
5. Do you require any barricades from the Street Department to accomplish the closure for your event? **We will need orange fencing and a trailer with trash cans for this event.** We will collaborate with the Street Department regarding our needs.

Thank you for your consideration.

Amanda McMahon
Event Coordinator
Eyedart Creative Studios



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To: Board of Public Works and Safety
From: Bodie J. Stegelmann
Date: August 8, 2022
Subject: Resolution 2022-26 – Approving Certain New or Revised City of Goshen Police Department Policies and Repealing Certain Policies

The Board of Public Works and Safety previously adopted Resolutions approving City of Goshen Police Department Policies developed in coordination with Lexipol, LLC. The Police Department and Lexipol LLC staff have identified certain, additional revisions to policies, and developed a new policy, deemed appropriate due to legislative or other changed circumstances.

Attached to Resolution-2022-26 are redlined policies to show the revisions made with the exception of Policy 1024, Wellness Program, which is a new policy. Once Resolution 2022-26 is approved, the redline will be removed and the policies will be put in final form.

Suggested Motion: Move to approve Resolution 2022-26 - Approving Certain New or Revised City of Goshen Police Department Policies and Repealing Various Policies.

RESOLUTION 2022-26

Approving Certain New or Revised City of Goshen Police Department Policies and Repealing Certain Policies

WHEREAS, on December 7th, 2020, the Board of Works and Safety approved an agreement with Lexipol LLC to review, revise, and keep up-to-date the City of Goshen Police Department's policies;

WHEREAS, the Board has previously approved new Police Department policies developed and suggested by Lexipol LLC, as well as revisions thereto;

WHEREAS, as part of the process of keeping its policies up-to-date, the Police Department and Lexipol LLC staff have identified certain, additional revisions to policies, and developed a new policy, deemed appropriate due to legislative or other changed circumstances;

WHEREAS, the Goshen Board of Public Works and Safety finds that it is appropriate to approve the revised and new policies identified below, and to repeal policies previously approved, separately identified below.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety finds that the following revised City of Goshen Police Department Policies, copies of which are attached hereto and made a part hereof, are hereby approved, as amended August 8, 2022, effective immediately:

- 206 Retired Officer Identification Card
- 304 Electronic Control Device
- 305 Officer-Involved Deadly Force Incidents
- 325 Reserve Officers
- 427 Medical Aid and Response
- 501 Traffic Accidents
- 600 Investigation and Prosecution
- 606 Warrant Service
- 800 Evidence Room
- 900 Temporary Custody of Adults
- 1015 Outside Employment and Outside Overtime
- 1023 Line-of-Duty Deaths

BE IT FURTHER RESOLVED by the Goshen Board of Public Works and Safety that the following new City of Goshen Police Department Policy, a copy of which is attached hereto and made a part hereof, is hereby approved, effective immediately:

- 1024 Wellness Program

BE IT FURTHER RESOLVED by the Goshen Board of Public Works and Safety that, upon the approval of the above-described Policies, the following current City of Goshen Police Department policies are hereby repealed, effective immediately:

- 206 Retired Officer Identification Card
- 304 Electronic Control Device
- 305 Officer-Involved Deadly Force Incidents
- 325 Reserve Officers
- 427 Medical Aid and Response
- 501 Traffic Accidents
- 600 Investigation and Prosecution
- 606 Warrant Service
- 800 Evidence Room
- 900 Temporary Custody of Adults
- 1016 Outside Employment and Outside Overtime
- 1024 Line-of-Duty Deaths

PASSED and ADOPTED by the Goshen Board of Public Works and Safety on August 8, 2022.

Jeremy P. Stutsman, Mayor

Mary Nichols, Member

DeWayne Riouse, Member

Michael A. Landis, Member

Barb Swartley, Member

Retired Officer Identification Card

206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of retired officer identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and Indiana law (18 USC § 926C; I.C. § 35-47-15-1 et seq.).

206.2 POLICY

The Goshen Police Department will provide identification cards to qualified former or retired officers as provided in this policy.

206.3 LEOSA

The Chief of Police may issue a retired officer identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

206.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Goshen Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

206.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

Retired Officer Identification Card

agency to meet agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
 - (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by Indiana law or by a private person or entity on his/her property if such prohibition is permitted by Indiana law.

206.4 RETIRED OFFICER IDENTIFICATION CARD

The Chief of Police shall issue a retired officer identification card:

- (a) To an officer who has retired from that agency after 20 years as law enforcement officer, or separated from service in good standing with 10 years as a law enforcement officer (I.C. § 35-47-15-4).
- (b) With an endorsement to carry a concealed firearm to a person who has met the requirements of I.C. § 35-47-15-5.

If the department qualifies the retiree, the card may include the date that the person was qualified by the Department to carry a firearm in compliance with 18 USC § 926C(d)(1).

206.4.1 AUTHORIZATION

Qualified former officers with a retired officer identification card issued by the Department under state law may carry concealed, within this state, any firearm inspected and approved by the Department. The card does not itself authorize a retiree to carry a concealed firearm outside this state. The former officer must also meet state and LEOSA requirements.

206.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Chief of Police of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Arrests, Convictions and Court Orders Policy.

206.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.

Goshen Police Department

Policy Manual

Retired Officer Identification Card

- (b) Remain subject to all applicable ~~and~~ federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

See attachment: [LEOSA Waiver](#)

206.5.2 RESPONSIBILITIES UNDER INDIANA LAW

In order to maintain a retired officer identification card, the retired officer shall (I.C. § 35-47-15-5):

- (a) Qualify annually with the authorized firearm at a course approved by this department or by the state for active law enforcement officers in the state at the officer's expense.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Not engage in conduct that compromises public safety.

206.6 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

206.7 FIREARM QUALIFICATIONS

The Training Lieutenant may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Training Lieutenant will maintain a record of the qualifications and weapons used.

Attachments

LEOSA Waiver GPD.pdf



GOSHEN POLICE DEPARTMENT

111 East Jefferson Street, Goshen IN 46528 (574) 533-8661

www.goshencitypolice.com

LAW ENFORCEMENT OFFICERS SAFETY ACT Retired Officers Application and Certification to Carry a Concealed Firearm under Federal Law

Date of Application:

Application for:

Original ID Card

Duplicate ID Card

Requesting Qualified Retired Officer

Name: (Last, First, Middle)

Driver's License #/State:

Date of Retirement:

Home Address: (number, street, city, state, zip code)

Home Phone #:

Cell Phone #:

E-mail Address:

Current Endorsement Expiration Date:

Sex:

Race:

Height:

Weight:

Eye Color:

Hair Color:

Date of Birth:

Purpose of Form

Qualified active officers and qualified peace officers separated from service with this department are authorized to carry a concealed firearm in all other states subject conditions enumerated in the Law Enforcement Officers Safety Act (18 United States Code 926B and C). Completion of the application/certification process as documented on this form satisfies the requirements of 18 United States Code 926B and C.

Waiver and Release

(READ AND INITIAL NEXT TO THE FOLLOWING DECLARATIONS AND SIGN BELOW)

(INITIAL)

- _____ I swear or affirm the information on this application is true and accurate.
- _____ I am separated from service in good standing with the Goshen Police Department, and I am eligible to carry a concealed firearm pursuant to the Law Enforcement Officers Safety Act (18 USC 926C) as defined on the following page of this form.
- _____ I recognize the Goshen Police Department is not legally required to provide me with handgun instruction or a firearms qualification course. I also recognize nothing in this application or process creates a property right to carry a concealed firearm.
- _____ I understand I will be required to fire my weapon under the direct supervision of a law enforcement firearms instructor.
- _____ I agree to indemnify and hold harmless the City of Goshen and the Goshen Police Department, and/or its agents and employees, for any injury suffered by me or caused by my participation in this qualification process.
- _____ I recognize it is my responsibility to review and become familiar with the laws of outside states on the carrying of a firearm before traveling.
- _____ Further, I hereby specifically agree to indemnify and hold harmless the City of Goshen and the Goshen Police Department and/or its officers and employees from any and all liability resulting from my carrying and/or use of any weapon allowed under the Law Enforcement Officers Safety Act.
- _____ I specifically authorize the City of Goshen and the Goshen Police Department to release any and all protected information including medical information they may possess, as it may relate to my application under 18 USC 926C as a qualified retired law enforcement officer. Further, I agree to hold harmless those agencies and individuals that may release information about me.

I have read and understand the Waiver and Release

Applicant Name (Print):

Applicant Signature :

Date:

Declaration of Eligibility and Certification of Qualification
(READ AND INITIAL NEXT TO THE FOLLOWING DECLARATIONS AND SIGN BELOW)

18 USC 926C DEFINES A "QUALIFIED RETIRED LAW ENFORCEMENT OFFICER" AS AN INDIVIDUAL WHO:

(INITIAL)

- _____ Separated from service in good standing with a public agency as a law enforcement officer, other than for reason of mental disability.
- _____ Before such separation from service, was authorized by law to engage in or supervise the prevention, detention, investigation, or prosecution of; or the incarceration of any person for any violation of law; and had statutory powers of arrest.
- _____ Before such separation was regularly employed as a law enforcement officer for an aggregate of 10 years or more, or separated from service with such agency after completing any applicable probationary period of such service due to a service-connected disability, as determined by such agency.
- _____ Has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health.
- _____ Has not entered into an agreement with the agency from which the individual is separating from service in which that individual acknowledges he or she is not qualified under this section for reasons relating to mental health.
- _____ Will not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance at any time while carrying a firearm and is not a habitual user of same.
- _____ IS NOT PROHIBITED BY STATE LAW OR FEDERAL LAW FROM RECEIVING OR POSSESSING A FIREARM.

CERTIFICATION OF FIREARMS QUALIFICATION REQUIREMENT:

- _____ During the most recent 12-month period the qualified retired law enforcement officer has met either:
- The standards for qualification in firearms training for active law enforcement officers, as determined by the former agency of the individual, or
 - The standards for qualification in firearms training for active law enforcement officers, as determined by the state in which the individual resides, or
 - If the state has not established such standards, either:
 - The standards of law enforcement agency within the state in which the individual resides, or
 - The standards used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that state.

IF CARRYING A CONCEALED FIREARM, YOU MUST BE IN POSSESSION OF:

- _____ A photographic identification issued by the Goshen Police Department stating you separated from service in good standing as a law enforcement officer, and
- _____ A certification that, during the most recent 12-month period, you have met the applicable standards for qualification in firearms training for active law enforcement officers.

GOSHEN POLICE DEPARTMENT QUALIFICATION STANDARDS:

The *Goshen Police Department Retiree Handgun Qualification Form* outlines the Department's standards for qualification in firearms training. Applicants may complete the qualification process at the Goshen Police Department at no charge. The Goshen Police Department will only issue the certification of firearms qualification for examinations conducted by a *Department Approved Firearms Instructor*. The certification issued by the Department is valid for 12-months from the date of firearms qualification.

DEPARTMENT APPROVED FIREARMS INSTRUCTOR DEFINED:

A "Department Approved Firearms Instructor" must meet at least one of the following criteria:

1. A person currently employed by a Indiana law enforcement agency as a Firearms Instructor or Range master who has completed a Firearms Instructor Course certified by the State of Indiana, Indiana Law Enforcement Academy (ILEA).
2. A person currently employed by a law enforcement agency as a Firearms Instructor or Range master for a law enforcement agency within the state in which the qualified retiree resides, who has completed a Firearms Instructor Course certified by the entity responsible for the regulation of peace officer training in that state.
3. A person certified by the National Rifle Association (NRA) as a Law Enforcement Instructor, Range master, or Training Counselor who is currently employed in that capacity.

OBTAINING REQUIRED FORMS:

In addition to this form, the following forms may be obtained by contacting the Administrative Secretary at (574)533-8661.

1. **Goshen Police Department Retiree Handgun Qualification Form:** For qualified retired officers applying for a LEOSA certification (includes GPD course-of-fire).

Applicants qualifying at the Goshen Police Department must bring a supply of ammunition for each firearm used.

I have read and understand the information above

Applicant Name (Print):	Applicant Signature:	Date:
--------------------------------	-----------------------------	--------------

Certification by Qualified Firearms Instructor

Name: (Last, First, M.)	Title/Occupation:	<input type="checkbox"/> Law Enforcement Firearms Instructor <input type="checkbox"/> Law Enforcement Range master <input type="checkbox"/> NRA Certified Instructor/Range master/Training Counselor
Agency/Company Name:	Agency/Company Address:	Agency/Company Phone: () Ext.
Location of Qualification:	Date of Qualification:	<input type="checkbox"/> Pass <input type="checkbox"/> Fail Signature of Approved Firearms Instructor

Certification of Qualified Retired Officer by Goshen Police Department

- The applicant's retirement file has been reviewed and **IS** a qualified retired law enforcement officer as defined by 18 USC 926C.
- The applicant has met the requirements for certification of firearms qualification and **IS** certified to carry a concealed firearm pursuant to 18 USC 926C.
- The applicant's retirement file has been reviewed and **IS NOT** a qualified retired law enforcement officer as defined by 18 USC 926C.
- The applicant **HAS NOT** met the requirements for certification of firearms qualification pursuant to 18 USC 926C.

Chief of Police or Authorized Designee (Print):	Title:	Signature:	Date:
Certification of Firearms Qualification Endorsement Issued? Yes ___ No ___		Endorsement Expiration Date: N/A ___	<input type="checkbox"/> In person <input type="checkbox"/> By mail
Reason/Comments:			

The requesting officer must complete the "Requesting Retired Employee" section, read and sign the "Waiver and Release" and read initial and sign the "Declaration of Eligibility" before proceeding with a qualification. The requesting retired officer must then successfully complete the qualification course prior to certification. The Agency will complete the "Certification of Qualified Retired Officer" only upon verification of eligibility and qualification.

Electronic Control Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the electronic control device.

304.2 POLICY

The electronic control device is used to control a violent or potentially violent individual. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING ELECTRONIC CONTROL DEVICES

Only members who have successfully completed department-approved training may be issued and may carry the electronic control device.

electronic control devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the electronic control device and cartridges that have been issued by the Department. Uniformed officers who have been issued the electronic control device shall wear the device in an approved holster.

Members carrying the electronic control device should perform a spark test prior to every shift.

When carried while in uniform, officers shall carry the electronic control device in a position as to not be confused with a firearm.

- (a) Whenever practicable, officers should carry additional cartridges on their person when carrying the electronic control device.
- (b) Officers shall be responsible for ensuring that the issued electronic control device is properly maintained and in good working order.
- (c) Officers should not hold a firearm and the electronic control device at the same time.

304.4 VERBAL AND VISUAL WARNINGS

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

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the electronic control device may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required, to display the electrical arc (provided that a cartridge has not been loaded into the device) or the laser in a further attempt to gain compliance prior to the application of the electronic control device. The aiming laser should not be intentionally directed into anyone's eyes.

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The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the electronic control device in the related report.

304.5 USE OF THE ELECTRONIC CONTROL DEVICE

The electronic control device has limitations and restrictions requiring consideration before its use. The electronic control device should only be used when its operator can safely approach the subject within the operational range of the device. Although the electronic control device is effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

304.5.1 APPLICATION OF THE ELECTRONIC CONTROL DEVICE

The electronic control device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the electronic control device to apprehend an individual.

The electronic control device shall not be used to psychologically torment, to elicit statements or to punish any individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the electronic control device on certain individuals should be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the electronic control device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode should be

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limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions, or when the totality of the circumstances justify the use of the drive-stun.

304.5.3 TARGETING CONSIDERATIONS

The preferred targeting areas include the individual's back or front lower-center mass. The head, neck, chest and groin should be avoided when reasonably practicable. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the electronic control device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE ELECTRONIC CONTROL DEVICE

Officers should apply the electronic control device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Officers should not intentionally apply more than one electronic control device at a time against a single individual.

If the first application of the electronic control device appears to be ineffective in gaining control of an individual, the officer should evaluate the situation and consider certain factors before additional applications of the electronic control device, including:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands, other options or tactics may be more effective.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual to minimize the need for longer or multiple exposures to the electronic control device. As soon as practicable, officers shall notify the police dispatcher any time the electronic control device has been discharged. Expended cartridges should be collected and the expended cartridge, along with both probes and wire, should be disposed according to training in the biohazard bin located in the evidence processing area.

304.5.6 DANGEROUS ANIMALS

The electronic control device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

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304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department electronic control devices while off-duty unless working in a police capacity or while driving the assigned police vehicle.

Officers shall ensure that electronic control devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION

Officers shall document all electronic control device discharges in the related arrest/crime reports and the Response to Resistance forms. Notification shall also be made to a supervisor in compliance with the Response to Resistance Policy. Unintentional discharges, pointing the device at a person [if observed by the person or another person](#), laser activation and arcing the device, other than for testing purposes, will also be documented on the report form. Officers should photograph the site of drive-stun applications and the location of probes prior to and after removal.

304.6.1 ELECTRONIC CONTROL DEVICE REPORT FORM

Items that shall be included in the Response to Resistance form are:

- (a) The type, brand, and serial number of electronic control device.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of electronic control device activations.
- (e) The range at which the electronic control device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Training Lieutenant or designee should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Lieutenant or designee should also conduct audits of data downloads and reconcile electronic control device report forms with recorded activations. Electronic control device information and statistics, with identifying information removed, should periodically be made available to the public.

304.6.2 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing electronic control devices
- (b) Identification of all witnesses

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- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel or officers in accordance with training, should remove electronic control device probes from a person's body. Used electronic control device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by electronic control device probes or who have been subjected to the electric discharge of the device or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol and has become a danger to themselves or others.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The electronic control device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be examined or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the electronic control device (see the Medical Aid and Response Policy).

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the electronic control device may be used. A supervisor should respond to all incidents where the electronic control device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the electronic control device. The device's onboard memory should be downloaded through the data

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port by a certified CEW instructor, saved in a data file, and retained by the Training Lieutenant or designee.

304.9 TRAINING

Personnel who are authorized to carry the electronic control device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel carrying the CEW must be initially certified with the device and attend annual training prior to carrying or using the device.

Proficiency training for personnel who have been issued electronic control devices should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time if deemed appropriate by the Training Lieutenant or designee. All training and proficiency for electronic control devices will be documented in the officer's training files.

Command staff, supervisors and investigators should receive electronic control device training as appropriate for the investigations they conduct and review.

Officers who do not carry electronic control devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Lieutenant or designee is responsible for ensuring that all members who carry electronic control devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of electronic control devices during training could result in injuries or exposures should not be mandatory for certification.

The Training Lieutenant or designee should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Response to Resistance Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the electronic control device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the electronic control device.

Officer-Involved Deadly Force Incidents

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved deadly force incident.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.2 POLICY

The policy of the Goshen Police Department is to ensure that officer-involved deadly force incidents are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

Officer-involved deadly force incidents involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS

Investigators from the Elkhart County Homicide Unit may be assigned to work on the criminal investigation of officer-involved deadly force incidents. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the incident involving officer involved in deadly force and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved deadly force incidents.

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, Goshen Police Department would control the investigation if the suspect's crime occurred in Goshen.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

Officer-Involved Deadly Force Incidents

305.4.2 CRIMINAL INVESTIGATIONS OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate an incident of officer-involved deadly force involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

305.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

305.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved deadly force incident.

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved deadly force incident, the first uninvolved GPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

305.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved GPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any GPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

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Officer-Involved Deadly Force Incidents

1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Shift Captain and Elkhart County 911 Center. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional GPD members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
1. Each involved GPD officer should be given an administrative order not to discuss the incident with other involved officers or GPD members pending further direction from a supervisor.
 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

305.5.3 SHIFT SUPERVISOR RESPONSIBILITIES

Upon learning of an officer-involved deadly force incident, the Shift Supervisor shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or designee.

All outside inquiries about the incident shall be directed to the Shift Captain.

305.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Police Administration
- Outside agency investigators (if appropriate)
- Psychological/peer support personnel or Chaplain
- Elkhart County Homicide Unit (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) The Department will accommodate an officer's request for legal representation.

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1. Involved GPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-GPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications (I.C. § 34-46-3-1).
- (c) Discussions with agency representatives will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved GPD officer. A licensed psychotherapist may also be provided to any other affected GPD members, upon request.
1. Interviews with a licensed psychotherapist will be considered privileged (I.C. § 34-46-3-1).
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications with critical incident stress management services providers are generally confidential and may not be disclosed to a third party or in a criminal, civil, or administrative proceeding without a court order or as authorized by I.C. § 36-8-2.5-3.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved GPD officer shall be given reasonable paid administrative leave following an officer-involved deadly force incident. It shall be the responsibility of the Shift Captain to make schedule adjustments to accommodate such leave.

305.6 CRIMINAL INVESTIGATION

The Elkhart County Homicide Unit or Indiana State Police is responsible for the criminal investigation into the circumstances of any officer-involved deadly force incident.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the Prosecuting Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

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Officer-Involved Deadly Force Incidents

- (a) GPD supervisors and Administrative Staff personnel should not participate directly in any voluntary interview of GPD officers. This will not prohibit such personnel from monitoring interviews or indirectly providing topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of the officer's choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's individual statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including an administrative investigation. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.6.1 REPORTS BY INVOLVED GPD OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved GPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved GPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved GPD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved deadly force incident.

305.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved deadly force incident may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.

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1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

305.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved deadly force incident, it shall be the responsibility of the designated Investigation Division supervisor to assign appropriate investigative personnel to handle the investigation of related crimes.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Investigation Division supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Administrator.

305.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved deadly force incident, this department will conduct an internal administrative investigation of involved GPD officers to determine conformance with department policy at the conclusion of the criminal investigation. This investigation will be conducted under the supervision of the Administrative Staff.

Interviews and interrogations of members shall be subject to department policies and applicable laws.

- (a) Any officer involved in a deadly force incident may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

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1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer should be provided with a copy of the prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, the officer should be given the officer *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 5. The Administrative Staff shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Response to Resistance Review Board, which will restrict its findings as to whether there was compliance with the Response to Resistance Policy.
 7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.8 CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

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305.9 AUDIO AND VIDEO RECORDINGS

Any officer involved in a deadly force incident at the request of the Elkhart County Prosecutor's Office will not be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with the approval of assigned investigators or a supervisor.

Any MAV, body-worn video, and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney's Office, as appropriate.

305.10 DEBRIEFING

Following an officer-involved deadly force incident, the Goshen Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing. [Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.](#)

305.10.1 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police or designee should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to the criminal and/or administrative investigators.

305.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and the department representative responsible for each phase of the investigation.

No involved GPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or designee.

Department members receiving inquiries regarding officer-involved deadly force incidents occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

305.12 REPORTING

If the death of an individual occurs in the Goshen Police Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Administration will ensure that the Administrative Assistant is provided with enough information to meet the reporting requirements (210 I.A.C. 3-1-2).

Reserve Officers

325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Goshen Police Department reserve officers to supplement and assist regular full-time police officers in their duties. These officers provide volunteer professional and special functions that augment regular staffing levels.

325.1.1 DEFINITIONS

Definitions related to this policy include:

Reserve officer - A person who is a member of the Goshen Police Department's reserve unit and who is authorized to exercise police powers (250 I.A.C. 2-1-13).

325.2 POLICY

The Goshen Police Department shall ensure that reserve officers are properly appointed, trained and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

325.3 RECRUITMENT AND SELECTION

The Goshen Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass pre-employment procedures as established by the Goshen Police Department before appointment.

325.3.1 APPOINTMENT

Applicants who are selected for appointment as reserve officers shall, on the recommendation of the Chief of Police, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy and as required for the position.

Reserve officers are considered at-will employees and may be dismissed at the discretion of the Chief of Police, with or without cause. Reserve officers shall have no property interest in continued appointment.

If a reserve officer is removed for alleged misconduct, the reserve officer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

325.4 IDENTIFICATION AND UNIFORMS

Reserve officers will be issued Goshen Police Department uniforms, badges and identification cards. The uniforms and badges shall be the same as those worn by regular full-time police officers. The identification cards will be the standard Goshen Police Department identification cards, with the exception that "Reserve" will be indicated on the cards.

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Reserve Officers

325.5 AUTHORITY

Reserve officers shall perform law enforcement officer duties within the scope of their approved training and department policy (I.C. § 36-8-3-20; I.C. § 5-2-1-9) Reserve officers:

- (a) Perform law enforcement functions and have the authority to arrest on behalf of this department (I.C. § 35-33-1-1).
- (b) Shall not exercise law enforcement duties when off-duty.

325.6 COMPENSATION

Compensation for reserve officers is provided as follows (I.C. § 36-8-3-20):

- (a) All property issued to reserve officers shall be returned to this department upon termination or resignation.
- (b) Reserve officers should be compensated for time lost from other employment because of court appearances.
- (c) Reserve officers shall be compensated for work-related illness or injury as appropriate (I.C. § 36-8-3-22; I.C. § 36-8-3-23).
- (d) Reserve officers are not eligible to participate in any pension program provided for regular officers.

325.7 PERSONNEL WORKING AS RESERVE OFFICERS

Qualified regular department personnel, when authorized, may also serve as reserve officers. However, this department shall not utilize the services of reserve officers in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a reserve officer for reduced or no pay). (29 CFR 553.30).

325.8 COMPLIANCE

Reserve officers shall be required to adhere to all department policies and directives. A copy of the policies and directives will be made available to each reserve officer upon appointment. The reserve officer shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to a regular full-time police officer, it shall also apply to a reserve officer, unless by its nature it is inapplicable.

Reserve officers are required by this department to meet department-approved training requirements.

All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the reserve coordinator.

325.9 FIREARMS

Reserve officers shall successfully complete department-authorized training in the use of firearms. Their appointments must be approved by the City prior to being issued firearms by this department or otherwise acting as reserve officers on behalf of the Goshen Police Department.

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Reserve Officers

Reserve officers will be issued duty firearms as specified in the Firearms Policy. Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

Reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all training and qualification requirements set forth in the Firearms Policy.

325.9.1 CONCEALED FIREARMS

A reserve officer shall not carry a concealed department firearm while in an off-duty capacity, other than to and from work. A personally owned firearm may be carried off-duty only if the officer possesses a valid license to carry a handgun or is otherwise authorized under state law or the Law Enforcement Officers' Safety Act (18 USC § 926B).

An instance may arise where a reserve officer's assigned to a plainclothes detail for the reserve officer assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment, but only with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to department standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by the department Training Lieutenant.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall demonstrate proficiency with the weapon.

325.10 RESERVE COORDINATOR

The Chief of Police shall delegate certain responsibilities to a reserve coordinator. The reserve coordinator shall be appointed by and directly responsible to the Patrol Chief or the authorized designee.

The reserve coordinator may appoint a senior reserve officer or other designee to assist in the coordination of reserve officers and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Assigning reserve officers.
- (b) Conducting reserve officer meetings.
- (c) Establishing and maintaining a reserve officer callout roster.
- (d) Maintaining and ensuring performance evaluations are completed.
- (e) Monitoring the field training progress of reserve officers.
- (f) Monitoring individual reserve officer performance.
- (g) Monitoring overall reserve officer activities.
- (h) Maintaining a liaison with other agency reserve coordinators.

Reserve Officers

325.11 FIELD TRAINING

All reserve officers shall complete the same department-specified field training as regular full-time police officers as described in the Field Training Policy.

325.12 ADDITIONAL TRAINING REQUIREMENTS

Prior to carrying a weapon or making an arrest in any capacity, in addition to completing all department required entry-level training for officers, newly hired reserve officers should complete the required training through ILEA.

Reserve officers should complete the same State required hours of in-service training as regular full-time officers.

325.13 SUPERVISION

Reserve officers may perform the same duties as regular full-time officers of this department provided they are under the direct or indirect supervision of a supervisor or officer in charge. Reserve officers shall never supervise a regular full-time officer.

325.13.1 EVALUATIONS

While in training, reserve officers should be continuously evaluated using standardized daily and weekly observation reports. The reserve officer will be considered a trainee until he/she has satisfactorily completed training. Reserve officers who have completed their field training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve officer.

325.13.2 INVESTIGATIONS AND COMPLAINTS

If a reserve officer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

Medical Aid and Response

427.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

427.2 POLICY

It is the policy of the Goshen Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

427.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an AED when accessible) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Elkhart County 911 Center and request response by emergency medical services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Elkhart County 911 Center with information for relay to EMS personnel in order to enable an appropriate response including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 1. Signs and symptoms as observed by the member.
 2. Changes in apparent condition.
 3. Number of patients, sex, and age, if known.
 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

Medical Aid and Response

427.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

427.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should proceed with an involuntary commitment in accordance with the Involuntary Detentions Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

427.6 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Medical Aid and Response

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

427.7 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Conducted Energy Device policies.

427.8 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or delays will affect the EMS response.

Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members shall follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during the landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

427.9 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

427.9.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Lieutenant who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads shall be replaced as recommended by the AED manufacturer.

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Medical Aid and Response

Any member who uses an AED should contact Elkhart County 911 Center as soon as possible and request response by EMS.

427.9.1 AED TRAINING AND MAINTENANCE

The Training Lieutenant should ensure appropriate training is provided to members authorized to use an AED.

The Training Lieutenant is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule.

427.9.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

427.10 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

An officer who has received training may administer opioid overdose medication in accordance with standards established by the Indiana Emergency Medical Services Commission (I.C. § 16-31-3-23.5).

427.10.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Lieutenant.

Any member who administers an opioid overdose medication should contact Elkhart County 911 Center as soon as possible and request response by EMS.

427.10.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

Members administering the medication should report the use to the local ambulance service provider responsible for reporting to the state health commissioner (I.C. § 16-31-3-23.7).

427.10.3 OPIOID OVERDOSE MEDICATION TRAINING

The Training Lieutenant should ensure training is provided to members authorized to administer opioid overdose medication that meets the standards established by law (I.C. § 16-31-3-23.5).

427.11 FIRST AID TRAINING

Subject to available resources, the Training Lieutenant should ensure officers receive periodic first aid training appropriate for their position.

Traffic Accidents

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic accidents.

501.2 POLICY

It is the policy of the Goshen Police Department to respond to traffic accidents and render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of accidents by attempting to identify the cause of the accident and through enforcing applicable laws. Unless restricted by law, traffic accident reports will be made available to the public upon request.

501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A City vehicle involved.
 - 4. A City official or employee involved.
 - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A City of Goshen vehicle involved.
 - 2. A City of Goshen official involved.
 - 3. Involvement of an on-duty member of this department.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.

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- (e) The need for additional support as necessary (e.g., traffic control, fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.4 NOTIFICATION

If a traffic accident involves a life-threatening injury or fatality, the responding officer shall notify a supervisor or, if unavailable, the on-call detective. The supervisor may contact the measurement team, the Elkhart County Homicide Unit or other appropriate personnel to investigate the incident. The Officer in Charge will ensure notification is made to the Patrol Division Chief, department command staff and the on-call detective will notify the Elkhart County Homicide Unit if it is believed the cause of the crash was intentional in accordance with the Major Incident Notification Policy.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Elkhart County Homicide Unit, department chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic accident should not be released until notification is made to the victim's immediate family.

501.5 MINIMUM REPORTING REQUIREMENTS

An accident report should be taken when:

- (a) A fatality, any injury (including complaint of pain), operating while intoxicated, or a hit-and-run is involved (I.C. § 9-26-2-1).
- (b) The accident results in a collision with an unattended vehicle and/or damage to property other than a vehicle and the owner of that vehicle or property cannot be located.
- (c) An on-duty member of the City of Goshen is involved.
- (d) The accident results in any damage to any City-owned or leased vehicle.
- (e) The accident involves any other public agency driver or vehicle.
- (f) There is damage to public property.
- (g) There is damage to any vehicle to the extent that towing is required.
- (h) There is property damage of at least \$2,500 (I.C. § 9-26-2-1).
- (i) Prosecution or follow-up investigation is contemplated.
- (j) Directed by a supervisor.

501.5.1 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic accident occurs on private property unless the accident occurs on property that is open to the public and involves personal injury or death or property damage of at least \$2,500 (I.C. § 9-26-2-4).

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501.5.2 CITY VEHICLE INVOLVED

A traffic accident report shall be taken when a City vehicle is involved in a traffic accident that results in property damage or injury.

A general information report may be taken in lieu of a traffic accident report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

Whenever there is damage to a City vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Division Chief. The traffic investigator or supervisor at the scene should determine what photographs should be taken of the scene and the vehicle damage.

501.5.3 INJURED ANIMALS

Department members should refer to the Animal Control Policy when a traffic accident involves the disposition of an injured animal.

501.5.4 MOTOR VEHICLE CRASHES INVOLVING DEPARTMENT OWNED VEHICLES

- (a) The driver of a department owned vehicle must immediately notify the shift Officer-in-Charge and any member of the Administration should they be involved in a crash.
- (b) The officer involved in the crash must submit to a certified breath test by a certified breath test operator or a preliminary breath test depending on the crash as specified below.
 - 1. Goshen City Limits
 - (a) The officer will need to submit to a certified breath test by a certified breath test operator as soon as possible under the circumstance.
 - (b) The officer in charge should respond and complete the Indiana Crash Report, or, depending on the severity of the crash, notify another agency to work the crash. Statements shall be obtained from any passengers or witnesses of the crash and attached to the paperwork according to procedures.
 - (c) Both the officer involved and the officer in charge shall complete an intradepartmental report of the crash and provide it to the administration through the chain of command.
 - 2. Outside Goshen City Limits
- (c) Property damage accidents occurring outside of the city limits will follow our normal guidelines with the exception of the certified breath test.
 - 1. When officers outside of the city call upon another agency to investigate a crash, a preliminary breath test can be administered by the investigating officer. A report from the investigating officer is required confirming a breath test was administered and the results of the test. If alcohol was detected, the officer shall notify the on-duty supervisor for GPD who will make arrangements for an immediate certified breath test.

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- (d) If a crash occurs and an off-duty officer was not engaged in any of the outlined acceptable off-duty responses, the officer will be considered as “off-duty” and responsible for all medical expenses for any crash resulting in personal injury.
- (e) The Shift Captain and/or Administration will review crashes involving department owned vehicles to determine if the crash was a “Minor” or “Major” crash. The determination between “Minor” or “Major” crashes will be determined by factors to include but not be limited to:
 - 1. amount of damage,
 - 2. repair costs,
 - 3. contributing environmental factors,
 - 4. involvement with other vehicles,
 - 5. driving behaviors,
 - 6. injuries,
 - 7. witness statements, and
 - 8. any sustainable facts known from the totality of the circumstances.
- (f) Minor crashes in which the department employee is at fault:
 - 1. 1st offense – the watch captain will give a coaching session to the officer and if deemed necessary, recommend training.
 - 2. 2nd offense - (within consecutive two year period from first crash) the officer will receive a written reprimand. In addition the officer may temporarily lose the privileges of a take home car or a specific pool car if no take home vehicle is assigned.
 - 3. 3rd offense - (within consecutive two year period from first crash) the officer may be suspended without pay; or in lieu of suspension without pay, the Chief of Police may authorize the use of the officer’s accrued leave time.
- (g) Major crashes in which the department employee may be at fault:
 - 1. A panel will be picked by the police Executive Staff which will act as an accident review board. The panel will consist of current supervisors and at least one (1) Emergency Vehicle Operations (EVOC) instructor.
 - 2. will review the specific facts surrounding a crash and recommend the level of discipline to the Executive Staff.
 - 3. The panel may review and recommend findings to the Chief. The Chief of Police will review the panel’s findings and impose discipline unless the discipline proposed requires Board of Public Works and Safety approval.

501.6 INVESTIGATION

When a traffic accident meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.

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- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Patrol Division Chief or on-duty Officer in Charge should request that the Indiana State Police or other outside law enforcement agency investigate and complete a traffic accident investigation when a life-threatening injury or fatal traffic accident occurs within the jurisdiction of the Goshen Police Department and involves:

- (a) An on- or off-duty member of the Department.
- (b) An on- or off-duty official or employee of the City of Goshen.

Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic accident. The accident investigation and report shall be completed by the assisting agency.

501.6.2 REMOVAL FROM LINE DUTY ASSIGNMENT

When an on-duty member is involved in a traffic accident that involves a life-threatening injury or fatality, the member should be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

501.7 ACTION WHEN A REPORT IS NOT REQUIRED

When a traffic accident does not meet the minimum reporting requirements, a responding member should verify that each involved driver present has complied with the requirements of I.C. § 9-26-1-1.1 (I.C. § 9-26-2-1; I.C. § 9-26-2-4).

501.8 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a summons or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

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501.9 REPORTS

Department members shall utilize forms approved by the Indiana State Police as required for the reporting of traffic accidents. All such reports shall be forwarded to the Patrol Division for approval and filing (I.C. § 9-26-2-2).

501.9.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member with approval from a supervisor.

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and dispositions of criminal investigations.

600.2 POLICY

It is the policy of the Goshen Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 - 1. An initial statement from any witnesses or complainants.
 - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine whether additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Captain.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 5. Collect any evidence.
 - 6. Take any appropriate law enforcement action.
 - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary and what other resources may be available, and advise the informant or complainant of this information.

Investigation and Prosecution

600.3.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.4 FOLLOW-UP INVESTIGATIONS RESPONSIBILITIES

Follow-up investigations may be conducted by either uniformed officers or detectives, depending on the criteria established by this department. Investigative steps include, but are not limited to:

- (a) Reviewing and analyzing all previous reports, agency records, laboratory examination results and external sources of information.
- (b) Conducting additional interviews.
- (c) Seeking additional information (e.g. from law enforcement officers or informants).
- (d) Conducting searches for additional evidence.
- (e) Identifying and apprehending suspects.
- (f) Determining the suspect's involvement in other crimes.
- (g) Checking the suspect's criminal history.
- (h) Preparing cases for court presentation.

600.4.1 INVESTIGATION CASE FILES

The Investigation Division Chief or designee should develop procedures for the maintenance of case files to include, but not limited to:

- Types of records to be maintained
- Accessibility to the files
- Security of the files
- Purging of files

600.5 MANDATORY NOTIFICATION

Members of the Goshen Police Department shall notify the Indiana Attorney General within 30 days after beginning an investigation into a violation of I.C. § 35-42-3.5-1 through I.C. § 35-42-3.5-1.4 (e.g., human trafficking, sexual trafficking/conduct, forced labor, forced marriage, prostitution) as required by I.C. § 35-42-3.5-5.

600.6 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

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600.6.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any felony offense shall be recorded (audio or video with audio as available) in its entirety, unless it is an exception pursuant to Indiana Rules of Court Evidence, Rule 617. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Investigation Division Chief. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete, and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews.

600.7 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, there is no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (c) The case has been submitted to the appropriate prosecutor; charges have been filed; further investigation is not reasonable, warranted, or requested; and there is no need to take the suspect into custody.
- (d) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (e) Investigation has proved that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic or Family Violence, Child Abuse, Sexual Assault Investigations, and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.8 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic

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examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.9 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

600.9.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.9.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

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600.10 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division Chief or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

Warrant Service

606.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

606.2 POLICY

It is the policy of the Goshen Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

606.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment matrix forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

606.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment matrix form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

606.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment matrix form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

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If the warrant is classified as high risk, service will be coordinated by the SWAT operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

606.6 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Information Policy).

606.7 HIGH-RISK WARRANT SERVICE

The SWAT operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.

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- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

606.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

606.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are [completed. Evidence Room Managers or the Investigations Division Chief will ensure all proper paperwork is](#) filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

606.10 OTHER AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members

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- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Goshen Police Department are utilized appropriately. Any concerns regarding the requested use of Goshen Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the highest ranking officer should assume this role.

If officers intend to serve a warrant outside Goshen Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Goshen Police Department when assisting outside agencies or serving a warrant outside Goshen Police Department jurisdiction.

606.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

606.12 TRAINING

The Training Lieutenant should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

Evidence Room

800.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and identifies those persons authorized to remove and/or destroy property.

800.1.1 DEFINITIONS

Definitions related to this policy include:

Property - All articles placed in secure storage within the Evidence Room, including the following:

- Evidence - Items taken or recovered in the course of an investigation that may be used in the prosecution of a case, including electronic or digital files, photographs and latent fingerprints.
- Found property - Items found by members of the Department or the public that have no apparent evidentiary value and where the owner cannot be readily identified or contacted.
- Safekeeping – Firearms, ammunition, or other deadly weapons of an arrestee that has not been taken as evidence and cannot be stored at the jail; and firearms, ammunition, or other deadly weapons obtained by consent, or by Domestic Battery statute (35-33-1-1.5(b) & 35-33-1-1.5(c).
- Secured Evidence Storage Location(s) - Evidence Room, temporary cages or lockers designated for evidence storage, Digital Media Server, AvailWeb.

800.2 POLICY

It is the policy of the Goshen Police Department to process and store all property in a manner that will protect it from loss, damage or contamination, while maintaining documentation that tracks the chain of custody, the location of property and its disposition.

800.3 EVIDENCE ROOM MANAGEMENT RESPONSIBILITIES

The Division Chief of Investigations is responsible for the management of the Evidence Room. The Division Chief of Investigations should designate an evidence room manager to assist with documenting, classifying, storing, tracking and disposing of property received by or managed by the Evidence Room.

The Division Chief of Investigations should ensure:

- (a) Procedures are established to preserve the safety, security and chain of custody for all property received or handled by the Evidence Room.
- (b) Property and evidence facilities include:
 - (a) A package, submission and intake area separate from the secure storage area.
 - (b) Separate secure storage areas for controlled substances/narcotics and dangerous drugs, firearms, cash and hazardous materials.

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- (c) Adequate ventilation systems to manage air quality around controlled substances/narcotics and dangerous drugs and hazardous materials areas.
 - (d) Adequate freezer storage with temperature controls that include remote notification or an alarm system.
 - (e) A secure area for drying moist items (e.g., items stained with bodily fluids) before packaging.
 - (f) An orderly system for numbering and storing property/evidence being retained by the property room should be provided.
- (c) Facility security and access control, including separate secure access (which may include video surveillance) for controlled substances/narcotics and dangerous drugs, firearms and cash storage areas.
 - (d) Emergency planning, to include consideration of emergency response (e.g., hazardous spills, fires, floods), protective equipment for personnel, lighting, ventilation and the continuity of operations if the facility must be evacuated or moved.
 - (e) Procedures are established for packaging, submission, storage and disposition of all property, as well as items requiring special packaging such as:
 - 1. Bicycles
 - 2. Biological items
 - 3. Cash
 - 4. Controlled substances/narcotics and dangerous drugs
 - 5. Explosives, ammunition and fireworks
 - 6. Firearms and other weapons
 - 7. Hazardous or flammable substances
 - 8. Homicide evidence
 - 9. Motor vehicles
 - 10. Sharps
 - 11. Items requiring refrigeration or freezing
 - (f) Appropriate property management forms and automated systems are developed and available as appropriate.
 - (g) Procedures for conducting inventories are developed.
 - (h) Issues identified through any audits or inspections are appropriately addressed.

800.4 EVIDENCE ROOM SECURITY

The Evidence Room shall maintain secure storage and control of all property in the custody of this department. An evidence room manager (custodian) shall be appointed by and will be directly responsible to the Division Chief of Investigations or the authorized designee. The evidence room manager is responsible for the security of the Evidence Room.

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800.4.1 REFUSAL OF PROPERTY

The evidence room manager has the obligation to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the evidence room manager refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting member's supervisor of the reason for refusal and the action required for acceptance into the Evidence Room.

800.4.2 KEY CONTROL

Evidence Room keys and locks shall be managed by the evidence room manager, who will keep a log of all keys issued, damaged, lost, and returned. Evidence Room keys shall not be loaned to anyone and shall be maintained in a secure manner. If an Evidence Room key is lost, or an evidence custodian leaves employment, all access points shall be re-keyed and new keys issued as necessary. Division Chief of Investigations does not have key access to the Evidence Room; however, he/she will maintain a duplicate set to storage areas in the Evidence Room for drugs, firearms, and cash.

800.4.3 ACCESS

Only evidence custodians assigned to the Evidence Room shall have access to it and the property storage areas within. Evidence custodians and technicians will have access to the temporary storage cages and lockers. Any individual who needs to enter the evidence room or a property storage area (e.g., maintenance or repair contractors) must be approved by the Division Chief of Investigations and accompanied by an evidence room manager or custodian. Each individual must sign the Evidence Room access log and indicate:

- (a) The date and time of entry and exit.
- (b) The purpose for access, including the specific case or property number.

Each access log entry shall be initialed by the accompanying department evidence custodian.

800.5 PROPERTY HANDLING

The member who first comes into possession of any property is generally responsible for the care, custody and control of such property until it is processed and placed into a secured storage location. Care shall be taken to maintain the chain of custody for all items of evidence. Property can be transferred to a member who did not first come into possession of the property so long as time, date, reason for transfer, is thoroughly documented by both parties involved. This should be a rare occurrence.

800.5.1 PROCESSING AND PACKAGING

All property must be packaged, sealed, initialed, secured, and entered in the evidence tracking software by the responsible member prior to the member going off-duty, unless otherwise approved by a supervisor. If approval is obtained by a supervisor, at minimum, property must be placed in a secure storage location (does not include temporary storage lockers in squad room) prior to the member going off-duty. The responsible member shall document in the narrative the exact time and date the property was placed in the secure storage location. The

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approving supervisor shall, prior to going off-duty, send an email containing case number, name of responsible member, and reason why evidence processing could not be completed, to the Division Chief of Investigations and the evidence custodians. Property items shall be processed and entered into the evidence tracking software by the responsible member on their next shift, or within 24 hours. If it is not possible to enter items within 24 hours, the Division Chief of Investigations shall be contacted directly for approval.

Exceptions should be a rare occurrence and not simply because the responsible member does not want to put in overtime at the end of their shift. Examples of reasonable exceptions include:

- (a) An evidence technician assigned to day shift is called out at 1900 hours and returns to the PD at 2330 hours from processing a scene, and is scheduled for duty at 0630 hours the following day.
- (b) Officer(s), detective(s), or evidence technician(s) who have worked numerous hours (ex: double shift), that fatigue dictates the member get some rest.
- (c) Important personal or family events such as weddings, funerals, vacations involving air flights, work related events such as schools.

Members shall process and package property as follows:

- (a) An entry of items shall be completed describing each item. List all known information, including the following:
 - 1. Serial number
 - 2. Owner's name
 - 3. Collecting member's name
 - 4. Detailed item description
- (b) Property shall be packaged in a container suitable for its size. If no suitable container is available, notify evidence custodians.
- (c) Each item shall be marked with the member's initials.
- (d) A property label shall be completed and attached to the container in which the property is stored.

800.5.2 ITEM PACKAGING

The following items require special consideration and shall be packaged as follows, unless special conditions dictate a reasonable deviation:

Bicycles - Bicycles and bicycle frames shall have a red evidence tag securely attached. During business hours, contact any evidence custodian or technician to place the bicycle or frame in the lab or other secure storage area. Contact the on-call evidence technician after business hours to come in to secure the bicycle.

Biological and related items - Evidence that may contain biological samples shall be indicated as such with a biohazard label.

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Property stained with bodily fluids, such as blood or semen, shall be air-dried in a secure location (e.g., locked drying cabinet) prior to packaging.

Items of evidence collected from a crime scene that require specific storage requirements pursuant to laboratory processing shall have such storage requirements clearly indicated on the property packaging.

Items that are potential biohazards shall be appropriately packaged and procedures should be in place to ensure the timely delivery of blood and other perishable evidence to refrigerated storage or a laboratory. Potential biohazards shall be marked "Biohazard" to reduce the risk of exposure or contamination.

Cash - Cash shall be counted in the presence of another member. The cash shall be placed in a proper packaging and initialed by both members. A currency form must be printed and included with the currency. Both members will also sign the currency form. Counts will also be verified by evidence custodians.

Explosives and fireworks – Explosives, fireworks, and other flammable items will not be retained in the police facility. This includes lighters unless being submitted for DNA or Fingerprint Analysis.

Firearms and other weapons - Firearms shall be unloaded and packaged separately from ammunition. Knife boxes should be used to package knives and other sharp objects.

Seized firearms should not be marked for identification or other purposes (I.C. § 35-47-14-12).

Government property - License plates that have not been reported stolen or are of no evidentiary value should be placed in the secured evidence storage locations for return to the Bureau of Motor Vehicles by evidence custodians.

Sharps - Syringe tubes should be used to package syringes and needles needed for evidence.

800.5.3 CONTROLLED SUBSTANCE/NARCOTICS AND DANGEROUS DRUGS

- (a) Controlled substances/~~n~~ Narcotics and dangerous drugs shall not be packaged with other property. Marijuana shall be packaged in paper.
- (b) The member packaging controlled substances/narcotics and dangerous drugs shall retain such property in the member's ~~his~~ ~~her~~ possession until it is weighed, packaged, tagged, and placed in the secured evidence storage location.
- (c) Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances/narcotics. If conducted, the result of the test shall be included in the narrative.
 1. The member shall package controlled substances/narcotics and dangerous drugs as follows:
 - (a) Photograph the property in the container in which it was located. Keep the inner most packaging and place it in the proper packaging of appropriate size. If the inner most packaging is a large or hard object, transfer the

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contents to an appropriately sized package, separately from the large or hard container.

- (b) Seal and initial the property packaging.
- (c) Marijuana with any perceptible moisture content shall be loosely packaged in a container that allows for drying or shall be dried prior to storage. This should be noted on the packaging and in the collecting member's narrative. The evidence room manager shall monitor stored marijuana for growth of mold.

800.6 RECORDING OF PROPERTY

The evidence custodian receiving custody of property shall ensure a property label is attached for each item.

A unique property number shall be obtained for each item or group of items from the property log. This number shall be recorded on the property label. The evidence tracking software shall document the following:

- (a) Item number
- (b) Case number
- (c) Org number
- (d) Item description
- (e) Item storage location
- (f) Receipt, release and disposal dates

Any change in the location of property held by the Goshen Police Department shall be noted in the evidence tracking software.

800.7 PROPERTY CONTROL

The evidence room custodian temporarily relinquishing custody of property to another person shall record in the evidence tracking software his/her signature, the date and time the property was released, the name and signature of the person accepting custody of the property and the reason for release.

Any member receiving property shall be responsible for such property until it is returned to the Evidence Room or released to another authorized person or entity.

The return of the property to the Evidence Room should be recorded in the evidence tracking software, indicating the date, the time, the name and the signature of the person who received the property.

800.7.1 EVIDENCE

Every time evidence is released or received, an appropriate entry in the evidence tracking software shall be completed to maintain the chain of custody. No evidence is to be released without first receiving written authorization.

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The temporary release of evidence to members for investigative purposes or for court proceedings shall be noted stating the date, time and to whom it was released. Requests for items of evidence needed for court proceedings shall be submitted to the evidence room custodians via email as soon as the member is aware he/she needs the items, but at least 48 hours prior to the court date.

Requests for laboratory analysis shall be completed on the appropriate lab form and submitted to the evidence room custodians. This request may be submitted any time after the property has been packaged.

800.7.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The evidence room custodian releasing items of evidence for laboratory analysis must complete the required information in the evidence tracking software. The transporting member will acknowledge receipt of the evidence by indicating the date and time in the evidence tracking software. Upon delivering the item, the member will record the delivery time in the evidence tracking software and obtain the signature of the person accepting responsibility for the evidence. The original copy of the lab form will remain with the evidence custodians.

800.7.3 CONTROLLED SUBSTANCES/NARCOTICS AND DANGEROUS DRUGS

The evidence room custodians will be responsible for the storage, control and destruction of all controlled substances/narcotics and dangerous drugs coming into the custody of this department.

800.8 RELEASE OF PROPERTY

No property should be released from the Evidence Room without documented authorization, and/or as deemed appropriate by evidence disposal guidelines.

Release of property shall be made, when appropriate, listing the name of the person to whom the property is to be released. Release of all property shall be documented in the evidence tracking software.

Firearms or ammunition should only be released upon presentation of valid government issued identification and authorized documents showing that the individual may legally possess the item (see the Release of Firearms in Storage subsection below).

All reasonable attempts shall be made to identify the rightful owner of found property and items held for safekeeping. These attempts shall be documented in RMS.

Found property and property held for safekeeping shall be retained for the period of time required by law. During such period, Evidence Room members shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. The final disposition of all such property shall be fully documented in the evidence tracking software.

An evidence room custodian shall place items to be released in the designated area; the items shall be released when the owner presents proper identification. The signature of the person receiving the property shall be recorded in the evidence tracking software.

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800.8.1 FIELD RELEASE OF PROPERTY

Members may release certain property or evidence in the field to the lawful owner of the property or evidence can be sufficiently documented with photographs and release of the item will not compromise the case.

The release of any evidence should be documented with photographs and the return should be video recorded with your department issued device.

800.8.2 DISCREPANCIES

The officer-in-charge shall be immediately notified whenever a person alleges that there is a shortage or discrepancy regarding his/her property. The officer-in-charge will interview the person claiming the shortage and then immediately notify the Division Chief of Investigations. The officer-in-charge shall ensure that a search for the alleged missing items is completed and shall attempt to prove or disprove the claim.

800.8.3 DISPUTED CLAIMS TO PROPERTY

Occasionally, more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or establishes an undisputed right to the property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for this department should be contacted.

800.8.4 RELEASE OF FIREARMS IN STORAGE

The evidence room manager shall facilitate the release and return of a stored firearm to the individual or a responsible third party upon receipt of a court order requiring return of a firearm that has been held in storage at the Department or at a department-contracted storage facility (I.C. § 35-47-14-3; I.C. § 35-47-14-6; I.C. § 35-47-14-10).

800.9 DESTRUCTION OR DISPOSAL OF PROPERTY

All property will be disposed of in accordance with the Evidence Disposal Guidelines outlined in the Evidence Handling Directive.

800.9.1 MARIJUANA

At the first sign of mold growth, stored marijuana shall be photographed showing the mold growth. As soon as practicable, the evidence room manager shall make efforts to lawfully destroy the contaminated marijuana, in compliance with this policy. The evidence room manager should consult with the member assigned to the case investigation for authorization to destroy the remaining marijuana, after taking representative samples, and should request assistance from the appropriate prosecutor in obtaining a court order for immediate destruction.

800.9.2 BIOLOGICAL EVIDENCE FROM SEXUAL ASSAULT CASES

The Department should provide status and storage updates to the victim services division to the Indiana Criminal Justice Institute (Division), such as when a sample is returned or removed from

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the Evidence Room, via the web-based claims reimbursement and sexual assault examination kit tracking system (I.C. § 16-21-8-10; I.C. § 16-21-8-12).

800.9.3 BIOLOGICAL EVIDENCE FROM VIOLENT OFFENSE CASES

The evidence room manager is responsible for notifying the defendant and the defendant's attorney as set forth in I.C. § 35-33-5-5 when evidence related to a violent offense that could be subjected to DNA testing is

- (a) ~~Removed from the Evidence Room; or.~~
- (b) Of the date the preserved evidence has been marked for disposal.

800.10 INSPECTIONS, INVENTORIES AND AUDITS OF THE EVIDENCE ROOM

The Division Chief of Investigations shall ensure that Evidence Room operations and storage facilities are inspected for compliance with applicable policies and procedures, including periodic unannounced inspections.

The Division Chief of Investigations shall also ensure that audits are conducted as necessary.

Inspections and audits should be conducted by a member of this department who is not routinely or directly connected with the Evidence Room operations.

The results of all inspections and audits should be documented and forwarded to the Chief of Police.

800.10.1 TIMING

Inspections should occur at least quarterly.

Audits, including an inventory, should occur bi-annually.

Whenever there is a change of assignment for any member with authorized access to the Evidence Room, an inventory of all property shall be conducted to ensure that all property is accounted for and records are correct.

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Goshen Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The period an adult is in custody at the Goshen Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The Goshen Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Goshen Police Department, but should be transported to a jail facility, a medical facility, or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision, or medication while in temporary custody.
- (c) Any individual who is seriously injured.

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- (d) Individuals who are a suspected suicide risk (see the Involuntary Detentions Policy).
 - 1. If the officer taking custody of an individual believes that the individual may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to the individual's health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.

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- (c) Any other person authorized by the supervisor.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there are any statements, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the City jail or the appropriate mental health facility.

The officer should promptly notify the supervisor of any conditions that may warrant immediate medical attention or other appropriate action. The supervisor shall determine whether the individual will be placed in a cell, immediately released or transported to jail or another facility.

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

- (a) Advise the supervisor of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
 1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
 2. Provide an individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
 - (a) Continuous, direct sight and sound supervision.
 - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
 3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
 4. Ensure males and females are separated by sight and sound when in cells.
 5. Ensure restrained individuals are not placed in cells with unrestrained individuals.

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- (c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Patrol Division Chief will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 - 1. If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
 - (c) Forward any communication from the individual to his/her consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
 - 2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Forward any communication from the individual to his/her consular officers without delay.

900.5 SAFETY, HEALTH AND OTHER PROVISIONS

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900.5.1 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins.
- (d) There is reasonable access to a drinking fountain or water.
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.
- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
 - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (j) Adequate furnishings are available, including suitable chairs or benches.

900.5.2 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current training in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Goshen Police Department. They should be released or transferred to another facility as appropriate.

900.5.3 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

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Whenever a prosthetic or orthopedic appliance is removed, the supervisor shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

900.5.4 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed. They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Goshen Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

900.7 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy) and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.
- (b) The individual shall constantly be monitored by an audio/video system during the entire custody.
- (c) The individual shall have constant auditory access to department members.
- (d) The individual's initial placement into and removal from a locked enclosure shall be video recorded.
- (e) Safety checks by department members shall occur no less than every 15 minutes.

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1. Safety checks should be at varying times.
2. All safety checks shall be logged.
3. The safety check should involve questioning the individual as to his/her well-being.
4. Individuals who are sleeping or apparently sleeping should be awakened.
5. Requests or concerns of the individual should be accommodated when feasible.

900.8 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Patrol Division Chief will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Goshen Police Department. The procedures should include:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Shift Captain, Chief of Police and Investigation Division Chief.
- (c) Notification of the spouse, next of kin or other appropriate person.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the City Attorney.
- (f) Notification of the Elkhart County Homicide Unit.
- (g) Evidence preservation.

900.9 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (copies of booking forms, medical records, an itemized list of his/her property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the Goshen Police Department unless escorted by a member of the Department.
- (g) Any known threat or danger the individual may pose (escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.

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1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

900.10 ASSIGNED ADMINISTRATOR

The Patrol Division Chief will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security
 1. Areas used for temporary custody, including any cell areas, should be inspected for safety hazards and contraband at the beginning of each shift.
- (b) Key control
- (c) Sanitation and maintenance
- (d) Emergency medical treatment
- (e) Escapes
- (f) Evacuation plans
- (g) Fire and life-safety
- (h) Disaster plans
- (i) Building and safety code compliance

900.11 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures.

Outside Employment and Outside Overtime

1015.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment or outside overtime.

1015.1.1 DEFINITIONS

Definitions related to this policy include:

Outside secondary employment - Duties or services performed by members of this department for another employer, organization or individual who is not affiliated directly with this department when wages, compensation or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products or benefits rendered. Outside secondary employment shall be organized through a representative from the Fraternal Order of Police in accordance with the collective bargaining agreement. All secondary employment opportunities must be approved by the Chief of Police.

Outside overtime - Duties or services performed by members of this department for a private organization, entity or individual, that are requested and scheduled directly through the Department. Member compensation, benefits and costs for such outside services are reimbursed to the Department.

1015.2 POLICY

The local FOP representative assigned as the Secondary Employment coordinator must be a member of the Goshen Police Department and shall obtain approval from the Chief of Police or the authorized designee prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment, or engaging in outside employment or unapproved overtime that is prohibited by this policy, may lead to disciplinary action.

1015.3 OUTSIDE EMPLOYMENT

1015.3.1 REQUEST AND APPROVAL

When members learn of outside employment opportunities, they must submit the designated outside employment request form to their FOP secondary employment representative. The request form will then be forwarded through the chain of command to the Chief of Police for consideration.

1015.3.2 DENIAL

If the Goshen representative for the FOP's secondary employment program receives a request denial for outside employment, the representative may request written notification of the reason the request was denied at the time of the denial.

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1015.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended should be provided with a written notification if requested, of the reason for revocation or suspension.

Approval for outside employment may be revoked or suspended:

- (a) When a supervisor determines the member's performance is failing to meet standards and the outside employment may be related to the deficient performance.
 - 1. Approval for the outside employment may be reestablished when the member's performance has reached a satisfactory level and with his/her supervisor's authorization.
- (b) When a member's conduct or outside employment conflicts with department policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the Department or City.

1015.4 REQUIREMENTS

1015.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The Department reserves the right to deny any request for outside employment that involves:

- (a) The use of department time, facilities, equipment or supplies.
- (b) The use of the Goshen Police Department badge, uniform or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money or other consideration for the performance of duties or services that he/she would be required or expected to render in the course or hours of his/her employment or appointment or as a part of his/her regular duties.
- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other member of this department.
- (e) Demands upon the member's time that would render the performance of his/her duties for this department deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the Department.
- (g) Activities or events where officers will be providing security and alcohol is being served.

1015.4.2 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment unless authorized by the Chief of Police. This shall include the prohibition against any member using his/her position with this department to gain access to official records or databases of this department or other agencies.

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1015.4.3 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates his/her outside employment, the member shall promptly submit written notification of such termination to the Chief of Police through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief of Police any material changes in outside employment, including any change in the number of hours, type of duties or the demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material are advised to report the change.

1015.4.4 LEAVE OR RESTRICTED DUTY STATUS

Members who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the Chief of Police regarding whether such employment should continue.

In the event that the Chief of Police determines that the outside employment should be discontinued, or if the member fails to promptly notify his/her supervisor of his/her intention regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the member and a copy attached to the original outside employment request form.

Criteria for revoking approval due to leave or restricted duty status include, but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's medical professional advisers.
- (b) The outside employment requires performance of the same or similar physical ability as would be required of an on-duty member.
- (c) The member's failure to make timely notice of his/her intention to the supervisor.

When the member returns to full duty with the Goshen Police Department, a written request may be submitted to the Chief of Police to approve the outside employment request.

1015.5 OUTSIDE OVERTIME

1015.5.1 REQUESTS FOR SPECIAL SERVICES

Any private organization, entity or individual seeking special services (e.g., security, traffic control) from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such services will be assigned, monitored and compensated through the Department as outside overtime assignments.

- (a) A request for special services during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute will not be approved.

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- (b) The requester may be required to enter into an agreement that includes indemnification with the Department prior to approval.
- (c) The requester will be required to reimburse the Department for the members' compensation, benefits and costs (e.g., court time) associated with such outside services.
- (d) Should such a request be approved, any member working outside overtime shall be subject to the following conditions:
 1. The member shall wear the department uniform and carry department identification.
 2. The member shall be subject to the rules and regulations of this department.
 3. Compensation for such approved outside overtime shall be pursuant to normal overtime procedures (see the Overtime Compensation Policy).

Outside overtime shall be assigned at the discretion of the Chief of Police or the authorized designee.

1015.5.2 ARREST AND REPORTING PROCEDURE

If feasible, the officer should notify dispatch and place themselves in an on-duty capacity prior to taking any physical police action such as in making an arrest. Any officer making an arrest or taking other official law enforcement action while working in an outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to the Report Preparation Policy. ~~Time spent on the completion of such reports shall be considered part of the outside overtime assignment.~~

1015.5.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Division Chief, undercover officers or officers assigned to covert operations shall not be eligible to work outside overtime in a uniformed or other capacity that could reasonably disclose the officer's law enforcement status.

Line-of-Duty Deaths

1023.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Goshen Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1023.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1023.2 POLICY

It is the policy of the Goshen Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1023.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Officer in Charge, Shift Captain and the Elkhart County 911 Center.
 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Shift Captain should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Shift Captain or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

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- (d) Upon notification, the Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1023.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Captain, or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity, and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.

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- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivors' names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Goshen Police Department members may be apprised that survivor notifications are complete.

1023.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1023.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

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1023.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Wellness Support Liaison.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

1023.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Division Chief or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information—sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.

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- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1023.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
 1. The survivors and others whose presence is requested by the survivors.
 2. Department members and friends of the deceased member.
 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Goshen Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

1023.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Division Chief. The following should be considered when selecting the Survivor Support Liaison:

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- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 1. Items should not be delivered to the survivors until they are ready to receive the items.
 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
 1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the Wellness Support Liaison to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.

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- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services, or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1023.6.4 WELLNESS SUPPORT LIAISON

The Wellness Support Liaison should work with the department wellness coordinator or the authorized designee and other liaisons and coordinators to make wellness support and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the Wellness Support Liaison include but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for wellness support and counseling services, including:
 - 1. Members involved in the incident.
 - 2. Members who witnessed the incident.
 - 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive wellness support.
- (c) Ensuring that wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available wellness support and counseling services and assisting with arrangements as needed.

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- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional wellness support or counseling services are needed.

1023.6.5 FUNERAL LIAISON

The Commander of the Goshen Honor Guard will act as the Funeral Liaison. He/She should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - (d) Bell/rifle salute
 2. Bagpipers/bugler
 3. Uniform for burial
 4. Flag presentation
 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

1023.6.6 MUTUAL AID COORDINATOR, INDIANA CRITICAL INCIDENT TEAM

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Goshen Police Department members can attend funeral services as possible.
- (c) [Any other tasks or responsibilities.](#)

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

Line-of-Duty Deaths

[See attachment: Critical Incident Memorial Committee PPT](#)

1023.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Work-Related Illness and Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
 - 1. Public Safety Officers' Educational Assistance (PSOEA) Program.
 - 2. Social Security Administration.
 - 3. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 - 1. Survivor monthly benefit and health insurance coverage (I.C. § 36-8-8-14.1).
 - 2. Lump sum death benefit (I.C. § 36-8-8-16).
 - 3. Special lump sum death benefit for line of duty death (I.C. § 36-8-8-20).
 - 4. Tuition and fee exemptions for eligible survivors of a public safety officer killed in the line of duty (I.C. § 21-14-4-1).
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 - 1. Private foundation survivor benefits programs.
 - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

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1023.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1023.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

Line-of-Duty Deaths

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

1023.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1023.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1023.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

1023.11 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

Attachments

Updated Team PP 1-22-16.pdf



Indiana State Fraternal Order of Police

CRITICAL INCIDENT
MEMORIAL COMMITTEE

Introduction

◆ Joe Hamer, Chairman

- ◆ Gary, IN, Police Department, Retired
- ◆ Line of Duty Disability
- ◆ Member - 2003

◆ Danny Overley, Chairman Emeritus

- ◆ Deputy Chief, Retired – Indianapolis, IN, PD

◆ Molly Winters-Carrie

- ◆ Past National C.O.P.S. President
- ◆ Executive Director Emeritus, IN C.O.P.S.

Team History

- ◆ Need for team recognized by Indianapolis PD
- ◆ Officers killed in line of duty
- ◆ 1992 the team became part of Indiana history
- ◆ Indiana FOP and COPS join – common goal
- ◆ 82 Line of Duty Deaths - 1991
- ◆ Governors/Firefighters/Racing Profession/assist other states

Under the State FOP Umbrella

◆ Critical Incident Stress Management Support

- ◆ Peer Counseling Support

- ◆ Defusing and Debriefing Support

◆ Memorial Team

- ◆ Line of Duty Death Response

- ◆ Technical Assistance for Non Line of Duty Deaths

Team Background

◆ Team Membership

- ◆ Active and Retired Police Officers
- ◆ Surviving Family Members

◆ Purpose and Goals

- ◆ Memorials and Funerals
- ◆ Peer Support and Counseling



*Let every nation know
whether it wishes us well or ill
that we will pay any price,
bear any burden,
meet any hardship, support
any friend,
oppose any foe to assure the
survival
and success of liberty...*

John F. Kennedy, 1961



Patrolman Gregg Wm Winters
E.O.W January 8, 1991

INDIANA FOP STATE LODGE



Critical Incident Memorial
Team

What The Team Offers

- ◆ Assistance to Family
- ◆ Assistance to Agency
- ◆ Assistance to Community
- ◆ Assistance to Funeral Director

What The Team Offers

- ◆ Experience
- ◆ Resources
- ◆ Coordination and cooperation
 - ◆ Family
 - ◆ Agency
 - ◆ Community
- ◆ Duties
- ◆ Additional staffing
- ◆ Successful partnerships

Assistance Rendered

- ◆ Law Enforcement funerals
- ◆ Department Head – active funerals
- ◆ Military funerals
- ◆ Firefighter funerals
- ◆ Dignitary funerals and memorial services

Assistance To Agencies

◆ Critical Incident Responses

- ◆ Officer involved incidents
- ◆ Police action shootings
- ◆ Disasters / Large Community Incidents
- ◆ Line of Duty Deaths

Assistance To Agencies

- ◆ Assist with drafting policies:
 - ◆ Line of Duty Death
 - ◆ Active Officer Death
 - ◆ Funeral Honors Protocols
 - ◆ Critical Incident Stress Management

CISM / CISD

◆ Critical Incident Stress Management

- ◆ Peer Support

- ◆ Defusings

- ◆ Debriefings

- ◆ Follow-up

Cost To Agency

- ◆ There is no cost to your agency for the services of the Critical Incident Memorial Team.
- ◆ Costs are underwritten by the Indiana Fraternal Order of Police State Lodge.
- ◆ The Team assists agencies and their members regardless of FOP membership.

Honors



Classifications For Honors

- ◆ Line of Duty Death
 - ◆ Felonious
 - ◆ Accidental
- ◆ Active Duty Death (non line of duty)
 - ◆ Natural/Illness
 - ◆ Accidental
- ◆ Retired Officer Death
- ◆ Suicide



Guiding Principle

- ◆ Based on death classification and departmental policy, offer the family the options authorized by the policy, then...

Let the family make the final decision on which honors to include...

Suggested Honors

◆ Line of Duty Death

- ◆ Family Liaison Officer

- ◆ Draped Patrol Car

- ◆ Flags Flown at Half Staff

- ◆ Individual Officer Acknowledgement

 - ◆ Black Badge Covers

 - ◆ Black Flags on Patrol Cars

Suggested Honors

◆ Line of Duty Death

◆ Funeral Home

- ◆ Two Officer Casket Watch
- ◆ Formal Flag Presentation
- ◆ Escorted Movement of Officer's Body

◆ Funeral Services

- ◆ Two Officer Casket Watch Prior to Service
- ◆ Various Levels of Officer Participation in Services
- ◆ Color Guard / Honor Guard
- ◆ Formation of Officers During Transfer to Hearse

Suggested Honors

◆ Line of Duty Death

◆ Cemetery Honors

- ◆ Walking Guard

- ◆ Rider-less Horse

- ◆ Color Guard

- ◆ Pipe/Drum Band

Suggested Honors

◆ Line of Duty Death

◆ Cemetery Honors (continued)

- ◆ Firing Party

- ◆ Bugler

- ◆ Flag Folding (6-8 man) and Presentation

- ◆ Carnation Presentation

- ◆ Aircraft Salute

- Include only if officer has direct connection with aviation



Suggested Honors

- ◆ Active Duty Death (Non Line of Duty)
 - ◆ Funeral Home
 - ◆ One Officer Casket Watch
 - ◆ Escorted Movement of Officer's Body
 - ◆ Funeral Services
 - ◆ Various Levels of Officer Participation in Services
 - ◆ Color Guard / Honor Guard
 - ◆ Formation of Officers During Transfer to Hearse

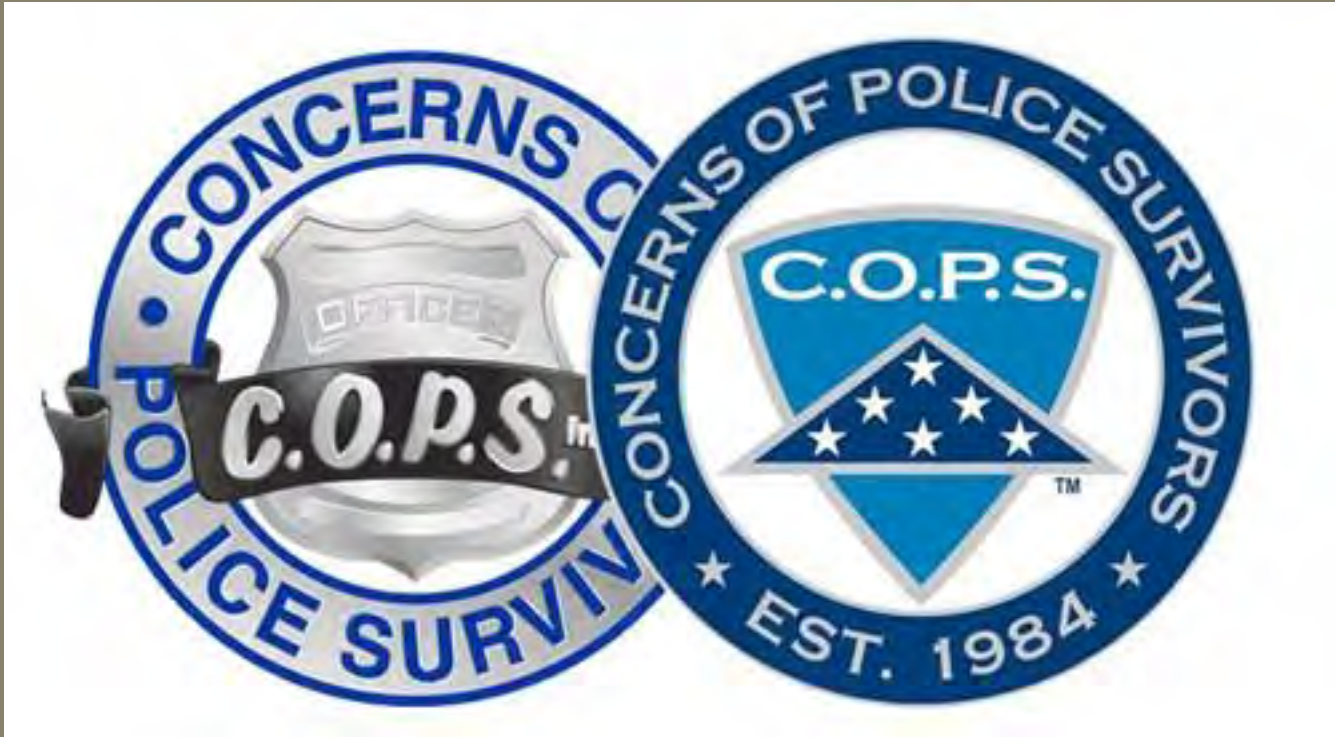
Considerations In Planning

- ◆ Venue for visitation
- ◆ Venue for funeral service
- ◆ Equipment
- ◆ Staffing
- ◆ Parking
- ◆ Cemetery arrangements



**Not to speak
of the deceased...
denies their existence**

**Speaking of the deceased, affirms
their life and the fact that they
were loved**



A survivor's level of distress is affected by the police department's response to the tragedy

Elements of the department's response that affect the distress are:

- ◆ The way survivors are notified of the death
- ◆ The emotional support provided by the department
- ◆ The information the department gives on insurance and benefits

Indiana Cops Involvement

- ◆ Executive Board advised immediately of a LODD
 - ◆ Personal notification made to survivors in the affected area
 - ◆ E-mail notification made to all survivors

IN COPS Response

- ◆ An Executive Board Member or their designee responds to the LODD
 - ◆ Actively involved in all meetings with the family
 - ◆ Actively involved in all planning aspects of the LODD
 - ◆ One representative designated as the family contact/liaison

Planning...

- ◆ Stays in contact with the family and their liaison
- ◆ Makes sure all the family's desires for the visitation and funeral are accounted for, and that they are consulted about the arrangements
 - ◆ Assists team in balancing the departments and family's wishes

Assist...

- ◆ In meeting with the funeral home to assist the family and director in understanding all aspects of a full LODD funeral and any special needs that need to be accounted for
- ◆ In the meetings with the department to help them understand the survivor's view and the need to be included
- ◆ Assist in the set up and planning of the visitation and funeral
- ◆ Assists the FOP team with the family dynamics

Responsibilities

◆ Visitation

- ◆ Assists family through out the visitation
- ◆ Assist with issues that may arise
- ◆ Be aware of special needs
- ◆ Survivors are brought forward to meet family

Responsibilities

◆ Funeral

- ◆ Survivors/Auxiliary/Cadets assist in the staging area to ensure officers get registered and receive their carnation
- ◆ Designate area for seasoned survivors to stage
- ◆ Organize transportation for survivors attending burial
- ◆ Survivors transported in core group in police cars

Responsibilities

◆ C.O.P.S. Liaison

- ◆ assists with seating the family.
- ◆ assists family to view honors before funeral procession begins
- ◆ assists family to limos
- ◆ assists the family with the grave side services

Memorial Team



Memorial Team Job Descriptions

- ◆ Chairman
- ◆ Document Coordinator/Memorial Coordinator
- ◆ Honor Guard Coordinator
- ◆ Honor Guard Scheduling/Planning Coordinator (Visitation)
- ◆ Funeral Route Coordinator
- ◆ Funeral Parking Coordinator
- ◆ Memorial Coordinator
- ◆ Seating-Usher Coordinator
- ◆ CISM Coordinator

Documentation

- ◆ Deceased Officer Document
- ◆ Flag Presentation
- ◆ Final Call/Dispatch
- ◆ Funeral Program
- ◆ Computer Death Notifications
- ◆ Badge Retirement
- ◆ Sign In Forms

Media

- ◆ Important element to paying tribute to our fallen and/or injured Hero.
- ◆ Establish Public Information Officer (PIO)
– should be appointed by agency head..
- ◆ Official media release from agency.
- ◆ FOP Chairman, PIO, Agency Head, and COPS Representative meet with all media

Media

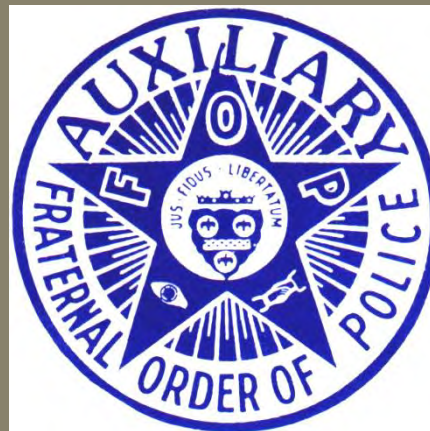
- ◆ Organize a media meeting – give them information to assist the community in paying tribute to the fallen officer
- ◆ Have them involved in documenting with family approval
- ◆ Obtain copies of all documentation for the family

Media

- ◆ As we are aware: Media can be our best friends or our worst enemy.
- ◆ Give them the information in a positive manner – remember to respect the family's wishes – use Department PIO
- ◆ FOP Chairman is Spokesman for the Fraternal Order of Police.

◆ Resources available to assist:

- ◆ FOP
- ◆ FOP Auxiliary
- ◆ C.O.P.S.



Line of Duty Death Benefits

- ◆ The FOP and Indiana COPS actively watches and pursues legislation to make sure all police officers in Indiana are covered
 - ◆ Assisting the family and the department with required paperwork and filings.

Resources

◆ Indiana Fraternal Order of Police

◆ 800-793-6746

◆ www.instatefop.org

◆ National Concerns of Police Survivors

◆ 800-784-2677

◆ www.nationalcops.org

◆ Indiana Concerns of Police Survivors

◆ www.indianacops.org

Contact Information

◆ Joe Hamer, Indiana F.O.P.

- ◆ Critical Incident/Memorial Committee Chairman

- ◆ 219-712-5413 Cell, j_hamer1420@sbcglobal.net

◆ Danny Overley, Indiana F.O.P.

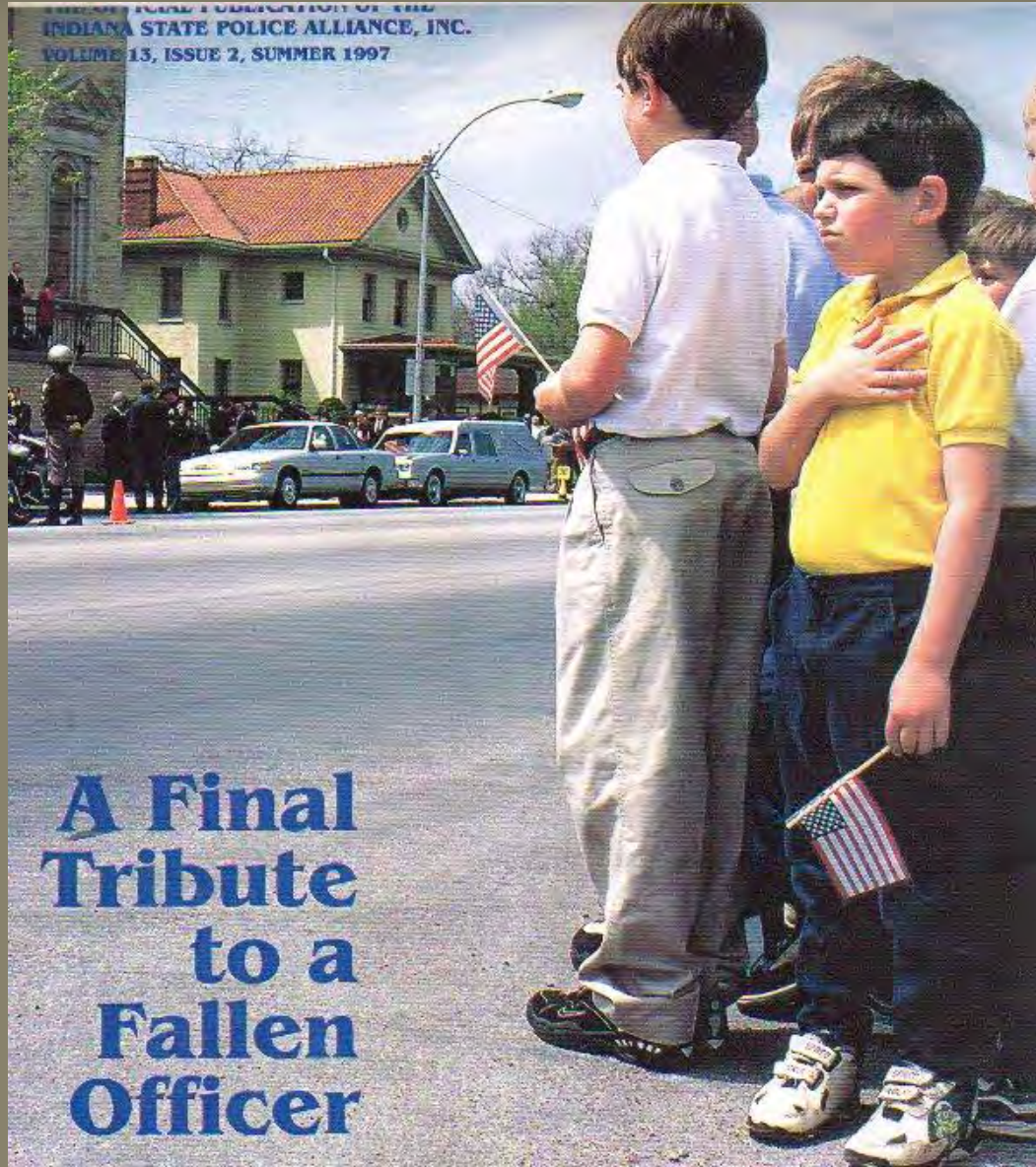
- ◆ Critical Incident/Memorial Chairman Emeritus

- ◆ 317-714-1893 Cell, overley@iquest.net

◆ Molly Winters-Carie, C.O.P.S

- ◆ Critical Incident/Memorial Committee

- ◆ 765-749-1067 Cell, mwinters@fop86.org



THE OFFICIAL PUBLICATION OF THE
INDIANA STATE POLICE ALLIANCE, INC.
VOLUME 13, ISSUE 2, SUMMER 1997

A Final Tribute to a Fallen Officer

LOD

Wellness Program

1024.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1024.1.1 DEFINITIONS

Definitions related to this policy include (I.C. § 36-8-2.5-1):

Communications – Oral or written statements, notes, records, recordings, reports, or documents made during or arising from a member's receipt of critical incident stress management (CISM) services or peer support services.

Critical incident – An actual or perceived event or situation that involves crisis, disaster, trauma, or emergency.

Critical incident stress – The acute or cumulative psychological stress or trauma a member may experience in providing emergency services in response to a critical incident that causes an unusually strong emotional, cognitive, behavioral, or physical reaction that may interfere with normal functioning. The stress or trauma may cause physical and emotional injury or illness; failure of usual coping mechanisms; loss of interest in work or normal life activities; loss of ability to function; or psychological disruption of personal life including relationships with others.

Critical Incident Stress Debriefing (CISD) – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

CISM services – Critical incident stress management services include programs and services related to education, prevention, and mitigation of the effects from exposure to highly stressful critical incidents. These include services provided by an individual certified to provide group or individual crisis intervention, peer support, or a related service.

CISM services provider – An individual certified to provide CISM services who is acting as part of a CISM team or in another official capacity.

CISM team – An organized community or local crisis response team trained and certified under standards substantially similar to the training and certification standards of the Indiana Emergency Medical Services Commission under I.C. § 16-31-2.

Wellness Program

Peer support services – Services provided by a member who works for the same agency as the recipient of such services and is acting in the member's capacity as a peer support team member and within the agency's peer support guidelines. Services may include active listening, assessment, mentoring, crisis intervention, or other support services provided to a member experiencing personal or professional difficulties that may or may not result from their exposure to critical incidents.

Peer support team member – A member who successfully completed peer support training and is designated as a peer support team member by the Chief of Police or the members' bargaining unit president.

1024.2 POLICY

It is the policy of the Goshen Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1024.3 WELLNESS COORDINATOR

The Chief of Police should appoint a trained wellness coordinator. The coordinator should report directly to the Chief of Police or the authorized designee and should collaborate with advisers (e.g., Human Resources, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
 - 1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.
 - 2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support team members, such as:
 - 1. Peer support team member selection and retention.
 - 2. Training and applicable certification requirements.
 - 3. Deployment.
 - 4. Managing potential conflicts between peer support team members and those seeking service.
 - 5. Monitoring and mitigating peer support team member emotional fatigue (i.e., compassion fatigue) associated with providing peer support services.
 - 6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support services, as appropriate.

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Wellness Program

- (c) Verifying members have reasonable access to peer support services or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
 - 1. Defining the types of incidents that may initiate debriefings.
 - 2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
 - 1. Obtaining a written description of the program services.
 - 2. Providing for the methods to obtain program services.
 - 3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
 - 4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
 - 5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.

1024.4 DEPARTMENT PEER SUPPORT TEAM

1024.4.1 PEER SUPPORT TEAM MEMBER SELECTION CRITERIA

The selection of a department peer support team member will be at the discretion of the Chief of Police or the members' bargaining unit president (I.C. § 36-8-2.5-1). Selection should be based on the member's:

- Desire to be a peer support team member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support team members.

1024.4.2 PEER SUPPORT TEAM MEMBER RESPONSIBILITIES

The responsibilities of department peer support team members include:

- (a) Providing pre- and post-critical incident support.
- (b) Presenting department members with periodic training on wellness topics, including but not limited to:
 - 1. Stress management.

Wellness Program

2. Suicide prevention.
 3. How to access support resources.
- (c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support team member's training.

1024.4.3 PEER SUPPORT TEAM MEMBER TRAINING

A department peer support team member should successfully complete department-approved peer support training prior to being assigned (I.C. § 36-8-2.5-1).

1024.5 CRITICAL INCIDENT STRESS DEBRIEFINGS

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident [but is not recommended earlier than 48 hours after the incident](#). - The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing should only include peer support team members, CISM service providers, and those directly involved in the incident.

1024.6 PEER SUPPORT COMMUNICATIONS

Communications between a member and CISM services providers or peer support team members while the member is receiving peer support services, and the records of those communications, are generally confidential and may not be disclosed to a third party or in a criminal, civil, or administrative proceeding without a court order or as authorized by I.C. § 36-8-2.5-2. Those communications are confidential for purposes of the Access to Public Records law in I.C. § 5-14-3-1 et seq. (I.C. § 36-8-2.5-2).

1024.7 PHYSICAL WELLNESS PROGRAM

The coordinator is responsible for establishing guidelines for any on-duty physical wellness program, including the following:

- (a) Voluntary participation by members
- (b) Allowable physical fitness activities
- (c) Permitted times and locations for physical fitness activities
- (d) Acceptable use of department-provided physical fitness facilities and equipment
- (e) Individual health screening and fitness assessment

Wellness Program

- (f) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting
- (g) Standards for fitness incentive programs. The coordinator should collaborate with the appropriate entities (e.g., human resources, legal counsel) to verify that any standards are nondiscriminatory.
- (h) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress)
- (i) Ongoing support and evaluation

1024.8 WELLNESS PROGRAM AUDIT

At least annually, the coordinator or the authorized designee should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

The coordinator should present the completed audit to the Chief of Police for review and consideration of updates to improve program effectiveness.

1024.9 TRAINING

The coordinator or the authorized designee should collaborate with the Training Lieutenant to provide all members with regular education and training on topics related to member wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.
- Alcohol and substance disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of exercise and proper nutrition.
- Effective time and personal financial management skills.

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Wellness Program

Training materials, curriculum, and attendance records should be forwarded to the Training Lieutenant as appropriate for inclusion in training records.



**Engineering Department
CITY OF GOSHEN**

204 East Jefferson Street, Suite I • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185
engineering@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: Goshen Board of Public Works & Safety

FROM: Goshen Engineering

RE: **LOWERING THE WATER LEVEL IN THE MILL RACE CANAL
(JN: 2020-0015)**

DATE: August 8, 2022

As part of the bridge inspections for the 2020-2022 Goshen Biennial Bridge Inspection Program, the consultant has requested the water level in the Millrace Canal be lowered during the inspection process. The lowered water level is typical for the inspections and allows for a more detailed inspection of the bridge's substructure and supports. This request is for August 24th. In order to accommodate both this request and the bridge inspections and to allow for adequate time to lower and raise the water level, the Engineering Department is requesting the Board of Public Works and Safety approve the lowering of the water level in the Millrace Canal from August 16th to August 29th, 2022.

Requested Motion: Approve the lowering of the water level in the Millrace Canal from August 16th to August 29th, 2020.



STORMWATER DEPARTMENT
CITY OF GOSHEN
204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405
Phone (574) 534-2201 • Fax (574) 533-8626
stormwater@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: City of Goshen Stormwater Board

FROM: Stormwater Department

RE: **POST-CONSTRUCTION PLAN APPROVAL
GREEN OAKS ASSISTED LIVING (JN: 2019-2038)**

DATE: August 8, 2022

The developer of Green Oaks Assisted Living, affecting one (1) or more acres of land and located at 282 Johnston Street, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

The Stormwater Department requests the Stormwater Board's acceptance of the plan.

Full document available upon request.

Requested Motion: Accept the post-construction stormwater management plan for Green Oaks Assisted Living as it has been found to meet the requirements of City Ordinance 4329.



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MEMORANDUM

TO: City of Goshen Stormwater Board

FROM: Stormwater Department

RE: **POST-CONSTRUCTION PLAN APPROVAL
KEYSTONE RV SHIPYARD BUILDING & GRAVEL STORAGE LOT
(JN: 2017-2051)**

DATE: August 8, 2022

The developer of the Keystone RV Shipyard Building & Gravel Storage Lot project, affecting one (1) or more acres of land and located at 3393 Lincolnway East, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

The Stormwater Department requests the Stormwater Board's acceptance of the plan.

Full document available upon request.

Requested Motion: Accept the post-construction stormwater management plan for Keystone RV Shipyard Building & Gravel Storage Lot as it has been found to meet the requirements of City Ordinance 4329.



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MEMORANDUM

TO: City of Goshen Stormwater Board

FROM: Stormwater Department

**RE: POST-CONSTRUCTION PLAN APPROVAL
BEACON HEALTH DUNLAP OUTPATIENT CENTER (JN: 2021-2008)**

DATE: August 8, 2022

The developer of Beacon Health Dunlap Outpatient Center, affecting one (1) or more acres of land and located at 2222 Rieth Boulevard, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

The Stormwater Department requests the Stormwater Board's acceptance of the plan.

Full document available upon request.

Requested Motion: Accept the post-construction stormwater management plan for Beacon Health Dunlap Outpatient Center as it has been found to meet the requirements of City Ordinance 4329.
