Redwood Falls
Police Department
And FBI Security Policies

Policy & Procedures

Updated May 2026

REDWOOD FALLS POLICE DEPARTMENT
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Redwood Falls Police Department Policy and Procedures Manual

Value Statement

The Redwood Falls Police Department is dedicated to the protection of human life and providing a safe community for its citizens through professional service and unbiased enforcement of the law

Introduction

Professionals in the field of law enforcement are confronted with a nearly infinite number of variables on any given day and during any situation. Because of this it is impossible to predict and plan for every possible situation and design a procedures manual to dictate how staff should execute their duties.

With this in mind, the Redwood Falls Police Department (RFPD) Policy and Procedures Manual was designed to establish parameters for staff to operate within rather than be a how-to manual mandating what shall, or shall not, be done during the course of any given situation or incident. While certain policies contain procedures outlining specific actions, or prohibited actions, this was not done for each policy.

The 2018 revisions to the RFPD Policy and Procedures Manual were initiated due to updated technology and facilities, changes in laws and training procedures, and discrepancies between the manual and the Redwood Falls Personnel Policy, LELS contract, and FTO Manual, among others. To avoid discrepancies in this manual, and avoid creating discrepancies in the future, topics already covered by the referenced documents were removed from the 2018 revised Policy and Procedures Manual.

The 2018 revisions to the Policy and Procedures Manual were vetted by the Redwood Falls City Attorney and Human Resources as well as professionals with particular experience or expertise in the topics addressed. The final version of the manual was reviewed and approved by the Redwood Falls Police Commission and City Council.

DEFINITIONS

This manual applies to all Redwood Falls Police Department staff; however, certain sections or verbiage may be applicable to only specific employees based on their title, duties, assignment, or rank. The following terms have the meanings when used therein:

Sworn Officers or Officers: Licensed peace officers of the Redwood Falls Police Department

Non-Sworn Staff: Clerical or administrative staff, interns, and all others who are not licensed peace officers.

Staff or Employees: Term, when used, applies to sworn and non-sworn members.

Supervisor: Any sworn officer who, as part of their duties, is responsible for oversight or supervision of a subordinance Redwood Falls Police Department staff or officer.

Field Training Officer (FTO): FTO train newly hired officers in the Redwood Falls Police Department policy and procedures, ensure duties are executed in accordance with this policy and within the boundaries of statutory authority, coach and correct incorrect behavior, document daily activity and process through the FTO program. While an officer is engaged in FTO duties, they are considered the supervisor of the trainee.

SUBJECT: #1 ALLEGATIONS OF MISCONDUCT
REVISION DATE: 05/05/2020, 5/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department that any person who believes an employee acted improperly may bring a complaint to the chief law enforcement officer's attention pursuant to the following procedure.

II. PROCEDURE

A. Definitions

a. Chief Law Enforcement Officer: The Chief of Police, or in his/her absence, the Assistant Chief of Police. Within this model policy, the chief law enforcement officer will be referred to as CLEO.

b. Complainant: A person who submits a complaint to the CLEO alleging misconduct by an agency member.

c. Complaint: A written statement made to or by a CLEO alleging misconduct.

d. Member: All voluntary and compensated personnel of the agency.

e. Discipline:

i. oral reprimand
ii. written reprimand
iii. suspension
iv. demotion or
v. discharge

f. Exonerated: A fair preponderance of the evidence established either that:

i. the act or acts complained of did not occur;
ii. the agency member named in the complaint was not involved in the alleged misconduct; or
iii. the act(s) that provided the basis for the complaint occurred; however, the investigation reveals that such act(s) were justified, lawful or proper.

g. Not Sustained: The investigation failed to disclose sufficient evidence to prove or disprove the allegations made in the complaint.

h. Sustained: A fair preponderance of the evidence obtained in the investigation established that the accused person's actions constituted misconduct.

i. Formal Statement: The questioning of an agency member in the course of obtaining a recorded, stenographic or signed statement to be used as evidence in a disciplinary proceeding against the

agency member.

j. Respondent: Any agency member, whether full-time, part-time, temporary or voluntary, against whom a complaint has been filed.

k. Misconduct:

i. a violation of any agency policy and procedure governing conduct of agency members;
ii. the use of unnecessary or excessive force;
iii. the conviction of any criminal offense;
iv. abuse of authority;
v. conduct which violates a person's civil rights;
vi. abusive or insulting language or conduct which is derogatory of a person's race, religion, sex, national origin or sexual preference;
vii. sexual harassment as that term is defined under Minnesota law;
viii. intimidation or retribution toward a complainant or witness involved in any complaint proceeding;
ix. willful disregard of a lawful order or directive from a superior

l. Policies and Procedures: The administrative rules adopted by the agency regulating the conduct of agency members.

m. Shall / Will: The action is mandatory.

n. May: The action is permissible.

o. Receiving authority: The person who receives the complaint when the subject of the complaint is a CLEO.

B. Initiating Complaint

a. Anyone who has personal knowledge of facts or reliable hearsay information may file a complaint. Any agency member who has personal knowledge of misconduct shall file a complaint according to the procedures stated herein.

b. Any agency member shall self-report to the CLEO and to the Peace Officer Standards and Training Board any action, inaction, or condition of that agency member which the agency member reasonably believes would constitute grounds for disciplinary action under any of the Peace Officer Standards and Training Board's regulatory provisions. An agency member may also self-report an action, inaction, or condition which the member reasonably believes constitutes grounds for disciplinary action to the Peace Officer Standards and Training Board.

c. Upon receiving a complaint against a member within the agency, the CLEO receiving the complaint shall immediately have the complainant complete a Complaint Against Officer Form (CAOF) and assign an administrative case number. The complaint will not be considered filed until the complainant signs the CAOF.

d. If the person making a complaint sets forth specific believable facts supporting an allegation of misconduct but wishes to remain anonymous, the CLEO receiving the complaint may, with sole discretion, permit the complainant to remain anonymous. In this instance the CLEO shall sign the complaint as the complainant. If the CLEO has reason to believe the complaint is unfounded, the CLEO shall have the authority to require an anonymous complainant to identify himself/herself. If that complainant refuses to do so, the CLEO may refuse to accept a complaint and shall advise the anonymous person of that fact.

e. After a CAOF is filed, the CLEO shall sign the document keeping a copy for the agency and providing a copy to the complainant. The CLEO will forward a copy of the document to the respondent only after it is determined that the complaint does not allege a criminal violation and the notification will not impede a criminal investigation.

f. A complainant may be accompanied by an attorney or other representative at the time a complaint is filed or at any other stage of the process

g. Any complaint made against the chief of police shall initially be made to the city administrator. Upon receiving a complaint, the receiving authority shall immediately have the complainant complete a Complaint Against Officer Form (CAOF) and assign an administrative case number. The complaint will not be considered until the complainant signs the CAOF.

h. The city administrator should refer investigations of alleged misconduct against a CLEO to an outside law enforcement agency or criminal justice agency.

C. The Investigation of a Complaint

a. Upon receipt of the CAOF, the CLEO shall make an initial determination as to whether the facts alleged require a formal investigation. If the CLEO decides that an investigation is not required, the disposition of the investigation is not required. The disposition of the complaint shall be either “not sustained” or “exonerated”. The complainant and the respondent will be notified of this decision and the basis for determination. If the complainant supplies additional information within thirty (30) days of that initial determination, the CLEO may reverse this decision and order a formal investigation.

b. If the CLEO determines a formal investigation is required, an appropriate person will be assigned to investigate the complaint. When the CLEO believes an external investigation is appropriate and when the CLEO is the subject of the complaint, the investigation will be assigned to an external agency.

c. The CLEO may suspend a respondent with pay at any time during the investigation of a complaint.

d. As soon as possible after being assigned the investigation the investigator shall inform the complainant of his or her name, business phone number and the status of the complaint.

e. The investigator shall thoroughly investigate all allegations contained in the complaint and any other potential misconduct discovered in the course of the investigation. If the investigation reveals potential misconduct by another agency member the investigator shall report that fact to the CLEO or, in the case of a complaint against a CLEO, the appropriate city administrator, manager, mayor, county attorney or the board of county commissioners.

f. All agency members shall cooperate with the investigation. When the respondent is a licensed peace officer the investigation shall comply with the requirements of MN STAT 626.89 and acts amendatory thereto.

g. The investigator shall prepare a report which will contain all relevant information organized into the following three (3) sections.

i. Allegations: an itemized summary of the acts of misconduct alleged in the complaint. Reference shall be made to those rules, procedures, orders, statutes, or constitutional provisions that would be violated if the allegations are taken as true.

ii. Investigation: a chronological summary of the investigation including all pertinent facts obtained through interviews with the complainant, accused agency member and all available witnesses. Written statements, descriptions and analysis of any physical evidence, and all other relevant information shall be included.

iii. Conclusions: the investigator's findings, conclusions as to whether any misconduct occurred and the underlying reasons for the finds and conclusions.

The investigation shall be completed within thirty (30) days of the filing of the complaint unless the CLEO determines there is good cause to grant an extension to the investigation time. The complainant and respondent shall be informed of any extension.

A complaint received through the Minnesota Board of Peace Officer Standards and Training will be handled pursuant to this policy; the Board will be advised of the status of the complaint within 30 days.

D. Additional Investigation, Review and Disposition

a. Disclosure to the public, complainant and respondent of data collected, created or received by the agency in connection with this policy and procedure shall be governed by the provisions of the MN Government Data Practices Act. Retention of data collected or maintained in connection with this policy shall be retained in accordance with the agency's "Record Retention Schedule."

b. All data collected, created or received by the agency in connection with this policy and procedure shall be maintained in accordance with the agency's "Record Retention Schedule."

c. The placement of the disposition report or other data in an employee's personnel file shall be governed by the agency's personnel policy.

d. Access to data collected, created, or received in connection with this policy and procedure may only be authorized by the CLEO or the agency's Data Practices "Responsible Authority," and as provided by Chapter 13, the "Minnesota Government Data Practices Act," or valid court order.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #2 AVOIDING RACIAL PROFILING
REVISION DATE: 05/05/2020, 09/15/2022, 05/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to reaffirm our commitment to impartial policing and to reinforce procedures that serve to assure the public we are providing service and enforcing laws in a fair and equitable manner to all.

II. PROCEDURE

A. Definitions

a. Racial Profiling: Any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

(1) the behavior of that individual; or
(2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial profiling includes the use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

B. Policing impartially, not racial profiling, is standard procedure for this agency meaning:

a. Investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches and property seizures;

b. Except as provided in paragraph 3., peace officers shall not consider race, ethnicity, national origin, gender, sexual orientation and religion in establishing either reasonable suspicion or probable cause; and

c. Peace officers may take into account the descriptors in paragraph 2. based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals and this information may be used in the same manner officers use specific information regarding age, height, weight, etc. about specific suspects.

C. In an effort to prevent the perception of biased law enforcement peace officers shall:

a. Be respectful and professional;

b. Introduce or identify themselves to the citizen and state the reason for the contact as soon as practical unless providing this information will compromise officer or public safety;

c. Ensure the detention is no longer than necessary to take appropriate action for the known or suspected offense;

d. Attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact including relevant referrals to other agencies when appropriate;

e. Provide their name and badge number when requested, preferably in writing or on a business card; and

f. Explain and/or apologize if it is determined the reasonable suspicion was unfounded (e.g. after an investigatory stop).

D. Supervisors shall ensure all personnel in their command are familiar with the content of this policy and are in compliance.

E. Report for Duty

Every member of this department shall perform their duties in a fair and objective manner and are responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

F. Violations

Alleged violations of this policy must be reported to POST in accordance with the reporting requirements in Minn. Stat. 626.8457.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #3 CRIMINAL CONDUCT ON SCHOOL BUSES
REVISION DATE: 05/05/2020, 05/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to respond to allegations of criminal conduct which occur within our jurisdiction on school buses. This agency shall work with and consult school officials, transportation personnel, parents, and students when necessary, during the response to these incidents to protect student safety and deal appropriately with those who violate the law. This policy recognizes that responding to reports of alleged criminal conduct on school buses within this jurisdiction is the responsibility of this agency in cooperation with any other law enforcement agency that has jurisdiction over the alleged offense. This policy is not intended to interfere with or replace school disciplinary policies that relate to student misconduct on school buses.

II. PROCEDURE

This agency shall:

A. Respond to calls for assistance from any citizen, school, or bus transportation company official as they may pertain to criminal conduct on school buses;

B. Issue citations, release pending further investigation, or apprehend and transport individuals committing crimes on school buses, to the extent authorized by law;

C. Investigate reports of crimes committed on school buses by using the same procedures followed in other criminal investigations;

D. Submit reports regarding the incident to superior officers and the prosecuting attorney as required by agency policy;

E. Follow through with any other investigation necessary to prepare a case pertaining to criminal conduct on school buses as requested by the prosecuting attorney; and

F. Provide information to the school regarding the incident as required or authorized by law.

SUBJECT: #4 DOMESTIC ABUSE RESPONSE AND ARREST
REVISION DATE: 05/05/2020, 5/12/2026

I. POLICY

The Redwood Falls Police Department recognizes domestic abuse as a serious problem in today's society. This agency aims to protect victims of domestic abuse situations with sensitivity and understanding. Peace officers will utilize this policy when responding to incidents of domestic abuse. This agency will aggressively enforce the laws without bias or prejudice.

II. PROCEDURE

A. Definitions

For the purposes of this policy, the words and phrases in this section have the meanings given to them, unless another intention clearly appears.

a. Domestic Abuse: Has the meaning given to it in MN Statute 518B.01, subdivision 2(a).

b. Domestic Abuse Program: A public or private intervention project or advocacy program which provides support and assistance to the victims of domestic abuse.

c. Child: Has the meaning given to it in MN Statute 260C.007, subdivision 4.

d. Complainant: An individual making a complaint or reporting a crime.

e. Domestic Abuse No Contact Order (DANCO): An order issued by a judge under MN Statute 629.75 in criminal court. DANCOs may be issued as a pretrial condition of release and/or as a condition of probation. Violating a DANCO is a crime.

f. Domestic Call: A call for service or a request for service made to a law enforcement agency regarding a domestic disturbance.

g. Family or Household Member(s): Has the meaning given to it in MN Statute 518B.01, subdivision 2(b).

h. Harassment: Has the meaning given to it in MN Statute 609.749, subdivision 2(c).

i. Order for protection (OFP): An order issued by a judge under MN Statute 518B.01, subdivision 5, in civil court. Violating an OFP is a crime.

j. Harassment Restraining Order (HRO): An order issued by a judge under MN Statute 609.748 in civil court where a petitioner requests a court order prohibiting another person from having contact with them. The petitioner of an HRO does not have to be a family or household member to the respondent. Violating an HRO is a crime.

k. Petitioner: An individual who initiates legal proceedings by filing a petition with the court.

l. Primary Aggressor: Refers to the person who, based on the totality of the circumstances, is determined to be the primary perpetrator of domestic abuse, as opposed to a person who used force in self-defense or who has been primarily subject to abuse.

m. Qualified Domestic Violence-Related Offense (QDVRO): Has the meaning given to it in MN Statute 609.02, subdivision 16.

n. Respondent: Person against whom a court action or protective order is sought.

o. Stalking: Has the meaning given to it in MN Statute 609.749, subdivision 5.

B. Receiving a Domestic Request for Service

Domestic requests for service are considered high priority calls and must be treated accordingly by dispatchers and officers. Dispatchers must assign, minimally, two officers to a known or suspected domestic abuse call. If only one officer is available, reasonable attempts must be made to obtain another officer. After receiving a domestic call, officers must respond promptly according to the information they received (e.g., is the situation active/ongoing, is the incident being reported several days after the event, or are the victim(s) in a safe location away from the suspect). Domestic requests for service may be received via text message to 911 or by other means.

a. Information to be Obtained:

The dispatcher receiving a domestic request for service should attempt to collect pertinent information from the caller and relay the information to the responding officers. The dispatcher receiving a domestic abuse call should attempt to gather the following information:

i. the nature of the incident,
ii. the address of the incident, including apartment number (if applicable),
iii. the telephone number(s) by which the caller can be reached,
iv. whether weapons are involved or present in the dwelling,
v. whether someone is injured and the nature of the injury,
vi. whether alcohol or drugs are involved,
vii. information about the suspect (e.g., presence, description, direction of flight, mode of travel, etc.),
viii. the relationship between the caller and the suspect,
ix. whether there have been previous calls involving the caller and suspect,
x. whether there is an active order for protection (OFP), harassment restraining order (HRO), or criminal pre-trial or probationary domestic abuse no contact order (DANCO),
xi. whether children are present, and
xii. whether there are non-English speaking, mobility impaired, or hearing-impaired individuals present.

If the caller is the victim, the dispatcher should attempt to keep the caller on the telephone for as long as possible and tell the caller when they can expect the peace officers to arrive. If the caller is a witness to an incident in progress, the dispatcher should attempt to keep the caller on the phone

and should relay ongoing information provided by the caller to the responding officers. Dispatchers should ask callers if it is safe for them to talk and if so, for how long.

If, for any reason, the dispatcher is unable to remain on the line with the caller and the responding officers are some distance away from the call location, the dispatcher should attempt to periodically call the complainant back, if the caller said it is okay to do so, to check on their well-being. If the complainant was available by telephone but later becomes unreachable or the dispatcher encounters a persistent busy signal, that information should be relayed to the responding officers.

C. Responding to a Domestic Call

a. Driving to the Scene

Peace officers must respond directly and without unreasonable delay to the scene. Officers should evaluate tactical considerations related to the use of emergency lights and sirens when responding.

b. Initial Contact

Upon arriving at the scene of a domestic abuse call, the responding officers must identify themselves as peace officers, explain their presence, and request entry into the home. The officers must ask to speak with the individuals involved in the situation. When reasonable, practical, and safe to do so, officers should separate (sight/sound) all individuals involved prior to taking any statements. If the person who called the law enforcement agency is someone other than the subject of the call, the officer should not reveal the caller's name. The officer must ensure all occupants inside or at the call location are safe to the extent they are able.

c. Entry

If refused entry, the officers should be persistent about seeing and speaking alone with the complainant. If access to the complainant is refused the officers should request dispatch contact the caller via phone. If access is still refused and the officers have reason to believe someone is in imminent danger, officers are permitted to force entry. If the officers are refused entry, and have no legal grounds to force entry, but have reasonable grounds to believe a crime has been committed, the officers may apply for a search warrant.

d. First Aid

After securing the scene, responding peace officers shall provide first aid and offer EMS (as applicable). Officers may preemptively request EMS and put them on standby while responding to the scene in an effort to minimize medical personnel response time.

D. Investigation

After securing the scene and providing any necessary first aid, peace officers must begin an investigation and assess the evidence to determine if there is probable cause that evidences a crime has been committed. During the investigation, when feasible, officers must attempt to interview the parties directly involved as well as any witnesses to the incident as necessary for the investigation. If the witness, victim, or suspect is a child, officers should consider whether an interview should take place at another location or be handled by another organization. Officers must collect and/or document any evidence at that scene. As part of the evidence collection process, officers must consider:

- taking photos of the scene,
- photographing the condition of clothing of the individuals involved,
- photographing any property damage,
- photographing physical injuries or the presence of petechiae (peace officers should be aware that injuries appear differently on different complexions and under flash photography),
- completing a lethality assessment (as applicable),
- recording and documenting excited utterances made by the victim and/or the suspect,
- documenting the demeanor of the victim and/or the suspect,
- collecting medical records including the victim's statements to paramedics, nurses and doctors,
- recording interviews with witnesses including children who may have been present,
- documenting evidence of any prior domestic abuse related incidents,
- documenting any existing OFPs, HROs or DANCOs, and
- documenting any other existing court order restricting contact between the suspect and victim.

When establishing probable cause, peace officers may consider their observations as well as any statements made by the parties/witnesses involved.

a. Suspect Gone on Arrival

If there is probable cause to make an arrest, officers should make reasonable attempts to locate and arrest the suspect. Officers should consider checking the suspect's place of employment and residences the suspect is known to frequent (e.g., the residences of family/friends or other properties the suspect may own).

E. Arrest Considerations

Arrest determinations must be based on probable cause that evidences a crime has been committed. Officers shall not base arrest determinations on the following factors:

- the ownership/tenancy rights of either party or the fact the incident occurred in a private place,
- belief that the victim will not cooperate with criminal prosecution or that the arrest may not lead to a conviction,
- verbal assurances that the abuse will stop,
- disposition of previous police calls or criminal cases involving the same victim or suspect,
- denial by either party that the abuse occurred when there is evidence of domestic abuse and probable cause has been established,
- lack of a court order restraining or restricting the suspect,
- concern about reprisals against the victim,
- adverse financial consequences that might result from the arrest, or
- chemical dependency or intoxication of the parties.

a. Primary Aggressor and Dual Arrests

The Redwood Falls Police Department discourages dual arrest, however, such arrests are not explicitly prohibited. When there are allegations that each party assaulted the other, the peace officer shall determine whether there is sufficient evidence to conclude one of the parties is the primary aggressor. Such a determination should be based on, minimally, the following:

i. the comparative extent of the injuries inflicted,
ii. the presence of fear of physical injury because of past or present threats,

iii. were actions taken in self-defense or to protect oneself,
iv. patterns of power of control (financial/technological/psychological),
v. the history of domestic abuse perpetrated by one party against the other, or
vi. the existence or previous existence of an order for protection.

In situations where the primary aggressor is identifiable, but charges also seem appropriate for the other individual involved, a report should be sent for consideration of charges to the prosecutor's office in lieu of a physical (dual) arrest. In their report, officers should explain how the officer identified a specific individual as the primary aggressor. In extreme cases or for instances in which a primary aggressor cannot be identified, a dual arrest may be made. In the event a dual arrest is made, when feasible, officers should transport the individuals in separate vehicles.

b. Victims Declining Arrest or Prosecution

If an officer establishes probable cause and determines a domestic abuse crime has been committed, they may make an arrest. The arrest may be made regardless of a victim's request not to arrest or prosecute the suspect. When an officer encounters a victim who wishes to decline charges, the officer should explain to the victim that arrest and prosecutorial determinations are given to law enforcement and prosecutors by state statute. Officers can offer to include a victim's request to decline charges in their report, however, victims should be made aware prosecutorial determinations will be made by the prosecuting attorney's office based on evidence.

c. Warrantless Probable Cause Arrest for Fifth Degree Assault or Domestic Assault

In general, officers cannot effect probable cause arrests for misdemeanors that did not occur in their presence. This is not the case for crimes of domestic assault. According to MN Statute 629.341, peace officers are immune from civil liability when making a domestic abuse arrest so long as they act in good faith and exercise due care when making the arrest determination. For misdemeanor offenses, according to MN Statute 629.341, peace officers may arrest a person anywhere, without a warrant, if the officer has probable cause to believe that, within the preceding 72 hours excluding the day probable cause was established, the individual assaulted, threatened (with a dangerous weapon), or committed an act intended to cause fear in another of immediate body harm or death if the victim is a "family or household member."

According to MN Statute. 629.72, notwithstanding any other law or rule, an arresting officer may not issue a citation in lieu of effecting the arrest of an individual being charged or arrested for harassing or stalking, domestic abuse, a violation of an order for protection, or a violation of a domestic abuse no contact order.

d. Level of Arrest for Fifth Degree Assault and Domestic Assault: Misdemeanor, Gross Misdemeanor and Felony.

Officers should be aware there are many domestic abuse related crimes that are eligible for enhancement based on an individual's previous criminal convictions. Fifth Degree Assault and Domestic Assault are deemed misdemeanor offenses. When enhancement factors are present, these offenses may be charged as a gross misdemeanor or felony.

i. Gross Misdemeanors
1. MN Statute 609.224, subdivision 2(a), Assault in the Fifth Degree provides for an enhancement to a gross misdemeanor violation when the offense is against the same victim within ten years of a qualified domestic violence-related offense (QDVRO)

conviction or adjudication of delinquency in Minnesota, or any similar law of another state.

2. If the charge is Domestic Assault (MN Statute 609.2242) and the victim is a family or household member and the crime occurs within ten years of a QDVRO conviction or adjudication of delinquency of any of the above offenses against any family or household member, the same gross misdemeanor enhancement applies. The prior conviction need not be against a member of the same family or household.
3. If there is a prior conviction for assault or threats of violence against any person within two years, a gross misdemeanor may also be charged.

ii. Felonies

1. If a person commits Fifth Degree Assault against the same victim within ten years of the first of any combination of two or more QDVRO convictions or adjudications of delinquency, the assault becomes a felony. The same enhancement applies to Fifth Degree Assault against any victim occurring within three years of the first of two or more of these convictions.
2. Domestic assault against a family or household member is also enhanceable under the same circumstances except that the prior convictions may be against any family or household member.
3. According to MN Statute 609.2247, subdivision 2, whoever assaults a family or household member by strangulation is guilty of a felony.

F. Reports and Forms

Peace officers must write a report after responding to a domestic call. If the officer did not arrest or seek an arrest warrant even though an arrest was authorized, a detailed explanation of the reasons for the officer's decision not to arrest must be documented. The report must then be forwarded to the prosecutor's office for consideration of formal charges. Domestic abuse related reports must, when feasible or applicable, include the following information:

- detailed statements from the victim, suspect, and any witnesses,
- a description of injuries,
- information about past abuse,
- a summary of the lethality assessment,
- a description of the scene,
- identification of the primary aggressor if applicable,
- information on the existence of any language barriers,
- the identification of elderly victims or those with disabilities,
- a summary of prior convictions relevant to charging enhancements,
- a general summary of the suspect's criminal history, and
- a list of evidence.

If necessary, a domestic call must be turned over to the appropriate investigator for further follow-up when needed. If an arrest is made, the officer must examine the defendant's criminal history record and, if there is evidence of a QDVRO conviction, advise the prosecutor's office of any potential charging enhancements. If there is probable cause to warrant charges on an individual not determined to be the primary aggressor, the peace officer must thoroughly document all relevant information in the report and refer it to the prosecutor for review and consideration of criminal charges.

G. Lethality / Risk Assessment

Domestic abuse situations often involve heightened emotional responses from the individuals involved because of not only the present circumstances, but the historical context. Historical context is especially important for assessing the potential risk of future domestic violence against an individual victim. Lethality/risk assessments are a tool officers can use to explore a victim's/suspect's abuse history and gauge the risk of future abuse. Officers should complete a lethality/risk assessment, approved by the agency, and include the assessment with their report. The assessment should be sent to the prosecuting attorney's office for review. Minimally, the following questions should be included in the agency's assessment.

- Does the suspect have access to a firearm, or is there a firearm in the home?
- Has the suspect ever used or threatened to use a weapon against you or your children/family members?
- Has the suspect ever attempted to strangle you, cut off the circulation in your neck, or impede your breathing in any way. This may include covering your mouth and/or nose.
- Has the suspect ever threatened or tried to kill you?
- Has physical violence increased in frequency or severity in recent months?
- Has the suspect ever forced or coerced you to have sexual relations against your will?
- Does the suspect control or try to control most or all your daily activities?
- Does the suspect monitor or surveil most or all your daily activities?
- Is the suspect constantly or violently jealous?
- Has the suspect ever threatened to commit suicide?
- Do you believe the suspect will assault you again?
- Has the suspect assaulted you in the past?
- Do you believe the suspect will try to kill you?
- Are there any pending or prior OFPs, HROs, or other criminal or civil cases involving the suspect?
- Has the suspect previously violated an OFP, HRO, DANCO, or other order in which you were the petitioner or protected party?

The questions included in the agency's assessment should be evidence informed – meaning that the questions are derived from practical experience and/or research. Agencies are encouraged to develop an assessment referral protocol. Minimally, the protocol, should include referring the assessment to the prosecuting attorney's office and a local advocacy program. After an assessment is completed, officers should inform the victim of the outcome, or score, of the assessment. Officers should ask the victim if they would like assistance contacting a victim's rights advocacy center for assistance.

H. Stalking

It is a felony to engage in stalking with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim. Stalking charges should be considered when, within a 5-year period, an individual commits or attempts to commit two or more of the criminal acts described in MN Statute 609.749, subdivision 5(b)(1) through (17).

Reports on incidents of stalking must include historical information about/between the individuals involved as well as the emotions the conduct stirred, if any, in the victim(s). This information is necessary to demonstrate patterns of behavior and to satisfy the elements of the crime. Such information is especially important when one of the acts being used to bring forth a charge of stalking was previously attempted but not charged or, possibly, previously reported. Examples of stalking behaviors include, but are not limited to:

a. Surveillance
    i. Waiting for the victim outside of their office, gym, or other frequented locations.
    ii. Using tracking software on the victim's devices.
    iii. Going through the victim's mail or trash.
    iv. Attaching a tracking device on the victim's vehicle or home.

b. Life Invasion
    i. Repeated unwanted contact via telephone, text messages, emails, etc.
    ii. Sending or leaving unwanted gifts.
    iii. Initiating contact through third parties.
    iv. Harassing the victim's friends or family.

c. Intimidation
    i. Using a weapon as a threat.
    ii. Forcing confrontations.
    iii. Threatening to harm or kill the victim, themselves, friends, family, pets, or others the victim cares about.
    iv. Threatening to share or post private information, photos, or videos of the victim.

d. Interference
    i. Spreading rumors about the victim.
    ii. Ruining or attempting to ruin the victim's reputation.
    iii. Taking and/or sharing photos or videos of the victim without their consent.
    iv. Posting deep-fake photos or videos online of the victim.

For additional information regarding stalking behaviors, officers can refer to the Stalking Prevention Awareness and Resource Center's (SPARC) website and law enforcement information sheet.

I. Harassment

A person commits a harassment crime if they:

a. directly or indirectly, or through third parties, manifest a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;

b. follow, monitor, or pursue another, whether in person or through any available technological or other means;

c. return to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;

d. repeatedly make telephone calls, send text messages, or induce a victim to make telephone calls to the actor, whether or not conversations ensue;

e. make or cause the telephone of another repeatedly or continuously to ring;

f. repeatedly mail or deliver or causes the delivery by any means, including electronically, of letters, telegrams, messages, and packages, through assistive devices for people with vision impairments or hearing loss, or any communication made through any available technologies or other objects;

g. knowingly make false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties; or

h. use another's personal information, without consent, to invite, encourage or solicit a third party to engage in a sexual act with the person.

Harassment crimes are elevated to a gross misdemeanor if the conduct was committed with the intent to kill, injure, harass, or intimidate another person if the conduct 1) places the other person in reasonable fear that the person's family or household members will be subject to substantial bodily harm, 2) places the person in reasonable fear that the person's family or household members will be subject to substantial bodily harm, or 3) causes or would reasonably be expected to cause substantial emotional distress to the other person. Harassment crimes may also be elevated to a felony if the provisions of MN Statute 609.749, subdivision 3 or 4 are met.

Acts constituting a violation of harassment or stalking, when committed in two or more counties, may be prosecuted in any county in which one of the acts was committed for all acts in violation of MN Statute 609.749.

J. Violation of Court Orders

Peace officers must verify whether any of the following orders discussed herein exist before, during, or after an arrest (OFP, HRO, or DANCO). Methods of verification include visually inspecting a paper or digital copy of the order or obtaining verification from the court or law enforcement agency that issued or served the order. If there is an active court order and the suspect violated the order, the officer's incident report must include information regarding the order, such as the name of the county where the order was originally issued and the court file number. In the report, officers should explicitly identify what provision the suspect violated in the court order.

a. Order for Protection (OFP)

A peace officer must arrest and take into custody, without a warrant, any person who the peace officer has probable cause to believe violated a condition of an OFP granted by the court pursuant to MN Statute 518B.01. Such an arrest must be made even if the violation of the order did not take place in the presence of the peace officer. A violation of an OFP is a misdemeanor but the charge is enhanceable to a gross misdemeanor if the offense occurred within ten years of a previous QDVRO conviction or adjudication. OFP violation charges are enhanceable to a felony if 1) the individual violated the OFP within ten years of the first of two or more previous QDVRO conviction/adjudication or 2) the individual violated the OFP while possessing a dangerous weapon as defined in MN Statute 609.02, subdivision 6.

According to MN Statute 518B.01, subdivision 18(a)(2), an OFP is not voided if the respondent was invited by the petitioner to the petitioner's residence. Likewise, an OFP is not void if the petitioner initiates contact with the respondent. There is not a time limitation to effect a warrantless arrest for a violation of an OFP.

b. Harassment Restraining Order (HRO)

A peace officer must arrest and take into custody a person who the peace officer has probable cause to believe has violated a harassment restraining order granted by the court pursuant to MN Statute 609.748, subdivisions 4 and 5, if the officer can establish probable cause and verify the existence of

the order. A person who violates an HRO is guilty of a misdemeanor. This offense is enhanceable to a gross misdemeanor if the violation occurs within ten years of a QDVRO conviction. Per MN Statute 609.748, subdivision 6(d), the offense is enhanceable to a felony if the person knowingly violates the order:

i. within 10 years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications;
ii. because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability (as defined in MN Statute 363A.03, subdivision 12), age, or national origin;
iii. by falsely impersonating another;
iv. while possessing a dangerous weapon;
v. with intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in MN Statute 609.415, subdivision 3, or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or
vi. against a victim under the age of 18, if the respondent is more than 36 months older than the victim.

c. Domestic Abuse No Contact Order (DANCO)

A peace officer must arrest, without a warrant, and take into custody a person who the peace officer has probable cause to believe has violated a DANCO issued pursuant to MN Statute 629.75. The arrest must be made even if the violation did not occur in the presence of the peace officer. A pretrial DANCO is sometimes continued at the time of sentencing with a new DANCO issued as a condition of probation. This DANCO may be valid for the full probationary period indicated in the order. The court may rescind a DANCO at any time. A victim's production of a copy of a court order, that appears valid, absent contrary evidence, provides a prima facie basis for arrest whenever there is probable cause to believe a violation of the order has occurred.

When investigating a domestic abuse incident, peace officers must, when applicable, consider whether additional crimes have been committed. Other crimes that should be considered are trespassing, criminal damage to property, disorderly conduct, witness tampering, burglary, and/or assault.

K. Crime Victim Rights and Services

If for some reason it is not possible to effect the arrest of a suspect during a domestic abuse incident (for example, the suspect fled the scene), officers should, when feasible, consider staying at the scene until the likelihood for further violence has been substantially reduced or eliminated. If the suspect is gone on arrival, officers are encouraged to talk to the victim about how to safely contact law enforcement if the suspect returns or their whereabouts are determined. Officers are encouraged to provide guidance to victims on how to ensure their own immediate safety (e.g. staying with a family member or friend, having a family member stay with them, or staying at a shelter). If a domestic advocacy program exists in the area, the responding officer should initiate contact on behalf of the victim with their permission. MN Statute 629.342 provides that when a peace officer does not make an arrest, the peace officer must provide immediate assistance to the victim, which includes obtaining any necessary medical treatment, and provide the victim a notice of rights pursuant to MN Statute 629.341, subdivision 3.

a. Assistance to Non-English-Speaking Victims or Victims with Communication Disabilities

The peace officer shall use the resource list established by this law enforcement agency to contact a person to assist in cases where the individuals involved in the domestic call, including the witnesses, are non-English-speaking, hearing-impaired, or have other communication limitations. The officer should avoid the use of friends, family, or neighbors as the primary interpreter for the investigation. Consideration: Is there a bilingual speaking officer who could assist?

b. Notice of Crime Victim's Rights

The peace officer must give the victim of a domestic abuse incident a copy of the agency's crime victim notification form. Officers are encouraged to verify the victim understands the victim's rights information they have been provided. The agency will routinely review the form to ensure it is current and in compliance with all applicable MN laws. The Department of Public Safety, Office of Justice Programs, produces the crime victim's rights notice and serves as the contact for victim's rights information.

c. Services

The peace officer or agency should contact the local domestic abuse program as soon as possible on all domestic abuse situations for which there is probable cause for an arrest and provide the name, phone number, and address of the victim and a brief factual account of the events that transpired. This section shall not apply if the dissemination of certain data is prohibited by the Minnesota Government Data Practices Act.

d. Child Victims

If a child is present during a domestic abuse incident or if the child is the victim of domestic abuse, the responding officer must determine whether the child has been subject to physical abuse, psychological abuse, sexual abuse, or neglect as defined by MN Statute 260E.03. If a peace officer finds a child in an environment which endangers the child's health or welfare or which will endanger the child's welfare, the child should be taken into protective custody pursuant to MN Statute 260C.175. When cases involve children, officers must comply with the reporting requirements of MN Statute 260E, Reporting of Maltreatment of Minors. If the child has been injured, the officer must escort the child to the nearest hospital for treatment. This can be accomplished by following EMS transport, riding with EMS transport, or by the officer transporting the child as appropriate.

STATUTORY REFERENCES

- CHAPTER 13 – Government Data Practices
- CHAPTER 260E – Reporting of Maltreatment of Minors
- MN STATUTE 260C.175 – Taking Child Into Custody
- MN STATUTE 518B.01 – Domestic Abuse Act
- MN STATUTE 609.185 – Murder in the First Degree
- MN STATUTE 609.19 – Murder in the Second Degree
- MN STATUTE 609.195 – Murder in the Third Degree
- MN STATUTE 609.20 – Manslaughter in the First Degree
- MN STATUTE 609.205 – Manslaughter in the Second Degree
- MN STATUTE 609.221 – Assault in the First Degree
- MN STATUTE 609.222 – Assault in the Second Degree
- MN STATUTE 609.223 – Assault in the Third Degree

- MN STATUTE 609.2231 – Assault in the Fourth Degree
- MN STATUTE 609.224 – Assault in the Fifth Degree
- MN STATUTE 609.2242 – Domestic Assault
- MN STATUTE 609.2245 – Female Genital Mutilation; Penalties
- MN STATUTE 609.2247 – Domestic Assault by Strangulation
- MN STATUTE 609.25 – Kidnapping
- MN STATUTE 609.255 – False Imprisonment
- MN STATUTE 609.342 – Criminal Sexual Conduct in the First Degree
- MN STATUTE 609.343 – Criminal Sexual Conduct in the Second Degree
- MN STATUTE 609.344 – Criminal Sexual Conduct in the Third Degree
- MN STATUTE 609.345 – Criminal Sexual Conduct in the Fourth Degree
- MN STATUTE 609.3451 – Criminal Sexual Conduct in the Fifth Degree
- MN STATUTE 609.3458 – Sexual Extortion
- MN STATUTE 609.377 – Malicious Punishment of a Child
- MN STATUTE 609.3775 – Child Torture
- MN STATUTE 609.582 – Burglary
- MN STATUTE 609.713 – Threats of Violence
- MN STATUTE 609.748 – Harassment; Restraining Order
- MN STATUTE 609.749 – Harassment; Stalking; Penalties
- MN STATUTE 609.78 – Emergency Telephone Calls and Communications
- MN STATUTE 617.261 – Nonconsensual Dissemination of Private Sexual Images
- MN STATUTE 617.262 – Nonconsensual Dissemination of a Deep Fake Depicting Intimate Parts or Sexual Acts
- MN STATUTE 629.341 – Allowing Probable Cause Arrests for Domestic Violence; Immunity from Liability
- MN STATUTE 629.75 – Domestic Abuse no Contact Order
- ADMINISTRATIVE RULE 6700.1615 – Required Agency Policies

CHARGING TABLE

The table below was created to assist officers with their probable cause arrest determinations. The table identifies which crimes a previous QDVRO conviction acts as an enhancement for. To determine the offense level and corresponding statute, start on the left side of the table by identifying the offense, then move to the right. Officers should confirm the information in this table with statute to verify the statute.

"Qualified domestic violence-related offense" refers to a violation of or an attempted violation of an order for protection, first-degree murder, second-degree murder, third-degree murder, first-degree manslaughter, second-degree manslaughter, first-degree assault, second-degree assault, third-degree assault, fourth-degree assault, fifth-degree assault, domestic assault, female genital mutilation, domestic assault by strangulation, kidnapping, false imprisonment, first-degree criminal sexual conduct, second-degree criminal sexual conduct, third-degree criminal sexual conduct, fourth-degree criminal sexual conduct, sexual extortion, malicious punishment of a child, burglary in the first degree, threats of violence, violation of harassment restraining order, harassment, stalking, interference with an emergency call, nonconsensual dissemination of private sexual images, violation of domestic abuse no contact order, and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

Offense	Victim	Conviction Look Back Period	Previous Conviction w/in Look Back Period or Qualifying Element	Offense Level	Statute
5th Degree Assault	Any Victim			Misdemeanor	609.224, sub. 1
		w/in previous 3 years	QDVRO	Gross Misdemeanor	609.224, sub. 2(b)
		w/in previous 3 years	QDVRO (x2)	Felony	609.224, sub. 4(b)
	Same Victim	w/in previous 10 years	QDVRO	Gross Misdemeanor	609.224, sub. 2(a)
		w/in previous 10 years	QDVRO (x2)	Felony	609.224, sub. 4(a)
Domestic Assault	Family or Household Member			Misdemeanor	609.2242, sub. 1
		w/in previous 10 years	QDVRO	Gross Misdemeanor	609.2242, sub. 2
		w/in previous 10 years	QDVRO (x2)	Felony	609.2242, sub. 4
Violation of an Order for Protection	Family or Household Member			Misdemeanor	518B.01, sub. 14(b)
		w/in previous 10 years	QDVRO	Gross Misdemeanor	518B.01, sub. 14(c)
		w/in previous 10 years	QDVRO (x2)	Felony	518B.01, sub. 14(d)(1)
			*** commits act while possessing a dangerous weapon ***	Felony	518B.01, sub 14(d)(2)
				Misdemeanor	609.748, sub. 6(b)

Violation of a Harassment Restraining Order	Any Victim	w/in previous 10 years	QDVRO	Gross Misdemeanor	609.748, sub. 6(c)
		w/in previous 10 years	QDVRO (x2)	Felony	609.748, sub. 6(d)(1)
			because of actual or perceived protected class status	Felony	609.748, sub. 6(d)(2)
			by falsely impersonating another	Felony	609.748, sub. 6(d)(3)
			while possessing a dangerous weapon	Felony	609.748, sub. 6(d)(4)
			intent to affect juror, judicial proceeding, etc.	Felony	609.748, sub. 6(d)(5)
	Victim under 18 and respondent is more than 36 months older			Felony	609.748, sub. 6(d)(6)

Malicious Punishment of a Child	A Child		***less than substantial bodily harm***	Gross Misdemeanor	609.377, sub. 2
		w/in previous 5 years	1st – 5th Degree Assault, Domestic Assault, 1st – 4th Degree Criminal Sexual Conduct, or Threats of Violence	Felony	609.377, sub. 3

			substantial bodily harm	Felony	609.377, sub. 5
			great bodily harm	Felony	609.377, sub. 6
	A Child Under 4 Years Old		***harm to head, eyes, neck, or multiple bruises to the child's body***	Felony	609.377, sub. 4
Harassment	Any Victim			Gross Misdemeanor	609.749, sub. 2(c)(1-8)
		w/in previous 10 years	QDVRO	Felony	609.749, sub. 4(a)
			because of actual or perceived protected class status	Felony	609.749, sub. 3(a)(1)
			by falsely impersonating another	Felony	609.749, sub. 3(a)(2)
			while possessing a dangerous weapon	Felony	609.749, sub. 3(a)(3)
			intent to affect juror, judicial proceeding, etc.	Felony	609.749, sub. 3(a)(4)
	Victim Under 18 and actor is more than 36 months older			Felony	609.749, sub. 3(a)(5)
			sexual or aggressive intent	Felony	609.749, sub. 3(b)

SUBJECT: #5 FORFEITURE PROCEDURES
REVISION DATE: 05/05/2020, 05/12/2026

I. POLICY

The Redwood Falls Police Department shall follow all state and federal laws pertaining to the processing of property seized for forfeiture.

II. PROCEDURE

A. Definitions

a. Cash: money in the form of bills or coins, traveler's checks, money orders, checks or other forms of electronic money or stored value cards, including but not limited to gift cards, debit cards, gift cards/certificates or other negotiable financial instruments.

b. Conveyance Device: a device used for transportation and includes but is not limited to a motor vehicle, trailer, snowmobile, airplane or vessel and any equipment attached to it. The term "conveyance device" does not include property, which is, in fact, itself stolen or taken in violation of the law.

c. Firearms/ammunition/firearm accessories: a device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, fire arm optics, suppression devices, cleaning supplies, etc.

d. Forfeiture: the process by which legal ownership of an asset is transferred to a government or other authority.

e. Jewelry/Precious Metals/Precious Stones: The term "precious metals/precious stones" includes items of jewelry such as rings, necklaces and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds and rubies.

f. Forfeiture/Seized Property Reviewer: An Agency employee responsible for reviewing all forfeiture cases and is the liaison between the Agency and prosecutor's office.

g. Seizure: The act of law enforcement officials taking property, including cash, vehicles, etc. that has been used in connection with or acquired by illegal activities.

B. Seized Property Subject to Administrative Forfeiture

The following property may be seized and is presumed under Minnesota State Statute 609.5314 to be subject to administrative forfeiture if the item has a retail value of $50,000.00 or less:

All money, precious metals, and precious stones found in proximity to:

a. Controlled substances;

b. Forfeitable drug manufacturing or distributing equipment of controlled substances.

All conveyance devices containing controlled substances with a retail value of $100.00 or more if possession or sale of the controlled substance would be a felony under chapter 152.

All firearms, ammunition, and firearm accessories found:

a. In a conveyance device used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance;

b. On or in proximity to a person from whom a felony amount of controlled substance is seized; or

c. On the premises where a controlled substance is seized and in proximity to the controlled substance, if possession or sale of the controlled substance would be a felony under chapter 152.

Seizure of property not listed above must be coordinated with and approved by the Chief of Police.

C. Processing Seized Property for Forfeiture Proceedings

When any property as described in the above section is seized, the peace officer making the seizure must prepare the following:

a. If reasonably practicable, the peace officer shall, in the presence of another peace officer, document and inventory all seized property.

b. Complete the proper Notice of Seizure and Intent to Forfeit Property form which includes the following: a list describing each item seized, the name of the individual served with the Notice, location, and the date of seizure. Administrative forfeiture notices are NOT to be given for assets seized under Minnesota State Statute 609.5314 if the retail value of the asset exceeds $50,000.00.

c. A receipt for the item(s) seized.

The notice form also contains information in English, Hmong, Somali and Spanish concerning the right to obtain judicial review and the procedures under Minnesota Statutes, section 609.5314 to follow to obtain review. The form must be dated and signed by the peace officer conducting the seizure. An agency case number must be included on the form. The individual from whom property is seized must be given an opportunity to sign the seizure notice form. If the person refuses, the peace officer conducting the seizure must check the appropriate box indicating the refusal to sign. If property is seized from multiple individuals, a separate seizure form will be completed for each individual. A copy of the seizure form must be given to the individual served.

All property subject to, and being processed for, forfeiture through the Redwood Falls Police Department shall be held in the custody of the agency, or, in the case of seized vehicles, in the custody of the tow company.

The peace officer conducting the seizure shall forward the original seizure notices and seized property receipts to the Administrative Secretary the next business day.

The peace officer conducting the seizure shall inform the Administrative Secretary of the estimated retail value of drugs found in proximity to the asset seized.

D. Processing Seized Currency for Forfeiture

Peace officers shall not seize cash having an aggregate value of less than $100.00 unless pre-recorded buy funds are included in the cash seized. Cash shall be recounted and the amount verified by another employee of the agency. The evidence bag shall then be co-signed when cash is involved.

Peace officers shall examine all cash seized to determine whether it contains any buy funds. Peace officers shall document the recovery of all buy funds and place those funds in the property/evidence room to be returned to the appropriate entity's buy fund account.

Peace officers seizing cash shall also prepare a property inventory receipt. If cash is seized from multiple individuals, a property inventory receipt will be completed for each individual. The property inventory receipt shall specify the total amount of cash seized from each individual. The property inventory shall also contain a detailed description of all checks, money orders, and/or traveler's checks or other financial instruments.

The peace officer conducting the seizure shall provide a copy of the completed property inventory receipt to the Administrative Secretary.

All forfeitable cash seized will be turned over to the property/evidence room as soon as possible within 24 hours of the seizure.

It is the responsibility of the officer seizing cash to process and secure it with these procedures. All forfeitable cash that has been seized shall be turned over the property/evidence room as soon as practical, and in all cases within 24 hours of seizure.

E. Processing Jewelry / Precious Metals / Precious Stones

Peace officers seizing jewelry, precious metals, and/or precious stones will write a detailed description of each item on the property inventory receipt prior to placing the items in the property/evidence room. A copy of the property inventory receipt and any photographs of the jewelry, precious metals and/or precious stones shall be given to the Administrative Secretary.

Peace officers seizing jewelry, precious metals and/or precious stones shall deliver those items to the property/evidence room as soon as practically practical.

F. Conveyance Device

Upon seizing for forfeiture, all conveyance devices shall immediately be either taken to a secure designated area or to an agency approved impound facility.

Peace officers shall inventory the conveyance device and its contents and document the results of the inventory on an Evidence and Property form. Peace officers shall also complete applicable report forms and distribute them appropriately.

Minnesota Statute, section 169A.63 provides for the forfeiture of motor vehicles operated by certain DWI offenders. A vehicle may be seized if the driver is arrested for a violation of 169A.20 and one or more of the following circumstances exist:

a. 1st Degree Felony DWI or test refusal.

b. 2nd Degree Felony DWI or test refusal

c. DWI or test refusal with a cancelled IPS status; or,

d. DWI or test refusal with a "B" card license restriction.

The officer handling the case will be responsible for forfeiture actions under this section. If a DWI suspect is believed to fall under one of the conditions set forth for forfeiture, the suspect's vehicle will be towed to the impound lot and a police hold will be placed on the vehicle. A forfeiture notice will be served upon the driver/owner of the motor vehicle.

If the vehicle is eligible for forfeiture the Administrative Secretary will determine: 1. Ownership of the vehicle; 2. the amount of any liens on the vehicle; 3. The amount of any loans on the vehicle.

G. Firearms / Ammunition / Firearm Accessories

When firearms, ammunition, or firearms accessories are seized, they shall be inventoried and delivered to the property/evidence room as per agency policy/procedure. Firearms shall be unloaded prior to storage.

H. Reports

Peace officers seizing property for forfeiture must complete a narrative report. All reports must include a description of the items seized, where the property is turned in/stored, the name of the individuals served, the date that the seizure form was served, the name of the serving peace officer, and whether or not the individual signed the Notice of Seizure and Intent to Forfeit Property form.

All reports dealing with seized property will be completed within 24 hours of the seizure practical.

I. Disposition of Forfeited Property Relative to Minnesota Statute, Section 609.531

Disposition of forfeited property will be the responsibility of the Chief of Police and/or Administrative Secretary. All forfeited property will be disposed of in compliance with Minnesota Statute, section 609.5315 and other applicable laws. The proceeds of the disposition of forfeited property will be distributed in accordance with Minnesota Statute, section 609.5315, Subd. 5.

As forfeitable property becomes disposed of the Administrative Secretary will complete an audit report to be sent to the State of Minnesota, reporting all contraband, monies, vehicles, or weapons that have been disbursed as a result of forfeiture actions in accordance with M.S. 609.5315 subd. 6.

If the prosecuting authority has made an agreement with the secured party of the vehicle to be released, the prosecuting authority will complete the Forfeited Vehicle Release Agreement forms with all applicable parties signing such agreement. A copy will be maintained by the Redwood Falls Police Departments.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #6 LIGHTING EXEMPTION OF LAW ENFORCEMENT VEHICLES
REVISION DATE: 05/05/2020, 05/12/2026

I. POICY

It is the policy of the Redwood Falls Police Department to provide a uniform guideline for all department personnel to use when operating a department vehicle without headlights or taillights while functioning as a peace officer.

II. PROCEDURE

A. Definitions

a. Vehicle: A motor vehicle or watercraft owned, leased or otherwise the property of the State of Minnesota or a political subdivision.

b. Lights: Headlights and taillights as referenced in MN Stat. 84.87 to 84.928, 169.48 to 169.65 and 86B.511.

B. Procedure

A peace officer may **not** operate a vehicle without lights contrary to MN STAT 169.541. LIGHTING EXEMPTION FOR LAW ENFORCEMENT; STANDARDS under conditions of limited or reduced visibility as defined in MN STAT 84.87, 84.928, 169.48 to 169.65 and 86B.511:

a. On an interstate highway.

b. At speeds greater than what is reasonable and prudent under existing weather, road and traffic conditions.

c. Faster than the posted speed limit.

d. In situations where the peace officer is an active participant in the pursuit of a motor vehicle in violation of MN STAT 609.487.

SUBJECT: #7 POLICE PURSUIT AND EMERGENCY VEHICLE OPERATIONS
REVISION DATE: 04/04/2024, 05/12/2026

I. POLICY

The primary purpose of this policy is to ensure officers and members of the Redwood Falls Police Department respects the sanctity of life when making decisions regarding vehicle pursuits. Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The intent of this policy is to provide officers with guidance in balancing the safety of the public, safety of other officers and themselves, and law enforcement's duty to apprehend violators of the law, while minimizing the potential for pursuit related crashes.

II. GUIDING PRINCIPLES

A. A decision to pursue should be based upon the totality of information and circumstances reasonably known to the officer at the time the decision is made, recognizing that law enforcement must often make immediate decisions with partial information.

B. The safety of all persons involved in or by a police pursuit is of primary importance. It also must balance the risks of the pursuit to the public and peace officers with the consequences of failing to pursue (Minn. Stat. § 626.8458 Sub. 2 (1).

C. No officer will be disciplined for terminating a pursuit.

D. Officers, when responding to an emergency call or pursuing a fleeing vehicle shall, when approaching a stop sign or red light, slow down as necessary for safety, but may proceed cautiously if they sound a siren or display at least one red light to the front (Minn. Stat. §169.03(2).

E. The speed limitations do not apply to an authorized emergency vehicle responding to an emergency call or vehicle pursuit, although this does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequence of a reckless disregard of the safety of others (Minn. Stat. §169. 177). Officer(s) should consider reducing their speeds and ensuring that the way is clear before proceeding through an intersection or other locations where there is an increased likelihood of a collision with another vehicle or pedestrian. Evaluation of vehicle speeds should take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

F. Involved officers should frequently re-evaluate factors and conditions to assess the continuation of the pursuit.

III. PROCEDURE

A. Definitions

a. Pursuit: An active attempt by a sworn member operating a patrol unit or specialty unmarked unit to apprehend a driver of a motor vehicle who, having been given a visual and audible signal by a peace

officer directing said driver to bring their vehicle to a stop, increases speed, extinguishes motor vehicle headlights or taillights, refuses to stop the vehicle, or uses other means with intent to attempt to elude a peace officer (Minn. Stat. §609.487).

b. Termination of a Pursuit: A pursuit is terminated when the pursuing officer(s) notify dispatch, turn off their emergency lights and sirens, and reduce speed to the posted speed limit.

c. Divided Highway: Any highway that is separated into two or more roadways by:

   i. A physical barrier, or
   ii. A clearly indicated dividing section constructed so as to impede vehicular traffic.

d. Channeling: To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.

e. Compelling Path: The use of channeling technique with a modified roadblock located at its narrow end. The compelling path differs from a termination roadblock in that the driver or any vehicle traveling the path has an exit option at the narrowed end.

f. Pursuit Intervention Technique (PIT): A driving maneuver designed to stop a fleeing motorist by applying precision vehicle-to-vehicle-contact resulting in a predictable spin of the suspect's vehicle, bringing it to a stop.

g. Flee: The term "flee" means to increase speed, extinguish motor vehicle headlights or taillights, refuse to stop the vehicle, or use other means with intent to attempt to elude a peace officer following a signal given by any peace officer to the driver of a motor vehicle (Minn. Stat. § 609.487 Subd. 1).

h. Primary Unit: The law enforcement unit that initiates a pursuit or any other unit that assumes control of the pursuit.

i. Support Units: The primary responsibility is to remain in close proximity to the pursuing vehicle(s) so that officers are immediately available to render aid or assistance to anyone who may require it as a result of the pursuit. Support officers may also assume responsibility for radio traffic, and do not take over or assume control of the pursuit.

j. Other Assisting Units: Units not actively involved in the pursuit itself but assisting by deploying stop sticks, blocking intersections, compelling paths, or otherwise working to minimize risk.

k. Ramming: The deliberate act of impacting a fleeing offender's vehicle with another vehicle to functionally damage or otherwise force the violator to stop.

l. Portable Tire Deflation Device: A device that extends across a roadway and is designed to puncture the tires of the fleeing offender's vehicle.

m. Blocking or Vehicle Intercept: A slow-speed coordinated maneuver where two or more law enforcement vehicles simultaneously intercept and block the movement of a suspect vehicle, the

driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

n. Boxing-in**:** A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

o. Paralleling: The practice of non-pursuing squad vehicles driving on streets nearby to the active pursuit, in a manner parallel to the pursuit route. Parallel driving does not exempt officers from obeying traffic laws. Minn. Stat. § 169.14, subd. 1.

B. Pursuit Considerations – Minn. Stat. §626.8458 Subd. 2(2)

a. Pursuit is justified when the need for immediate apprehension or the risk to public safety outweighs the risk created as a result of the pursuit.

b. Factors to be considered when weighing risks:

i. Severity of the offense (in cases of non-violent offenses, officers should consider terminating the pursuit).
ii. Speed of the pursuit
iii. Area of the pursuit (including the geographical area, time of day, amount of vehicle and pedestrian traffic)
iv. Divided highways and one-way roads (Minn. Stat. § 169.03 Subd. 3)
v. Approach to intersections that are controlled by traffic signals, signs, or other locations where there is an increased likelihood of a collision (Minn. Stat. §169.03)
vi. Environmental conditions (weather, visibility, road surface conditions)
vii. Special hazards (school zones, road construction, parades, special events)
viii. The ability to identify the offender at a later time
ix. Age of the suspect and occupants
x. Other persons in or on the suspect vehicle

c. Standards applied to the ongoing evaluation of a pursuit, as well as the decision to continue a pursuit shall include the following considerations:

i. The immediate need to apprehend the offender outweighs the risk created by the pursuit.
ii. The dangers created by the pursuit exceed the dangers posed by allowing the offender to escape.
iii. Involved officers should frequently re-evaluate factors and conditions to assess the continuation of the pursuit.

C. Procedures & Tactics for an Officer Engaging in a Pursuit– Minn. Stat. § 626.8458 Subd. 2 (3)

a. Emergency vehicles shall be driven in a safe manner and with due regard for public safety.

b. Emergency vehicles operating in emergency mode are permitted to violate certain traffic regulations, when necessary, as long as the operator continues to exercise due care in vehicle operation.

D. Responsibilities of the Primary Unit – Minn. Stat. § 626.8458 Subd. 2 (4)

The driver of the primary unit shall notify dispatch of the pursuit and shall provide at least the following critical information to dispatch when possible:

a. Travel direction/location/traffic and road conditions

b. Reason for initial contact (specific violations)

c. Identity of fleeing driver, if known

d. Plate number, if available, and/or vehicle description

E. Speed of Fleeing Vehicle

a. Provide relevant evolving information to dispatch

b. Officers will not intentionally make vehicle-to-vehicle contact unless this action is in conformance with RFPD policy and Minnesota Statute.

c. Use of a roadblock which does not provide an exit route is a use of deadly force and shall only be used when authorized under Minnesota Statute 609.066

d. Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles

e. Unmarked and low-profile agency vehicles may engage in pursuits until a marked vehicle can take over as the primary vehicle. Officers shall not become engaged in pursuits while operating a non-departmental (private) motor vehicle or departmental vehicles not equipped with the required emergency equipment.

F. Procedures and Tactics for Support Units

a. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public.

b. When possible, non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, obeying all non-emergency traffic laws.

c. All participating units should operate under emergency conditions.

G. Use of Stop Sticks or Other Tire Deflating Equipment

a. Use of stop sticks on a vehicle with less than four wheels will be considered a use of deadly force. Stop sticks may be used on a vehicle that is no longer actively pursued by law enforcement but is still fleeing or has recently fled from law enforcement.

b. Officers will document the use of stop sticks in their report.

c. Stop sticks may be deployed after considering the totality of circumstances including, but not limited to:

   i. Reasonable determination further attempts to stop the vehicle will be futile
   ii. Reasonable knowledge the driver of the vehicle has not changed
   iii. Knowledge the vehicle has been in view of pursuing law enforcement personnel, video surveillance or aviation units.

H. Pursuit Intervention Techniques (PIT)

a. A PIT maneuver may be used by an officer who has been trained in the correct execution of the technique by a qualified instructor. The officer should utilize the technique as early as possible in the pursuit, consider road conditions, traffic, weather, and other factors which may affect success, and only when danger to officers, the public and the suspect is minimal.

b. Execution of a PIT maneuver is considered a use of force and shall be documented in the officer's report and on a use of force report.

c. PIT maneuvers should be executed at speeds of 40 miles per hour or less on straight roads or 25 miles per hour or less in cornering situations. Speeds in excess of this may be considered deadly force.

d. PIT is not allowed in the following circumstances unless deadly force is justified:

   i. On a vehicle with less than four wheels
   ii. On a vehicle pulling a trailer
   iii. On unconventional vehicles including, but not limited to: straight trucks, recreational vehicles, off-road vehicles, all-terrain vehicles (ATV).

I. Ramming

a. Ramming is the deliberate act of impacting a fleeing offender's vehicle with another vehicle to functionally damage or otherwise force the violator to stop.

b. Use of a ramming technique is considered deadly force and shall be reported in the officer's report and in a use of force report.

c. Use of a ramming technique will be limited to situations where the use of deadly force is justified under Minnesota Statute 609.066.

J. Supervision of Pursuit Activities

The use of a detached supervisor that is not directly involved in the pursuit, when available, should be considered. Based on the known information the supervisor, when available, shall monitor the pursuit in order to take appropriate action to continue or terminate the pursuit (Minn. Stat. §626.8458 Subd. 2 (4). If a supervisor is not on duty, or cannot be reached by radio or phone, the officer(s) that are on-duty and involved in the pursuit will be responsible for complying with all applicable RFPD policies.

a. Procedures regarding control over pursuit activities should include:

i. Verbally acknowledge they are monitoring the pursuit.
ii. Assess critical information necessary to evaluate the continuation of the pursuit. Evaluate and ensure pursuit is within policy.
iii. Direct that the pursuit should be discontinued if it is not justified to continue under the guidelines of this policy or for any other reason.
iv. Communicate with all involved units if the pursuit should be terminated

b. Options to keep in mind during a pursuit include, but are not limited to:

i. Parallel pursuits
ii. Channeling techniques
iii. Creating a compelling path
iv. Air support
v. Spike strips or other tire deflation device
vi. Pursuit Intervention Techniques (PIT)
vii. Blocking or Vehicle Intercept
viii. Boxing-in
ix. Other apprehension or GPS tracking methods - Minn. Stat. §626.8458 Subd 2 (3)

At the conclusion of a pursuit the Chief of Police, or designee, shall be notified if the pursuit resulted in a crash where any parties were injured or killed.

K. Dispatch Responsibilities

Upon notification that a pursuit has been initiated, Dispatch will be responsible for the following (Minn. Stat. § 626.8458 Subd. 2 (4):

a. Coordinate pursuit communications of the involved units and personnel.

b. Notify and coordinate with other involved or affected agencies as practicable.

c. Ensure that a supervisor, if available, is notified of the pursuit.

d. Assign an incident number and log all pursuit activities.

e. Broadcast pursuit updates as well as other pertinent information as necessary.

L. Factors Influencing the Termination of a Pursuit

The driver of the primary unit and the supervisor shall continually evaluate the risks and likelihood of a successful apprehension of the suspect and shall consider terminating the pursuit under the following conditions.

a. The officer deems the conditions of the pursuit too risky for the safe continuation of the pursuit.

b. A supervisor orders it terminated.

c. Information is communicated that indicates the pursuit is out of compliance with policy.

d. Communication is broken.

e. Visual contact is lost for a reasonable period of time, or the direction of travel cannot be determined.

f. The suspect is known and could be apprehended later, and delaying apprehension does not create a substantial known risk of injury or death to another.

M. Interjurisdictional Pursuit – Minn. Stat. §626.8458 Subd. 2(5)

a. The primary unit shall update critical information to the dispatcher before leaving its jurisdiction.

b. The primary law enforcement vehicle shall remain the primary vehicle in other jurisdictions unless the controlling pursuit authority transfers its authority to another jurisdiction.

c. Upon receiving notification, the pursuit is entering another agency's jurisdiction, the dispatcher shall forward all critical information possessed by the dispatcher to that agency.

d. When a pursuit enters this law enforcement agency's jurisdiction:

i. The dispatcher shall update the critical information to the shift supervisor or other authorized individual identified by the law enforcement agency.
ii. The controlling pursuit authority shall determine if the pursuit is in conformance with policy and shall provide appropriate direction to their units.

e. When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to the dispatcher and to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist (Minn. Stat. § 626.8458 Subd. 2 (5).

f. If a pursuit from another agency enters the Department's jurisdiction, Dispatch should update the on-duty supervisor. No pursuit will continue into another state unless permission is received from a supervisor, if available, and as soon as is practical, prior to or as soon as possible after crossing the state line, the dispatcher will notify the appropriate out of state authority to coordinate the pursuit and the channels to be used for communications.

N. Fresh Pursuit Outside State Boundaries

Subject to the conditions identified under H.5. above, the officer may continue the pursuit across state lines with those states, which grant reciprocity. This would include North Dakota, South Dakota, Iowa, and Wisconsin (Minn. Stat. §626.65, Uniform Law on Fresh Pursuit; Reciprocal.)

O. Air Support

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units

should consider whether the participation of an aircraft warrants their continued involvement in the pursuit (Minn. Stat. § 626.8458 Subd. 2 (4)). The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend terminating the pursuit.

P. Pursuit Summary Report

a. The primary officer and the supervisor shall file a pursuit summary report.

b. To ensure compliance with Minn. Stat. § 626.5532, the chief law enforcement officer shall ensure the completion of the State pursuit report form and forward it to the Commissioner of Public Safety within 30 days following the pursuit.

c. As required in Minn. Stat. §626.5532, the report must contain the following elements:

i. the reason(s) for, and the circumstances surrounding the pursuit;
ii. the alleged offense;
iii. the length of the pursuit in distance and time;
iv. the outcome of the pursuit;
v. any injuries or property damage resulting from the pursuit; and
vi. any pending criminal charges against the driver.
vii. other information deemed relevant by the Commissioner of Public Safety.

Q. Care and Consideration of Victims

If during a pursuit an officer observes or is made aware of an injury to an individual, the officer shall immediately notify the dispatcher to have the appropriate emergency units respond. Rendering assistance includes, but is not limited to:

Minn. Stat. §626.8458 Subd. 2 (6)

a. Calling an ambulance

b. Rendering first aid until the officers are no longer needed at the injury scene

c. Summoning additional units to the scene for assistance with the injured persons and/or traffic control

R. Use of Firearms

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not discharge firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

S. Capture of Suspects

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects shall be consistent with the agency use of force policy and Minn. Stat. §609.06.

T. Evaluation and Critique

After each pursuit, the supervisor and law enforcement agency units involved with the pursuit will evaluate the pursuit and make recommendations to the chief law enforcement officer on ways to improve the agency's pursuit policy and tactics.

U. Training

In accordance with POST requirements, all sworn members shall be given initial and periodic updated training in the department's pursuit policy and safe emergency vehicle operation tactics.

In accordance with Minn. Stat. §626.8458, the chief law enforcement officer shall provide in-service training in emergency vehicle operations and in the conduct of police pursuits to every peace officer and part-time peace officer employed by the agency who the chief law enforcement officer determines may be involved in a police pursuit given the officer's responsibility.

This training shall comply with learning objectives developed and approved by the board and shall minimally consist of at least eight hours of classroom and skills-based training every five years. Continual training should also be considered for those officers authorized to use the PIT maneuver, tire deflation device deployment, GPS tracking, and related pursuit intervention procedures, tactics, and technologies.

If the chief law enforcement officer determines an officer will not be involved in police pursuits, the CLEO must notify POST of the officer's exemption status.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #8 PREDATORY OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION
REVISION DATE: 05/05/2020, 05/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to protect the public by disclosing information on predatory offenders residing in the community when permitted by law. RFPD will decide, based on Minnesota Data Practices law, what information to disclose and who to disclose it to based on the level of danger posed by the offender, the offender's pattern of offending behavior, and the needs of community members to enhance their individual and collective safety.

II. PROCEDURE

A. Definitions

a. Predatory Offender Registration and Community Notification*:* the Minnesota law that requires certain predatory offenders to register with the Minnesota Department of Public Safety Predatory Offender Unit. The law also provides for community notification about certain adult predatory offenders who have been incarcerated by the Minnesota Department of Corrections (DOC) or confined by the Minnesota Department of Human Services (DHS).

b. *Offender Risk Levels:* the level of notification is governed by the level of risk assigned by the DOC.

Three possible risk levels can be assigned to an offender. They are:
Level 1 – low risk of re-offending
Level 2 – moderate risk of re-offending Level 3 – high risk of re-offending

Note: Some offenders who are required to register as predatory offenders are not assigned a risk level because their sentence was completed prior to predatory offender legislation or because they have not spent time in state or federal prison. These offenders are not subject to community notification.

B. Registration Procedures

For questions concerning predatory offender registration refer to the Bureau of Criminal Apprehension (BCA)'s Predatory Offender Registration website at www.dps.state.mn.us/bca for detailed information, or contact the Predatory Offender Unit (BCA-POR) by calling (651) 793-7070 or 1-888-234-1248.

When an offender arrives to register with this agency, determine what state the offense was committed in and if the individual is required to register by reviewing the list of registrable offenses on the POR website.

If the offender is required to register, contact the BCA POR to verify the offender is already registered and a DNA sample has been submitted. Offender is already registered, complete a *Change of Information Form* included on the BCA's website at www.dps.state.mn.us/bca.

- If the offender is not registered, complete a *Predatory Offender Registration Form* included on the BCA's website at www.dps.state.mn.us/bca.

- If the offender is from another state, contact the state (information for each state is listed on the BCA's website at www.dps.state.mn.us/bca) and request a copy of the offender's original registration form, criminal complaint and sentencing documents.

It is recommended the agency verify the address of offenders living in their community.

- If the offender is not living at the registered address, contact the BCA-POR to determine if a *Change of Information Form* was submitted. If it was not, the offender may be charged with failure to notify authorities of a change in residence. To make this charge, contact the BCA-POR to request a prosecution packet. Submit the packet to the county attorney's office to file a formal charge.

Note: It must be verified that the offender is no longer residing at his/her last address prior to submitting the prosecution packet for charging. Depending on the county attorney, formal statements may be needed from friends, co-workers, neighbors, caretakers, etc.

C. Community Notification Procedures

For questions regarding community notification or the risk level assigned to an offender contact the Risk Assessment/Community Notification Unit of the Department of Corrections (DOC RA/CN Unit) at 651-361-7340 or at notification.doc@state.mn.us. The DOC will answer questions about the notification process and agency responsibilities. The DOC is also available to assist agencies in conducting public notification meetings when an offender subject to notification moves into a law enforcement jurisdiction.

Attached to this policy are examples of forms that are provided to law enforcement agencies by the DOC to assist them in performing community notifications:

- CONFIDENTIAL - Fact Sheet - Law Enforcement Agency Use Only
- Law Enforcement Agency Fact Sheet - Notification of Release in Minnesota-Risk Level Two
- Law Enforcement Agency Fact Sheet - Notification of Release in Minnesota-Risk Level Three
- Law Enforcement Fact Sheet - Health Care Facility Notification - Information on a Registered Offender Not for Distribution to Facility Residents
- Law Enforcement Fact Sheet - Health Care Facility Notification - Information on a Registered Offender for Distribution to Facility Residents
- VICTIM DATA - CONFIDENTIAL - For Law Enforcement Agency Use Only

a. Notification Process

Law enforcement agencies receive information from the BCA and DOC pertaining to the risk levels of offenders. The duty of law enforcement to provide notification depends on the risk level assigned as described below. Public notification must not be made if an offender is placed or resides in one of the DOC licensed residential facilities (halfway houses) operated by RS-Eden, Alpha House, 180 Degrees, Damascus Way, or Bethel Work Release. Do NOT disclose any information until the law enforcement agency is notified that the offender will move to a residential location.

Level 1 – Information maintained by law enforcement and may be subject to limited disclosure. *See attachment 1: Confidential Fact Sheet – For Law Enforcement Agency Use Only.*

- Mandatory disclosure
  - Victims who have requested disclosure
- Discretionary disclosure
  - Other witnesses or victims
  - Other law enforcement agencies.

Level 2 – Information subject to limited disclosure for the purpose of securing institutions and protecting individuals in their care while they are on or near the premises of the institution. *See attachment 2: Law Enforcement Agency Fact Sheet – Notification of Release in Minnesota – Risk Level 2.*

- In addition to Level 1 disclosures, the law enforcement agency may disclose information to:
  - Staff members of public and private educational institutions, day care establishments and establishments that primarily serve individuals likely to be victimized by the offender.
  - Individuals likely to be victimized by the offender.
- Discretionary notification must be based on the offender's pattern of offending or victim preference as documented by DOC or DHS.

Level 3 – Information subject to disclosure, not only to safeguard facilities and protect the individuals they serve, but also to protect the community as a whole. *See attachment 3: Law Enforcement Agency Fact Sheet – Notification of Release in Minnesota.*

- In addition to Level 2 disclosures, law enforcement shall disclose information to other members of the community whom the offender is likely to encounter, unless public safety would be compromised by the disclosure or a more limited disclosure is necessary to protect the identity of the victim.
- A good faith effort must be made to complete the disclosure within 14 days of receiving documents from DOC.
- The process of notification is determined by the agency. The current standard for a Level 3 offender is to invite the community to a public meeting and disclose the necessary information. Assistance is available from DOC RA/CN Unit.

b. Health Care Facility Notification

Upon notice that a registered predatory offender without a supervising agent has been admitted to a health care facility in its jurisdiction, law enforcement shall provide a fact sheet to the facility administrator with the following information: name and physical description of the offender; the offender's conviction history, including the dates of conviction; the risk level assigned to the offender, if any; and the profile of likely victims. *See attachment 4: Law Enforcement Agency Fact Sheet - Health Care Facility Notification Information on a Registered Offender Not For Distribution to Facility Residents & attachment 5: Law Enforcement Agency Fact Sheet - Health Care Facility Notification Information on a Registered Offender For Distribution to Facility Residents.*

c. Specialized Notifications

i. Offenders from Other States and Offenders Released from Federal Facilities Subject to Notification

Enforcement agency learns that a person under its jurisdiction is subject to registration and desires consultation on whether or not the person is eligible for notification, the

agency must contact the DOC. The DOC will review the governing law of the other state and, if comparable to Minnesota requirements, inform law enforcement that it may proceed with community notification in accordance with the level assigned by the other state.

If DOC determines that the governing law in the other state is not comparable, community notification by law enforcement may be made consistent with that authorized for risk level 2.

In the alternative, if a local law enforcement agency believes that a risk level assessment is needed, the agency may request an end-of-confinement review. The local law enforcement agency shall provide the DOC necessary documents required to assess a person for a risk level.

ii. Victim Notification

Law enforcement agencies in the area where a predatory offender resides, expects to reside, is employed, or is regularly found shall provide victims who have requested notification with information that is relevant and necessary to protect the victim and counteract the offender's dangerousness.

DOC will provide victim contact information to the law enforcement agency when there is a victim who has requested notification. *See attachment 6: VICTIM DATA – CONFIDENTIAL – For Law Enforcement Agency Use Only.*

Law enforcement personnel may directly contact the victim. Community victim advocacy resources may also be available to assist with locating a victim and with providing notification. Assistance is also available from the DOC Victim Services staff.

Law enforcement also may contact other victims or witnesses as well as other individuals who are likely to be victimized by the offender.

iii. Homeless Notification

If public notice (Level 2 or 3) is required on a registered homeless offender, that notice should include as much specificity as possible, for example "in the vicinity of_". These offenders are required to check in with local law enforcement on a weekly basis.

SUBJECT: 9 PROFESSIONAL CONDUCT OF PEACE OFFICERS
REVISION DATE: 05/05/2020, 5/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to investigate circumstances that suggest an officer has engaged in unbecoming conduct and impose disciplinary action when appropriate.

II. PROCEDURE

This policy applies to all officers of this agency engaged in official duties whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted this policy also applies to off-duty conduct. Conduct not mentioned under a specific rule but that violates a general principle is prohibited.

A. Principle One

Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

a. Rationale:

Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

b. Rules

i. Peace officers shall not knowingly exceed their authority in the enforcement of the law.
ii. Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.
iii. Peace officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.
iv. Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.
v. Peace officers will not, according to MN STAT 626.863, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.

B. Principle Two

Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

a. Rationale**:**

Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

b. Rules

i. Peace officers shall carry out their duties with integrity, fairness and impartiality.
ii. Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
iii. Peace officers shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
iv. Peace officers shall take no action knowing it will violate the constitutional rights of any person.
v. Peace officers must obey lawful orders, but a peace officer must refuse to obey any order the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
vi. Peace officers learning of conduct or observing conduct that is in violation of any law or policy of this agency shall take necessary action and report the incident to the officer's immediate supervisor who shall forward the information to the CLEO. If the officer's immediate supervisor commits misconduct the officer shall report the incident to the immediate supervisor's supervisor.

C. Principle Three

Peace officers shall perform their duties and apply the law impartially and without prejudice or discrimination.

a. Rationale**:**

Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Peace officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, gender, marital status, or status regarding public assistance, disability, sexual orientation or age.

b. Rules

i. Peace officers shall provide every person in our society with professional, effective and efficient law enforcement services.
ii. Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, gender, marital status, or status regarding public assistance, disability, sexual orientation or age.

D. Principle Four

Peace officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or their agency or otherwise impairs their ability or that of other officers or the agency to provide law enforcement services to the community.

a. Rationale**:**

A peace officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Peace officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.

b. Rules

i. Peace officers shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except provided for in iii..

ii. Peace officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A peace officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.

iii. Peace officers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.

iv. Pease Officers, whether on or off duty, shall not engage in any conduct which the officer knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law, including but not limited to, making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.

v. Peace officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.

vi. Peace officers shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or workplace.

vii. Peace officers, while performing their duties, shall not engage in any sexual contact or conduct constituting lewd behavior including, but not limited to, showering or receiving a message in the nude, exposing themselves, or making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the agency.

viii. Peace officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or agency. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the officer's personal or family relationships.

E. Principle Five

Peace officers shall treat all members of the public courteously and with respect.

a. Rationale**:**

Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.

b. Rules

i. Peace officers shall exercise reasonable courtesy in their dealings with the public, other officers, superiors and subordinates.
ii. No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
iii. Peace officers shall promptly advise any inquiring citizen of the agency's complaint procedure and shall follow the established agency policy for processing complaints.

F. Principle Six

Peace officers shall not compromise their integrity nor that of their agency or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as a peace officer for personal, commercial or political gain.

a. Rationale:

For a community to have faith in its peace officers, officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the agency.

b. Rules

i. Peace officers shall not use their official position, identification cards or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
ii. Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
iii. Peace officers shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.
iv. Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
v. Peace officers shall:

1. not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this agency in connection with advertisements for any product, commodity or commercial enterprise;

2. maintain a neutral position regarding the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
3. not make endorsements of political candidates while on duty or while wearing the agency's official uniform.

This section does not prohibit officers from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity.

G. Principle Seven

Peace officers shall not compromise their integrity, nor that of their agency or profession, by taking or attempting to influence actions when a conflict of interest exists.

a. Rationale:

For the public to maintain its faith in the integrity and impartiality of peace officers and their agencies officers must avoid taking or influencing official actions where those actions would or could conflict with the officer's appropriate responsibilities.

b. Rules

i. Unless required by law or policy a peace officer shall refrain from becoming involved in official matters or influencing actions of other peace officers in official matters impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
ii. Unless required by law or policy a peace officer shall refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
iii. A peace officer shall not use the authority of their position as a peace officer or information available to them due to their status as a peace officer for any purpose of personal gain including but not limited to initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on duty.
iv. A peace officer shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.

H. Principle Eight

Peace officers shall observe the confidentiality of information available to them due to their status as peace officers.

a. Rationale:

Peace officers are entrusted with vast amounts of private and personal information or access thereto. Peace officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and agency's commitment to preserving such confidences.

b. Rules

i. Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
ii. Peace officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
iii. Peace officers shall not divulge the identity of persons giving confidential information except as required by law or agency policy.

III. APPLICATION

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with MN STAT 626.89, Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by *MN RULES* 6700.2000 to 6700.2600.

SUBJECT: #10 RESPONSE TO REPORTS OF MISSING AND ENDANGERED PERSONS
REVISION DATE: 05/05/2020, 05/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered persons as defined in MN STAT Chapter 299C.52, subd. 1 (c) and (d) ("Minnesota Missing Children and Endangered Persons' Program" referred to as Brandon's Law).

This policy addresses investigations where the person has been determined to be missing, endangered, or both, and includes all procedures required by MN STAT 299C.52.

The Redwood Falls Police Department recognizes there is a critical need for immediate and consistent response to reports of missing and endangered persons. The decisions made and actions taken during the preliminary stages may have a profound effect on the outcome of the case. Therefore, this agency has established the following responsibilities and guidelines for the investigation of missing and endangered persons. All peace officers, employed by this agency, will be informed of and comply with the procedures contained in this Model Policy.

II. PROCEDURE

A. Definitions

a. Missing: The status of a person after a law enforcement agency has received a report of a missing person, has conducted a preliminary investigation, and determined that the person cannot be located. Missing has the meaning given it in Minn. Stat. 299C.52, subd. 1(d)

b. Endangered: A law enforcement official has recorded sufficient evidence that the missing person is at risk of physical injury or death. The following circumstances indicate that a missing person is at risk of physical injury or death:

i. the person is missing as a result of a confirmed abduction or under circumstances that indicate that the person's disappearance was not voluntary
ii. the person is missing under known dangerous circumstances;
iii. the person is missing more than 30 days;
iv. the person is under the age of 21 and at least one other factor in this paragraph is applicable;
v. there is evidence that the person needs medical attention or prescription medication such that it will have a serious adverse effect on the person's health if the person does not receive the needed care or medication;
vi. the person does not have a pattern of running away or disappearing;
vii. the person is mentally impaired:
viii. there is evidence that the person may have been abducted by a noncustodial parent;
ix. the person has been the subject of past threats or acts of violence;
x. there is evidence that the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search and

rescue efforts are critical; or

xi. any other factor that the law enforcement agency deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered.

Endangered has the meaning given it in Minn. Stat. 299C.52, subd. 1(c)

i. Child: Any person under the age of 18 years or any person certified or known to be mentally incompetent". Child has the meaning given it in Minn. Stat. 299C,52, subd. 1 (a)
ii. NCIC: The National Crime Information Center.
iii. CJIS: The Criminal Justice Information System.
iv. DNA: Deoxyribonucleic acid from a human biological specimen.
v. DNA has the meaning given it in Minn. Stat. 299C,52, subd. 1 (b)

B. Procedure

This agency will respond according to the following six types of general procedures:

- Initial Response
- Initial Investigation
- Investigation
- 30 Day Benchmark
- Prolonged Investigation, and
- Recovery/ Case Closure

a. Initial Response

i. As required by MN STAT 299C.53, subd. 1(a), Law Enforcement shall accept, without delay, any report of a missing person. Law enforcement shall not refuse to accept a missing person report on the basis that:

1. the missing person is an adult;
2. the circumstances do not indicate foul play;
3. the person has been missing for a short amount of time;
4. the person has been missing for a long amount of time; there is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;
5. the circumstances suggest that the disappearance may be voluntary;
6. the reporting person does not have personal knowledge of the facts;
7. the reporting person cannot provide all the information requested by the law enforcement agency;
8. the reporting person lacks a familial or other relationship with the missing person; or
9. for any other reason, except in cases where the law enforcement agency has direct knowledge that the person is, in fact, not missing, and the whereabouts and welfare of the person are known at the time the report is filed.

ii. Dispatch an officer, to the scene, to conduct a preliminary investigation to determine whether the person is missing, and if missing, whether the person is endangered.

iii. Obtain interpretive services if necessary.
iv. Interview the person who made the initial report, and if the person is a child, the child's parent(s) or guardian(s).
v. Determine when, where, and by whom the missing person was last seen.
vi. Interview the individual(s) who last had contact with the person.
vii. Obtain a detailed description of the missing person, abductor, vehicles, etc. and ask for recent photos of missing person.
viii. Immediately enter the complete descriptive and critical information, regarding the missing and endangered person, into the appropriate category of the NCIC Missing Person File.

1. As required by 42 U.S.C. 5779(a) (Suzanne's Law) law enforcement shall immediately enter missing children less than 21 years of age into the NCIC.
2. As required by MN STAT 299C.53, subd. 1(b), if the person is determined to be missing and endangered, the agency shall immediately enter identifying and descriptive information about the person into the NCIC.

ix. Enter complete descriptive information regarding suspects/vehicles in the NCIC system.
x. Request investigative and supervisory assistance.
xi. Update additional responding personnel.
xii. Communicate known details promptly and as appropriate to other patrol units, local law enforcement agencies, and surrounding law enforcement agencies. If necessary, use The International Justice & Public Safety Network (NLETS), the Minnesota Crime Alert Network, and MNJIS KOPS Alert to alert state, regional and federal law enforcement agencies.
xiii. Notify the family of the Minnesota Missing/Unidentified Persons Clearinghouse services available.
xiv. Secure the crime scene and/or last known position of the missing person and attempt to identify and interview persons in the area at the time of the incident.
xv. Obtain and protect uncontaminated missing person scent articles for possible use by search canines.
xvi. Activate protocols for working with the media. (AMBER Alert, Minnesota Crime Alert Network)
xvii. As required by MN STAT Chapter 299C.53, subd. 1(b), consult with the Minnesota Bureau of Criminal Apprehension if the person is determined to be an endangered missing person. Request assistance as necessary.
xviii. Implement multi-jurisdictional coordination/mutual aid plan as appropriate such as when:

1. the primary agency has limited resources;
2. the investigation crosses jurisdictional lines; or
3. Jurisdictions have pre-established task forces or investigative teams.

xix. Based on the preliminary investigation, determine whether or not a physical search is required.

b. Initial Investigation

i. Conduct a canvas of the neighborhood and of vehicles in the vicinity.
ii. Arrange for use of helpful media coverage.
iii. Maintain records of telephone communications/messages.
iv. Ensure that everyone at the scene is identified and interviewed separately.
v. Search the home, building or other area/location where the incident took place and

conduct a search including all surrounding areas. Obtain consent or a search warrant if necessary.

vi. Assign an investigator or officer whose duties will include coordination of the investigation.

c. Investigation

i. Begin setting up the Command Post/Operation Base away from the person's residence. Know the specific responsibilities of the Command Post Supervisor, Media Specialist, Search Coordinator, Investigative Coordinator, Communication Officer, Support Unit Coordinator, and two liaison officers (one at the command post and one at the victim's residence). The role of the liaison at the home will include facilitating support and advocacy for the family.

ii. Establish the ability to "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for agency use and follow up on all leads.

iii. Compile a list of known sex offenders in the region.

iv. In cases of infant abduction, investigate claims of home births made in the area.

v. In cases involving children, obtain child protective agency records for reports of child abuse.

vi. Review records for previous incidents related to the missing person and prior police activity in the area,

vii. including prowlers, indecent exposure, attempted abductions, etc.

viii. Obtain the missing person's medical and dental records, fingerprints and DNA when practical or within 30 days.

ix. Create a Missing Persons' Profile with detailed information obtained from interviews and records from family and friends describing the missing person's heath, relationships, personality, problems, life experiences, plans, equipment, etc.

x. Update the NCIC file, as necessary with any additional information, regarding the missing person, suspect(s) and vehicle(s).

xi. Interview delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers, etc.

xii. For persons' under the age of 21, contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination and other case assistance.

xiii. Determine if outside help is needed and utilize local, state and federal resources related to specialized investigative needs, including:

1. Available Search and Rescue (SAR) resources
2. Investigative Resources
3. Interpretive Services
4. Telephone Services (traps, traces, triangulation, etc.)
5. Media Assistance (Local and National)

xiv. Secure electronic communication information such as the missing person's cell phone number, email address(s) and social networking site information.

xv. Appoint an officer who shall be responsible for communicating with the family/reporting party or their designee and who will be the primary point of contact for the family/reporting party or designee. Provide contact information and the family information packet (if available) to the family/reporting party or designee.

xvi. Provide general information to the family/reporting party or designee about the

handling of the missing person case or about intended efforts in the case to the extent that the law enforcement agency determines that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person(s) criminally in the disappearance.

MISSING FOR OVER 30 DAYS

d. If the person remains missing after 30 days from entry into NCIC the local law enforcement agency will be contacted by the BCA Missing and Unidentified Persons Clearinghouse to request the following information (if not already received):

   i. DNA samples from family members and, if possible, from the missing person.
   ii. Dental information and x-rays.
   iii. Additional photographs and video that may aid the investigation or identification.
   iv. Fingerprints.
   v. Other specific identifying information.

   This information will be entered into the appropriate databases by BCA Clearinghouse personnel. If the person is still missing after 30 days, review the case file to determine whether any additional information received on the missing person indicates that the person is endangered and update the record in NCIC to reflect the status change.

e. Prolonged Investigation

   i. Develop a profile of the possible abductor.
   ii. Consider the use of a truth verification device for parents, spouse, and other key individuals.
   iii. Re-read all reports and transcripts of interviews, revisit the crime scene, review all photographs and videotapes, re-interview key individuals and re-examine all physical evidence collected.
   iv. Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone of interest identified in the investigation.
   v. Periodically check pertinent sources of information about the missing person for any activity such as phone, bank, internet or credit card activity.
   vi. Develop a time-line and other visual exhibits.
   vii. Critique the results of the on-going investigation with appropriate investigative resources.
   viii. Arrange for periodic media coverage.
   ix. Consider utilizing rewards and crime-stoppers programs.
   x. Update NCIC Missing Person File information, as necessary.
   xi. Re-contact the National Center for Missing and Exploited Children (NCMEC) for age progression assistance.
   xii. Maintain contact with the family and/or the reporting party or designee as appropriate.

f. Recover / Case Closure
   i. Alive

      1. Verify that the located person is the reported missing person.
      2. If appropriate, arrange for a comprehensive physical examination of the victim.
      3. Conduct a careful interview of the person, document the results of the interview, and involve all appropriate agencies.

4. Notify the family/reporting party that the missing person has been located. (In adult cases, if the located adult permits the disclosure of their whereabouts and contact information, the family/reporting party may be informed of this information.
5. Dependent on the circumstances of the disappearance, consider the need for reunification assistance, intervention, counseling or other services for either the missing person or family/reporting party.
6. Cancel alerts (Minnesota Crime Alert, AMBER Alert, etc.), remove case from NCIC (as required by MN STAT 299C.53. subd. 2) and other information systems and remove posters and other publications in circulation.
7. Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.

ii. Deceased

1. Secure the crime scene.
2. Contact coroner, medical examiner or forensic anthropologist to arrange for body recovery and examination.
3. Collect and preserve any evidence at the scene.
4. Depending upon the circumstances, consider the need for intervention, counseling or other services for the family/reporting party or designee.
5. Cancel alerts and remove case from NCIC and other information systems, remove posters and other publications from circulation.
6. Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.

SUBJECT: #11 USE OF FORCE AND DEADLY FORCE
REVISION DATE: 09/14/2020, 05/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to provide officers with guidelines for the use of force and deadly force in accordance with:

MN STAT 626.8452 DEADLY FORCE AND FIREARMS USE; POLICIES AND INSTRUCTION REQUIRED;
MN STAT 626.8475 DUTY TO INTERCEDE AND REPORT;
MN STAT 609.06 AUTHORIZED USE OF FORCE;
MN STAT 609.065 JUSTIFIABLE TAKING OF LIFE; and
MN STAT 609.066 AUTHORIZED USE OF FORCE BY PEACE OFFICERS.

II. PROCEDURE

It is the policy of this law enforcement agency to ensure officers respect the sanctity of human life when making decisions regarding use of force. Sworn law enforcement officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. Officers shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the officer.

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Officers should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from peace officers.

The decision by an officer to use force or deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using such force.

This policy is to be reviewed annually, and any questions or concerns should be addressed to the immediate supervisor for clarification.

This policy applies to all licensed peace officers and part-time peace officers engaged in the discharge of official duties.

Section (II) Procedure, paragraphs (H. 1-2), are effective March 1, 2021, and thereafter.

A. Definitions

a. Bodily Harm: physical pain or injury.

b. Great Bodily Harm: bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

c. Deadly Force: force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

d. De-Escalation: Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

e. Other Than Deadly Force: Force used by an officer that does not have the purpose of causing, or create a substantial risk of causing, death or great bodily harm.

f. Choke Hold: A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

g. Authorized Device: a device an officer has received permission from the agency to carry and use in the discharge of that officer's duties, and for which the officer has:

   i. obtained training in the technical, mechanical and physical aspects of the device; and
   ii. developed a knowledge and understanding of the law, rules and regulations regarding the use of such a device.

B. General Provisions

a. Use of physical force should be discontinued when resistance ceases or when the incident is under control.

b. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the amount of force necessary to control the situation shall be used.

c. Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting

emergency medical services, and/or arranging for transportation to an emergency medical facility.

d. Protracted force encounters jeopardize the safety of the public, law enforcement personnel and the person being arrested or detained. Accordingly, an officer should use discretion to determine reasonable force options to bring a subject under control without undue delay or struggle. This policy should not be construed to require officers to first attempt using types and degrees of force that reasonably appear to be inadequate to accomplish the intended objective.

e. All uses of force shall be documented and investigated pursuant to this agency's policies.

C. Duty to Intercede

Regardless of tenure or rank, an officer must intercede when:

a. present and observing another officer using force in violation of section 609.066, subdivision 2, or otherwise beyond that which is objectively reasonable under the circumstances; and

b. physically or verbally able to do so

D. Duty to Report

An officer who observes another officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within 24 hours to the chief law enforcement officer of the agency that employs the reporting officer.

E. De-Escalation

An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever possible and appropriate before resorting to force and to reducing the need for force.

Whenever possible and when such delay will not compromise the safety of another or the officer and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

F. Use of Other Than Deadly Force

When de-escalation techniques are not effective or appropriate, an officer may consider the use of other than deadly force to control a non-compliant or actively resistant individual. An officer is authorized to use agency-approved other than deadly force techniques and issued equipment in the following circumstances:

a. affecting a lawful arrest; or

b. the execution of legal process; or

c. enforcing an order of the court; or

d. executing any other duty imposed upon the public officer by law; or

e. defense of self or another.

G. Use of Certain Types of Force

a. Except in cases where deadly force is authorized as articulated in MN STAT. 609.066 to protect the peace officer or another from death or great bodily harm, officers are prohibited from using:

i. Chokeholds,
ii. Tying all of a person's limbs together behind a person's back to render the person immobile, or;
iii. Securing a person in any way that results in transporting the person face down in a vehicle.

b. Less than lethal measures must be considered by the officer prior to applying these measures.

H. Use of Deadly Force

a. An officer is authorized to use deadly force if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary. Use of deadly force is justified when one or both of the following apply;

i. To protect the peace officer or another from death or great bodily harm, provided that the threat:

1. can be articulated with specificity by the law enforcement officer;
2. is reasonably likely to occur absent action by the law enforcement officer; and
3. must be addressed through the use of deadly force without unreasonable delay; or

b. To effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in paragraph (a), items (i) to (iii), unless immediately apprehended.

c. An officer shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that the person does not pose a threat of death or great bodily harm to the peace officer or to another under the threat criteria in paragraph (1a), items (i) to (iii).

d. Where feasible, the officer shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.

e. Firing at, or from, a moving vehicle should be avoided unless the use of deadly force is authorized by law and immediate action appears necessary to protect human life.

f. Shots fired for the purpose of summoning aid are discouraged. Officers shall not fire for these purposes unless the officer reasonably believes such action is necessary and can be done safely.

g. In cases where deadly force is authorized, less than lethal measures must be considered first by the officer.

I. Training

a. All officers shall receive training, at least annually, on this agency's use of force policy and related legal updates.

b. In addition, training shall be provided on a regular and periodic basis and designed to

i. Provide techniques for the use of and reinforce the importance of de-escalation
ii. Simulate actual shooting situations and conditions; and
iii. Enhance officers' discretion and judgement in using other than deadly force in accordance with this policy.

c. Before being authorized to carry a firearm all officers shall receive training and instruction with regard to the proper use of deadly force and to the agency's policies and State statutes with regard to such force. Such training and instruction shall continue on an annual basis.

d. Before carrying an authorized device, all officers shall receive training and instruction in the use of the device including training as it relates to its use in deadly force and/or other than deadly force situations. Such training and instruction shall continue on an annual basis.

e. Officers will carry and use only authorized devices unless circumstances exist which pose an immediate threat to the safety of the public or the officer requiring the use of a device or object that has not been authorized to counter such a threat.

f. With agency approval, officers may modify alter or cause to be altered an authorized device in their possession or control.

J. Recordkeeping Requirements

The chief law enforcement officer shall maintain records of the agency's compliance with use of force training requirements.

SUBJECT: 12 DEPARTMENT RULES AND REGULATIONS
REVISION DATE: 05/05/2020

I. POLICY

The Rules and Regulations policy establishes guidelines for all staff regardless of rank, title, assignment or duties.

II. SCOPE

Unless noted otherwise, the following are applicable to all staff at RFPD.

III. STANDARDS AND RULES

A. Staff shall provide service to all citizens professionally, efficiently and without prejudice or bias.

B. Staff shall work to maintain competency in their job duties through continuing education and training.

C. Staff shall collaborate and coordinate as needed with other employees, criminal justice organizations, victim services, courts, prosecutor offices, probation offices and any other criminal justice or human services entity which requires the assistance of the RFPD.

D. Staff shall be respectful and professional and conduct themselves in such a way as to avoid harming the reputation of themselves or the RFPD as fair, unbiased, respectable, and professional.

E. Public trust and support is critical to the success of RFPD's mission. That trust and support is damaged if the trustworthiness of RFPD staff comes into doubt.

   a. Staff shall not knowingly sign, submit, or present any official document, partially or in its entirety, that is known to be false, inaccurate, or bearing a forged signature.

   b. Staff shall not knowingly affirm or testify to facts to a supervisor, court, investigator, or other competent authority which they know to be false or inaccurate.

F. The failure, or refusal, by a staff member to carry out a lawful order or directive given by a supervisor without just cause shall be considered insubordination.

   a. Supervisors shall not knowingly issue an order they know, or should know, is in violation of this policy manual, city ordinance, state or federal law, or prior order.

G. Staff shall comply with all provisions set forth in Section 19-Respectfull Workplace, City of Redwood Falls Personnel Policy.

H. Staff shall comply with all policies and sections set forth within the RFPD Policy and Procedures Manual insofar as the policies are applicable to their duties. Staff shall comply with all written orders or memorandums issued by appropriate authority as though they were delivered in person. Staff shall not alter or deface posted notices, memos or announcements without supervisor authorization.

I. Staff found to be in violation of any law or city ordinance are subject to prosecution and will receive no

special consideration or treatment based on their employment at RFPD.

J. Staff who witness, or have knowledge of, another employee willfully violating RFPD policy, City of Redwood Falls city ordinance, or any criminal statute shall report the incident to a supervisor.

K. Staff are prohibited from engaging in personal transactions with defendants, prisoners, or parties involved in active RFPD case files except as authorized by the Chief of Police. Personal transactions include buying or selling an item or service. This prohibition does not apply to transactions which take place at a business where one, or both, parties are employees.

L. Staff shall not knowingly join, or become affiliated with, organizations or groups which support explicitly racist, seditious, or treasonous activities except for official RFPD business and with prior approval of the Chief of Police.

M. Outside of work breaks, staff shall dedicate their time on duty to completion of work tasks and assignments. Sleeping, conducting private business, or otherwise engaging in activity not related to RFPD business is not allowed.

N. Staff shall respond to calls for service, or requests for assistance, promptly and without delay. Officers who observe a crime in progress, a person in medical distress, or any incident that requires law enforcement intervention shall immediately respond.

O. Officers in uniform shall render full military honor to the national colors and during the national anthem at appropriate times.

P. Unless authorized by a supervisor, staff shall report for duty on time as scheduled and shall not leave until their shift has ended or, if applicable, properly relieved.

Q. All breaks and absences from duty will conform to the Redwood Falls Personnel Policy or LELS contract as appropriate.

R. Staff shall use RFPD supplies, equipment, vehicles and facilities only for official RFPD business. Staff shall not mark, damage or intentionally misuse RFPD equipment, vehicles, supplies or facilities.

    a. Staff who find RFPD equipment, vehicles, or facilities damaged or inoperable shall promptly notify a supervisor.

    b. Except in exigent circumstances, staff shall lock RFPD vehicles when not occupied and ensure department doors are secured after entering or exiting the building.

S. Staff shall not use RFPD letterhead, memos or documents for any reason, not in the interests of the RFPD or the City of Redwood Falls.

T. Staff shall forward messages, documents, or information to other employees or the intended recipient as soon as possible upon receiving it.

U. Staff shall not suggest or recommend attorneys, bail bond brokers, private investigators or businesses to a person with whom they are in contact with as a result of their employment. This policy does not apply to family or friends who seek advice for information when staff is off duty, and the incident is not related to an RFPD case file.

SUBJECT: 13 COMMAND OFFICERS
REVISION DATE: 05/05/2020

I. POLICY

RFPD has a structured chain of command to promote the orderly and efficient delivery of services, accountability, and responsibility.

II. PROCEDURE

A. Definitions

a. Command Officer: An officer who is responsible for the conduct and actions of a subordinate. This includes Sergeant, Assistant Chief of Police and Chief of Police. The term "Command Officer" is used interchangeably with the term supervisor.

B. Authority

a. The Chief of Police is the chief executive officer for RFPD and has final authority and responsibility over matters of policy and operations. The Chief of Police is responsible for planning, directing, coordinating and controlling the department operations and staff to ensure the continuous and efficient delivery of police services.

b. The Assistant Chief of Police assists the Chief of Police with the supervision and administration of the department. The Assistant Chief may act on behalf of the Chief of Police when directed by the Chief of Police, and in his/her absence to ensure continuous and efficient department operations.

c. Sergeants supervise on-duty officers to ensure their actions comply with RFPD policies and procedures, general orders, and applicable state and federal statutes.

d. Field Training Officers (FTO) are a limited scope supervisor charged with training newly hired officers in RFPD policy and procedure, ensuring the trainee executes duties in accordance with this policy manual and within the boundaries of statutory authority, coach and correct incorrect actions and behaviors, document trainee's daily activity as well as progress through the FTO program. FTO supervisory responsibility is limited to oversight of the trainee and only during the field training period.

C. Command Officer Responsibilities

a. Command Officers are responsible for the delivery of police service through their subordinate's correct execution of duties. This includes, but is not limited to, the enforcement of ordinances and statutes, processing of case files, and the delivery of case files to prosecuting authorities or other public safety agencies.

b. Command Officers shall ensure staff adhere to the RFPD Policy Manual, established rules, regulations and procedures, and statutes.

c. Command Officers shall have an understanding of subordinate job duties to ensure proper execution and to assist them as needed.

d. Command Officers shall work together to provide a stable environment for staff where the rules, policies, and procedures are applied fairly and consistently to all staff.

e. Command Officers are responsible for building, and maintaining, staff morale and esprit de corps. Command officers may accomplish this through public recognition of staff achievements, private coaching on errors or needed improvements, or other unique or innovative means.

D. Notification of Command Officers

Command officer(s) shall respond to any serious incident including, but not limited to:

a. A pursuit which terminates in a crash where parties are injured or killed.

b. A large-scale demonstration.

c. Death investigations with suspicious circumstances.

d. Traffic accident involving an RFPD vehicle resulting in injuries or death.

e. Incidents involving hazardous material release.

f. Officer involved deadly force incident.

g. Serious injury to on-duty staff.

h. Barricaded subjects or hostage situations.

i. Any situation that may escalate into a critical incident require implementation of emergency response procedures, or mutual aid from outside agencies.

E. The command officer receiving notification shall determine whether further notifications up the chain of command are necessary, provide guidance or resources required to handle the incident, and shall respond to the scene if necessary.

F. Incidents which impact the City of Redwood Falls, other city departments, generate media attention, criticism of the City or its employees, or have the potential for municipal liability shall require the notification of the Chief of Police, or the designee, who will then brief the City Administrator as soon as practical.

SUBJECT: 14 GROOMING AND DRESS STANDARDS
REVISION DATE: 05/05/2020

I. POLICY

Staff shall report for duty in a manner that contributes to, and does not detract from, the image of RFPD as a professional law enforcement organization. While on duty, staff shall refrain from any aspect of grooming, dress, or ornamentation that attracts undue attention, results in distraction to other staff or the public, or which detracts from their role as an unbiased and impartial member of a law enforcement organization.

II. STANDARDS

A. Hygiene

a. Cosmetics may be used, but shall not be so gaudy, pretentious or unusual in appearance as to attract undue attention, or cause doubt about the employee's professionalism.

b. Staff shall keep themselves clean so as not to be offensive to others.

c. Staff may wear cologne, aftershave or perfume but refrain from excessive amounts, or types, that are overwhelming to the senses.

d. On duty officers shall keep their nails trimmed. Nails shall not extend more than 1/8" beyond the end of the finger and shall not be trimmed to a point. No ornament associated with nails may be employed. No nail color may be worn if the appearance that results is so gaudy, pretentious or unusual as to attract undue attention.

B. Hair Regulations for On-Duty Male Personnel

a. Mustaches must not extend below the crease of the mouth or beyond the vertical axis of the corners of the mouth.

b. Sideburns shall not extend below the bottom of the ear canal opening. Sideburns must be neatly trimmed and of uniform width from top to bottom. Sideburns shall not have a bushy appearance. Flare or mutton-chop sideburns are not permitted. Sideburns must be cut parallel to the ground.

c. The face shall be clean shaven other than acceptable mustaches and sideburns.

d. Hair must be neat, clean, trimmed and present a well-groomed appearance. Hair must not lap or curl over the ear or cover any part of the ear. Hair must not touch, lap or curl over the top of the uniform shirt collar.

i. The acceptability of hairstyle shall be judged with headgear on and off, but in no case may the bulk or length of the hair interfere with the proper wearing of authorized headgear
ii. Hair in front must be groomed so that it does not fall below the band of properly worn headgear, and hair on the back and sides must not be compressed by the band so as to

project outward from the head. Bushy hair which protrudes from the side or back when authorized headgear is worn is prohibited.

iii. A member may not adopt a hairstyle which requires special combing or treatment in order to meet standards for a brief period only (i.e., inspection). Acceptability shall be judged on the manner in which the member usually wears his/her hair while on duty in uniform.

C. Hair Regulations for Female Personnel

a. When in uniform, female officers' hair shall be worn in an unpretentious style that does not extend below the bottom of the shirt collar. Long hair must be worn up, be neat, and permit the wearing of authorized headgear.

b. Non-sworn female employees shall maintain their hair in a manner that does not interfere with the execution of their duties, require excessive maintenance while worn at work, or be so gaudy, pretentious, or unusual in appearance as to be a distraction to staff or the public.

D. Jewelry

a. Jewelry Defined: Any item worn that is ornamental, religious or used as a medical alert.

b. Uniformed personnel shall not wear earrings while on duty.

c. Rings may be worn but must not interfere with the execution of duties or use of personal protective equipment.

d. Uniformed personnel shall not wear necklaces that are visible while on duty.

e. Non-sworn staff may wear jewelry provided it is not gaudy, pretentious, or unusual in appearance as to be a distraction to staff or the public.

E. Tattoos

Staff shall have no visible tattoos while on-duty.

F. Sunglasses

Sunglasses may be worn with the uniform but shall not have mirrored lenses or be gaudy, oversized, or ostentatious.

G. Non-sworn staff shall dress appropriately so as to represent RFPD professionally. RFPD officers will wear clean, well-maintained uniforms and equipment that have been approved by the Chief of Police. Alternate dress for uniformed officers may be authorized by a supervisor. Uniformed officers shall display their badge on the left breast area.

a. Long sleeve uniform shirt and tie shall be worn at all formal appearances or as directed by the Chief of Police.

b. Uniforms and equipment that are damaged due to enforcement activity will be replaced with the officer's uniform allowance and the Chief of Police, or a designee, will file a request for reimbursement to the prosecutor for inclusion in the court file.

H. Exceptions to these rules may be allowed with prior written approval from the Chief of Police or for staff operating in an undercover capacity.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 15 BODY ARMOR
REVISION DATE:

I. POLICY

It is the policy of the Redwood Falls Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

II. PROCEDURE

A. Issuance of Body Armor

All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice. All officers shall be issued agency-approved body armor. Body armor that is worn or damaged while engaged in police activity shall be replaced by the agency. Body armor that must be replaced due to misuse or abuse by the officer shall be paid for by the officer.

B. Use of Body Armor

Officers shall wear only agency-approved body armor. Officers shall wear body armor at all times during their shift but may remove it while inside the Redwood Falls Police Department.

C. Inspections of Body Armor

Supervisors shall ensure body armor is worn by officers in accordance with this policy. Supervisors may order an officer to present their body armor for inspection to ensure proper fit, cleanliness, signs of damage, abuse, and wear.

D. Care, Maintenance and Replacement of Body Armor

a. Officers shall routinely inspect personal body armor for signs of damage and general cleanliness.

b. As dirt and perspiration may erode ballistic panels, officers shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.

c. Officers are responsible for the proper storage, maintenance, and care of body armor in accordance with manufacturer's instructions.

d. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor.

e. Officers shall notify a supervisor no less than 30 days before body armor is due for replacement. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 16 FIREARMS
REVISION DATE: 05/05/2020

I. POLICY

RFPD shall issue each officer one department-owned handgun, and make available department-owned long guns, to be used in the course of their duties and as authorized by Minnesota statutes. All officers will be trained at the time of hire, and no less than once each year, on the proper use of firearms and the statutes which regulate their use. Officers must successfully complete such training and qualification courses as the department requires.

II. PROCEDURE

A. Authorization, Training and Qualification

a. Officers may use deadly force as specified in Policy #11 – Use of Deadly Force.

b. In accordance with Minnesota Statute, section 626.8452, newly hired RFPD officers shall successfully complete training on the use of force, use of deadly force, and the use of firearms. Newly hired RFPD officers shall successfully demonstrate proficiency (qualify) with their department issued handgun and department owned long gun before they begin FTO training.

c. RFPD shall provide annual training on the use of force, use of deadly force, and use of firearms to each officer. All officers shall qualify with a duty handgun and department owned long gun no less than once per year or as mandated by the POST Board.

i. In accordance with Policy #28-Training, all mandatory annual training must be completed by December 1st of each calendar year unless a just cause prevented completion by that date.
ii. Officers who fail to qualify with either a department issued or personally owned duty weapon will be provided remedial training and another opportunity to qualify with the weapon. If the officer fails qualification a second time the Chief of Police will determine if additional remedial training is warranted or may act to remove the officer from duty until the officer successfully qualifies.
iii. Officers shall only utilize department approved duty ammunition in their handgun and department owned long guns.
iv. With the exception of exigent circumstances, or as authorized by a supervisor, officers shall not carry or utilize a firearm on duty without having first qualified with it.
v. Officers shall only carry holsters, magazine pouches, magazines and other firearms related accessories on duty which have been approved by the RFPD Firearms Instructor (FI).

B. Department Owned Firearms

a. RFPD shall issue one department owned Glock model 22 to each officer. It will be the officer's responsibility to clean the weapon after each use. Repairs shall only be made by a qualified

armorer or gunsmith.

b. Officers shall report damage or malfunctions of department owned weapons to a supervisor and the FI as soon as they are identified. Damaged or malfunctioning weapons will be taken out of service until they are repaired. Repairs shall only be made by a qualified armorer or gunsmith.

c. All department owned weapons are subject to inspection at any time by RFPD FI or supervisor.

d. Officers may purchase weapon mounted flashlights or accessories for their issued Glock 22 which have been approved by the RFPD FI and at their own expense.

e. RFPD owned long guns shall be available to officers while on duty and stored in the locking mounts in RFPD squad cars when not in use.

    i. While stored in the squad locking mount, the firearms shall be squad ready. Squad ready is defined as: a fully loaded magazine inserted in the magazine well, there is no round in the chamber, the safety is off, the is bolt forward, and the trigger has been pulled.

C. Personally Owned Duty Firearms

a. Officers who wish to carry a personally owned firearm on duty must:

    i. Submit a written request to the Chief of Police listing the make, model, serial number and caliber of the weapon. The firearm must be at least 9mm but no larger than .45 caliber.
    ii. The weapon must be inspected and approved for duty use by the RFPD FI and the firearm will remain subject to on-duty inspection at any time by the RFPD FI or supervisor.
    iii. The officer must qualify with the weapon prior to on-duty use and no less than once each year or as mandated by POST Board.
    iv. RFPD shall provide duty ammunition and qualification ammunition to be used at department mandated qualification sessions. Officers who choose to carry a personally owned duty weapon which is different caliber than RFPD issued duty weapons shall be responsible for purchasing their own practice ammunition.

b. Once approved for on duty use, the officer shall report any damage or malfunction to their personally owned duty weapon to the supervisor and FI as soon as the issue is identified. The weapon may not be used on duty until it has been repaired by a qualified armorer or gunsmith and documentation of the repair is provided to the Chief of Police. All repair costs for a personally owned weapon are the responsibility of the officer.

c. Any modification to a personally owned weapon must be approved by the RFPD FI, completed by a qualified armorer or gunsmith, and documentation provided to the Chief of Police.

D. Off Duty Carry

a. Officers may carry a department owned, or personally owned, firearm while off duty provided, they have qualified with the weapon. This authorization may be rescinded by the Chief of Police for situations including, but not limited to: administrative leave, active internal investigation, or other reason as determined by the Chief of Police.

b. Personally owned firearms for use while off duty are not restricted by make or model but must be approved by the RFPD FI.

c. Officers must qualify with all personally owned firearms they carry off duty on an annual basis or as mandated by the POST Board. Officers shall purchase all ammunition for personally owned firearms carried off duty.

d. Officers shall carry their RFPD identification card while carrying a firearm off duty.

e. While carrying a firearm off duty the weapon shall be concealed and in a suitable holster so as to prevent unintentional discharge or loss of physical control.

f. The officer may carry a firearm while off duty outside the State of Minnesota provided, they comply with the provisions of 18 U.S.C. § 926B.

E. Handling and Storage of Firearms

a. RFPD officers have an obligation to act as role models on the safe and proper handling of firearms at all times. Officers shall not unnecessarily display or handle any firearm in a negligent manner which exposes property to damage or people to injury or death.

b. RFPD officers shall ensure department owned, or personally owned, weapons in the officer's residence, vehicle, or any location under their control, are secured and inaccessible to children or others who have no legal right of access. Secure storage of a weapon may be in a lock box, locker, safe, or by the attachment of a device that is locked and prevents the weapon from discharging.

c. If an officer needs to temporarily secure their weapon while on duty, they may utilize the lock boxes located outside the Redwood County Jail or the weapon case located in the RFPD records room.

d. Officers shall not carry a firearm into the Redwood County Jail, or other correctional facility, unless explicitly authorized by the facility staff.

e. Firearms shall not be carried by an officer, either on duty or off duty, who has consumed an amount of an alcoholic beverage, or taken any drugs or medication, or any combination thereof, that would tend to adversely affect the officer's judgment or motor skills.

F. Firearm Use and Discharge

a. Except during training or recreational use, an officer who discharges a firearm intentionally or unintentionally, on or off duty, shall report the incident to a supervisor. The Chief of Police shall determine if any follow-up or investigation should be initiated.

b. If an on-duty or off-duty discharge results in injury or death within the City of Redwood Falls the Chief of Police shall contact the Minnesota Bureau of Criminal Apprehension (BCA) to request they investigate the incident. For on duty incidents refer to Policy #25-Officer Involved Critical Incident Response.

c. If an officer is found to have discharged a weapon negligently, or without legal justification, disciplinary proceedings may be initiated and may be referred to a prosecuting authority for review.

d. Officers are authorized to use a firearm to stop a dangerous animal in circumstances where the animal reasonably appears to pose an immediate threat to human safety and alternative methods would likely be unsafe or ineffective if attempted. If circumstances allow, officers should consider alternative courses of action such as use of a Taser, fire extinguishers, catch poles, or improvised tools.

    i. The destruction of domesticated animals is authorized by this policy when there is a threat to human safety. However, the officer shall treat domestic animals as private property, consider alternate courses of action prior to destroying the animal, and have articulable justification why alternate course of action were likely to be unsafe or ineffective if attempted.

e. Officers are authorized to euthanize a wild animal, or unattended domestic animal, that is so badly injured that human compassion requires its removal from further suffering and capture and treatment of the animal is impractical, too dangerous to attempt, or is unlikely to be successful. Domestic animals that are attended by the owner or another shall not be destroyed without the permission of the person in attendance. Except in exigent circumstances, officers shall not shoot an animal near an occupied dwelling without first obtaining permission from, or giving notice to, a person inside the dwelling. Whenever practicable, officers should notify dispatch prior to discharging a firearm to euthanize an animal.

f. The Chief of Police shall notify the Commissioner of Public Safety within 30 days of an on-duty firearm discharge, except when in the course of training or destruction of the animal. The notification shall include the reason for the discharge and circumstances surrounding it. Reference Minnesota Statute 626.553.

g. In accordance with Minnesota Statute, section 626.53, Subdivision 2, the Chief of Police shall report all injuries from firearms to the Minnesota Department of Health. In accordance with section 626.553, Subd. 1, all hunting or sporting shooting related injuries shall be investigated and reported to the DNR.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 17 DEPARTMENT VEHICLE USE
REVISION DATE: 05/05/2020

I. POLICY

RFPD officers and staff may use department vehicles to conduct department business. Staff shall operate vehicles with due care and obey all traffic laws unless a public safety need or other circumstance warrant deviation.

II. PROCEDURE

A. Officers and staff may use RFPD vehicles only for official department business. Vehicles may not be used for personal errands or purposes not in the interest of the RFPD.

B. Non-sworn staff may only drive marked squad cars with the approval of a supervisor.

C. Due to the presence of electronic equipment in in RFPD vehicles, employees shall not use an RFPD vehicle to jump start another vehicle. Department jump packs may be used as officers deem appropriate for community caretaking or public safety purposes.

D. Unless equipped with push bumpers, RFPD vehicles shall not be used to push stalled or stuck vehicles.

E. Crashes

   a. All crashes involving RFPD vehicles shall be reported to a supervisor without delay.

   b. All crashes involving RFPD vehicles shall be documented with photographs. State accident forms shall be completed when mandated by statute.

   c. A supervisor shall respond to any crash involving an RFPD officer, staff member, or vehicle that results in personal injury. The city administrator shall be notified in cases involving serious injury to an involved individual.

   d. Crashes involving RFPD vehicles resulting in personal injury or damage to property other than the RFPD vehicle, shall be referred to an outside law enforcement agency for investigation whenever possible.

   e. In cases involving only property damage to an RFPD vehicle, the supervisor may request an outside agency to investigate, personally conduct the investigation, or assign the investigation to another RFPD officer. The officer involved in the crash may be directed to submit a written report on the incident.

F. RFPD vehicles may be used to transport citizens when there is a public safety need. See policy #19-Arrest, Detention and Transportation.

SUBJECT: 18 OPERATIONS
REVISION DATE: 05/05/2020

I. BACKGROUND

Each newly hired RFPD officer is trained by a Field Training Officer (FTO) in the operations, procedures and tactics utilized at RFPD in accordance with the field training manual. This manual and training, together with RFPD policies, and the use of sound professional judgment, establish baseline expectations for officer performance.

II. COMPLIANCE WITH POLICY AND TRAINING

Police officers respond to an infinitely wide range of situations and engage with citizens who display an equally wide range of behaviors. These circumstances may involve rapidly changing and uncertain strategic, tactical, legal, and safety considerations. Accordingly, neither this policy manual, nor the field training manual and related training can address every situation an officer may confront. The constant across all situations is that officers are expected to exercise sound professional judgment.

While compliance with policies and training is generally expected, deviation may be permissible in situations where adhering to policy and training is not possible due to the: exigencies of the situation, or where doing so would clearly pose a significant and unavoidable danger to the safety of the individuals involved; would deprive an individual of rights secured by the Constitution and laws of the United States or the State of Minnesota; or where compliance with a policy would be plainly contrary to common sense and sound practice given the particulars of the situation.

The burden shall rest with the officer to justify any deviation from policy and training and report such deviation promptly to a supervisor. Supervisors shall monitor officer performance and implement corrective action when necessary to ensure officers are exercising sound judgment, and conducting themselves safely, lawfully, and in compliance with policy and training.

SUBJECT: 19 ARREST, DETENTION AND TRANSPORTATION
REVISION DATE: 05/05/2020

I. POLICY

Detentions or arrests shall only be affected in accordance with the Fourth Amendment of the United States Constitution, the Minnesota Constitution, and other applicable laws.

II. PROCEDURE

A. Detention

a. Officers may only detain individuals when permitted by law and only as long as legally permissible to conduct official business.

b. Officers should use sound tactics to safeguard themselves and person(s) the officer is detaining or attempting to detain.

c. For safety reasons, officers should conduct a pat-down search for weapons of the person detained in circumstances where there is reasonable suspicion to believe the person could be armed and may present a danger to the officer or others.

d. Officers may handcuff a person being detained if there are reasonable grounds for imposing this level of restraint. Reasonable grounds may include reasonable suspicion that the person may be armed, the person presents a possible threat to the officer or others even if unarmed, or the person may attempt to flee. When handcuffs are used during a detention the subject should be advised he or she is being detained and is not under arrest. Officers should document the use of, and reasons for, handcuffing in their report.

e. Officers shall handcuff detained persons only as long as it is reasonably necessary to accomplish the law enforcement objective at hand.

f. When applying handcuffs, officers should check the restraints, as soon as feasible and safe to do so, to ensure they are applied correctly, with an appropriate gap, and double locked to prevent injury.

B. Arrest

a. Officers may arrest individuals only when permitted by law.

b. Officers should use sound tactics to safeguard themselves and the person(s) the officer is arresting or attempting to arrest.

c. Persons arrested should be handcuffed, and the handcuffs should be gapped and double locked prior to transport to the facility receiving the individual. Officers may, in the exercise of sound

judgment, abstain from using handcuffs where: (1) the crime necessitating arrest does not involve danger to others; (2) the person arrested does not appear to pose a flight risk or danger; (3) based on the information known to the officer, the use of handcuffs is likely to cause injury or unusual discomfort to the individual.

d. Officers should search persons who have been arrested for weapons and contraband prior to placing the individual in a vehicle for transport. All of the person's property that is not evidence, or contraband shall be turned over to the staff at the receiving facility.

e. Officers shall take reasonable steps to protect the safety of persons in their custody. Prisoners shall be assisted when being moved as reasonably appears necessary for their safety. If a suspect exhibits signs of a medical emergency, the officer shall immediately render aid and request additional assistance if needed.

f. Officers shall report any statement or behaviors by the arrested person, or other circumstances know to the officer, tending to indicate the person is at risk of harming themselves while in custody to the staff of the facility receiving the person. Officers shall document this information together with the identity of the facility staff to whom it was reported in the officer's report.

g. Unless authorized by a supervisor, all reports and documents related to an in-custody file shall be completed before the end of the arresting officer's shift.

C. Transporting

a. Officers may transport citizens who are not under arrest when reasonably necessary for their health or safety. For officer safety, before transport the officer should conduct a pat down search for weapons and contraband. If the person does not consent to being searched the officer is not obligated to provide transportation.

b. When practical, an officer transporting an individual to a detox or mental health facility for emergency evaluation or treatment shall not transport the individual while in uniform or in a marked enforcement vehicle. Given RFPD's staffing and vehicle fleet, however, it will not be practical in most circumstances to provide an unmarked vehicle or plain clothes officer for transport.

c. Officers should normally ensure all persons being transported are secured with a seatbelt. Officers need not do so with individuals who are combative, or in circumstances where fastening the seatbelt would expose the officer to the risk of assault or other danger. If the officer transports an unbelted suspect due to officer safety issues, they shall note that detail in their report and explain the reasons and circumstances why the person was not seat belted.

d. If a subject needs to be transported while secured with handcuffs and their legs bent at the knees and feet hobble restrained to the handcuffs, the officer must monitor the subject for positional asphyxia. While conversing with and/or frequently noting breathing of the subject during transport, officers will immediately request ambulance response and initiate lifesaving efforts if the subject shows signs or symptoms of asphyxia. In some circumstances, immediate transport directly to hospital emergency room may be appropriate.

e. Prior to transport, officers should notify dispatch of their starting and ending mileage. If dispatch is not notified the officers shall document the reason in their report. When transporting citizens or suspects the officer will advise dispatch of their starting and ending mileage.

f. Prisoners will be transported in the back of the squad car whenever possible. Persons who are not in custody may be transported in the back or front of the squad car at the officer's discretion.

g. After transporting any individual, the officer shall check the immediate area where the person was located to ensure no weapons or contraband were left behind.

h. If multiple arrests are made at the same location suspects should be transported in separate squads whenever possible, particularly suspects of the opposite sex. However, there may be times when only one officer is at a scene and may need to transport multiple suspects

i. The detention, arrest, and transport of juveniles will comply with the provisions of this policy. Juveniles arrested along with an adult will be transported separately, except when only one officer is available at the scene.

SUBJECT: 20 PROPERTY AND EVIDENCE
REVISION DATE: 05/05/2020

I. POLICY

RFPD officers shall seize evidence or property only in accordance with state and federal law. All seized evidence and property shall be processed, documented and stored in accordance with industry standards and best practices.

II. PROCEDURE

A. Definitions

a. Evidence: Any item related to a crime which tends to prove or disprove a person's involvement in a crime. May be referenced as 'property'.

b. Found Property: Any item located by an officer, or delivered to an officer by another, which has no evidentiary value. May be referenced as 'property' or 'found property'.

c. Seized/Seizure: The act of taking control and custody of property or evidence in the actual or constructive possession of another.

d. Narcotics: Any controlled substance, licit or illicit in nature.

e. Electronic Case File: The records management system used at RFPD.

B. Evidence and Property Report

a. An Evidence and Property Report may be used to: Document the seizure of property from a citizen or suspect; Document the transfer of seized property from one person to another; Document the inventory of impounded vehicles. Use of the Evidence and Property Report does not relinquish the seizing officer's responsibility for creating an ICR in the Electronic Case File. When applicable, the Evidence and Property Report will contain the following information:

i. One ICR number, the date and time the officer took custody of the property, the seizing officer's printed name, signature, and badge number.
ii. The address where the property was taken into custody. In the case of found property, where the property was initially located.
iii. The name, address, date of birth, and phone number of the person from whom the officer took custody of the item. If known, the name, address, date of birth, and phone number of the owner.
iv. An accurate description of the property.
v. Each item will be listed singly. Exact duplicates of non-serial numbered items and US currency may be listed together as one item. Each item will be assigned one item number from the electronic case file.
vi. The seizing officer will sign the Evidence and Property Report on the signature line with

their name, badge number and date and ensure the chain of custody section is complete if necessary.

vii. When possible, a second officer will sign the Property and Evidence Report as a witness for seized currency, narcotics, and firearms.

viii. Each time a Property and Evidence Report is used to document the transfer of custody, and a receipt is needed, the white copy will be retained by RFPD. If additional copies are required photocopies may be made and provided to recipients.

ix. Evidence and Property Reports will be scanned to the Media Section of the electronic case file.

C. Evidence Custodians

a. Evidence custodians are responsible for the security and integrity of the Temporary storage lockers, Evidence Storage Room, and all the items stored by RFPD. They shall ensure items are properly processed, packaged, and documented before taking custody of them.

b. Evidence Custodians will be designated by the Chief of Police and will serve in that position at the Chief's discretion.

c. Evidence Custodians will be the only personnel with full access to both the Evidence Storage Room and Temporary storage lockers.

D. Temporary storage locker

a. All seized items will be turned over to an Evidence Custodian or secured in the temporary storage locker as soon as practical.

b. Each officer will be assigned a temporary storage locker.

c. All items placed in the Temporary storage locker will be processed, packaged, and labeled in accordance with the policies set forth within this section.

d. Seizing Officers will notify an Evidence Custodian when an item was placed in the Temporary storage locker. Notification may be done in person, over the phone, radio, or via email or other electronic notification.

e. After depositing items in the Temporary storage locker officers will secure the locker.

f. If an officer finds a temporary storage locker unsecured and containing items, they will immediately notify a supervisor.

g. The Temporary storage locker may be utilized for the transfer of property from Evidence Storage to an officer for: court proceedings, improper processing or packaging, delivery to a lab, or any reason which is deemed necessary by an Evidence Custodian.

h. Under no circumstances will the Temporary storage locker be utilized for the transfer or storage of personal items.

E. Evidence Storage Room

a. Only items properly processed and packaged may be placed in the Evidence Storage Room.

b. The Evidence Storage Room will be locked at all times when no one is present.

c. If, due to maintenance of the building or other legitimate reason, it is necessary to grant access to the Evidence Storage Room by someone other than an Evidence Custodian, that person will be escorted and supervised throughout their time in the Evidence Storage Room by an Evidence Custodian.

d. If an officer finds the Evidence Storage Room to be unsecure, and an Evidence Custodian is not present, they will immediately secure the room and notify the Chief of Police.

e. Under no circumstances will the Evidence Storage Room be used for the storage of personal items.

F. Property and Evidence Handling

a. Officers who seize items are responsible for the care, custody, and control of them until delivered to an Evidence Custodian or placed in a Temporary storage locker.

b. Whenever possible, evidence will be photographed in the location where it is found prior to being seized.

c. Before placing items in temporary storage, the officer will create an ICR in the electronic case file. The officer will enter the item(s) into the Evidence section of the file and obtain an item number(s). An evidence sticker with the item number will be affixed to the storage container or directly on the item for larger property.

d. All evidence or property will be placed in a proper storage container. The seizing officer shall affix an Evidence Seal on all openings of the container and initial each seal.

e. Items which by their size, weight or dimensions cannot be placed in a storage container will be processed with an evidence sticker or evidence tag. All applicable fields on the evidence sticker or tag will be filled completely.

    i. When affixing an evidence sticker or tag officers will take precautions to prevent the destruction of evidence such as fingerprints, DNA, or other items of evidentiary value. Evidence stickers or tags will be affixed in a location that is both visible and prevents the devaluation of the item as much as practical.

f. Items too large to be placed in a Temporary storage locker may be temporarily placed in the records room or other secure location.

g. Property which an Evidence Custodian finds to be improperly packaged, the accompanying documentation incomplete or inaccurate, or for reasons which violate any section of this policy, will be returned to the seizing officer. Once an item has been returned to the seizing officer, they will make the necessary corrections by the end of their next tour of duty.

h. Unforeseen circumstances may occur which prevents a seizing officer from immediately

processing seized items. If this occurs, the seizing officer will only release an item to another law enforcement officer and document the transfer on an Evidence and Property Report and their report. The seizing officer is responsible for the item is eventually processed in compliance with this policy.

i. All firearms will be unloaded before being processed and placed into the Temporary storage locker or Evidence Storage Room.

    i. Handguns will be packaged with a zip-tie, or similar device, in a position whereby the weapon is rendered incapable of firing. Handguns which utilize a magazine will have the magazine removed prior to being packaged. Magazines, ammunition, or other items on, or in, the weapon may be packaged with the firearm with the same Item Number except when the seizing officer deems it necessary to package them separately.
    ii. Long guns will be processed with a zip-tie, or similar device, in a position on the weapon whereby the weapon is rendered incapable of firing. Evidence tags or stickers will be affixed in accordance with the policies within this section.
    iii. All firearms submitted for storage shall be checked through NCIC and E-Trace to determine if the weapon was stolen, used in a crime, or cannot be returned to the owner.
    iv. Before firearms are returned to an owner the weapon and the owner will be checked through NCIC and any available law enforcement databases to ensure the owner may possess the weapon and that RFPD is in compliance with applicable firearms laws.

j. All seized currency, firearms and narcotics will be deposited in the Temporary storage locker by the end of the seizing officer's shift.

k. Under no circumstance will officers store evidence, found property, currency, firearms or narcotics in their personal storage cabinets or drawers.

l. Officers may encounter narcotics or other hazardous substances which they are ill equipped or untrained to process. If an officer believes the seizure and processing of narcotics or other item will create a hazardous situation to themselves or the public, they will contact a supervisor who will make a determination to contact the drug task force or other resources to process the item.

    i. Whenever possible, officers will have another law enforcement officer present during the seizure and processing of narcotics.
    ii. After sealing narcotics in an evidence container, the officer will weigh the container with an uncertified scale. The weight will be documented on the container, and within the Incident Report. If a second officer is present, that officer's name and badge number will be documented and they will sign the storage container.
    iii. Organically based material such as mushrooms, marijuana, hash oil, and foods are subject to decomposition, the growth of molds, or the release of spores into the Evidence Storage Room causing contamination to other evidence and pose a health threat to the Evidence Custodians. All organically based evidence or property will be disposed of as soon as possible with the authorization of the prosecutor or court.

m. Officers will count all the seized currency and document the results in their report. Whenever possible, a second officer should witness the seizure, count, and processing of currency.

i. The Evidence and Property Report and Incident Report will document the denomination of seized currency as well as any witness to the count. Nothing in this policy prevents the count of currency from being conducted in the presence of the person from whom the currency was seized except when doing so would create a danger to the officer or public.
ii. As soon as possible, the currency will be placed into the Evidence Storage Room or deposited to the city general fund account.
iii. Found currency may be deposited in the City of Redwood Falls General Fund until it is claimed by the owner or forfeited as abandoned property.
iv. Currency which is identified as evidence will be retained within the Evidence Storage Room.

n. Evidence which is wet due to the presence of water, blood, urine, or any other substance will only be packaged in paper evidence bags.

i. Whenever possible, items of evidence that are wet should be allowed to air dry before packaging.
ii. When drying evidence, precautions will be taken to ensure biological, DNA, or other evidence is not lost during the process. Clean, dry paper will be placed under the item during the drying process and, after the item is dried, the paper will be packaged as a separate item of evidence.
iii. Evidence in a liquid state (blood, urine, semen, etc.) or which may contain DNA will be processed and deposited in a designated refrigerator which is only used for the temporary storage of items which need to be kept cool.
iv. If biological evidence is returned to the Redwood Falls Police Department from the lab it will be stored in a refrigerator located in the Evidence Storage Room.

G. Transfer of Evidence or Property

a. Every time custody of an item is transferred it will be documented in an Evidence and Property Report. One person will sign as receiving the item and one will sign as relinquishing custody.

b. Evidence sent to a lab for analysis will be delivered by a law enforcement officer or sent via the United States Postal Service, or other courier, in a manner whereby the location of the item and who had custody of it at any given time can be determined

c. When an officer sends an item to a lab for analysis, it is that officer's responsibility to complete any paperwork needed by the lab to receive and analyze the item. The Evidence Custodian will be responsible for packaging the seized item and ensuring it is sent to the lab.

d. When property is returned to a citizen the transfer of custody will be documented in an Evidence and Property Report. The officer will sign as relinquishing custody, and the recipient must sign as receiving custody.

e. If an officer requires an item of evidence for court the officer will notify an Evidence Custodian no less than 24 hours prior to the scheduled court appearance. The Evidence Custodian will transfer custody of the item via an Evidence and Property Report and deliver the item in person or via the Temporary storage locker.

f. When the officer no longer needs a piece of evidence for court the item will be returned via the

same procedures set forth within this policy.

g. Under exigent circumstances a transfer of evidence or property may be conducted without the use of an Evidence and Property Report. The officer will document that transfer, and the circumstances which did not allow the completion of the Evidence and Property Report, as soon as practical on an Initial or Supplemental Report.

H. Disposition of Evidence and Property

a. Evidence will be retained only as long as is legally necessary. Items may be returned to the owner, destroyed, auctioned, transferred to another agency, or placed into official use only after receiving written authorization. Written authorization shall be included in the case file. Under no circumstance will an Evidence Custodian or officer convert to their own use, loan or give away any item.

b. The disposition of all seized items will be documented and uploaded to the electronic case file.

c. Found property will be retained for 90 days. At the end of 90 days, if the owner cannot be identified or fails to retrieve their property, an Evidence Custodian may return the item to the finder in accordance with the procedures within this policy. If the finder does not want the item, the Chief of Police will decide whether to destroy, auction, or convert the item to official use.

d. If the finder of found property is a Redwood Falls Police Officer, or other city employee who located the property while acting within the scope of their employment at the time the property was found, the item will be held for 90 days. After 90 days the Chief of Police will determine if the item(s) is to be destroyed, auctioned, or converted to official use.

I. Releasing Property

a. Before releasing property to an owner, the staff releasing custody will verify the owner's identity and turn over custody via an Evidence and Property Report.

b. Seized evidence determined to be contraband, proceeds from a crime, or used to facilitate the commission of a crime, will not be returned to a suspect without written authorization from the prosecutor or court.

c. At the conclusion of a case file, Evidence Custodians shall determine if an item of evidence has an inherent value. If an item is determined to have an inherent value the Evidence Custodian shall send written notification to the owner, the item may be retrieved. If the owner fails to respond to the notice the item shall be considered abandoned property and disposed 90 days after the letter was sent to the owner.

d. Suspects from whom evidence or property is seized must notify the Redwood Falls Police Department they wish to retrieve their property at the conclusion of the case file and before the appeals period has expired. Property may be returned only if it does not violate Section I, subdivision #2.

J. Auditing

a. The Chief of Police may conduct, or order, an audit of the Temporary storage lockers, Evidence Storage Room, and all relevant documents.

b. The Chief of Police may elect to include a person not affiliated with the Redwood Falls Police Department to assist, conduct, or observe the audit process.

c. No prior notice of the audit should be given to the Evidence Custodians.

d. Any deficiencies identified during the audit process will be corrected immediately, or as soon as practical once identified.

e. The audit will be documented on an administrative ICR.

SUBJECT: 21 JUVENILES
REVISION DATE: 05/05/2020

I. POLICY

Staff of RFPD shall be attentive to and endeavor to protect the rights, safety, welfare and dignity of juveniles who come to their attention. Nothing in this policy, however, is intended to discourage officers from utilizing appropriate and reasonable safety precautions when dealing with juvenile suspects who may present a threat.

II. PROCEDURE

A. Juveniles in custody whom officers intend to question shall first be given an opportunity to consult with a parent, guardian, or attorney about, among other things, whether to participate in a police interview.

B. Juveniles shall be provided with the *Miranda* Warning prior to custodial interrogation. In addition, juvenile suspects should normally be allowed to have a parent, guardian, or attorney present during the *Miranda* Warning and subsequent questioning.

C. Unless circumstances dictate otherwise, questioning or interviewing in a school should be done discreetly to avoid drawing undue attention to the juvenile. If the questioning will be custodial in nature, Sections II (A) and (B) of this policy shall apply.

D. Decisions regarding the custody of juveniles, and place and length of detention, shall be made in accordance with Rule 5 of the Minnesota Rules of Juvenile Delinquency Procedure. Under most circumstances, juveniles who are taken into custody for an act of delinquency should be released to a parent, guardian, or relative. Continued detention may be appropriate in circumstances where the juvenile would, if released: present a danger to self or others, fail to appear for a court hearing; would not remain in the care or control of the person to whom released; or the child's health or welfare would be immediately endangered. Refer to Rule 5.03, subdivision 2, for a listing of factors that may justify a decision to detain the juvenile, and to Rule 5.04 concerning the length of custodial detention.

E. Officers shall make a reasonable effort to notify a juvenile's parent or guardian:

   a. Before a juvenile is transported to a detention facility;

   b. Of police contacts with a juvenile in circumstances where notification is believed likely to benefit the juvenile's health or welfare, unless such notification would interfere with an ongoing investigation;

   c. When the child is being charged with an adult court traffic offense, which includes any petty misdemeanor traffic violation, and any violation of section 169A.20.

F. RFPD shall provide notice to the chemical abuse pre-assessment team at the school attended by a juvenile of any incidents within the RFPD's jurisdiction where there is probable cause to believe the juvenile committed a specified drug or alcohol offense. Refer to Minn. Stat. § 121A.28 for a list of offenses that trigger this notice requirement.

G. When a juvenile is held at a juvenile detention facility the officer shall notify a supervisor so arrangements can be made to transport the juvenile to court.

H. Juveniles in custody shall not be photographed without a court order.

I. Officers who become aware of information indicating the abuse or neglect of a child, as a result of contact with the child, his or her place of residence, or otherwise, shall immediately complete a Child Protection Report and submit it to the local human services agency. "Immediately" means as soon as possible, but in no event longer than 24 hours.[2] Officers may take a child into immediate custody, pursuant to Minnesota Statutes, section 260C.175, when the child is found in surroundings or circumstances that endanger, or that the officer reasonably believes will endanger, the child's health or welfare. Officers should, if feasible, consult in advance with human services concerning the removal and placement of the child.

J. A juvenile who is at least 14 years old may be held in the Redwood County Jail for up to 24 hours while the officer completes their investigation, paperwork or other required tasks pertinent to the arrest of the juvenile. See Minnesota Rules of Juvenile Delinquency Procedure, Rule 5 – Detention

K. If an officer arrests and transports a juvenile to a juvenile detention facility, the officer shall complete their report and any required forms before the end of their shift.

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2 Minn. Stat. § 626.556, subd. 3.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 22 INFECTIOUS DISEASE AND PERSONAL PROTECTIVE EQUIPMENT (PPE)
REVISION DATE: 05/05/2020

I. POLICY

RFPD shall provide employees who face an occupational risk of exposure to infectious materials with Personal Protective Equipment (PPE) and training to minimize exposure, illness and injury. This policy supplements Section 23 and the AWAIR policy found within the City of Redwood Falls Policy Manual.

II. PROCEDURE

A. Definitions

a. Personal Protective Equipment (PPE): Any item worn or utilized which minimizes exposure to hazards that can cause injury of illness.

b. Infectious Materials: Body fluids or other substances that can spread infection from one person to another.

c. Source Individual: An individual, living or dead, whose blood, tissue, or potentially infectious body fluids may be a source of blood-borne pathogen exposure.

d. Significant Exposure: A contact that is likely to transmit a blood-borne pathogen. Significant exposure incidents are those where potentially infectious material comes in contact with the employee's mucous membranes (e.g., mouth, nose, eyelids, etc.) or skin that is not intact; prolonged contact with intact skin; contact that occurs via needle puncture or skin laceration; other contacts that may transmit a blood-borne pathogen by way of blood, tissue, or potentially infectious body fluids.

e. Workplace Hazard: Exposure to anything that may result in illness or injury. Exposure may come in the form of biological, chemical, or physical such as impact noise or foreign objects entering the body.

B. Exposure Control Plan

a. Training

Employees who may be exposed to infectious materials workplace hazards shall be provided annual training on prevention and limiting exposure to, infectious materials and workplace hazards. Employees shall complete this annual training in accordance with Policy #28-Training.

b. Vaccinations

Hepatitis B vaccinations shall be made available to RFPD staff who have the potential for occupational exposure at no cost to the employee.

c. Personal Protective Equipment (PPE)

Employees who, in the course of their regular duties, may be exposed to infectious materials or workplace hazards shall have full access to appropriate PPE. The employee shall utilize the PPE unless circumstances do not allow the employee to utilize the PPE.

i. Under no circumstances shall an employee keep or re-use non-reusable PPE that has come into contact, or been exposed to, infectious material.

d. Rescue and Medical Equipment

Equipment such as oxygen tanks, automatic external defibrillators (AED), or medical bags that may have been exposed to infectious material shall be thoroughly cleaned and sanitized before being placed back into service.

e. Sharp Objects

Needles, knives, broken glass and other items with the ability to puncture or lacerate the skin should be treated as though they have been exposed to infectious material even if there is no visible infectious material on the item. Staff shall utilize PPE when handling sharp objects. Sharp objects that must be collected for evidence or disposal shall be placed in puncture resistant containers and/or placed in containers which allow safe handling of the object. Bio-hazard labels should be affixed to any container that has a sharp object inside.

C. Exposure Response

a. Reporting Procedure

If an employee was exposed, or may have been exposed, to infectious material it shall be considered an injury under Personnel Policy Section 23.1 and the AWAIR policy. The employee and supervisor shall file reports as directed within the referenced policies.

b. Evaluation

i. <u>Minor Exposure</u>
A minor exposure is defined as where an employee has been exposed to infectious material, but the infectious material likely did not enter the employee's eyes, nose, mouth, open wounds, or via a needle puncture or skin laceration.

For minor exposure the employee shall thoroughly wash their hands, exposed skin, and areas the material may have contacted as soon as possible after the exposure. The employee shall inspect their clothing, equipment and work vehicle to determine if it needs to be replaced or washed before returning to duty. The employee shall report the exposure to a supervisor as soon as possible.

Cleaning and sanitizing supplies will be stored in the squad room and accessible to RFPD staff. Staff may utilize the cleaning and sanitizing supplies as needed after a minor exposure incident. All rags, towels, PPE, or items used to clean and sanitize after a minor exposure incident shall be placed in a sealed bag and disposed in the biohazard bin located in the Redwood Area Community Center (RACC).

ii. Significant Exposure

Employees shall report a significant exposure incident to a supervisor as soon as possible. As soon as possible after the exposure, the employee should go the hospital for evaluation and any recommended treatment.

The agency, or an employee who has had significant exposure, may request that the hospital follow the procedures established in Minn. Stat. §§ 144.7401 to 144.7415.
These procedures provide for:

1. Identification of the source individual for blood testing: If the source individual has not been received at the same medical facility, the agency shall make reasonable investigative efforts to identify and locate the source individual and shall inform the medical facility of the individual's identity and location. The agency and medical facility may exchange private data about the source individual as necessary to fulfill their obligations in this regard. The medical facility, rather than the agency, shall seek consent from the source individual for obtaining and/or testing a sample of the person's blood.
2. A court order to obtain testing: If a source individual refuses to give consent to the medical facility for the testing of their blood, the agency may bring a petition for a court order to require the source individual to provide a sample of blood for testing. If the source individual does not comply with the order, the court may issue a further order requiring the source individual to be taken into custody for testing.
3. Providing information to the exposed employee: In general, the source individual's test results will be disclosed to an employee who has been significantly exposed to potentially infectious material. However, the source individual's name, address, and other uniquely identifying information shall not be provided to the exposed individual, either by the medical facility or the employer, without a written release signed by the source individual or their legally authorized representative.
4. Costs and scope of services: Pursuant to Minnesota Statutes, section 144.7413, the agency is responsible for paying or arranging for the payment of the costs of employee testing, counseling, and treatment, and the costs associated with testing the source individual.

In addition to the foregoing:

Both the employee and the supervisor shall complete the required exposure reports as mandated under Section 23.1 of the Redwood Falls Personnel Policy.

Any equipment or items exposed to a significant amount of infectious material shall be taken out of service until properly cleaned. If a squad car is exposed to a significant amount of potentially infectious material, it shall be taken out of service until it can be properly cleaned. The Chief of Police should be notified if a police vehicle requires professional cleaning to be properly sanitized before returning to use.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 23 PHONE, COMPUTER AND INTERNET USE
REVISION DATE: 05/05/2020

I. POLICY

The use of technology such as phones, computers and the internet contribute to the efficient operations of the RFPD. Employees shall use these technologies appropriately and in accordance with applicable city policies and the following guidelines.

II. PROCEDURE

A. City and department guidelines require tact, courtesy, and otherwise governing work-related and workplace conduct shall apply to communications conducted using city phone, email, and internet technologies.

B. Employees may use city- and department-provided landline phones, computers and internet for personal (non-commercial, non-remunerative) use, but only during authorized work breaks, and subject to the provisions of this policy and applicable city policies.

C. Employees shall not utilize city or department computers, or internet technologies, in any manner contrary to applicable city policies. The city and the department reserve the right to monitor city owned or provided computer equipment and networks, including those used in part for personal purposes. Users have no reasonable expectation of privacy in internet search histories, information about sites visited, or content or messages stored on, or transmitted or accessed through, city owned or provided computer equipment and networks.

D. Employees shall not disclose the personal telephone, cellphone number, email address, or physical address of other employees to any person, except with the explicit prior permission of the person whose information is being provided.

E. Employees shall provide the Redwood Falls Police Department with a phone number for contacting the employee when off duty for the purpose of emergency callouts or the dissemination of vital information.

F. Personal use of department cellphones should be avoided but is permissible for occasional calls of short duration to receive or advise the employee's family, household members, or significant others of time- sensitive information, where another method of communication is impracticable due to the employee's ongoing work obligations.

G. Internet/social media. City policy addresses the use of social media by city employees. In addition to those guidelines are the following:

   a. Employees may not post content that includes the RFPD brand, logo, badge, patch, or other identifiers, nor post information that purports to be the position of RFPD without prior authorization.

   b. Employees are discouraged from identifying themselves as employees of the RFPD when

posting on social media. If an employee chooses to identify himself or herself as an RFPD employee and posts a statement on a matter related to RFPD business, a disclaimer similar to the following must be used: "These are my own opinions and do not represent those of the RFPD or City of Redwood Falls."

c. There may be times when personal use of social media (even if it is off-duty or using employee's own equipment) may spill over into the workplace and become the basis for employee coaching or discipline. Examples include, but are not limited to:

   i. Release of sensitive, confidential or private data about others, or about sensitive information relating to law enforcement investigations or activities
   ii. Inappropriate use of the city's or department's name, logo or the employee's position or title
   iii. Content tending to show that the person posting the message possesses discriminatory animus, is dishonest or is otherwise lacking in the impartiality, integrity and trustworthiness expected of law enforcement personnel.

Each situation will be evaluated on a case-by-case basis because the laws in this area are complex and changing. Employees with questions about what types of activities might result in discipline are encouraged to discuss their concerns with the Chief of Police.

SUBJECT: 24 MUTUAL AID
REVISION DATE: 05/05/2020

I. POLICY

The Redwood Falls Police Department may provide assistance to any public safety agency that requests help, but not when doing so would unreasonably disrupt police services to the City of Redwood Falls.

II. PROCEDURE

A. Except in circumstances where the personal safety of another appears to be in immediate peril, the assistance of RFPD officers must be requested by another agency or their dispatch service before officers may leave the City of Redwood Falls. If a supervisor is on duty, an officer shall obtain approval before leaving city limits to assist another agency.

B. If more than two RFPD officers are on duty at least one officer should stay within city limits to continue police coverage.

   a. If the request for RFPD assistance is in response to an incident involving an imminent threat to life the officer(s) may immediately respond. Dispatch shall be asked to notify the Chief of Police. The Chief of Police shall immediately respond for duty or assign an officer to report for duty.

   b. If an assisting RFPD officer is involved in a critical incident while assisting another agency the Chief of Police shall be notified. See Policy #25-Officer Involved Critical Incident Response Policy.

C. Assisting RFPD officer(s) shall return to city limits as soon as possible at the conclusion of the incident.

SUBJECT: 25 CRITICAL INCIDENT RESPONSE
REVISION DATE: 05/05/2020

I. POLICY

RFPD shall respond to critical incidents in a manner that protects public safety, fosters trust in and accountability for law enforcement, and addresses the needs of personnel who have been exposed to threatening circumstances and acute stress. Because situations may vary significantly, personnel must exercise sound judgment in determining how and when to implement the procedures set forth in this policy.

II. PROCEDURE

A. Definitions

a. Critical Incidents: Officer involved shootings or use of deadly force as well as other situations involving most, or all of, the following circumstances:

i. Officer actions resulting in death or serious injury to another.
ii. A review of officer's conduct for compliance with criminal laws is likely to occur regardless of whether there is a citizen complaint.
iii. It is foreseeable the event will result in at least some degree of media interest or public scrutiny.
iv. The circumstances will warrant due consideration for the emotional health and wellbeing of the involved officer(s)

b. Involved Officer: An officer employed by RFPD who used force or took other action that resulted in death or serious injury to another.

c. Uninvolved Officer: An officer employed by RFPD who may have participated in, witnessed, or responded to a critical incident but who did not use force or take action that resulted in death or serious injury to another.

d. Care Officer: An officer who will assist the Involved Officer after the critical incident. The Care Officer's duties may include but are not limited to: transporting the Involved Officer from the scene, providing reasonable assistance for basic needs, and making contact with the Involved Officer's family. The Care Officer may be asked to verify that the Involved Officer committed to his or her care had no contact with other Involved Officers or witnesses from the time of the Care Officer's assignment until the time the Involved Officer is released from duty. There is generally no legal privilege for communication between Care Officers and Involved Officers. It may be appropriate to assign a Care Officer to an Uninvolved Officer who participated in or witnessed the event and were traumatized by it.

e. Investigating Agency: A law enforcement agency that will independently investigate the use of force or circumstances that resulted in death or serious injury.

B. RFPD will request an independent investigation whenever officers of this agency use deadly force or take

other action that directly results in death or serious injury to another. For incidents occurring within the territorial jurisdiction of the City of Redwood Falls, the chief or chief's designee shall contact an Investigating Agency to request assistance. For incidents occurring outside the territorial jurisdiction, the chief or designee shall coordinate the request with the agency having jurisdiction over the place where the event occurred. This agency will provide all reasonable cooperation and assistance to the Investigating Agency.

C. Immediate Priorities

Because situations may vary significantly, officers on the scene or who arrive there in the immediate aftermath of an incident must exercise professional judgment to determine the order in which to address potentially competing priorities. Involved Officers, until relieved, and Uninvolved Officers shall take appropriate actions to:

a. Summon emergency medical care for and provide first aid to any individuals with serious injuries or medical conditions.

b. Summon appropriate resources to the scene.

c. Protect the public against any risks posed by ongoing hazards or dangerous people at large.

d. Obtain and broadcast information to aid in the apprehension of dangerous suspects.

e. Notify immediate supervisor and the chief of police or designee.

D. Establish On-Scene Command and Control

The first uninvolved officer or supervisor to arrive at the scene following the critical incident will be the Incident Commander until relieved by higher authority. The Incident Commander will have charge over other personnel at the scene and will be responsible for assuring that appropriate personnel and resources are directed to the highest priorities.

The Incident Commander shall identify himself or herself to on-scene personnel and dispatch as soon as practicable. If the Incident Commander is relieved by higher authority the new Incident Commander shall identify himself or herself to on-scene personnel and dispatch.

E. Incident Management Activities

Although the Investigating Agency will likely respond to the scene, immediate steps may still be necessary to protect public safety and to prevent the loss or destruction of evidence. Accordingly, the Incident Commander shall determine which of the following tasks are of the highest priority and shall assign appropriate personnel to address them:

a. Promptly identify Involved and Uninvolved officers and, to the extent feasible, relieve Involved Officers of active participation in any ongoing scene management and law enforcement activities. Uninvolved Officers who witnessed or participated in the event should be assessed to determine if they are capable of assisting with further law enforcement efforts.

b. Consider and, if necessary, obtain Public Safety Statements from the Involved Officers, using the form attached hereto as Appendix A. A Public Safety Statement may not be necessary if there are

other sources that can provide the required information.

c. Identify witnesses and the evidence they possess and obtain immediate statements from witnesses only if there is reason to believe the witness will be unwilling or unable to be interviewed or provide an accurate account later.

d. Establish one or more perimeters to control the scene and restrict access, and keep a log of personnel entering and exiting the perimeter.

e. Safeguard physical evidence that could become lost or degraded before the scene is methodically processed.

f. Prevent electronic evidence stored in body-worn cameras and in-car camera systems from being overwritten by deactivating any systems left in "record" mode.

g. Notify and secure assistance from any outside criminal Investigating Agency that will be utilized; obtain that agency's estimated time of arrival at the scene; and coordinate with that agency as to any immediate steps that should be taken.

h. Preserve the evidentiary value of weapons that officers have used or fired during the event, and issue replacement weapons for any that have been collected as evidence unless otherwise indicated.

i. Assign a liaison to work with the Investigating Agency

j. If staff are available, assign a Care Officer to each Involved Officer. Also, evaluate the need to assign a Care Officer to Uninvolved Officer(s) who may be traumatized by their participation in the critical incident.

k. Provide for or coordinate the appropriate notification to the families or survivors of any individuals killed or seriously injured during the incident.

l. Consider the advisability of providing public information about the event.

F. Involved Officers

a. Refrain from assisting with any ongoing law enforcement or scene management activities as soon as adequate uninvolved personnel are available at the scene.

b. Preserve the integrity of physical evidence such as blood, fingerprints, and other biologics on the officer's person, clothing, and equipment until it is collected.

c. Remain in the company of the officer's assigned Care Officer or at the location designated until relieved from duty.

d. Do not discuss the incident with others who were involved in or witnessed the incident, or with other RFPD employees, until the criminal and administrative review processes have been completed. This section shall not be construed, however, to prohibit officers from discussing the incident with the officer's attorney, psychologist or licensed social worker, clergy member, or spouse.

G. Rights of Involved Officers

a. Nothing in this policy shall be construed as limiting or depriving Involved Officers of their rights to remain silent and to consult with an attorney prior to giving any statements or making any reports that could be used against the officer in a criminal proceeding.

b. Involved Officers shall not be subject to employment-based drug or alcohol testing unless based on reasonable suspicion and conducted pursuant to the city's drug and alcohol testing policy. As a matter of course, investigators conducting the criminal review may ask Involved Officers to voluntarily provide samples for blood and alcohol testing as part of the criminal investigation. This agency will not penalize the refusal to voluntarily participate in such testing. Personnel from this agency may assist Involved Officers in voluntarily supplying the requested samples, such as by providing transportation to a hospital or clinic, or witnessing the collection of the sample.

H. Written Reports

Decisions about whether to require reports from Involved Officers and officers who witnessed the incident will be made in consultation with the Investigating Agency. Officers who were involved in or witnessed the incident shall not prepare reports unless specifically directed to do so.

I. Administrative Leave

Involved officers shall be placed on administrative leave following an officer-involved shooting or critical incident. Involved officers shall remain on administrative leave until such time as the chief of police or the designee has consulted with the Investigating Agency and also determined the officer's ability to return to active duty.

J. Debriefing and Support Services

a. The police chief or designee may schedule an incident debriefing following a critical incident for any staff affected by the incident. The debriefing, if implemented, shall be considered part of the staff's duties and attendees shall be compensated for their attendance. The debriefing shall be conducted in private and closed to the public and any unaffected staff or individuals. Attendees at a debriefing shall not disclose any information or opinions acquired as a result of the debriefing session.

b. Officers facing criminal review or the prospect of civil liability shall not participate in group debriefing sessions or peer-to-peer counseling but instead may be referred to individual counseling with a licensed psychologist or social worker.

K. Firearm Discharge Report

The chief or designee shall, within 30 days of the critical incident, complete and submit the firearms discharge report required by Minnesota Statute, section 626.553, subd. 2.

L. Statements From Involved Officers

Because the criminal investigatory interviews of Involved Officers are conducted on a voluntary basis, the time and place of such interviews is a matter to be worked out between the Involved Officers, their attorneys, and the criminal investigators assigned to the matter. To the extent that this agency is requested to assist in scheduling or facilitating such interviews, the following guidelines shall apply:

a. The rights of officers to take time for rest and recovery from the incident before giving a statement for criminal investigatory purposes shall be respected. Current published recommendations call for providing officers with some amount of time for recovery and rest prior to providing a full statement about the event, in the range of 48 hours.

b. Officers should be given a choice as to the location of the interview and should not be interviewed in places where criminal suspects are typically interrogated.

c. RFPD recognizes that video and audio recordings from an event will likely contain more information than officers could perceive or take into account at the time of taking action, and there will therefore likely be differences between officers' recollection of events and what is captured by a digital recording device. Unless directed otherwise by the chief or chief's designee, the agency will utilize the following procedures in an effort to assure that digital evidence is fairly used and considered in the course of investigations into critical incidents:

    i. Copies of all recordings captured by RFPD equipment will be turned over to the Investigating Agency. Requests by Involved Officers to review recordings shall be made to the Chief of Police. The Chief of Police may allow Involved Officers to review recordings captured on RFPD equipment that was assigned to, or operated by, the Involved Officer at the time of the incident. The Chief of Police will consider, on a case-by-case basis, any requests by the Investigating Agency to not allow officer review of captured recordings. A copy of this policy will be provided to the Investigating Agency.
    ii. RFPD requests and expects the investigating agency to adhere to the following practices:

        1. The officer will be reminded at the outset of the interview that differences between digital recordings and the officer's memory are to be expected.
        2. The officer, together with the officer's attorney, will be provided with an opportunity to review and reflect on relevant digital recordings before the interview has been concluded.
        3. The officer will be provided with a fair opportunity to address any additional issues or concerns that arise from consideration of the digital evidence.

d. This policy does not govern officers' review of or use of digital evidence in matters other than critical incidents.

M. Agency Administrative Review

a. This agency will review all critical incidents to determine whether the force used, or actions taken by officers were in compliance with governing law, agency policy, and agency training. The timing of this review will be determined on a case-by-case basis, and the review will encompass an examination of all relevant evidence.

b. If the results of the review establish there was no misconduct, the results of this determination shall be documented and the matter closed.

c. If the results of the review conclusively establish that misconduct occurred, then the chief or chief's designee shall determine appropriate remedial or disciplinary action and document the findings, and the matter shall then be closed. The provisions of this policy do not abridge the rights of officers to challenge or appeal any disciplinary action under the collective bargaining agreement or other applicable procedures.

d. If the results of the review suggest that misconduct may have occurred, then an administrative investigation shall be conducted consistently with the Peace Officer Discipline Procedures Act [and the applicable collective bargaining agreement].

City of Redwood Falls,
Minnesota Critical
Incident Response Policy

Appendix A: Public Safety Statement Questionnaire

The initial on-scene supervisor or Incident Commander may use the following questions to obtain immediate information about ongoing life and safety issues after a critical incident:

Date of Incident: _____ Time of Statement: _____

Name of Officer: _____

"Officer, due to the potential need to take immediate action to protect life and public safety, I am requesting you to provide the following information":

1. Are there any persons injured who have not yet received medical attention and, if so, where are they?

2. Did any suspects leave the scene?
    - Please provide identifying information and their direction and mode of travel.
    - Were any of the suspects armed and, if so, with what type of weapon?
    - How long has it been since the suspect left?

3. Are there any other hazards or conditions that pose a threat to public safety?

4. Please indicate the direction and likely impact areas of:
    - Any rounds fired by officers.

    Any rounds fired by suspects (to enable a search for any others who may have been injured).

City of Redwood Falls,
Minnesota Critical Incident
Response Policy

Appendix B: Duties of Care Officers

Instructions to Care Officer:
The duties of the Care Officer are not fixed and certain and may vary depending on the circumstances. The Care Officer should be encouraged to seek guidance and clarification from agency leadership if in doubt as to the appropriate scope of duties. You should consider your communications with Involved Officers to not be legally privileged. You may be asked to verify that the officer committed to your care did not have any communication with other Involved Officers or witnesses from the time you were given this assignment until the officer is released from duty.

In the immediate aftermath:

- Providing the officer with transportation away from the scene to the police station or law enforcement center, or another appropriate location. The officer being transported should not be placed in the back seat or in any other prisoner transport area, both for the well-being of the officer and to avoid a misperception that the officer has been taken into custody. If the officer is transported to a hospital or medical facility, the Care Officer will accompany and remain with the involved officer until properly relieved.
- Addressing the involved officer's basic physical needs, such as access to a restroom and access to medications, food, and hydration.
- Ensuring that the officer has an appropriate place to wait following the incident, being mindful that some officers may prefer a private setting while others might find isolation to be distressing. Officers should not be directed to wait in places where criminal suspects are detained, or in places that are used for the administration of discipline.
- Assisting the officer with immediate communication needs, such as contacting family members, spiritual advisors, legal counsel, and union representatives.
- Picking up or delivering replacement clothing if the officer's own garments will be collected as evidence.
- Meeting reasonable needs for transportation.
- Assisting the officer in dealing with interruptions to his or her abilities to meet scheduled parenting, familial, or other obligations.

During any period of administrative leave:

- Maintaining contact with the officer to help him or her stay abreast of developments within the agency. If appropriate, convey any messages on behalf of the department's leadership.

Appendix C: Incident Management Checklist

Immediate Priorities:

_____ Summon care for/provide care to those with serious injuries.

_____ Summon appropriate resources to the scene.

_____ Protect the public against any risks posed by ongoing hazards or dangerous people.

_____ Broadcast suspect information.

_____ Notify command staff/agency leadership.

_____ Implements incident command.

Incident Management Activities:

_____ Identify involved officers, and uninvolved officers incapable of performing and relieve from further duty.

_____ Consider and, if necessary, obtain public safety statements.

_____ Identify witnesses and the evidence they possess; take statements only if necessary.

_____ Establish one or more perimeters; keep a log of those entering and exiting.

_____ Safeguard physical evidence to prevent loss or degradation before scene is processed.

_____ Prevent body cam and dash-cam recordings of the event from being overwritten.

_____ Secure assistance from and coordinate with the investigating agency; obtain ETA.

_____ Preserve the evidentiary value of police weapons; issue replacement weapons.

_____ Assign a liaison to work with investigating agency.

_____ Assign a care officer to involved officers and, if necessary, to others relieved of duty.

_____ Provide for or coordinate notifications of death or serious injury.

_____ Consider the advisability of providing public information about the event.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 26 COURT APPEARANCES
REVISION DATE: 05/05/2020

I. POLICY

RFPD staff directed to appear in court as a witness in matters relating to the employee's performance of official duties or exercise of police authority, shall be punctual, prepared to testify, and shall provide truthful answers to all questions.

II. PROCEDURE

A. A subpoena or request from a prosecutor's office to appear in court, regardless of form, shall be considered an order to report for duty.

B. Prior to appearing in court, staff shall review relevant reports and evidence, meet with the prosecutor if requested, and be prepared to testify competently about the employee's knowledge of the matter. If requested, staff shall deliver any evidence needed for the hearing.

C. Staff that receives a subpoena from a defendant's attorney directing their appearance and testimony for the defendant relating to any RFPD case file shall notify the prosecutor as soon as possible.

D. Staff shall work with the prosecutor and Chief of Police in an effort to resolve any scheduling conflicts that might prevent the employee from appearing in court as needed for testimony. If a staff member receives a notice to appear in court and there is a scheduling conflict, they shall immediately notify the prosecutor. If an alternate date cannot be scheduled the employee shall notify the Chief of Police of the scheduling conflict in an effort to resolve the conflict.

E. When appearing in court, officers shall wear a uniform unless prior authorization from the Chief of Police is granted for alternative attire. Non-sworn staff shall wear professional business attire.

F. When appearing in court staff shall demonstrate courtesy, professionalism, and respect toward all participants.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 27 DATA PRACTICES AND CRIMINAL HISTORY RECORD INFORMATION
REVISION DATE: 05/05/2020

I. POLICY

Employees of the RFPD shall comply with the Minnesota Government Data Practices (MGDPA) and with the City of Redwood Falls Guidelines and Procedures for the Minnesota Government Data Practices Act (2014) (City Guidelines & Procedures), as well as applicable federal laws and regulations pertaining to data security.

II. PROCEDURE

A. Under the City Guidelines & Procedures, the Chief of Police is identified as the Designee to administer police records. No RFPD records may be released without authorization or as instructed by the Chief of Police, or the Chief's designee in his/her absence, or as directed by a court order.

B. The City Guidelines & Procedures shall be available for inspection by members of the public in the lobby of the Police Department.

C. RFPD staff shall comply with the City Guidelines & Procedures with regard to the administration of police records. People requesting access to other kinds of records, such as human resources records, should be referred to the appropriate designee. In particular:

   a. People requesting access to public data should be asked to fill out the Information Disclosure Request form but cannot be required to make their request in writing, to identify themselves, or to state a reason for the request. Requestors who do not wish to submit contact information should be informed of the potential consequences of not doing so and should be informed of whom to call or contact to follow up on their request. *See* City Guidelines & Procedures, Section IV.

   b. An Information Disclosure Request form must be completed to document who requests access to private data, and to whom such information is provided. Staff must verify that a person requesting private data is the data subject or is otherwise entitled to access the requested data. Verification of identity can be through personal knowledge, presentation of a reliable identifying document, comparison of the requestor's signature with the data subject's signature, if on file with the city, or through other reasonable means. *See* City Guidelines & Procedures, Section V.

   c. Requests for police records will be received and processed during normal administrative business hours, from 8 a.m. to 4:30 p.m., Monday through Friday, except for legal holidays. However, Arrest Data, within the meaning of Minn. Stat. § 13.82, subd. 2, shall at all times be public.

   d. The timeframes for responding to data requests, and fees for making copies shall be established by the City Guidelines and Procedures. The Chief of Police shall calculate any fee to be charged for copies of data consistent with the City Guidelines & Procedures.

D. Officers should conspicuously note in reports if any individuals whose identities may qualify for protection under Minnesota Statutes, section 13.82, subdivision 17[3], are mentioned. Individuals whose identities qualify or may qualify for protection include:

a. Undercover officers.

b. Victims or alleged victims of criminal sexual conduct or sex trafficking.

c. Paid or unpaid informants, if disclosure would threaten the personal safety of the informant.

d. Victims of or witnesses to a crime, if the victim or witness specifically requests not to be identified publicly, unless the agency determines that revealing the person's identity would not threaten the person's safety or property.

e. Deceased individuals whose bodies were unlawfully removed from a cemetery.

f. The identity of a 911 caller, or service subscriber whose phone was used to call 911, where: (1) revealing the identity may threaten any person's safety or property; or (2) the purpose of the call was to receive help in a mental health emergency.

g. Juvenile witnesses, where the subject matter of the investigation justifies protection of the juvenile witness's identity.

As to the identities described in parts C, D, F, and G, officers should gather and document any available information bearing on the threat or harm that would foreseeably come to the individual, or others, if that individual's identity were to be disclosed, including any information provided by the individual. The Chief of Police shall review this information when determining if the individual's identity should be withheld from public access.

E. RFPD staff should not access or disseminate to other RFPD staff private or confidential data on others unless reasonably necessary for the discharge of official duties.

F. RFPD staff seeking access to police records for other than official business reasons must make a request to the Designee or Responsible Authority, as would be required of any other member of the public seeking access to police records.

G. Criminal History and Law Enforcement Databases:

a. RFPD staff are provided with access to computerized criminal history, driver and vehicle, and other databases for official business. Access to these databases shall only be granted after receiving training and, when applicable, certification. Staff may use these databases only for official business. Nonbusiness use of these databases is prohibited and may result in disciplinary action, including dismissal.

b. Staff shall ensure computers and databases are secure when they are finished accessing them.

c. Staff may access a person's Computerized Criminal History (CCH) file only for an official purpose. Once received, the staff member shall be responsible for the care, custody and control of the CCH until it is destroyed. CCH files shall not be attached to a case file or uploaded to the electronic records management system and shall be destroyed after use. In the event of an audit, the staff member must account for every CCH requested or received. Failure to comply with this procedure may result in loss of access, disciplinary action, or both.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 28 TRAINING
REVISION DATE: 05/05/2020

I. POLICY

RFPD strives to provide employees with effective training that enhances their ability to deliver quality police services to the community and enables staff to maintain applicable credentials, licensure, and compliance with POST mandates. RFPD will endeavor to use the resources available for employee training wisely and in a manner that reflects sound stewardship.

II. PROCEDURE

A. The authority to assign employees to training rests with the Chief of Police.

B. The Chief of Police may assign employees to attend training, or, alternatively, employees may request permission to attend training courses or events. Requests to attend training shall be submitted on the Request to Attend Training School, Conference, Meeting, or Workshop Form along with any brochure or documentation about the course.

C. Several factors may be considered in determining whether training requests will be granted, including: (1) The individual training needs of the employee; (2) The benefit of the training to the community and RFPD's ability to serve the community; (3) Available funding and competing demands on the available funding; (4) Service interruption and related police coverage issues that would arise during the employee's absence. Priority shall be given to training that is mandated by POST, OSHA, or is necessary for the maintenance of required licensure or credentials.

D. For sworn staff, courses should be POST approved for continuing education credits. A course that is not approved for POST credits may be approved by the Chief of Police if the subject matter provides an identifiable benefit to the community, department, or training need of the officer.

E. Annual POST and OSHA mandated training shall be completed by December 1st of each calendar year. POST mandated courses which require completion on a date or timeframe outside the December 1st due date shall be completed no less than 30 days prior to the mandated due date. Courses that are necessary for the maintenance of other required job credentials must be completed in time to ensure no interruption in the employee's credentialing. Employees must notify the Chief of Police if these requirements are not being met and provide the reasons they are not being met. Disciplinary action may be imposed in circumstances where employees have failed to complete the required courses in a timely manner and in compliance with this policy.

F. All leave, travel and reimbursement for training shall follow section 22 of the City of Redwood Falls Personnel Policy or LELS contract as appropriate.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 29 OFF-DUTY EMPLOYMENT
REVISION DATE: 05/05/2020

I. POLICY

RFPD staff have an obligation to provide professional, efficient police services to the Redwood Falls community and to refrain from activities, including those related to outside employment, that would tend to create a conflict of interest or bring disrepute to the employee or department.

Officers who work part-time for another law enforcement agency may become physically or mentally fatigued or have demands placed on their RFPD work hours by the other agency. Part-time employment with a non-law enforcement employer could create a conflict of interest, pose a security risk for the department, or bring disrepute to the employee and the department. Accordingly, RFPD may limit off-duty employment as set forth herein.

II. PROCEDURE

A. Staff shall submit a Request for Off-Duty Employment form to the Chief of Police before commencing any outside employment.

B. The Chief of Police will review all requests and evaluate them to determine whether the proposed outside employment would tend to create a conflict of interest, bring disrepute to the employee or department, or impair the abilities of the department or its staff to deliver services to the community. The Chief may consider all relevant factors in reviewing the request, including but not limited to:

   a. The extent to which the proposed employment would be likely to place demands on the employee during his or her working hours at RFPD.

   b. Whether the proposed schedule for work at the outside position would leave the employee with sufficient opportunities for rest and replenishment before reporting to work for RFPD.

   c. Whether the proposed outside employer is one that is likely to have enforcement contacts with the RFPD or be subject to regulatory or compliance checks by RFPD.

   d. Whether the proposed employment would lower the employee or department in the estimation of the community.

   e. Whether the proposed employment would create a conflict of interest or the appearance of a conflict of interest.

   f. For non-law enforcement employment, whether an off-duty officer would be perceived as exercising authority reserved to peace officers.

   g. For non-law enforcement employment, whether the employee would reasonably be expected to face pressure to access, or requests for access, protected law enforcement information or data.

C. RFPD staff shall be prohibited from working in the following positions or occupations:

   a. Tow operator

   b. Process server

   c. Bill collector or vehicle/property repossessor

   d. Owner, operator, or employee of a business offering security or private investigation services

   e. Other employment as a security guard, bodyguard, or protective agent

   f. Criminal defense preparation, assistance, or investigation

   g. Bail bondman or bonding services

   h. Employment with any company currently involved in a labor dispute, where the employment could reasonably be perceived as indicating the employee or the RFPD is aligned with, or favors, one side or the other in such disputes

   i. Any business involved in the sale of pornographic material or entertainment of a sexual nature

   j. Any gambling related business within the City of Redwood Falls

   k. Any business which sells alcoholic beverages within the City of Redwood Falls

   l. Any business or position which the Chief of Police deems to be in conflict with the employee's position or duties

D. Approvals for outside employment are valid for one calendar year. Employees seeking to continue in a position the past year must submit a new Request for Off-Duty Employment.

E. While working as a part-time officer for another agency, RFPD officers shall not utilize any RFPD equipment, uniforms, duty weapons, radio, or ballistic vest. In addition, no officer shall represent him/herself while engaged in such employment as an officer of the RFPD.

F. Prior to reporting for duty at RFPD, staff shall have been released from their part-time employment for a minimum of eight hours to ensure adequate rest before work.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: 30 PUBLIC INFORMATION FUNCTIONS
REVISION DATE: 05/05/2020

I. POLICY

The Chief of Police serves as the RFPD's primary public information officer. The RFPD will be responsive to media and other inquiries about police activity in Redwood Falls while maintaining compliance with the Minnesota Government Data Practices Act.

II. PROCEDURE

A. The Chief of Police is the department's primary public information officer and spokesperson and will be responsible for approving press releases and conducting press briefings. Staff shall route all media inquiries to the Chief of Police

B. The Chief of Police may delegate the duties of public information officer to a subordinate for a particular incident or case file.

C. The Chief of Police may initiate release of information, with or without a request, to the press or public to protect public safety, aid in the law enforcement process, or to dispel widespread rumor or unrest.

D. In cases involving a death, the name of the deceased shall not be made public until next of kin have been notified.

E. Media request for records will be processed in accordance with Policy #27 - Data Practices and Criminal History.

F. Requests for RFPD speakers or presenters at public events, meetings, or events held by groups or organizations must be routed to the Chief of Police. No officer of staff member shall represent RFPD at such an event without prior approval of the Chief of Police.

Minn. Stat. 13.82, subd. 15.

SUBJECT: 31 USE OF AUDIO / VIDEO RECORDING EQUIPMENT IN POLICE VEHICLES
REVISION DATE: 05/05/2020

I. POLICY

To enhance transparency to the public and obtain unbiased evidence RFPD squad cars are equipped with video and audio recording equipment, hereafter referenced as the video system. When it is practical to do so, officers shall utilize the video system to record relevant evidence and information.

II. PROCEDURE

A. Installation

a. Only video systems approved by the Chief of Police may be installed or placed within RFPD squad cars.

b. Officers will not remove, alter, or replace any component of the video system without prior authorization from the Chief of Police.

B. Activation of the System

a. The RFPD video system starts recording when the emergency lights are activated. For this reason, all traffic stops, vehicle pursuits, and incidents of emergency vehicle operation are recorded.

b. RFPD staff may manually activate the video system in the squad car or with the remote microphone. Officers will activate the video system manually when it is practical to do so and a recording is likely to capture relevant evidence or information.

c. Once the video system is activated, officers shall record the incident until it is concluded or there is no value of additional audio or video. Officers shall not be required to discontinue recording an event except at the officer's discretion or at a supervisor's directive.

C. Audio and Video Recording

a. All audio and video captured by the RFPD video system is the property of the Redwood Falls Police Department. Intentional deletion, alteration, or manipulation of RFPD audio or video will result in disciplinary action. RFPD audio and video shall not be disseminated outside of RFPD except as authorized by Minnesota Data Practices, see Policy #27 - Data Practices and Criminal History Record Information, or as authorized by the Chief of Police.

b. Officers shall not intentionally alter the angle, or obscure the view, of the interior or exterior cameras during recording. In addition, officers shall not intentionally cover or obscure the body mic or the squad car interior mic during recording. Notwithstanding the foregoing, officers may temporarily deactivate the audio recording functionality in order to confer about a tactical issue, to discuss how to proceed with a situation, or to maintain the confidentiality of protected

identities or information. Officer does not, however, deactivate the recording functionality so as to defeat the purpose of this policy, which includes the preservation of evidence of police-citizen encounters and occasions during which force is used.

c. At the conclusion of an incident that was recorded by the video system officers have the ability to electronically label the video. Based on the label assigned video will be automatically deleted from the video system server. For this reason, officers shall assign a label which most closely identifies the event captured by the video system.

d. The video system automatically uploads audio and video to the server when the squad car is within range of the wireless upload antennae located at RFPD. Audio or video with evidentiary value will be burned to a CD or DVD, placed in a CD/DVD envelope, sealed with evidence tape, and entered into evidence in accordance with Policy #20 - Property and Evidence.

   Once audio and video have been uploaded to the video system server officers have full access to view it, produce copies, and enter it into evidence. Audio or video recordings of incidents involving an officer's use of deadly force, or incidents resulting in death or great bodily harm, shall be copied to CD or DVD by the Chief of Police and administered according to Policy #25 - Critical Incident Response.

e. If asked, officers may confirm whether the person is being recorded during their contact with the officer.

f. Audio or video recording of statements or events does not relieve the officer from completing a written report.

SUBJECT: 32 USE OF FORCE – NON-LETHAL
REVISION DATE: 05/05/2020, 5/12/2026

I. POLICY

This policy supplements Policy #11 – Use of Force and Deadly Force by establishing reporting and supervisory procedures as well as operational guidelines for specific methods of applying force.

II. PROCEDURE

A. A particular level of non-lethal force will generally be considered reasonable when an officer is using it for a lawful purpose, which includes the defense of self and others, and bringing a person into custody or under control; and, in addition:

   a. The officer has attempted using persuasion techniques or lower levels of force to accomplish this purpose and they did not work; or

   b. In the officer's reasonable judgment, it appeared that lower levels of force would not work to accomplish the objective; or

   c. In the officer's reasonable judgment, it appeared that attempting to use or continue using lower-level techniques would expose the officer or others to unreasonable danger.

B. Any use of force by an officer shall be documented in a written report to include: the circumstances and necessity of the force used, exactly what types of force were utilized, the results to both the suspect and the officer, and first aid or medical treatment provided.

   Any use of force by an officer shall be reported to a supervisor as soon as possible after the incident. The supervisor shall ensure first aid or medical treatment is rendered if necessary. The supervisor shall also assess, preliminarily, whether the force used was reasonable and within policy, and shall promptly notify the Chief of Police of any concerns or violations.

C. Aerosol Subject Restraint

   a. Chemical aerosol spray with the active ingredients of Oleoresin Capsicum (O.C.) may be used:

      i. For proper defense or control purpose, or
      ii. To prevent the attack of, or to control, hostile animals

   b. Chemical aerosol spray shall not be used:

      i. Toward a person who is already effectively controlled, or
      ii. To punish anyone for being uncooperative, noisy, or disruptive, or
      iii. If it contains CN (Chloroaceptophenone) as an ingredient

   c. Procedures For Use

i. Persons who are sprayed should be instructed to breathe normally, monitored, and verbally reassured.
ii. Persons sprayed should be moved to uncontaminated air and faced into the wind when possible.
iii. Subject's eyes and face should be flushed with cool water if copious amounts of water is available and is easing the subject's symptoms
iv. Symptoms should disappear within 30 to 45 minutes with no significant aftereffects. If symptoms persist beyond 45 minutes or the subject requests medical attention, the officer shall obtain medical care for the subject.

1. To affect an arrest of a subject or take into custody when resistance is encountered, threatened, or implied (i.e., refusing to comply w/orders from an officer) which may result in personal injury to the police officer, the person being arrested, or others when resistance cannot be overcome without force.
2. To prevent the attack of, or control hostile animals.

d. An aerosol weapon will not be used:

i. To subdue a person already effectively taken into custody; or
ii. To punish anyone being uncooperative, noisy, or disruptive; or
iii. If it contains CN (Chloroaceptophenone) as an ingredient.

e. Procedures for Use

i. Aerosol subject restraint should be sprayed directly into the subject's face. This may cause the eyes to close, respiratory inflammation and a burning sensation to the skin.
ii. Use only the amount needed to bring the subject under control; once resistance ceases, stop spraying

f. After Use Treatment

i. Subject/s who are sprayed should be monitored and verbally reassured that they will be alright. The subject/s should be told to breathe normally.
ii. Subject/s who are sprayed should be moved to uncontaminated air and faced into the wind when possible.
iii. Flush eyes and face with cool water if a copious amount of water is available and is easing the subject's symptoms
iv. Symptoms should disappear within 30 to 45 minutes with no significant aftereffects. If symptoms persist beyond the normal 45 minutes or the subject(s) request medical attention, the subject(s) shall be provided medical attention as soon as practical.
v. If a subject needs to be restrained for transport via handcuffs with the legs bent at the knees and feet hobble restrained to the handcuffs, the officer must monitor the subject for positional asphyxia. While conversing with and/or frequently noting the breathing of the subject during transport, officers will immediately request ambulance response for subject/s who show signs/symptoms of asphyxia. Transport to a nearby emergency room would also be an appropriate response.

D. Asp Batons / Impact Weapons

a. Conditions for Use

i. Officers shall receive training from a qualified use of force instructor on the proper use of an ASP or impact weapon before carrying or utilizing one on duty.
ii. ASP batons and impact weapons may only be used for proper defense or control purposes, or;
iii. To prevent attacks, to control of hostile animals.

b. Prohibitions: Asp batons or other impact weapon shall not be used:

i. Toward a person who is already being effectively controlled.
ii. As a choke hold that jeopardizes the integrity of the windpipe, unless the circumstances allow the immediate use of deadly force.
iii. To intentionally deliver a strike to the head,

c. Procedures for Use

i. The primary use of these methods is for defense of self or others, or to gain control and/or compliance of resistant subjects.
ii. Blows should be delivered in accordance with the techniques and training provided by a certified use of force instructor.
iii. Other objects (i.e., flashlights, radios or other objects that are consistent with the characteristics of an impact weapon) may be used if circumstances arise that make the use of an asp baton/riot stick impractical or impossible.
iv. The following areas may be targeted for strikes: the meaty portion of the arms or legs, or the torso or abdominal area.
v. It is not a violation of this policy if a baton strikes a prohibited target area inadvertently as a result of the dynamics of an encounter.

d. Any use of an Asp Baton or impact weapon shall be documented in a written report to include:

i. The justification for use;
ii. The extent of the use;
iii. Any injuries known to the officer or claimed by the subject; and
iv. Any medical attention requested or provided.

E. Electronic Control Weapons (ECW) (Tasers)

a. Definitions: Redwood Falls Police Department utilizes Electronic Control Weapons (ECW) as a less lethal use of force option. At this time the ECW deployed by RFPD officers is the Axon Taser and may be reference within this policy as either ECW or Taser.

b. Conditions for carrying and ECW:

i. Officers must attend, and successfully complete, a certified user's course taught by a certified Taser instructor.
ii. Officers will attend, and successfully complete, a certified user's course annually.
iii. Taser recommends officers check the battery and functionality of their ECW at the beginning of each shift.

c. Conditions for use:

i. ECW use is authorized in these circumstances where its use is for the purpose of avoiding or minimizing physical injury to both the subject and officer, inherent in attempting to control individuals who are noncompliant, resistive, or violent.
ii. ECWs may only be used for proper defense or control purposes, or to prevent the attack of and/or to control hostile animals or animals that pose a significant danger to public safety (e.g. uncontainable dog running in high volume traffic area.) This does not preclude officers from using a handgun on hostile animals.
iii. Some ECWs have a touch/drive stun capability. ECWs may be used as a touch/drive stun device as a means of gaining compliance from a resisting subject. Examples of this use may include using an ECW to facilitate handcuffing or hobble restraining a person who is to be taken into custody who will not comply with lawful commands with noncompliance, threats – actual or implied – or violent resistance and where use of lesser force would likely be ineffective or dangerous to attempt.
iv. This policy allows for a flexible threshold of the use of an ECW depending on officer size and statute, suspect size and statute, and other elements at the scene.

d. Prohibitions

i. Shall not be used on compliant subjects and/or passively restraint subjects, or toward a person who is already effectively being controlled.
ii. Shall not be used as a means of punishment, pain, or prod against compliant subjects.
iii. Shall not be used when the presence of flammable fumes, liquids, or gases are known or likely present.
iv. Shall not be used on women known to be pregnant unless it is in lieu of deadly force.
v. An ECW shall not be displayed/demonstrated by means of 'arcing' the ECW unless the officer is justified in using the ECW, as a means of encouraging compliance from a subject prior to use or checking the function of the ECW. Public demonstrations for educational purposes, approved by a supervisor, are exempt.

e. Documentation of use:

i. Officers must make a reasonable effort to have any dart impact areas on the subject photographed, as well as any other injury incurred. If the subject is of the opposite sex of the officer, same sex officer arrangements must be made, if practical. No photos will be taken of the private areas of a subject's body without the subject's consent.
ii. Officers must document the use of the ECW in their report.
iii. Officers must complete a "Use Report" form for the RFPD.
iv. Officers will enter the expended cartridges into evidence [see procedures for use]

f. Procedures for use:

i. The deploying officer shall inform other officers and the subject of the planned use of the ECW if it is tactically prudent to do so. This will give the subject the opportunity to comply and alert other officers, so the ECW shot is not mistaken for a gun shot. "Taser is out" or "comply or you will be tased" are examples. This procedure is especially important in

instances when officers with laser-equipped handguns may be present. A “warning arc” or “warning alert” are also sufficient.

ii. The officer will attempt to target the “Preferred Target Area” of a suspect as recommended by Taser/Axon. This area is to include:

    1. On the front side of the suspect: the area from the upper abdomen down to the legs and also including the arms. The officer will make an effort, whenever tactically sound to do so, to avoid targeting the suspect’s chest/heart area, throat, face and genitals.
    2. Any area on the rear side of the suspect, including torso, arms and legs. The officer will make an effort, whenever tactically sound to do so, to avoid targeting the suspect’s head and neck area.

iii. After the ECW is fired it will automatically cycle for five seconds unless turned off sooner, or manually and justifiably cycled longer.

iv. If two or more ECWs are available, they may be deployed simultaneously or one after the other to increase the likelihood of an effective application.

v. After the ECW is fired, officers should move in and restrain the subject as soon as possible, being mindful not to contact the area between the barbs or touch the wires. This should not be construed, however, to require a single officer to attempt restraining a subject without assistance.

vi. An ECW should not be used in circumstances where it would foreseeably place the subject in danger such as falling from a significant height or in water deep enough that drowning is a reasonably foreseeable risk.

vii. Once the subject is restrained, the probes/darts may be removed.

viii. Officers may remove the darts if they are not embedded in the eye, neck, genital/groin area, nipple area, or a joint/tendon. If the dart is embedded in the chest of a female subject, arrangements must be made for a female officer or medical staff to remove the dart.

ix. Officers removing the darts will treat them as biohazardous materials and secure them as items of evidence in a sharps container.

x. Darts will be placed into the spent cartridge, then into a biohazard evidence container and placed into evidence.

xi. If using the Taser 10 model ECW, the darts will be placed into a biohazard evidence container and placed into evidence. The spent cartridges will then be placed into a separate evidence container.

xii. A sample of the Anti-Felon Identification (AFID) expended from the ECW will also be placed into evidence, if applicable.

SUBJECT: 33 VEHICLE TOWING
REVISION DATE: 05/05/2020, 06/15/2022

I. POLICY

RFPD officers may tow or impound vehicles as is necessary for the furtherance of public safety, protection and security of evidence or property, forfeiture processing, or as otherwise authorized by Minnesota Statutes, sections 168B.04, and 168B.035, subdivision 3(b)(1)-(17), or Redwood Falls City Ordinance Chapter 9 or 11.

II. PROCEDURE

A. Definitions

a. Accident Tows: Vehicles towed from an accident scene.

b. Violation Tows: Vehicles towed as a result of a traffic or criminal arrest.

c. Abandoned Auto Tows: Vehicles towed as a result of being abandoned.

d. Private Tows: Vehicles towed at the direction of the owner/operator of the vehicle. Financial arrangements for the tow are the responsibility of the owner/driver.

e. Police Tows: Vehicles towed at the direction of a police officer and stored at the contract tow agency or city facility.

f. Impound Form: RFPD report used to document a tow ordered by an officer.

B. Contract Agreement

RFPD has a contract agreement with Nelson Salvage and Towing (Nelson's) and TNT Roadside & Repair (TNT) for the removal and storage of vehicles ordered by RFPD. All vehicles will be towed by Nelson's or TNT unless:

a. The vehicle's owner specifically asks for another service, and, in the officer's judgment, there is sufficient time available to allow for the arrival of the requested tow company. This would refer to accident or traffic hazard tows only.

b. The contracted tow agencies are unable to respond.

c. The officer waited a reasonable amount of time, and the contracted tow company does not arrive. This should be documented in the officer's report and a copy made available to the Chief of Police.

C. Towing Procedures

a. Accident Tows

i. If a private tow is used the officer will note it in the police report.
ii. Private tows will not require an Impound Form.

b. Violation Tows

i. All violation tows must fit into the guidelines provided by Minnesota Statutes, sections 168B.035 and 168B.04
ii. All violation tows will require an Impound Form.
iii. All violation tows should result in a citation being issued. A possible exception to this would be vehicles being towed only as a traffic hazard.
iv. A snowbird violation tow may be handled as a private tow if the owner arrives and settles with the tow driver before the vehicle is removed, i.e. owner pays driver and asks vehicle be placed in driveway.
v. If the driver/owner of a vehicle is taken into custody and a qualified driver or someone else who can look after the vehicle is immediately available, the officer must allow this arrangement in lieu of impound if it is the desire of the driver/owner. In addition, if an arrested driver makes a specific and reasonable request to have someone come get the vehicle or look after it in lieu of impound, the officer must honor this request. A request may be considered unreasonable, for example, if it appears that it would take a substantial amount of time to make or execute the arrangement.
vi. There are some situations where it is illegal for a driver to continue driving his/her vehicle, i.e. driving after suspension/revocation/cancellation, or without insurance. The mere possibility that a driver might continue operating a vehicle contrary to law, leave it on a street or highway without insurance or proper registration, does not justify impoundment. However, the vehicle may be towed and impounded if left in an unsafe location.

c. Abandoned Auto Tows

i. This category is to be used for vehicles in violation of City Ordinance.
ii. All abandoned auto tows will require an Impound Form.

d. Evidentiary Tows

i. All evidentiary towed vehicles will require an Impound Form.
ii. Vehicles will be secured by the officer to protect any evidence present.
iii. Vehicle will be impounded at a secure facility, i.e. contracted towing lot or city garage.

D. RFPD Impound Form

The Impound Form is a single sheet report. Copies may be made for the owner/driver, tow company or anyone who requires it.

a. Towing officer's responsibilities

i. The officer will complete all applicable fields of the form noting obvious high value items, and damage to the vehicle or missing equipment. A complete inventory should be completed on the vehicle being towed.
ii. A hold of the vehicle cannot be used to force someone to give information.

iii. If a hold is not placed on the vehicle, the officer will note it on the Impound Form.
iv. On all violation tows the officer should stay with the vehicle until the tow truck arrives. The officer should provide traffic control as needed.
v. Impound Forms shall be uploaded to the Media Section of the Electronic Case File.

E. Releasing Vehicles with "Hold" Status

a. Only an RFPD officer can release a vehicle with a "hold" status put in place by another RFPD officer.

b. The releasing officer will review all related police reports and reasons for the hold. The officer should also consider any requests made by the arresting officer before releasing the towed vehicle.

c. Vehicles can only be released to the registered owner, a person authorized by the registered owner, a lienholder of record or a person who has purchased the vehicle from the registered owner, only after:

i. Satisfactory evidence of his or her identity, proof of valid insurance for the vehicle, proper registration and ownership of the vehicle is furnished;
ii. The associated fees for towing and storage are paid; and
iii. All citations which have gone into warrant or are over 60 days old, which list to the motor vehicle or its owner, are either paid, bail or bond is posted or are dismissed by a court of competent jurisdiction.

d. The releasing officer will notify the contract tow agency that the vehicle may be release and to whom.

e. If a vehicle is held for evidentiary processing, it can be released directly to the owner or to the contract tow agency after it has been processed. The owner must settle the financial obligations to the tow company prior to taking possession of the vehicle.

f. The driver and/or registered owner is generally responsible for tow and storage fees owed to the contract tow agency. Disputes over those fees are between the driver/owner and the contract tow agency. Driver/registered owner disputes over the responsibility for payment of towing and storage fees will be forwarded to the Chief of Police.

SUBJECT: 34 SEXUAL ASSAULT INVESTIGATIONS
REVISION DATE: 05/05/2020, 5/12/2026

I. PURPOSE

The purpose of this policy is to provide employees with guidelines for responding to reports of sexual assault. This agency will strive:

A. To afford maximum protection and support to victims of sexual assault or abuse through a coordinated program of law enforcement and available victim services with an emphasis on a victim centered approach;

B. To reaffirm peace officers' authority and responsibility to conducting thorough preliminary and follow-up investigations and to make arrest decisions in accordance with established probable cause standards;

C. To increase the opportunity for prosecution and victim services.

II. POLICY

It is the policy of the Redwood Falls Police Department to recognize sexual assault as a serious problem in society and to protect victims of sexual assault by ensuring its peace officers understand the laws governing this area. Sexual assault crimes are under-reported to law enforcement and the goal of this policy is in part to improve victim experience in reporting so that more people are encouraged to report.

All employees should take a professional, victim-centered approach to sexual assaults, protectively investigate these crimes, and coordinate with prosecution in a manner that helps restore the victim's dignity and autonomy. While doing so, it shall be this agency's goal to decrease the victim's distress, increase the victim's understanding of the criminal justice system and process, and promote public safety.

Peace officers will utilize this policy in response to sexual assault reported to this agency. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

III. PROCEDURE

For purpose of this policy, the words and phrases in this section have the following meaning given to them, unless another intention clearly appears.

A. Definitions

a. Consent: Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act. A person who is mentally incapacitated or physically helpless as defined by Minnesota Statute 609.341 cannot consent to a sexual act. Corroboration of the

victim's testimony is not required to show lack of consent.

Consent as defined by Minn. Statute §609.341

b. Child or Minor**:** A person under the age of 18.

c. Medical Forensic Examiner**:** The health care provider conducting a sexual assault medical forensic examination.

d. Sexual Assault**:** A person who engages in sexual contact or penetration with another person in a criminal manner as identified in MN Statute 609.342 to 609.3451.

e. Family and Household Member**:**

i. spouses or former spouses;
ii. parents and children;
iii. persons related by blood;
iv. persons who are presently residing together or who have resided together in the past;
v. persons who have a child in common regardless of whether they have been married or have lived together at any time;
vi. a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
vii. persons involved in a significant romantic or sexual relationship

Family and Household Member **a**s defined in Minn. Stat. 518.B.01 Subd.2.b

f. Sexual Assault Medical Forensic Examination**:** An examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.

g. Victim Advocate**:** A Sexual Assault Counselor defined by Minn. Stat. 595.02, subd. 1(k) and/or Domestic Abuse Advocate as defined by Minn. Stat. 595.02, subd. 1(1) who provide confidential advocacy services to victims of sexual assault and domestic abuse. Victim advocates as defined provide coverage in all counties in Minnesota. Minnesota Office of Justice Programs (MN OJP) can assist departments in locating their local victim advocacy agency for the purposes outlined in this policy.

h. Victim Centered**:** A victim-centered approach prioritizes the safety, privacy and well-being of the victim and aims to create a supportive environment in which the victim's rights are respected and in which they are treated with dignity and respect. This approach acknowledges and respects a victims' input into the criminal justice response and recognizes victims are not responsible for the crimes committed against them.

i. Vulnerable Adult*:* any person 18 years of age or older who:

i. is a resident inpatient of a facility as defined in Minn. Stat. 626.5572. Subd. 6;
ii. receives services at or from a facility required to be licensed to serve adults under sections 245A.01 to 245A.15, except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under chapter 253B, is not considered a vulnerable adult unless the person meets the requirements of clause (4);

iii. receives services from a home care provider required to be licensed under sections 144A.43 to 144A.482; or from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program as authorized under sections 256B.0625, subdivision 19a, 256B.0651 to 256B.0654, and 256B.0659; or

iv. regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:

1. That impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and
2. Because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.

B. Communications Personnel Response/Additional Actions by Responding Officers

Communications personnel and/or law enforcement officers should inform the victim of ways to ensure critical evidence is not lost, to include the following:

a. Suggest that the victim not bathe or clean him or herself if the assault took place recently.

b. Recommend that if a victim needs to relieve themselves, they should collect urine in a clean jar for testing and should avoid wiping after urination.

c. Asking the victim to collect any clothing worn during or after the assault and if possible, place in a paper bag, instructing the victim not to wash the clothing (per department policy).

d. Reassure the victim that other evidence may still be identified and recovered even if they have bathed or made other physical changes.

C. Initial Officer Response

When responding to a scene involving a sexual assault, officers shall follow standard incident response procedures. In addition, when interacting with victims, officers should do the following:

a. Recognizing that the victim experienced a traumatic incident and may not be willing or able to immediately assist with the criminal investigation.

b. The officer shall attempt to determine the location/jurisdiction where the assault took place.

c. Explain the reporting process including the roles of the first responder, investigator, and anyone else with whom the victim will likely interact during the course of the investigation.

d. Officers are encouraged to connect the victim with local victim advocates as soon as possible. Inform the victim that there are confidential victim advocates available to address any needs they might have and to support them through the criminal justice system process. Provide the victim with contact information for the local victim advocate. Upon victim request the officer can offer to contact local victim advocate on behalf of the victim.

e. Ask about and document signs and symptoms of injury, to include strangulation. Officers shall attempt to obtain a signed medical release from the victim.

f. Ensure that the victim knows they can go to a designated facility for a forensic medical exam. If needed provide the victim with information on the available resources for transportation to a designated facility.

g. Identify and attempt to interview potential witnesses to the sexual assault and/or anyone the victim told about the sexual assault.

h. Request preferred contact information for the victim for follow-up.

D. Victim Interviews

This agency recognizes that victims of sexual assault due to their age or physical, mental or emotional distress, are better served by utilizing trauma informed interviewing techniques and strategies. Such interview techniques and strategies eliminate the duplication of interviews and use a question-and-answer interviewing format with questioning nondirective as possible to elicit spontaneous responses.

In recognizing the need for non-traditional interviewing techniques for sexual assault victims, officers should consider the following:

a. Offer to have a confidential victim advocate present (if possible) if the victim would benefit from additional support during the process

b. Whenever possible, conduct victim interviews in person

c. Make an effort to conduct the interview in a welcoming environment

d. Let the victim share the details at their own pace

e. Recognize victims of trauma may have difficulty remembering incidents in a linear fashion and may remember details in days and weeks following the assault

f. After the initial interview, consider reaching out to the victim within a few days, after at least one sleep cycle to ask if they remember any additional details.

g. Depending on the victim, additional interviews might be needed to gather additional information. Offer support from a victim advocate to the victim to help facilitate engagement with the investigative process and healing.

h. Some victims do remember details vividly and might want to be interviewed immediately.

i. During initial and subsequent victim interviews, officers should note the following information as victims share it, recognizing that a victim may not be able to recall all the details of the assault during a particular interview.

i. Whether the suspect was known to the victim
ii. How long the victim knew the suspect
iii. The circumstances of their meeting and if there is any indication of the use of drugs or alcohol to facilitate the sexual assault
iv. The extent of their previous or current relationship
v. Any behavioral changes that led the situation from one based on consent to one of

submission, coercion, fear, or force

vi. Specific actions, statements, and/or thoughts of both victim and suspect immediately prior, during, and after assault

vii. Relevant communication through social media, email, text messages, or any other forms of communication

E. Special Considerations – Minor and Vulnerable Adults/Domestic Abuse Victims

a. Minors and Vulnerable Adults: This agency recognizes that certain victims, due to their age or a physical, mental, or emotional distress, are better served by utilizing interview techniques and strategies that eliminate the duplication of interviews and use a question-and-answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses. Members of this agency will be alert for victims who would be best served by the use of these specialized interview techniques. Officers, in making this determination, should consider the victim's age, level of maturity, communication skills, intellectual capacity, emotional state, and any other observable factors that would indicate specialized interview techniques would be appropriate for a particular victim. When an officer determines that a victim requires the use of these specialized interview techniques, the officer should follow the guidance below.

i. Officers responding to reports of sexual assaults involving these sensitive population groups should consider limiting their actions to the following:

1. Ensuring the safety of the victim;
2. Ensuring the scene is safe;
3. Safeguarding evidence where appropriate;
4. Collecting any information necessary to identify the suspect; and
5. Addressing the immediate medical needs of individuals at the scene

ii. Under most circumstances, initial responding officers should not attempt to interview the victim in these situations but should instead attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and that a crime most likely occurred. Officers should seek to obtain this information from parents, caregivers, the reporting party, or other adult witnesses, unless those individuals are believed to be the perpetrators.

iii. Officers responding to victims with special considerations must comply with the mandated reporting requirements of Minnesota Statute 626.556 and 626.557, as applicable. Officers investigating cases involving victims with special considerations should coordinate these investigations with the appropriate local human services agency where required. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible.

Not all sexual assaults of minor victims require a mandatory report to social services. This policy recognizes that in certain cases, notifying and/or the involvement of a parent/guardian can cause harm to the minor and/or impede the investigation. Officers responding to the sexual assault of a minor victim that does not trigger a mandated report under Minn. Stat. 626.556 should assess for the impact on the victim and the investigation if parents/guardians were notified before making a decision to involve them.

iv. Officers should obtain necessary contact information for the victim's caregiver, guardian or parents and where the victim may be located at a later time. Officers should advise the victim and/or any accompanying adult(s), guardians or caregivers that an investigating officer will follow up with information on a forensic interview.

v. The officer should advise the victim's caregiver, guardian or parent that if the victim starts to talk about the incident they should listen to them but not question them as this may influence any future statements.

b. Victims of Domestic Abuse: Officers responding to a report of sexual assault committed against a family and household member must also follow the requirements and guidelines in this agency's domestic abuse policy and protocol, in addition to the guidelines in this policy.

F. Protecting Victim Rights

a. Confidentiality: Officers should explain to victims the limitations of confidentiality in a criminal investigation and that the victim's identifying information is not accessible to the public, as specified in Minn. Stat. section 13.82, subd. 17(b)

b. Crime Victim Rights: Officers must provide the following information to the victim:

i. Crime victim rights and resource information required to be provided to all victims as specified by Minn. Stat. section 611A.02, subd. 2(b)
ii. If the suspect is a family or household member to the victim, crime victim rights and resource information required to be provided to domestic abuse victims, as specified by Minn. Stat. section 629.341, subd. 3.
iii. The victim's right to be informed of the status of a sexual assault examination kit upon request as provided for under Minn. Stat. section 611A.27, subd. 1.
iv. Pursuant to Minn. Stat. 611A.26, subd. 1, no law enforcement agency or prosecutor shall require that a complainant of a criminal sexual conduct or sex trafficking offense submit to a polygraph examination as part of or a condition to proceeding with the investigation, charging or prosecution of such offense.

c. Other Information: Officers should provide the victim the agency's crime report/ICR number, and contact information for the reporting officer and/or investigator or person handling the follow up.

G. Evidence Collection

Considerations for Evidence Collection

Officers shall follow this agency's policy on crime scene response. In addition, officers may do the following:

a. Collect evidence regarding the environment in which the assault took place, including indications of isolation and soundproofing. The agency should consider utilizing their agency or county crime lab in obtaining or processing the scene where the assault took place. This should be in accordance with any/all other policies and procedures relating to evidence collections.

b. Document any evidence of threats or any communications made by the suspect, or made on behalf of the suspect, to include those made to individuals other than the victim.

c. In situations where it is suspected that drugs or alcohol may have facilitated the assault, officers should assess the scene for evidence such as drinking glasses, alcohol bottles or cans, or other related items.

d. If the victim has declined or a medical forensic exam will not be conducted, the officer should obtain victim consent and attempt to take photographs of visible physical injuries, including any healing or old injuries. Victim should be given directions about how to document any bruising or injury that becomes evidence later after these photographs are taken.

H. Sexual Assault Medical Forensic Examinations

a. Prior to the sexual assault medical forensic examination, the investigating officer should do the following:

i. Ensure the victim understands the purpose of the sexual assault medical forensic exam and its importance to both their general health and wellness and to the investigation. Offer assurance to the victim that they will not incur any out-of-pocket expenses for forensic medical exams and provide information about evidence collection, storage and preservation in sexual assault cases.
ii. Provide the victim with general information about the procedure and encourage them to seek further detail and guidance from the forensic examiner, health care professional, or a victim advocate. Officers and investigators cannot deny a victim the opportunity to have an exam.
iii. Officers should be aware and if necessary, relay to victims who do not want to undergo an exam that there might be additional treatments or medications they are entitled to even if they do not want to have an exam done or have evidence collected. Victims can seek that information from a health care provider or a victim advocate. If possible, transport or arrange transportation for the victim to the designated medical facility.
iv. Ask the victim for a signed release for access to medical records from the exam.

b. Officers should not be present during any part of the exam, including during the medical history.

c. Following the exam, evidence collected during the exam shall be handled according to the requirements of agency policy and Minnesota Statute 299C.106.

I. Contacting and Interviewing Suspects

a. Prior to contacting the suspect, officers should consider the following:

i. Conduct a background and criminal history check specifically looking for accusations, criminal charges, and convictions for interconnected crimes, especially crimes involving violence.

ii. Consider conducting a pretext or confrontational call or messaging depending on jurisdictional statutes. Involvement of a victim should be based on strong consideration of the victim's emotional and physical state. A victim advocate should be present whenever possible to offer support.

iii. When possible, an attempt would be made to interview the suspect in person.

iv. In situations where suspects do not deny that a sexual act occurred, but rather assert that it was with the consent of the victim, officers should do the following:

1. Collect evidence of past communication, including but not limited to all relevant interaction (including social media) between the suspect and victim.
2. Identify events that transpired prior to, during, and after the assault in an effort to locate additional witnesses and physical locations that might lead to additional evidence.

v. For sexual assaults involving strangers, officers should focus investigative efforts on the collection of video, DNA, and other trace evidence used for analysis to identify the perpetrator (handle evidence collection per agency policy).

J. Forensic Examination and/or the Collection of Evidence from the Suspect

Note: A suspect's forensic examination and/or the collection of evidence from a suspect may be done by either an investigating officer/investigator, Forensic Medical Examiner, or the agency/county crime lab personnel.

a. Prior to or immediately after the preliminary suspect interview, photograph any injuries.

b. Determine whether a sexual assault medical forensic examination should be conducted.

c. Ask for the suspect's consent to collect evidence from their body and clothing. However, officers/investigators should consider obtaining a search warrant, with specific details about what evidence will be collected, and should be prepared in advance to eliminate the opportunity for the suspect to destroy or alter evidence if consent is denied.

d. During the suspect's sexual assault medical forensic examination, the investigator, evidence technician, or forensic examiner should do the following:

i. Strongly consider penile swabbing, pubic hair combings, and collection of other potential DNA evidence;
ii. Collect biological and trace evidence from the suspect's body;
iii. Document information about the suspect's clothing, appearance, scars, tattoos, piercings, and other identifiable marks;
iv. Seize all clothing worn by the suspect during the assault, particularly any clothing touching the genital area;
v. Document the suspect's relevant medical condition and injuries.

K. Role of a Supervisor

Supervisors may do the following:

a. Assist officers investigating incidents of sexual assault when possible or if requested by an officer.

b. Provide guidance and direction as needed.

c. Review sexual assault reports to ensure that necessary steps were taken during initial response and investigations.

L. Case Review / Case Summary

A supervisor should ensure cases are reviewed on an on-going basis. The review process should include an analysis of:

a. Case dispositions
b. Decisions to collect evidence
c. Submissions of evidence for lab testing
d. Interview decisions

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #35 EYEWITNESS IDENTIFICATION PROCEDURES
REVISION DATE: 09/01/2020, 5/12/2026

I. PURPOSE

It is the purpose of this policy to establish guidelines for eyewitness identification procedures involving show- ups, photo arrays, and line-ups. Erroneous eyewitness identifications have been cited as the factor most frequently associated with wrongful convictions. Therefore, in addition to eyewitness identification, all appropriate investigative steps and methods should be employed to uncover evidence that either supports or eliminates the suspect identification.

II. POLICY

Officers shall adhere to the procedures for conducting eyewitness identifications set forth in this policy, in order to maximize the reliability of identifications, minimize erroneous identifications, and gather evidence that conforms to contemporary eyewitness identification protocols. Photo arrays and line-ups will be conducted by displaying the suspect and fillers sequentially using a blind or blinded administration.

III. PROCEDURE

For purpose of this policy, the words and phrases in this section have the following meaning given to them, unless another intention clearly appears.

A. Definitions

a. Show-up**:** The presentation of a suspect to an eyewitness within a short time frame following the commission of a crime to either confirm or eliminate him or her as a possible perpetrator. Show-ups, sometimes referred to as field identifications, are conducted in a contemporaneous time frame and proximity to the crime.

b. Line-up**:** The process of presenting live individuals to an eyewitness for the purpose of identifying or eliminating suspects.

c. Photo Array**:** A means of presenting photographs to an eyewitness for the purpose of identifying or eliminating suspects.

d. Administrator**:** The law enforcement official conducting the identification procedure.

e. Blinded Presentation**:** The administrator may know the identity of the suspect but does not know which photo array member is being viewed by the eyewitness at any given time.

f. Confidence Statement**:** A statement in the witness's own words taken immediately after an identification is made stating his or her level of certainty in the identification.

g. Filler**:** A live person, or a photograph of a person, included in an identification procedure who is not considered a suspect.

h. Sequential**:** Presentation of a series of photographs or individuals to a witness one at a time.

i. Simultaneous**:** Presentation of a series of photographs or individuals to a witness all at once.

B. Show-ups

The use of show-ups should be avoided whenever possible in preference to the use of a lineup or photo array procedure. However, when circumstances require the prompt presentation of a suspect to a witness, the following guidelines shall be followed to minimize potential suggestiveness and increase reliability.

a. Document the witness's description of the perpetrator prior to conducting the show up.

b. Conduct a show-up only when the suspect is detained within a reasonably time frame after the commission of the offense and within close physical proximity to the location of the crime.

c. Do not use a show-up procedure if probable cause to arrest the suspect has already been established.

d. If possible, avoid conducting a show-up when the suspect is in a patrol car, handcuffed, or physically restrained by officers, unless safety concerns make this impractical.

e. Caution the witness that the person he or she is about to see may or may not be the perpetrator and it is equally important to clear an innocent person. The witness should also be advised that the investigation will continue regardless of the outcome of the show-up.

f. Do not conduct the show-up with more than one witness present at a time.

g. Separate witnesses and do not allow communication between them before or after conducting a show-up.

h. If one witness identifies the suspect, use a line-up or photo array for remaining witnesses.

i. Do not present the same suspect to the same witness more than once.

j. Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.

k. Officers should scrupulously avoid words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator.

l. Ask the witness to provide a confidence statement.

m. Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it permissible.

n. Videotape the identification process using an in-car camera or other recording device when feasible.

o. Document the time and location of the show-up, the officers present, the result of the procedure, and any other relevant information.

C. Line-up and Photo Array Procedures

Basic procedures for conducting a line-up or photo array.

a. Line-ups will not typically be utilized for investigations, unless conducting a photo array is not possible.

b. Whenever possible, a blind presentation shall be utilized. In cases where a blind presentation is not feasible for a photo array, a blinded presentation should be used. Live line-ups must be conducted using a blind presentation.

c. The line-up or photo array should consist of a minimum of six individuals or photographs. Use a minimum of five fillers and only one suspect.

d. Fillers should be reasonably similar in age, height, weight, and general appearance and be of the same sex and race, in accordance with the witness's description of the offender.

e. Avoid the use of fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.

f. Create a consistent appearance between the suspect and the fillers with respect to any unique or unusual feature (e.g., scars, tattoos, facial hair) used to describe the perpetrator by artificially adding or concealing that feature on the fillers.

g. If there is more than one suspect, include only one in each line-up or photo array.

h. During a blind presentation, no one who is aware of the suspect's identity should be present during the administration of the photo array. However, during a line-up, the suspect's attorney should be present.

i. Place suspects in different positions in each line-up or photo array, both across cases and with multiple witnesses in the same case.

j. Witnesses should not be permitted to see or be shown any photos of the suspect prior to the line-up or photo array.

k. The witness shall be given a copy of the following instructions prior to viewing the line-up or photo array and the administrator shall read the instructions aloud before the identification procedure.

   i. You will be asked to look at a series of individuals.
   ii. The perpetrator may or may not be present in the identification procedure.
   iii. It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.
   iv. I don't know whether the person being investigated is included in this series. Sometimes a person may look different in a photograph than in real life because of different hair styles, facial hair, glasses, a hat or other changes in appearance. Keep in mind that how a photograph was taken or developed may make a person's complexion look lighter or darker than in real life.

v. You should not feel that you have to make an identification. If you do identify someone, I will ask you to describe in your own words how certain you are.
vi. The individuals are not configured in any particular order.
vii. If you make an identification, I will continue to show you the remaining individuals or photos in the series.
viii. Regardless of whether you make an identification, we will continue to investigate the incident.
ix. Since this is an ongoing investigation, you should not discuss the identification procedures or results

l. The line-up or photo array should be shown to only one witness at a time; officers should separate witnesses so they will not be aware of the responses of other witnesses.

m. Multiple identification procedures should not be conducted in which the same witness views the same suspect more than once.

n. Officers should scrupulously avoid the use of statements, cues, casual comments, or providing unnecessary or irrelevant information that in any manner may influence the witnesses' decision-making process or perception.

o. Following an identification, the administrator shall ask the witness to provide a confidence statement and document the witness's response.

p. The administrator shall ask the witness to complete and sign an Eyewitness Identification Procedure Form.

q. Line-up and photo array procedures should be video, or audio recorded whenever possible. If a procedure is not recorded, a written record shall be created and the reason for not recording shall be documented. In the case of line-ups that are not recorded, agents shall take and preserve a still photograph of each individual in the line-up

D. Photographic Arrays

a. Creating a Photo Array

i. Use contemporary photos.
ii. Do not mix color and black and white photos.
iii. Use photos of the same size and basic composition.
iv. Never mix mug shots with other photos and ensure consistent appearance of photograph backgrounds and sizing.
v. Do not include more than one photo of the same suspect.
vi. Cover any portions of mug shots or other photos that provide identifying information on the subject and similarly cover other photos used in the array.
vii. Where the suspect has a unique feature, such as a scar, tattoo, or mole or distinctive clothing that would make him or her stand out in the photo array, filler photographs should include that unique feature either by selecting fillers who have the same features themselves or by altering the photographs of fillers to the extent necessary to achieve a consistent appearance.
viii. Fillers should not be reused in arrays for different suspects shown to the same witness.

b. Conducting the Photo Array

i. The photo array should be preserved, together with full information about the identification process as part of the case file and documented in a report.
ii. If a blind administrator is not available, the administrator shall ensure that a blinded presentation is conducted using the following procedures.

1. Place the suspect and at least five filler photos in separate folders for a total of six (or more depending on the number of fillers used).
2. b. The administrator will take one folder containing a known filler and place it to the side. This will be the first photo in the series. The administrator should then shuffle the remaining folders (containing one suspect and the remainder of fillers) such that he or she cannot see how the line-up members are ordered. These shuffled folders will follow the first filler photo. The stack of photos is now ready to be shown to the witness.
3. The administrator should position himself or herself so that he or she cannot see inside the folders as they are viewed by the witness.

iii. The witness should be asked if he or she recognizes the person in the photo before moving onto the next photo. If an identification is made before all of the photos are shown, the administrator should tell the witness that he or she must show the witness all of the photos and finish showing the sequence to the witness, still asking after each photo if the witness recognizes the person in the photo.
iv. If possible, the array should be shown to the witness only once. If, upon viewing the entire array the witness asks to see a particular photo or the entire array again, the witness should be instructed that he or she may view the entire array only one additional time. If a second viewing is permitted, it must be documented.

E. Line-Ups

a. Conducting a Line-Up

i. Live line-ups shall be conducted using a blind administrator.
ii. Ensure that all persons in the line-up are numbered consecutively and are referred to only by number.

b. The primary investigating officer is responsible or the following:

i. Scheduling the line-up on a date and at a time that is convenient for all concerned parties, to include the prosecuting attorney, defense counsel, and any witnesses.
ii. Ensuring compliance with any legal requirements for transfer of the subject to the line-up location if he or she is incarcerated at a detention center.
iii. Making arrangements to have persons act as fillers.
iv. Ensuring that the suspect's right to counsel is scrupulously honored and that he or she is provided with counsel if requested. Obtaining proper documentation of any waiver of the suspect's right to counsel.
v. Allowing counsel representing the suspect sufficient time to confer with his or her client prior to the line-up and to observe the manner in which the line-up is conducted.

References:

Eyewitness Identification Procedure Form
Sequential Photo Display Form

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #36 BOLAWRAP
REVISION DATE: 4/17/2025

I. POLICY

This policy provides guidelines for the issuance and use of BolaWrap™ 100 device in order to facilitate a safe and effective response to minimize injury to suspects, subjects, and peace officers. The BolaWrap™ 100 device is intended to immobilize and control resistive and non-compliant persons. The BolaWrap™ 100 is a hand-held remote restraint device that discharges an eight-foot bola style Kevlar tether to entangle an individual at a range of 10-25 feet.

II. PROCEDURE

A. Issuance and Carrying BolaWrap 100 Devices

The following guidelines shall be adhered to:

a. Only a department-approved BolaWrap™ 100 device that has been issued by the department shall be utilized by a peace officer.

b. The BolaWrap™ 100 device should be treated as always loaded.

c. Only peace officers who have successfully completed department-approved training may be issued and carry the BolaWrap™ 100 device.

d. Uniformed peace officers who have been issued the BolaWrap™ 100 device may use an approved holster on their person, or the device shall be stored in an approved case in their patrol vehicle. The peace officer may transfer the BolaWrap™ 100 device to their person or pocket when necessary, prior to deployment.

e. Peace officers shall be responsible for ensuring that their issued BolaWrap™ 100 device is properly maintained and in good working order at the beginning of each shift.

f. Peace officers should not aim both a firearm and the BolaWrap™ 100 device at an individual at the same time to prevent accidental discharge of a firearm.

B. Verbal and Visual Warnings

A verbal warning of the intended use of the “less lethal” device should precede its application, unless it would otherwise endanger the safety of peace 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 peace officers and individuals with a warning that the BolaWrap™ 100 device may be

deployed.

The aiming of laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The device shall be held level and horizontally directed at the subject. The device shall not be aimed in a vertical configuration. This can cause the pellets to strike the subject, causing possible injury.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the peace officer deploying the BolaWrap™ 100 device in the related police report.

C. Use of BolaWrap 100 Devices

Nothing in this policy mandates that a peace officer use the BolaWrap™ 100 device.

The BolaWrap™ 100 device should only be used when its operator can safely approach the subject within the operational range of the device. Although the BolaWrap™ 100 device is generally effective in controlling most individuals, peace officers should be aware that the device may not achieve the intended results and be prepared with other options. Assisting peace officers should move in to control the subject as soon as possible and safe to do so.

D. Application of the BolaWrap 100 Device

The BolaWrap 100 device may be used in any of the following circumstances, when the circumstances perceived by the peace officer at the time indicate that such application is reasonably necessary to control a person:

a. The subject is non-compliant and passively or actively resisting.

b. The subject is violent, or is assaultive, or armed.

c. 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.

E. Special deployment Considerations

The use of the BolaWrap™ 100 device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the peace officer, the subject or others, and the peace officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

a. Women who are known to be pregnant or claim to be pregnant unless all other means short of lethal force are exhausted.

b. Elderly individuals, obviously frail or infirm subjects and young children.

c. Individuals who are handcuffed or otherwise restrained unless the actions of the subject may cause harm to themselves or any other person.

d. Individuals that are closer than 10 feet. A range of less than 10 feet does not allow the Wrap to fully deploy and doing so can cause the pellet to detach or strike the subject, possibly causing serious injury.

e. Do not use the device on individuals in crowded situations, ie; if there is a possibility of the pellet hitting bystanders.

f. Individuals were detained in a police vehicle.

g. Individuals in control of a motor vehicle.

h. Individuals are detained in a booking or holding cell.

i. Individuals near flammable or combustible liquids or fumes.

j. Individuals in danger of falling or becoming entangled in machinery or heavy equipment, which could result in death or serious bodily injury.

k. Individuals near any body of water that may present a drowning risk.

l. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles, running).

If the BolaWrap™ 100 is deployed in a situation where deadly force is justified, there shall be more than one peace officer present with at least one peace officer providing lethal cover for the peace officer(s) deploying the BolaWrap™ 100.

The BolaWrap™ 100 device shall not be used to psychologically torment, elicit statements or to punish any individual.

F. Targeting Considerations

The preferred target area is knees and below. Reasonable efforts should be made by a peace officer to target the lower extremities. If the opportunity presents itself, it is possible to target the lower arms. The head, neck, chest and groin shall be avoided. Hitting the face or neck can cause severe injury or death. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the BolaWrap™ 100 device to a precise target area, peace officers should immediately monitor the condition of the subject if itstrikes the head, neck, chest or groin until the subject is provided medical attention by paramedics or other medical personnel. A peace officer shall not intentionally aim the device above the subject's chest, unless such an action would be justified under Use of Deadly Force guidelines

G. Multiple Applications of the BolaWrap 100 Device

Because of the low-level force being used, the device may be deployed multiple times on the same individual. If the first application of the BolaWrap™ 100 device appears to be ineffective in gaining control

of an individual, the peace officer should consider certain factors before additional applications of the device, including:

a. Whether the Kevlar cord or pellets/barbs are making proper contact.

b. Whether the individual has the ability and has been given a reasonable opportunity to comply.

c. Whether verbal commands, other options or tactics may be more effective.

H. Actions Following Deployment

Following the use of the BolaWrap™ 100 device:

a. A peace officer shall notify a supervisor prior to the end of his/her shift if one is on duty.

b. If the peace officer determines that removal of the pellets/barbs is appropriate at the scene, the peace officer shall remove the Kevlar cord using a department issued cutting tool. The Kevlar cord may also be unwrapped by hand when appropriate.

c. The expended cartridge, pellets/barbs and Kevlar cord should be collected and submitted into evidence in accordance with Redwood Falls Police Department Policy #20, Evidence and Property.

d. Reasonable efforts should be made to photograph and/or video the condition of the subject and the impact area on the subject's body.

I. Reporting the Use of BolaWrap 100

A peace officer that deploys BolaWrap™ 100 in any fashion shall complete a Taser/BolaWrap Use report and police report documenting the peace officer's actions and shall complete written report in the corresponding case file.

J. Documentation Considerations

Officers shall document all BolaWrap 100 discharges as well as unintentional discharges, whenever the device is pointed at a person other than for demonstration or training purposes, or when the laser is activated. Among the information documented by the officer is:

a. The BolaWrap™ 100 device & cartridge serial numbers when the device is discharged.

b. Date, time and location of the incident.

c. Whether any display or laser deterred a subject and gained compliance.

d. The number of BolaWrap™ 100 device activations and the duration between activations.

e. The range at which the BolaWrap™ 100 device was used.

f. Location of any deployments impact.

g. Description of where missed deployments went.

h. Whether medical care was provided to the subject.

i. Whether the subject sustained any injuries.

j. Observations of the subject's physical and physiological actions.

k. Whether any officers sustained any injuries.

l. Any known or suspected drug use, intoxication or other medical problems.

K. Off-Duty Considerations

Peace officers are not authorized to carry department BolaWrap™ 100 devices while off-duty. Officers shall ensure that BolaWrap™ 100 devices are secured in a manner that will keep the device inaccessible to others.

L. Medical Treatment

Any 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 may be pregnant.

b. The person reasonably appears to be in need of medical attention.

c. The BolaWrap™ 100 device pellets/barbs are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

d. The person requests medical treatment.

M. Training

A peace officer shall not carry, use or deploy the BolaWrap™ 100 device until they have received proficiency training and certification on the device. After initial certification the peace officer shall participate in annual proficiency training with the BolaWrap™ 100 device.

Peace officers who do not carry BolaWrap™ 100 device will receive training to familiarize themselves with the device.

SUBJECT: #37 BODY WORN CAMERAS
REVISION DATE: 04/09/2024, 05/12/2026

I. **PURPOSE**

The primary purpose of using body-worn cameras (BWCs) is to capture evidence arising from police-citizen encounters. This policy sets forth guidelines governing the use of BWCs and administering the data that results. Compliance with these guidelines is mandatory. Officers are excused from recording requirements, however, when they must prioritize other primary duties or safety concerns, especially in circumstances that are tense, uncertain, and rapidly evolving.

II. **SCOPE**

This policy governs the use of BWCs in the course of official duties. It does not apply to the use of squad-based (dash-cam) recording systems. Unless otherwise prohibited by law, the chief or chief's designee may supersede this policy by providing specific instructions for BWC use to individual officers, or by providing specific instructions pertaining to particular events or classes of events, including but not limited to political rallies and demonstrations. The chief or designee may also provide specific instructions or standard operating procedures for BWC use to officers assigned to specialized details, such as carrying out duties in courts or guarding prisoners or patients in hospitals and mental health facilities.

III. **POLICY**

It is the policy of this department to authorize and require the use of department issued BWCs as set forth below, and to administer BWC data as provided by law.

A. Definitions

The following phrases and words have special meanings as used in this policy.

a. MGDPA or Data Practices Act: refers to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et seq.

b. Records Retention Schedule: refers, depending on context, to the General Records Retention Schedule for Minnesota Cities (last revised March 2021) or to the agency's records retention schedule approved pursuant to Minnesota Statutes section 138.17.

c. Law Enforcement-related: refers to activities or information pertaining to a stop, arrest, search, seizure, use of force, investigation, citation, or charging decision.

d. Evidentiary value: means that the information may be useful as proof in a criminal prosecution, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer.

e. General citizen contact: means an informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield

information relevant to an ongoing investigation. Examples include, but are not limited to, assisting a motorist with directions, summoning a wrecker, or receiving generalized concerns from a citizen about crime trends in his or her neighborhood.

f. Adversarial: refers to a law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.

g. Unintentionally recorded footage: is a video recording that results from an officer's inadvertence or neglect in operating the officer's BWC, provided that no portion of the resulting recording has evidentiary value. Examples of unintentionally recorded footage include, but are not limited to, recordings made in station house locker rooms and restrooms, and recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded.

h. Official duties: for purposes of this policy, refers to law enforcement activities and services performed by an officer of this agency while on duty. In circumstances where an officer is also employed by another agency as a peace officer, the officer is not performing official duties on behalf of this agency while acting in the course and scope of their employment for the other agency.

B. Use and Documentation

a. Officers may use only department issued BWCs while engaged in the performance of official duties.

b. Officers who are engaged in the performance of official duties and have been issued BWCs shall use and operate them in compliance with this policy. This requirement includes situations where the officer is under the command and control of another chief law enforcement officer or federal law enforcement official while performing official duties for this agency.

b. Officers shall conduct a function test of their issued BWCs at the beginning of each shift. Officers noting a malfunction during testing or at any other time shall promptly report it to the officer's supervisor and shall document the report in writing. Supervisors shall take prompt action to address malfunctions and document the steps taken in writing.

c. Officers shall wear their issued BWC at or above the midline of the waist in a position that maximizes the capacity of the device to record video footage of the officer's activities.

d. Officers must document BWC use and non-use as follows:

i. Whenever an officer makes a recording that is not created by accident or false signal, the existence of the recording shall be documented in the officer's report.
ii. Whenever an officer fails to record an activity that is required to be recorded under this policy or fails to record for the entire duration of the activity, the officer must document the circumstances and reasons for not recording in an incident report. Supervisors shall review these reports and initiate any corrective action deemed necessary.

e. The department will maintain the following records and documents relating to BWC use, which are classified as public data:

i. The total number of BWCs owned or maintained by the agency;
ii. A daily record of the total number of BWCs actually deployed and used by officers and, if applicable, the precincts in which they were used;
iii. The total amount of recorded BWC data collected and maintained; and
iv. This policy, together with the applicable records retention schedule.

C. General Guidelines for Recording

a. Officers shall activate their BWCs when they become involved in, should reasonably anticipate becoming involved in, or when witnessing another officer engage in a pursuit, *Terry* stop of a motorist or pedestrian, search, seizure, arrest, use of force, adversarial contact, and during other activities likely to yield information having evidentiary value. However, officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so, but such instances of not recording when otherwise required must be documented as specified in the Use and Documentation guidelines, Section B, subd. 5(b) (above).

i. Officers assigned to the Brown/Lyon/Redwood/Renville Drug Task Force (BLRR/DTF) or Brown/Lyon/Redwood/Renville Emergency Response Unit (BLRR/ERU) shall operate their assigned body worn camera in accordance with the policy of the BLRR/DTF or BLRR/ERU when performing duties in support of their operations. At the conclusion of their assigned duties the data obtained by the officer's body worn camera shall be uploaded at the RFPD offices, retained and disseminated in accordance with RFPD policy

b. Officers have discretion to record or not record general citizen contacts.

c. Officers have no affirmative duty to inform people that a BWC is being operated or that the individuals are being recorded.

d. Once activated, officers should continue recording with their BWCs until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. The officer having charge of a scene shall direct that the recording be discontinued when additional recording is unlikely to capture information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, the officer shall state the reasons for ceasing the recording on camera before deactivating their BWC. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value.

e. Officers shall not intentionally block the BWC's audio or visual recording functionality to defeat the purposes of this policy.

f. Notwithstanding any other provision in this policy, officers shall not use their BWCs to record other agency personnel during non-enforcement related activities, such as during pre- and post-shift time in locker rooms, during meal breaks, or during other private conversations, unless the recording is authorized as part of an administrative or criminal investigation.

D. Special Guidelines for Recording

Officers may, in the exercise of sound discretion, use their BWCs:

a. To record any police-citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value unless such recording is otherwise expressly prohibited.

b. To take recorded statements from persons believed to be victims of and witnesses to crimes, and persons suspected of committing crimes, considering the needs of the investigation and the circumstances pertaining to the victim, witness, or suspect.

In addition,

Officers need not record persons being provided with medical care unless there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, BWCs shall be activated as necessary to document any use of force and the basis for it, the basis for any transport hold, and any other information having evidentiary value, but need not be activated when doing so would serve only to record symptoms or behaviors believed to be attributable to the mental health issue.

Officers *shall* use their *BWCs or squad-based audio/video systems]* to record their transportation and the physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise should not record in these facilities unless the officer anticipates witnessing a criminal event or being involved in or witnessing an adversarial encounter or use-of-force incident.

E. Downloading and Labeling Data

a. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from his or her camera to the designated data storage by the end of that officer's shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of the officer's BWC and assume responsibility for transferring the data from it.

b. Officers shall label the BWC data files at the time of capture or transfer to storage and should consult with a supervisor if in doubt as to the appropriate labeling. Officers should assign as many of the following labels as are applicable to each file:

i. Evidence—criminal: The information has evidentiary value with respect to an actual or suspected criminal incident or charging decision.
ii. Evidence—force: Whether or not enforcement action was taken, or an arrest resulted, the event involved the application of force by an officer of this agency of sufficient degree or under circumstances triggering a requirement for supervisory review.
iii. Evidence—property: Whether or not enforcement action was taken, or an arrest resulted, an officer seized property from an individual or directed an individual to dispossess property.
iv. Evidence—administrative: The incident involved an adversarial encounter or resulted in a complaint against the officer.
v. Evidence—other: The recording has potential evidentiary value for reasons identified by the officer at the time of labeling.

vi. Training: The event was such that it may have value for training.
vii. Precautionary: Officers may activate their BWC prior to making contact with an individual or approaching a situation which they believe may have evidentiary value later. If, after the incident, the officer determines the video has no evidentiary value it may be labeled as Precautionary.

c. In addition, officers shall flag each file as appropriate to indicate that it contains information about data subjects who may have rights under the MGDPA limiting disclosure of information about them. These individuals include:

i. Victims and alleged victims of criminal sexual conduct and sex trafficking.
ii. Victims of child abuse or neglect.
iii. Vulnerable adults who are victims of maltreatment.
iv. Undercover officers.
v. Informants.
vi. When the video is clearly offensive to common sensitivities.
vii. Victims of and witnesses to crimes, if the victim or witness has requested not to be identified publicly.
viii. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.
ix. Mandated reporters.
x. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
xi. Juveniles who are or may be delinquent or engaged in criminal acts.
xii. Individuals who make complaints about violations with respect to the use of real property.
xiii. Officers and employees who are the subject of a complaint related to the events captured on video.
xiv. Other individuals whose identities the officer believes may be legally protected from public disclosure.

d. Labeling and flagging designations may be corrected or amended based on additional information.

F. Administering Access to BWC Data:

a. Death resulting from force—access to data by survivors and legal counsel.

Notwithstanding any other law or policy to the contrary, when an individual dies as a result of the force used by an officer of this agency, all BWC data documenting the incident, redacted only as required by law, must be made available for inspection by any of the following individuals within five days of their request:

i. The deceased individual's next of kin.
ii. The legal representative of the deceased individual's next of kin.
iii. The other parent of the deceased individual's child.

The request may be denied if there is a compelling reason that inspection would interfere with an active investigation. If access is denied, the *[chief of police] [sheriff]* must provide a prompt, written

denial to the requestor with a short description of the compelling reason that access was denied. The written denial must also provide notice that relief may be sought from the district court pursuant to Minnesota Statutes section 13.82, subdivision 7.

b. Death resulting from force—release of data to the public.

When an individual dies as a result of force used by an officer of this agency, all BWC data documenting the incident, redacted only as required by law, must be released and classified as public within 14 days after the incident, unless the *Chief of Police* asserts in writing that the public classification would interfere with an ongoing investigation, in which case the data remain classified by Minnesota Statutes section 13.82, subdivision 7.

c. Data subjects.

Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC data:

i. Any person or entity whose image or voice is documented in the data.
ii. The officer who collected the data.
iii. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.

d. BWC data is presumptively private.

BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

i. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
ii. Some BWC data is classified as confidential (*see* part E, below).
iii. Some BWC data is classified as public (*see* part F, below).

e. Confidential data.

BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the "private" classification listed above in part D, and the "public" classifications listed below in parts F(2)(a) and (b). However, special classifications and access rights are applicable to BWC data documenting incidents where an officer's use of force results in death (*see* parts A and B, above).

f. Public Data.

i. Data that documents the final disposition of a disciplinary action against a public employee is classified as public without regard to any ongoing criminal investigation.
ii. The following data is public unless it is part of an active criminal investigation or is subject to a more restrictive classification. For instance, data that reveals protected identities under Minnesota Statutes section 13.82, subdivision 17 (e.g., certain victims, witnesses, and others), should not be released even if it would otherwise fit into a category of data classified as public.

1. Data that record, describe, or otherwise document actions and circumstances surrounding the use of force by a peace officer that results in substantial bodily harm, or the discharge of a firearm by a peace officer in the course of duty other than for training or the killing of an animal that is sick, injured, or dangerous.
2. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted if practical. In addition, any data on undercover officers must be redacted.

G. Access to Peace Officers and Law Enforcement Employees

No employee may have access to the department's BWC data except for legitimate law enforcement or data administration purposes:

a. Officers may access and view stored BWC video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Except as provided in the critical incident response policy, officers may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident.

b. Agency personnel shall document their reasons for accessing stored BWC data to the notes section of the video data at the time of each access. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading BWC data recorded or maintained by this agency to public and social media websites. This section will not apply to access for categorizing purposes, adding ICR numbers, review for report preparation, preparation for court appearance, training, or supervisor reviews of officer activity.

c. Employees seeking to inspect or have copies of BWC data for non-business reasons may make a request for it in the same manner as any member of the public.

H. Other Authorized Disclosures of Data

Officers may display portions of BWC footage to witnesses as necessary for purposes of investigation as allowed by Minnesota Statutes section 13.82, subdivision 15, as may be amended from time to time. Officers should generally limit these displays in order to protect against the incidental disclosure of identities that are not public. Protecting against incidental disclosure could involve, for instance, showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video. In addition,

a. BWC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.

b. BWC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

I. Data Security Safeguards

a. BWC data that is determined to have evidentiary value in a criminal, civil, administrative, or disciplinary action will be stored within the designated BWC data storage program. Copies of the BWC data may be transferred to CD, DVD, or other electronic storage device if necessary for sharing with personnel or agencies that need to access or view the data. Storage, access and protection of original and copied BWC data will comply with this policy and the City of Redwood Falls Guidelines and Procedures for the Minnesota Government Data Practices Act.

b. Personally owned devices, including but not limited to computers and mobile devices, shall not be programmed or used to access or view agency BWC data.

c. This policy prohibits altering, erasing, or destroying any BWC data or metadata prior to the expiration of the applicable retention period.

d. As required by Minnesota Statutes section 13.825, subdivision 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its BWC program.

J. Agency Use of Data

a. Supervisors may randomly review BWC usage by any officer to whom a BWC is issued or available for use, to ensure compliance with this policy or identify any performance areas in which additional training or guidance is required.

i. In addition, supervisors and other assigned personnel may access BWC data for the purpose of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.

ii. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.

iii. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered on a case-by-case basis. Field training officers may utilize BWC data with trainees for the purpose of providing coaching and feedback on the trainees' performance.

K. Data Retention

a. Retention periods for BWC data are established by law and the Records Retention Schedule. When a particular recording is subject to more than one retention period, it shall be maintained for the longest applicable period.

b. All BWC data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.

c. Unless noted otherwise below, or as regulated by state statute, BWC data will be retained in the storage program as listed below. Other than Uncategorized data, all other data which is retained until manually deleted shall be stored for no less than seven years.

i. False Signal/Accidental: 90 days
ii. Training: 90 days
iii. Precautionary: 90 days

iv. Evidence -Other: 1 year
v. Evidence-Property: 1 year
vi. Uncategorized: Retain until manually deleted
vii. Evidence-Administrative: Retain until manually deleted
viii. Evidence-Use of Force: Retain until manually deleted
ix. Evidence-Criminal: Retain until manually deleted
x. Pending Review: Retain until manually deleted
xi. Submitted for charges: Retain until manually deleted

d. Certain kinds of BWC data must be maintained for a minimum period of one year. These are:

   i. Data that document the accidental discharge of a firearm by a peace officer in the course of duty.

   ii. Data that documents an incident resulting in a formal complaint against an officer. However, a longer retention period applies if the recording is relevant to an internal affairs investigation.

e. Data documenting the use of force by a peace officer that results in substantial bodily harm, or force that is of a sufficient type or degree to require supervisory review under the agency's policy, must be retained for a minimum period of seven years.

f. Data determined to have evidentiary value in any internal affairs investigation must be retained for five years after termination or separation of the employee who is the subject of the investigation. *(POL 05880.)*

g. Other data having evidentiary value shall be retained for the period specified by law or the records retention schedule.

h. Subject to Part G (below), all other BWC footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after 90 days.

i. Upon written request by a BWC data subject, the agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 180 days. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.

j. The department shall maintain an inventory of BWC recordings having evidentiary value.

k. The department will post this policy, together with a link to its records retention schedule, on its website

IV. **COMPLIANCE**

Supervisors shall monitor for compliance with this policy. Noncompliance may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minnesota Statutes section 13.09.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #38 SUPERVISION OF PART-TIME PEACE OFFICERS
REVISION DATE: 05/12/2026

I. POLICY

It is the policy of Redwood Falls Police Department to protect lives while enforcing the law. In addition, it is the responsibility of this agency to guide its officers in the safe and reasonable performance of their duties. To accomplish these goals the following policy is provided to assist in the regulation of part-time peace officers as required under MN STAT 626.8465 and *MN RULES* 6700.1101-6700.1300. Part-time peace officers are most effectively utilized as a supplement to regular, fully trained peace officers. The use of part-time peace officers when the need for services would otherwise justify the use of peace officers is discouraged.

II. PROCEDURE

A. Definitions

a. Part-time Peace Officer: "Part-time peace officer" has the meaning given it in MN STAT 626.84, subd. 1 (d).

b. Appointment: means the official declaration provided by the agency to the POST Board which indicates that the agency has engaged the services of a peace officer or part-time peace officer beginning on a specified date.

c. Active-Duty Status: means when a peace officer or part-time peace officer is authorized by agency policy to act as an agent of the appointing authority with power to arrest and authority to carry a firearm.

d. Hours Worked: means the actual number of hours served while the part-time peace officer is on active-duty status. All active-duty hours must be documented regardless of compensation.

e. Supervision of Part-time Peace Officer: means the part-time peace officer and the designated supervising peace officer are aware of their respective identities; the part- time peace officer has the ability to directly contact the designated peace officer, and the part-time or designated peace officer can achieve direct personal contact within a reasonable period of time.

It is this agency's policy that supervision be provided to part-time peace officers by peace officers as required under MN RULES 6700.1110. This policy minimally addresses the following requirements found within the rule including:

B. Part-time police officers shall be supervised by the on-duty supervisor. If a designated supervisor is not on duty the most senior patrol officer on duty will be responsible for supervising part-time officer(s).

a. When a part-time officer is scheduled to work the supervisor and other full-time officers working during the part-time officer's shift will be notified of the part-time officer's scheduled hours.

b. Notification may be made via email, phone call or written correspondence.

c. The on-duty supervisor shall be responsible for ensuring the part-time officer is conducting themselves in accordance with RFPD policy and procedures as well as applicable laws. If the part-time officer is found to be violating, or has violated, policy or statute the supervising officer shall take immediate action to correct the error if possible and will notify the Police Chief or Asst. Police Chief as soon as practical.

C. An agency that agrees to designate a peace officer to supervise a part-time peace officer who is not employed by the same agency shall establish at a minimum:

a. All policies required under *MN RULES* 6700.1105, Subpart 2;

b. All policies required under *MN RULES* 6700.1110; and

c. A written joint powers agreement which confers upon the designated supervising peace officer full power and authority within the jurisdiction of the part-time peace officer to be supervised.

d. RFPD supervisors and officers will not supervise part-time officers from another agency without prior approval of the Police Chief and in accordance with this section and all applicable laws.

D. Responsibilities of a Part-time Peace Officer

a. The hours of active-duty status during the calendar year of a part-time peace officer are limited to no more than 1,040 hours.

b. A part-time peace officer shall record all active-duty hours worked either on the *Part- time Peace Officer Monthly Hour Log* provided by the POST Board, or in an electronic format that includes the same information for each agency by whom the part-time peace officer is appointed. The part-time peace officer shall record the date, time, and total hours of active duty, the name of the agency for which the hours were worked and the name of the designated supervising peace officer assigned for each shift or time entry on the log.

c. On the last day of every month the part-time peace officer shall provide the chief law enforcement officer of every agency for whom the part-time peace officer worked a written notice of the total number of hours worked for all agencies. The notice may be provided on the *Part-time Peace Officer Monthly Hour Log* provided by the POST Board or in an electronic format that includes the same information.

d. The part-time peace officer shall keep and maintain copies of active duty reporting forms for five years and shall make the forms available to the POST Board upon request.

e. At the beginning of each shift the part-time officer will notify dispatch and the on-duty supervisor, or designated supervising full-time officer, they are on duty. At the conclusion of their shift the part-time officer shall notify dispatch and the supervisor they have concluded their shift. Notifications may be done in person or via radio.

E. Policy Distribution

Copies of policies required under *MN RULES* 6700.1105 to 6700.1130, must be provided to all part-time peace officers before they are authorized to exercise part-time peace officer authority on behalf of a unit of government. Copies of these policies shall also be distributed to all designated peace officers.

SUBJECT: #39 CRISIS INTERVENTION INCIDENTS
REVISION DATE: 4/17/2025

I. PURPOSE

This policy provides guidelines for interacting with those who may be experiencing amental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

II. PROCEDURE

Redwood Falls Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. RFPD will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

A. Definitions

a. Person in Crisis: A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

B. Signs, Symptoms or Indications

When encountering persons experiencing mental health issues or crisis staff should be alert to any number of signs, symptoms or indications. The following is not an exhaustive list. Furthermore, the presence or absence, of any of these should not be treated as proof of the presence or absence of mental health issues or crisis.

- Known history of mental health issues or crisis
- Threats, or prior attempts, of suicide
- Loss of memory
- Incoherence, disorientation, slow response to questions or stimulus
- Delusions, hallucinations, perceptions unrelated to reality, grandiose ideas or thoughts
- Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- Social withdrawal
- Manic or impulsive behavior, extreme agitation, lack of control
- Lack of fear
- Anxiety, aggression, rigidity, inflexibility, paranoia

C. First Responders

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

a. Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.

b. Request a backup officer and specialized resources as deemed necessary and, if it is reasonably believed that the person is in crisis, use conflict resolution or de-escalation techniques to stabilize the incident as appropriate.

c. If feasible, and without compromising safety, turn off flashing lights, bright lights, or sirens

d. Attempt to determine if weapons are present or available.

e. Take into account the person’s mental and emotional state and potential inability to understand commands or to appreciate the consequences of their action or inaction, as perceived by the officer.

f. Secure the scene and clear the immediate area as necessary.

g. Employ tactics to preserve the safety of all people who are present.

h. Determine the nature of any crime.

i. Request a supervisor as warranted and available.

j. Evaluate available information that might assist in determining cause or motivation for the person’s actions or stated intentions.

k. If circumstances reasonably permit, consider and employ alternatives to force.

D. De-escalation

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

a. Evaluate safety conditions

b. Introduce themselves and attempt to obtain the person's name

c. Be patient, polite, calm, courteous and avoid overreactions.

d. Speak and move slowly and in a non-threatening manner

e. Moderate the level of direct eye contact with the person

f. Remove distractions or disruptive people from the area

g. Demonstrate active listening skills (e.g., summarize the person's verbal communication)

h. Provide for sufficient avenues of retreat or escape should the situation become volatile

Responding officers generally should not:

a. Use stances or tactics that can be interpreted as aggressive

b. Allow others to interrupt or engage the person

c. Corner a person who is not believed to be armed, violent or suicidal

d. Argue, speak with a raised voice or use threats to obtain compliance

E. Incident Orientation

When responding to an incident that may involve mental illness or a mental health crisis, the officer may consider requesting the dispatcher provide critical information as it becomes available. This includes:

a. Whether the person relies on drugs or medication or may have failed to take his/her medication.

b. Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.

c. Contact information for a treating physician or mental health professional

F. Supervisor Responsibilities

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

a. Attempt to secure appropriate and sufficient resources.

b. Closely monitor any use of force, including the use of restraints, and ensure those subjected to the use of force are provided with timely access to medical care when

appropriate.

c. Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.

d. Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

G. Incident Reporting

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members who have contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

H. Diversion

If officers resolve an incident involving a mental health crisis without arresting the subject notification of the incident should be made to appropriate human services agencies within the jurisdiction as well as any known medical or mental health professionals who are caring for the subject.

I. Civilian Interaction with People in Crisis

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as records request, ordinance violations, or animal control issues.

a. Members should treat all individuals equally and with dignity and respect.

b. If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

c. Members should be aware and understand that the person may make unusual or bizarre claims or requests. If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

J. Training

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

Additionally, the training officer will provide officers with in-service training in crisis intervention and mental illness crises as required by Minn. Stat. § 626.8469.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #40 USE OF REMOTE VIEWING TECHNOLOGY
REVISION DATE:

I. PURPOSE

Law enforcement is an inherently dangerous occupation. Searching for suspects in buildings and open areas with cover and concealment exposes officers to ambush and attack. The use and deployment of Remote Viewing Technologies (RVT) allow officers to search areas without exposing them to ambush and attack thereby protecting officers and reducing the possibility of a deadly force encounter.

II. POLICY

It is the policy of the Redwood Falls Police Department to deploy RVT in situations and locations where doing so will protect officer or citizen lives. RVT will only be deployed when, and in locations, where it is legally allowed.

III. PROCEDURE

A. RVT may only be deployed or operated by officers who have received training on the proper use of the device.

B. RVT can only be deployed or operated in locations and situations that are allowed by law. Deployment or operation of an RVT into any location where there is a legally recognized expectation of privacy is considered the same as if the officer physically entered or searched the location.

   a. When time allows officers should obtain a search warrant before deploying or operating an RVT in a residence, building, structure, or on private property.

   b. If an exigent circumstance exists whereby obtaining a search warrant would cause an undue delay and endanger the officer(s) or citizens the RVT may be deployed without a search warrant.

   c. If an RVT is deployed without a search warrant due to exigent circumstances the officers shall document the deployment in a report.

C. Officers who utilize an RVT shall be responsible for the care, custody, and control of the equipment throughout its use. If an RVT is found inoperable, or is damaged as a result of deployment, the officer shall report it to a supervisor as soon as practical.

D. After deployment officer(s) shall be responsible for returning the item to the designated storage location and ensure the unit is ready for future deployment.

E. In accordance with Minnesota Statute 626A, Title 18 of the United States Code, and all other applicable laws and statutes, the RVT shall not be deployed for the sole purpose of intercepting oral, wire, electronic or any other communications unless authorized by a court order.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #41 CONFIDENTIAL INFORMANTS
REVISION DATE: 4/17/2025, 05/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to establish procedures and protocols that take necessary precautions concerning the recruitment, control and use of confidential informants.

II. PROCEDURE

A. Definitions

a. Confidential Informant (CI): A person who cooperates with a law enforcement agency confidentially in order to protect the person or the agency's intelligence gathering or investigative efforts and;

i. seeks to avoid arrest or prosecution for a crime, mitigate punishment for a crime in which a sentence will be or has been imposed, or receive a monetary or other benefit; and

ii. is able, by reason of the person's familiarity or close association with suspected criminals, to:

1. make a controlled buy or controlled sale of contraband, controlled substance, or other items that are material to a criminal investigation;
2. supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or
3. otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.

b. Controlled Buy: Means the purchase of contraband, controlled substances, or other items that are material to a criminal investigation from a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.

c. Controlled Sale: Means the sale of contraband, controlled substances, or other items that are material to a criminal investigation to a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.

d. Mental Harm: Means a psychological injury that is not necessarily permanent but results in visibly demonstrable manifestations of a disorder of thought or mood that impairs a person's judgment or behavior.

e. Target Offender: Means the person suspected by law enforcement personnel to be implicated in criminal acts by the activities of a confidential informant.

f. Confidential Informant File*:* Means a file maintained to document all information that pertains to a confidential informant.

g. Unreliable Informant File: Means a file containing information pertaining to an individual who has failed at following an established written confidential informant agreement and has been determined to be generally unfit to serve as a confidential informant.

h. Compelling Public Interest*:* Means, for purposes of this policy, situations in which failure to act would result or likely result in loss of life, serious injury, or have some serious negative consequence for persons, property, or public safety and therefore demand action.

i. Overseeing agent*:* means the officer primarily responsible for supervision and management of a confidential informant.

B. Initial Suitability Determination

An initial suitability determination must be conducted on any individual being considered for a role as a CI. The initial suitability determination includes the following:

a. An officer requesting use of an individual as a CI must complete an Initial Suitability Report. The report must be submitted to the appropriate individual or entity, as determined by the agency chief executive, to review for potential selection as a CI. The report must include sufficient detail regarding the risks and benefits of using the individual so that a sound determination can be made. The following information must be addressed in the report, where applicable:

i. Age, sex, and residence
ii. Employment status or occupation
iii. Affiliation with legitimate businesses and illegal or suspicious enterprises
iv. Extent to which potential information, associations, or other assistance could benefit a present or future investigation
v. Relationship with the target of an investigation
vi. Motivation in providing information or assistance
vii. Risk of adversely affecting an existing or future investigation
viii. Extent to which provided information can be corroborated
ix. Prior record as a witness
x. Criminal history, to include whether he or she is the subject of a pending investigation, is under arrest, or has been charged with a crime
xi. Risk to the public or as a flight risk
xii. Consultation with the individual's probation, parole, or supervised release agent, if any
xiii. Consideration and documentation of the individual's diagnosis of mental illness, substance use disorder, traumatic brain injury, or disability; and consideration and documentation of the individual's history of mental illness, substance use disorder, traumatic brain injury or disability
xiv. Relationship to anyone in law enforcement
xv. Risk of physical harm to the potential CI or their immediate family or relatives for cooperating with law enforcement
xvi. Prior or current service as a CI with this or another law enforcement organization

b. Prior to an individual's use as a CI, a supervisor or other designated authority must review the Initial Suitability Report and determine if the individual is authorized to serve as a CI.

c. Any prospective or current CI must be excluded from engaging in a controlled buy or sale of a controlled substance if the prospective or current CI:

i. is receiving in-patient treatment or partial-hospitalization treatment administered by a licensed service provider for a substance use disorder or mental illness; or
ii. is participating in a treatment-based drug court program or treatment court; except that
iii. the prospective or current CI may provide confidential information while receiving treatment, participating in a treatment-based drug court program or treatment court.

d. Documentation and special consideration must be made of the risks involved in engaging a prospective or current CI in the controlled buy or sale of a controlled substance if the individual is known, or has reported, to have experienced a drug overdose in the previous 12 months.

e. Any prospective or current CI who is known to abuse substances, or is at risk for abusing substances, should be provided referral to prevention or treatment services.

f. Any prospective or current CI that has a physical or mental illness that impairs the ability of the individual to understand instructions and make informed decisions should be referred to a mental health professional or other appropriate medical professional, or a case manager/social worker from the county social services agency, or other substance abuse and mental health services.

g. Each CI's suitability must be reviewed every 6 months, at a minimum, during which time the CI's overseeing agent must submit a Continuing Suitability Report addressing the foregoing issues in III.A.1.a–p, and III.A.3-6, where applicable. An initial suitability determination must be conducted on a reactivated CI regardless of the length of inactivity.

h. Any information that may negatively affect a CI's suitability during the course of their use must be documented in the CI's file and forwarded to the appropriate authorized personnel as soon as possible.

i. Supervisors must review informant files regularly with the overseeing agent and must attend debriefings of CIs periodically as part of the informant management process. If a CI is active for more than 12 months, a supervisory meeting with the CI must be conducted without the overseeing agent.

j. CI contracts must be terminated, and the CI file placed in inactive status when the CI has not been utilized for 6 months or more.

C. Exigent Confidential Informants

a. Certain circumstance arise when an individual who has been arrested is willing to immediately cooperate and perform investigative activities under the direction of an overseeing agent. In these circumstances, the initial suitability determination can be deferred and an individual may be utilized as a CI for a period not to exceed 12 hours from the time of arrest if:

i. The individual is not excluded from utilization as a CI under III.A(3)(a-c) of this policy; and
ii. There is compelling public interest or exigent circumstances exist that demand immediate utilization of the individual as a CI and any delay would significantly and negatively affect any investigation; and
iii. A supervisor has reviewed and approved the individual for utilization as a CI under these circumstances.

b. Upon the conclusion of the 12-hour window, or at any time before, an initial suitability determination must be conducted before the individual engages in any further CI activities.

D. Special CI Approval Requirements

Certain individuals who are being considered for use as a CI require special review and approval. In all instances, the agency's chief executive or their designee and the office of the prosecutor or county attorney should be consulted prior to the use of these individuals as CIs. These individuals include the following:

a. Juveniles

i. Use of a juvenile under the age of 18 for participating in a controlled buy or sale of a controlled substance or contraband may be undertaken only with the written authorization of the individual's parent(s) or guardian(s), except that the juvenile informant may provide confidential information.

ii. Authorization for such use should be granted only when a compelling public interest can be demonstrated, except that juveniles under the guardianship of the State may not be used as a CI.

b. Individuals obligated by legal privilege of confidentiality.

c. Government officials.

E. General Guidelines for Overseeing CIs

General guidelines for overseeing CIs are as follows:

a. CIs must be treated as assets of the agency, not the individual overseeing agent.
b. No promises or guarantees of preferential treatment within the criminal justice system will be made to any informant without prior approval from the prosecuting authority.
c. CIs must not be used without authorization of the agency through procedures identified in this policy.
d. CIs must not be used to gather information purely of a political nature or for other information-gathering efforts that are not connected with a criminal investigation.
e. Under no circumstances must an informant be allowed access to restricted areas or investigators' work areas within a law enforcement agency.
f. All CIs must sign and abide by the provisions of the agency's CI agreement.
g. Any physical or mental illness that impairs the CI's ability to knowingly contract or otherwise protect the informant's self-interest must be taken into consideration before the CI signs the agreement.
h. The CI's overseeing agent must discuss each of the provisions of the agreement with the CI, with particular emphasis on the following:

i. CIs may voluntarily initiate deactivation, whereupon the protocols outlined in section E of this policy must be followed.

ii. CIs are not law enforcement officers. They have no arrest powers, are not permitted to conduct searches and seizures, and may not carry a weapon while performing activities as a CI.

iii. CIs found engaging in any illegal activity beyond what is authorized by the agency and conducted while under the supervision of an overseeing agent, will be subject to prosecution.

iv. CIs are prohibited from engaging in actions or activities that could be deemed entrapment. The meaning of the term and implications of such actions must be explained to each CI.
v. CIs are prohibited from engaging in self-initiated information or intelligence gathering without agency direction and approval. The CI must not take any actions in furtherance of an investigation without receiving specific instruction(s) from the overseeing agent or agency.
vi. Every reasonable effort will be taken to ensure the confidentiality of the CI but, upon judicial order, he or she may be required to testify in open court.
vii. CIs may be directed to wear a listening and recording device.
viii. CIs must be required to submit to a search before and after a controlled purchase.
ix. CIs who participate in unplanned or unanticipated activities or meet with a subject(s) under investigation in a location outside of the jurisdictional boundary of the handling agency must promptly report that activity or meeting to their overseeing agents.

i. CI activity outside jurisdictional boundaries:
    i. Investigators handling CIs who engage in operational activity in locations outside the jurisdictional boundaries of the agency must coordinate with counterparts in law enforcement agencies that have jurisdiction in that location where the CI will operate before any activity occurs, or in a timely manner after unanticipated activity occurs and is brought to the attention of the overseeing agent.
    ii. Any decision to defer or delay notice to or coordinate with an outside agency having jurisdiction in the area where a CI has or may operate must be documented, reviewed, and approved by the agency's chief executive or their designee.

j. Officers must take the utmost care to avoid conveying any confidential investigative information to a CI, such as the identity of other CIs, surveillance activities, or search warrants, other than what is necessary and appropriate for operational purposes.
k. No member of this agency must knowingly maintain a social relationship with a CI or otherwise become personally involved with a CI beyond actions required in the performance of duty.
l. Members of this agency must not solicit, accept gratuities from, or engage in any private business transaction with a CI.
m. Meetings with a CI must be conducted in private with another officer or agent present and with at least one officer or agent of the same sex, except when not practical. The meeting location should minimize the potential for discovery of the informant's cooperation and provide sufficient space to complete necessary administrative duties. The meetings must be documented and subsequently entered into the individual's CI file.
n. Overseeing agents must develop and follow a communications strategy and plan with the CI that minimizes, to the greatest extent possible, the risk of discovery or compromise of the relationship between the agency and the CI. This plan should also aim to prevent the detection, compromise, or interception of communications between the overseeing agent and the CI.
o. Procedures must be instituted to assist CIs with concealing their identity and maintaining their safety. Care should be given not to expose CIs to unnecessary safety risks.
p. Preceding or following every buy or sale of controlled substances, overseeing agents must screen the CI for any personal safety or mental health concerns, risk of substance abuse, and/or potential relapse in any substance abuse recovery.

    i. At the request of the CI, or if the overseeing agent deems it necessary, reasonable efforts should be taken to provide the CI with referral to substance abuse and/or mental health services.
    ii. Overseeing agents must document:

1. the screening,
2. any referral to services provided to, or requested by, the CI, and
3. any refusal by the CI to participate in the screening and/or any refusal by the CI to accept referral to services. Reasons for the CI's refusal must be documented where applicable.

iii. No part of this subsection supersedes MN Stat 253B.05 subd. 2.

q. Reasonable protective measures must be provided for a CI when any member of this agency knows or should have known of a risk or threat of harm to a person serving as a CI and the risk or threat of harm is a result of the informant's service to this agency.
r. Overseeing agents must:

i. evaluate and document the criminal history and propensity for violence of target offenders; and
ii. to the extent allowed, provide this information to the CI if there is a reasonable risk or threat of harm to the CI as a result of the CI's interaction with the target offender.

s. Reasonable efforts and precautions must be made to help protect the identity of a CI during the time the person is acting as an informant.
t. Whenever possible, officers must corroborate information provided by a CI and document efforts to do so.
u. The name of a CI must not be included in an affidavit for a warrant unless judicial authority is obtained to seal the document from the public record or the CI is a subject of the investigation upon which the affidavit is based.
v. Overseeing agents are responsible for ensuring that information of potential value to other elements of the agency is provided promptly to authorized supervisory personnel and/or other law enforcement agencies as appropriate.
w. Individuals leaving employment with the agency have a continuing obligation to maintain as confidential the identity of any CI and the information he or she provided unless obligated to reveal such identity or information by law or court order.

F. Establishment of an Informant File System

An informant file system must be established as follows:

a. The agency chief executive must designate a file supervisor who must be responsible for developing and maintaining master CI files and an indexing system.

b. A file must be maintained on each CI deemed suitable by the agency.

c. An additional Unreliable Informant File must be established for CIs deemed unsuitable during initial suitability determinations or at a later time.

d. Each file must be coded with an assigned informant control number for identification within the indexing system and must include the following information, where applicable:

i. Name, aliases, and date of birth
ii. Height, weight, hair color, eye color, race, sex, scars, tattoos, or other distinguishing features

iii. Emergency contact information
iv. Name of the officer initiating use of the informant and any subsequent overseeing agents
v. Photograph and criminal history record
vi. Current home address and telephone number(s)
vii. Residential addresses in the last five years
viii. Current employer, position, address, and telephone number
ix. Social media accounts
x. Marital status and number of children
xi. Vehicles owned and their registration numbers
xii. Places frequented
xiii. Gang affiliations or other organizational affiliations
xiv. Briefs of information provided by the CI and the CI's subsequent reliability
xv. Special skills and hobbies
xvi. Special areas of criminal expertise or knowledge
xvii. A copy of the signed informant agreement

e. CI files must be maintained in a separate and secured area.
f. The file supervisor must ensure that information concerning CIs is strictly controlled and distributed only to officers and other authorities who have a need and a right to such information.
g. CI File Review

i. Sworn personnel may review an individual's CI file only upon the approval of the agency's chief executive or their designee.
ii. The requesting officer must submit a written request explaining the need for review. A copy of this request, with the officer's name, must be maintained in the individual's CI file.
iii. Officers must not remove, copy, or disseminate information from the CI file.
iv. CI files must be reviewed only in designated areas of the law enforcement facility and returned as soon as possible to their secure file location.
v. All disclosures or access to CI files must be recorded by the file supervisor, to include information such as the requesting officer or agency, the purpose of access or disclosure, the information conveyed, and the date and time of access or dissemination.
vi. No portion of an individual's CI file must be entered into any other electronic or related database without controls sufficient to exclude access to all but authorized personnel with a need and a right to know.

G. Deactivation of Confidential Informants

CI deactivation procedure must be established as follows:

a. The overseeing agent must complete a deactivation form that includes, at minimum, the following:

i. The name of the agency.
ii. The name of the CI.
iii. The control number of the CI, where applicable.
iv. The date of deactivation.
v. The reason for deactivation.
vi. A notification that contractual agreements regarding monetary re-numeration, criminal justice assistance, or other considerations, specified or not, are terminated.
vii. A notification that the agency will provide and assist the CI with referral to health

services for assistance with any substance abuse disorder and/or physical, mental, or emotional health concerns, as requested or accepted by the CI.

viii. A signature by the CI or documentation indicating the reason(s) why the CI was unable or unwilling to sign the form.

ix. A signature by the overseeing agent.

b. All reasonable efforts must be taken to maintain the safety and anonymity of the CI after deactivation.

H. Monetary Payments

Monetary payments must be managed as follows:

a. All monetary compensation paid to Cis must be commensurate with the value of the information or assistance provided to the agency.
b. All CI payments must be approved in advance by the officer in charge of confidential funds.
c. Officers must provide accounting of monies received and documentation for confidential funds expended. Any documentation of monies paid or received should not contain the true identity of the informant but should use the CI's control number.
d. Two officers must be present when making payments or providing funds to CIs.
e. The appropriate individual, as designated by the agency's chief executive, must ensure that the process for authorization, disbursement, and documentation of CI payments, as well as the accounting and reconciliation of confidential funds, is consistent with agency policy.
f. If a CI is authorized to work with another law enforcement or prosecutorial agency, financial payments must be coordinated between the agencies in a manner that is proportionate to the assistance rendered to each agency and consistent with provision III.F.1. of this policy.
g. Written records of receipts are retained, or justification for the exception is documented when a written receipt is not available.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #42 MENTAL HEALTH CRISIS DATA
REVISION DATE:

I. PURPOSE

Minnesota law requires certain entities and mental health providers to supply information to law enforcement, upon proper request, to aid in safely addressing a pending mental health crisis. This policy establishes procedures for requesting, documenting, using, retaining, and safeguarding the privacy of such information.

II. POLICY

It is the policy of the Redwood Falls Police Department to encourage officers to seek and utilize information from mental health professionals, practitioners, and other care providers to aid in the safe resolution of individual crisis situations. Officers of the Redwood Falls Police Department may initiate requests for this information when practicable and deemed advisable. Information obtained in response to such requests shall be documented, utilized, and retained in accordance with applicable laws and this policy.

III. PROCEDURE

A. Definitions

a. Mental Health Crisis Data (MHCD) means data on individual clients or patients that is sought and received from community mental health centers, mental health divisions of counties and providers under contract with them, or private sector mental health providers for the purpose of safely responding to a mental health crisis.

b. Person in Crisis (PIC) refers to an individual who is experiencing or is suspected or reported to be experiencing a mental health crisis.

c. Requestee refers to an entity or individual asked to supply Mental Health Crisis Data to a law enforcement agency.

d. Requestor refers to an officer or employee of the Redwood Falls Police Department who makes a request for Mental Health Crisis Data.

B. When MHCD may be sought

Provisions of the Minnesota Government Data Practices Act (Minn. Stat. § 13.46, subd. 7) and the Minnesota Health Records Act (Minn. Stat. § 144.294, subd. 2) require mental health providers and certain entities to supply information to law enforcement when a client or patient is currently involved in a mental health crisis, and disclosure of the information is necessary to protect the health and safety of that person or another. These laws use the definition of "mental health crisis" found in Minnesota Statutes, § 256B.0624, subdivision 2(j):

"Mental health crisis" is a behavioral, emotional, or psychiatric situation that, without the provision of crisis response services, would likely result in significantly reducing the recipient's levels of functioning in primary activities of daily living, in an emergency situation under section 62Q.55, or in the placement of

the recipient in a more restrictive setting, including but not limited to inpatient hospitalization.

A situation will qualify as a mental health crisis under this definition, thus enabling the Redwood Falls Police Department to seek mental health data if:

a. The subject appears to be experiencing a behavioral, emotional, or psychiatric episode, and

b. It would likely result in one of the following outcomes, absent the assistance of a mobile crisis provider:

   i. The person being unable to take care of basic functions like bathing, eating, dressing, and toileting; or
   ii. The person needing to be transported to a hospital for an emergency medical condition; or
   iii. The person being taken into custody for a transport hold; and

c. The information being sought is necessary to protect the health or safety of the PIC or another.

C. Requesting and Obtaining MHCD

Officers of the Redwood Falls Police Department should adhere to the following procedures in requesting MHCD:

a. Officers responding to a mental health crisis may request information themselves or have another officer, a dispatcher, or appropriate staff member contact requestees with information requests.

b. Entities and individuals that are obligated to respond to requests for information include community mental health centers, mental health divisions of a county, and mental health providers including psychiatrists, psychologists, therapists, mental health professionals, mental health practitioners, and case managers.

c. Provide a name and phone number for the PIC's psychiatrist, psychologist, therapist, mental health professional, practitioner, or case manager, if known; and strategies to address the mental health crisis.

d. Under the law, the requestee is to provide law enforcement with the minimum information necessary to safely respond to the mental health crisis. It may be necessary and appropriate for the requestor to share information with the requestee about the dynamics and circumstances of the crisis in order to demonstrate law enforcement's need for information. Requestors should not ask for information about the PIC's diagnosis.

e. Once obtained, MHCD may be shared with other officers and members of this agency as is reasonably necessary to safely address the crisis. The information may not be used for any other purpose.

D. Data Practices

The following shall apply to mental health crisis data obtained by this agency:

a. What to document

The requestor shall document their own identity, the name of the PIC, and the identity of the person (or entity, if the name of the person is not available) that supplied data in response to the request for MHCD. In addition:

i. Information obtained about strategies for resolving crisis situations with the PIC, including any circumstances that call for particular approaches, should be documented.

ii. Any information that the requestee provided about the PIC's diagnosis should not be documented.

iii. The officer assigned as primary on the call shall ensure that the PIC is informed that mental health data was obtained, and that this notification to the PIC is documented.

b. How to label and store the information

Incident reports that contain MHCD shall be labeled or flagged as such. This data may only be stored on and accessed through current City of Redwood Falls in-house, records managements systems and technologies.

c. Private data

MHCD is and shall be administered as private data on the person in crisis.

d. Accessing stored MHCD

Officers and other agency personnel may access MHCD data only when their job assignment reasonably requires access to it. For a peace officer, a business need exists if it is foreseeable that the officer may be tasked in the future to respond to a mental health crisis involving the person who is the subject of the MHCD.

e. Use of MHCD

Mental Health Crisis Data may only be used for purposes of responding to mental health crisis situations involving the individual PIC. The data may not be used for any other purpose, such as furthering a criminal investigation or in connection with a charging decision.

f. Retention of MHCD

Mental Health Crisis Data shall be maintained for a period of one year following the latest mental health crisis known to the agency involving the subject of the MHCD, after which it shall be disposed of in such a way as to prevent its contents from being determined.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #43 EMERGENCY VEHICLE OPERATIONS
REVISION DATE:

I. PURPOSE

This policy provides guidance to officers in the safe and responsible operation of emergency vehicles. (Minn. Stat. §626.8458, subd. 1). It does not encompass pursuit decisions or tactics.

II. POLICY

It is the policy of the Redwood Falls Police Department that officers exercise sound professional judgment in the operation of emergency vehicles and be mindful of our overarching duty to protect public safety. Emergency driving is sometimes necessary to meet urgent public safety needs, but it involves increased risks to persons and property. Officers must balance these risks against the need for a prompt response, while also driving with due regard for the safety of others. (Minn. Stat. § 169.17).

III. PROCEDURE

A. Guidelines

For the purposes of this policy, an emergency is a situation that, in the exercise of sound professional judgment, calls for arriving somewhere more promptly than could be accomplished by routine driving in order to protect life, safety, property, render medical assistance, or to apprehend one who has committed or is suspected of committing an offense.

a. Officers must discontinue an emergency response when:

i. Circumstances indicate the risk created by emergency driving plainly outweighs the necessity of arriving quickly;
ii. The emergency situation has ceased to exist; or
iii. When directed by a supervisor to discontinue.

b. To operate in emergency status, the police vehicle must be sounding its siren or displaying at least one lighted red light to the front. (Minn. Stat. §§ 169.03, subd. 2; 169.17). Officers should use both lights and siren when doing so would enhance safety without hindering a law enforcement objective. The use of a siren might hinder a law enforcement objective when, for example, nearing the scene of a reported crime in progress.

c. Officers must exercise sound professional judgment in gauging their speed and manner of driving. There are multiple factors that bear on safety during emergency driving, including but not limited to road, traffic, weather, and lighting conditions, time of day, and the presence of pedestrians. Officers should take these and other relevant factors into account and respond in a manner that does not, given the urgency of the situation, unreasonably endanger others.

B. Statutory Framework

The Minnesota traffic code provides specific exemptions for emergency vehicles that apply when an officer is responding to an emergency or is in immediate pursuit of an actual or suspended violator. These

exemptions allow officers operating an emergency vehicle to:

a. Proceed cautiously past a red light or stop sign after slowing down as necessary for safety (Minn. Stat. § 169.03, subd. 2);

b. Travel faster than the speed limit (Minn. Stat. § 169.17);

c. Enter against the run of traffic on a one-way street or highway to get to the place of the reported emergency (Minn. Stat. § 169.03, subd. 3); and

d. Stop or park as necessary at the scene of an emergency, without regard to laws or ordinances that regulate parking or stopping in traffic. (Minn. Stat. § 169.03, subd. 4).

However, driving conduct that is not specifically covered by an exemption may still be permissible when officers: (1) are balancing the need for arriving quickly against the risks of the emergency response; and (2) driving with due regard for the safety of others.

C. Training

Officers whom the Chief of Police determines may be involved in police pursuits are required to undergo the training specified by Minn. Stat §626.8458 subd. 5 for pursuits and emergency vehicle operations.

Other officers who operate vehicles in emergency status should receive in-service training in emergency vehicle operations as may be directed.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #44 PUBLIC ASSEMBLY AND FIRST AMENDMENT ACTIVITY
REVISION DATE: 05/12/2026

I. PURPOSE

The First Amendment to the Constitution of the United States of America states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

The Bill of Rights in Article 1 of THE Minnesota Constitution addresses the rights of free speech and the liberty of the press. However, neither the state nor federal constitutions protect criminal activity or threats against citizens, businesses, or critical infrastructure.

The Redwood Falls Police Department supports all people's fundamental right to peaceably assemble and their right to freedom of speech and expression.

The purpose of this policy is to provide guidelines to the Redwood Falls Police personnel regarding the application and operation of acceptable law enforcement actions addressing public assemblies and First Amendment Activity.

II. POLICY

Redwood Falls Police Department will uphold the constitutional rights of free speech and assembly while using the minimum use of physical force and authority required to address crowd management or crowd control issue.

The policy of the Redwood Falls Police Department (“department”) regarding crowd management and crowd control is to apply the appropriate level of direction and control to protect life, property, and vital facilities while maintaining public peace and order during a public assembly or First Amendment activity. Department personnel must not harass, intimidate, or discriminate against or unreasonably interfere with persons engaged in the lawful exercise of their rights.

This policy concerning crowd management, crowd control, crowd dispersal, and police responses to violence and disorder applies to spontaneous demonstrations, crowd event situations, and planned demonstration or crowd events regardless of the permit status of the event.

This policy is to be reviewed annually.

A. Definitions

a. Chemical Agent Munitions: Munitions are designed to deliver chemical agents from a launcher or hand thrown.

b. Control Holds: Control holds are soft empty hand control techniques as they do not involve

c. Crowd Management: Techniques used to manage lawful public assemblies before, during, and

after an event. Crowd management can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and past event critiques.

d. Crowd Control: Techniques used to address unlawful public assemblies.

e. Deadly Force: Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. (Reference: (law enforcement agency's) Use of Force Policy, MN Statutes §609.06 and §609.066

f. Direct Fired Munitions: Less-lethal impact munitions that are designed to be direct fired at a specific target.

g. First Amendment Activities**:** First Amendment activities include all forms of speech and expressive conduct used to convey ideas and/or information, express grievances, or otherwise communicate with others and include both verbal and non-verbal expression. Common First Amendment activities include, but are not limited to, speeches, demonstrations, vigils, picketing, distribution of literature, displaying banners or signs, street theater, and other artistic forms of expression. All these activities involve the freedom of speech, association, and assembly and the right to petition the government, as guaranteed by the United States Constitution and the Minnesota State Constitution.

    i. The government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information

h. Great Bodily Harm*:* Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm. (Reference: RFPD Use of Force Policy #11, MN Statutes **609.06 and 609. 066).**

i. Legal Observers – Individuals, usually representatives of civilian human rights agencies, who attend public demonstrations, protests and other activities. The following may be indicia of a legal observer: Wearing a green National Lawyers' Guild issued or authorized Legal Observer hat and/or vest (a green NLG hat and/or black vest with green labels) or wearing a blue ACLU issued or authorized legal observer vest.

j. Less-lethal Impact Munitions. Impact munitions which can be fired, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance or preventing serious injury without posing significant potential of causing death.

k. Media: Media means any person who is an employee, agent, or independent contractor of any newspaper, magazine or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution. For purposes of this policy, the following are indicia of being a member of the media: visual identification as a member of the press, such as by displaying a professional or authorized press pass or wearing a professional or authorized press badge or some

distinctive clothing that identifies the wearer as a member of the press.

B. Law Enforcement Procedures

a. Uniform

All officers responding to public assemblies must at all times, including when wearing protective gear, display their agency name and a unique personal identifier in compliance with this department's uniform policy. The chief law enforcement officer must maintain a record of any officer(s) at the scene who is not in compliance with this requirement due to exigent circumstances.

b. Officer Conduct

i. Officers shall avoid negative verbal engagement with members of the crowd. Verbal abuse against officers does not constitute a reason for an arrest or for any use of force against such individuals.
ii. Officers must maintain professional demeanor and remain neutral in word and deed despite unlawful or anti-social behavior on the part of crowd members.
iii. Officers must not take action or fail to take action based on the opinions being expressed.
iv. Officers must not interfere with the rights of members of the public to observe and document police conduct via video, photographs, or other methods unless doing so interferes with on-going police activity.
v. Officers must not use a weapon or munition unless the officer has been trained in the use and qualified in deployment of the weapon/munition.
vi. This policy does not preclude officers from taking appropriate action to direct crowd and vehicular movement; enforce ordinances and statutes; and to maintain the safety of the crowd, the general public, law enforcement personnel, and emergency personnel.

c. Responses to Crown Stations

i. Lawful Assembly

1. Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest, or otherwise express their views and opinions through varying forms of communication including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills, leafleting and loitering

ii. Unlawful Assembly

1. The definition of an unlawful assembly has been set forth in Minnesota Statute §609.705.
2. The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly
3. The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.

4. Whenever possible, the unlawful behavior of a few participants must not result in the majority of peaceful protestors being deprived of their First Amendment rights, unless other participants or officers are threatened with dangerous circumstances.
5. Unless emergency or dangerous circumstances prevent negotiation, crowd dispersal techniques must not be initiated until after attempts have been made through contacts with the police liaisons and demonstration or crowd event leaders to negotiate a resolution of the situation so that the unlawful activity will cease, and the First Amendment activity can continue.

iii. Declaration of Unlawful Assembly

1. If the on-scene supervisor/incident commander has declared an unlawful assembly, the reasons for the declaration and the names of the decision maker(s) must be recorded. The declaration and dispersal order must be announced to the assembly. The name(s) of the officers announcing the declaration should be recorded, with the time(s) and date(s) documented.
2. The dispersal order must include:

    a. Name, rank of person, and agency giving the order
    b. Declaration of Unlawful Assembly and reason(s) for declaration
    c. Egress or escape routes that may be used
    d. Specific consequences of failure to comply with dispersal order
    e. How long the group has to comply

3. Whenever possible, dispersal orders should also be given in other languages that are appropriate for the audience. Officers must recognize that not all crowd members may be fluent in the language(s) used in the dispersal order.
4. Dispersal announcements must be made in a manner that will ensure that they are audible over a sufficient area. Dispersal announcements must be made from different locations when the demonstration is large and noisy. The dispersal announcements should be repeated after commencement of the dispersal operation so that persons not present at the original broadcast will understand that they must leave the area. The announcements must also specify adequate egress or escape routes. Whenever possible, a minimum of two escape/egress routes shall be identified and announced.

iv. Crown Dispersal

1. Crowd dispersal techniques should not be initiated until officers have made repeated announcements to the crowd, or are aware that repeated announcements have been made, asking members of the crowd to voluntarily disperse, and informing them that, if they do not disperse, they will be subject to arrest.
2. Unless an immediate risk to public safety exists or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with officer commands before action is taken.
3. If negotiations and verbal announcements disperse do not result involuntary movement of the crowd, officers may employ additional crowd dispersal tactics, but only after orders from the on-scene supervisor/incident commander. The use of these crowd dispersal tactics shall be consistent with the department policy of using the minimal officer intervention needed to address crowd

management or control issue.

4. If after a crowd disperses pursuant to a declaration of unlawful assembly and subsequently participants assemble at a different geographic location where the participants are engaged in non-violent and lawful First Amendment activity, such an assembly cannot be dispersed unless it has been determined that it is an unlawful assembly, and a new declaration of unlawful assembly has been made.

d. Tactics and Weapons to Disperse or Control a Non-Compliant Crowd

Nothing in this policy prohibits officers' abilities to use appropriate force options to defend themselves or others as defined in the RFPD Use of Force policy #11, or Use of Force-Nonlethal #32.

i. Use of Batons

1. Batons must not be used for crowd control, crowd containment, or crowd dispersal except as specified below.
2. Batons may be visibly displayed and held in a ready position during squad or platoon formations.
3. When it is reasonably necessary for protection of the officers or to disperse individuals in the crowd pursuant to the procedures of this policy, batons may be used in pushing, pulling, or jabbing motion. Baton jabs must not be used indiscriminately against a crowd or group of persons but only against individuals who are physically aggressive or actively resisting arrest. Baton jabs should not be used in a crowd control situation against an individual who is attempting to comply but is physically unable to disperse or move because of the press of the crowd or some other fixed obstacle.
4. Officers must not strike a person with any baton to the head, neck, throat, kidneys, spine, or groin, or jab with force to the armpit unless the person has created an imminent threat of great bodily harm to another.
5. Batons shall not be used against a person who is handcuffed except when permissible under this department's Use of Force policy and state law.

ii. Restrictions on Crowd Control and Crowd Dispersal

1. Canines. Canines must not be used for crowd control, crowd containment, or crowd dispersal.
2. Fire Hoses. Fire hoses must not be used for crowd control, crowd containment, or crowd dispersal.
3. Electronic Control Weapons (ECWs) must not be used for crowd control, crowd containment, or crowd dispersal.
4. Motorcycles and police vehicles must not be used for crowd dispersal, but may be used for purposes of observation, visible deterrence, traffic control, transportation, and area control during a crowd event.
5. Skip Fired Specialty Impact Less-Lethal Munitions (Wooden Dowels and Stinger Grenades) may be used as a last resort if other crowd dispersal techniques have failed or have been deemed ineffective.
6. Direct Fired munitions may never be used indiscriminately against a crowd or group of persons even if some members of the crowd or group are violent or disruptive.

a. Except for exigent circumstances, the on-scene supervisor/incident commander must authorize the deployment of Direct Fired munitions.
b. Direct Fired munitions must be used only against a specific individual who is engaging in conduct that poses an immediate threat of loss of life or serious bodily injury to them self, officers, or the general public; or is creating an imminent risk to the lives or safety of other persons through.
c. Officers shall not discharge Direct Fired munitions at a person's head, neck, throat, face, left armpit, spine, kidneys, or groin unless deadly force would be justified.
d. When circumstances permit, the on-scene supervisor/incident commander must make an attempt to accomplish the policing goal without the use of Direct Fired munitions as described above, and, if practical, an audible warning shall be given to the subject before deployment of the weapon.

7. Aerosol Hand-held Chemical Agents must not be used in a demonstration or crowd situation or other civil disorders without the approval of the on-scene supervisor/incident commander.

    a. Aerosol, hand-held, pressurized, containerized chemical agents that emit a stream shall not be used for crowd management, crowd control, or crowd dispersal during demonstrations or crowd events. Aerosol hand-held chemical agents may not be used indiscriminately against a crowd or group of persons, but only against specific individuals who are engaged in specific acts of serious unlawful conduct or who are actively resisting arrest.
    b. Officers shall use the minimum amount of the chemical agent necessary to overcome the subject's resistance.
    c. When possible, persons should be removed quickly from any area where hand held chemical agents have been used. Officers must monitor the subject and pay particular attention to the subject's ability to breathe following the application of a chemical agent.
    d. A subject who has been sprayed with a hand-held chemical agent shall not be left lying on their stomach once handcuffed or restrained with any device.

8. Chemical munitions used in a crowd situation are subject to the following:

    a. Chemical munitions must be used only when:

        i. A threat of imminent harm or serious property damage is present, or other crowd dispersal techniques have failed or did not accomplish the policing goal as determined by the incident commander,
        ii. Sufficient egress to safely allow the crowd to disperse exists, and
        iii. The use of chemical munitions is approved by the on-scene supervisor/incident commander, and

    b. When feasible, additional announcements should be made prior to the use of chemical munitions in a crowd situation warning of the imminent use of chemical munitions.
    c. Deployment of chemical munitions into a crowd must be avoided to prevent

unnecessary injuries.

d. CN chemical munitions are prohibited.
e. The use of each chemical munition must be recorded (time, location), and the following information must be made available by the department on request:

    i. The name of each chemical munition used in an incident,
    ii. The location and time of use for each munition deployment,
    iii. Access to the safety data sheet (SDS) for chemical munition

f. Where extensive use of chemical munitions would reasonably be anticipated to impact nearby residents or businesses, agencies should consider proactively notifying impacted individuals of safety information related to the munitions use as soon as possible, even if after the event.
g. When chemical munitions are used, an emergency responder will be on standby at a safe distance near the target area when feasible.
h. Chemical munitions are subject to the same procedural requirements as outlined in the (law enforcement department's UOF policy.

e. Arrests

    i. If the crowd has failed to disperse after the required announcements and sufficient time to disperse, officers may encircle the crowd or a portion of the crowd for purposes of making multiple simultaneous arrests.
    ii. Persons who make it clear (e.g., by non-violent civil disobedience) that they seek to be arrested may be arrested and must not be subjected to other dispersal techniques, such as the use of batons or chemical agents. Persons refusing to comply with arrest procedures may be subject to the reasonable use of force.
    iii. Arrests of non-violent persons shall be accomplished by verbal commands and persuasion, handcuffing, lifting, carrying, the use of dollies and/or stretchers, and/or the use of soft empty hand control holds.
    iv. Officers must document any injuries reported by an arrestee, and as soon as practical, officers must obtain professional medical treatment for the arrestee.
    v. Juveniles arrested in demonstrations shall be handled consistent with department policy on arrest, transportation, and detention of juveniles.
    vi. Officers arresting a person with a disability affecting mobility or communication must follow the department policy on arrest, transportation, and detention of persons with disabilities.

C. Handcuffs

a. All persons subject to arrest during a demonstration or crowd event shall be handcuffed in accordance with department policy, orders, and training bulletins.

b. Officers should be cognizant that flex-cuffs may tighten when arrestees' hands swell or move, sometimes simply in response to pain from the cuffs themselves. When arrestees complain of pain from overly tight flex cuffs, officers must examine the cuffs and ensure proper fit.

c. Arrestees in flex-cuffs must be monitored to prevent injury.

d. Each unit involved in detention and/or transportation of arrestees with flex-cuffs should have a flex-cuff cutter and adequate supplies of extra flex-cuffs readily available.

D. Media

a. The media have a First Amendment right to cover public activity, including the right to record video or film, livestream, photograph, or use other mediums.

b. The media must not be restricted to an identified area and must be permitted to observe and must be permitted close enough access to view the crowd event and any arrests. An onsite supervisor/incident commander may identify an area where media may choose to assemble.

c. Officers will not arrest members of the media unless they are physically obstructing lawful efforts to disperse the crowd, or efforts to arrest participants, or engaged in criminal activity.

d. The media must not be targeted for dispersal or enforcement action because of their media status.

e. Even after a dispersal order has been given, clearly identified media must be permitted to carry out their professional duties unless their presence would unduly interfere with the enforcement action.

E. Legal Observers

a. Legal observers, including unaffiliated self-identified legal observers and crowd monitors, do not have the same legal status as the media, and are subject to laws and orders similar to any other person or citizen.

b. Legal observers and monitors must comply with all dispersal orders unless the on-site supervisor/incident commander chooses to allow such an individual legal observers and monitors to remain in an area after a dispersal order.

c. Legal observers and crowd monitors must not be targeted for dispersal or enforcement action because of their status.

F. Documentation of Public Assembly and First Amendment Activity

a. The purpose of any visual documentation by (law enforcement agency) of a public assembly or first amendment activity must be related only to:

i. Documentation of the event for the purposes of debriefing,
ii. Documentation to establish a visual record for the purposes of responding to citizen complaints or legal challenges, or
iii. Creating visual records for training purposes.

b. If it is the policy of Redwood Falls Police Department to videotape and photograph, it must be done in a manner that minimizes interference with people lawfully participating in First Amendment activities. Videotaping and photographing of First Amendment activities must take place only when authorized by the on-site supervisor/incident commander.

c. Individuals should not be singled out for photographing or recording simply because they appear to be leaders, organizers, or speakers.

d. Unless evidence of criminal activity is provided, videos or photographs of demonstrations shall not

be disseminated to other government agencies, including federal, state, and local law enforcement agencies. If videos or photographs are disseminated or shared with another law enforcement agency, a record should be created and maintained noting the date and recipient of the information.

e. If there are no pending criminal prosecutions arising from the demonstration or if the video recording or photographing is not relevant to an Internal Affairs or citizen complaint investigation or proceedings or to civil litigation arising from police conduct at the demonstration, the video recording and/or photographs shall be destroyed in accordance with department policies.

f. This directive shall not prohibit department members from using these videos or footage from such videos as part of training materials for officers in crowd control and crowd dispersal techniques and procedures.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #45 SCHOOL RESOURCE OFFICER
REVISION DATE: 12/31/2024, 05/12/2026

I. POLICY

It is the policy of the Redwood Falls Police Department to establish procedures regarding school resource officer.

II. PROCEDURE

The SRO employed by the Redwood Falls Police Department should be carefully selected, thoroughly trained, and appropriately equipped to fulfill their role within the school community. The SRO should actively engage in early prevention and early intervention educational programs that focus on and support student needs.

SROs shall be specially trained in the principles and standards identified in Minn. Stat. 626.8482, Subd. 4 which recognize the unique role of an SRO to foster positive relationships, open communication and mentorship while providing a safe and constructive environment for students, staff and visitors in the school setting.

SROs are expected to recognize and consider alternatives to formal criminal referrals such as diversion and restorative justice programs where possible and as appropriate for the incident, the involved students and families, victim(s) and the larger school community.

When a criminal incident also involves a violation of school rules, SRO's should consider referral of the matter to school authorities in lieu of formal criminal referral, as appropriate for the incident, the students and families involved, the victim(s) and the larger school community.

Nothing in this policy should be construed as limiting any other duty or responsibility imposed on peace officers; the expectation that peace officers will exercise professional judgment and discretion to protect the health, safety, and general welfare of the public when carrying out their duties; or creates a duty for school resource officers to protect students, staff, or others on school grounds that is different from the duty to protect the public as a whole.

A. Definitions

a. School: An elementary school, middle school, or secondary school, as defined in section 120A.05, subdivisions 9, 11 and 13.

b. School Resource Officer: A licensed peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer's regular responsibilities through the terms of a contract entered between the peace officer's employer and the designated school district or charter school.

c. Positive School Climate: A school environment that makes students feel safe, supported and welcome.

d. Developmentally Appropriate Practices: Individualized, responsive care that is appropriate for the child's age, cultural context, disability status and personality.

e. Great Bodily Harm: As defined in Minn. Stat. 609.02 Sub. 8 means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

f. Prone Restraint: As defined in Minn. Stat. 121A.58 and for purposes of this policy, prone restraint means placing a child in a face down position.

g. Custodial Arrest: A custodial arrest is the actual, physical restraint of a person and subsequent detention. Custodial arrest may occur with or without a warrant depending on the circumstances.

h. De-escalation: Refers to the methods and actions taken to decrease the severity of a conflict, whether physical or verbal in nature.

B. Procedure

General contractual requirements: The law enforcement agency's contract with a school district or charter school shall define the SRO duties in compliance with Minn. Stat. 626.8482, Subd. 2.

a. Additional Issues to be Addressed in Contract. The Contract Between the Parties:

i. Must address a mutually agreed upon policy regarding the use of plain clothes, modified uniforms, and other changes to SRO attire with the goal of fostering a positive school climate, facilitating the establishment of positive relationships with students, and promoting open communication;
ii. Shall articulate the role, if any, of the school district in the selection, vetting and retention of the SRO;
iii. Should address how the SRO will be informed of school district resources available to school staff to assist with de-escalation of conflicts in school, e.g. specialized crisis teams, mediation opportunities, etc.; and
iv. Shall establish a public notification process that an SRO will be present in the schools.

b. Fostering a Positive School Climate and Constructive Relationships:

i. SRO's should consider establishing a presence at times that allow opportunities to build connections and relationships.
ii. SRO's should establish connections based upon mutual trust and respect while encouraging communication.
iii. SRO's are a resource for educating students on what concerns should be reported to a responsible adult.

c. SRO's Work in Collaboration with the Schools Providing Campus Safety Training:

i. Use developmentally appropriate practices that take into consideration differences in culture, language, trauma and an individual's disabilities.

ii. Use methods that help ensure school safety and security, focusing on safety over violence.
iii. Encourage students to ask questions about school safety.

d. Crisis Intervention and De-escalation

i. SRO's are often required to make assessments of rapidly evolving situations, analyze potential responses and act upon various levels of safety concerns. Crisis intervention and de-escalation strategies should be used whenever possible in response to crisis or safety situations. The safety of the individual, SRO's, school staff, students, and others present should not be compromised during de-escalation tactics.
ii. SRO's should understand and use developmentally appropriate principles of evidence-based crisis intervention and de-escalation strategies. These strategies include, but are not limited to:
    1. Be empathetic and non-judgmental
    2. Respect personal space
    3. Use non-threatening nonverbal communication
    4. Avoid challenging questions
    5. Allow time for decisions

e. Use of Force

i. SRO use of force is governed by and will comply with Minn. Stats. 609.06 Authorized Use of Force; 609.066 Authorized Use of Deadly Force by Peace Officers; 626.8475 Duty to Intercede and Report; and the Law Enforcement Agency Use of Force Policy.
ii. Specific tactics and strategies to minimize uses of force or the use and duration of prone restraint or physical holds of students:
    1. Employ de-escalation techniques, the least restrictive physical intervention strategies, as reasonable, for addressing conflicts in schools as identified in the training required under Minn. Stat. 626.8482, Subd. 4., and use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.
    2. Consistent with training after any use of force, the SRO shall assess the condition of the student and render aid as needed including restoring the student to a non-prone position as soon as possible.
iii. Additional considerations for SROs when using force as allowed in Minn. Stat. 609.06 in a school situation should include:
    1. Immediacy and severity of the threat to officers or others.
        a. Potential for injury to officers, students, and others
    2. The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
    3. Officer/individual factors (e.g. age and/or maturity, physical size and/or abilities).
    4. The individual's ability to understand and comply with officer commands
        a. The effects of suspected drug or alcohol use.
        b. The individual's mental state or capacity.
        c. The student's education plan or accommodations, if known
    5. Proximity of weapons or dangerous improvised devices.

6. The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
7. The availability of other reasonable and feasible options and their possible effectiveness (Minn. Stat. § 626.8452).
8. The immediate need for intervention versus allowing time and distance for additional de-escalation
    a. Seriousness of the suspected offense or reason for contact with the individual.
9. Training and experience of the officer.
10. Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
11. The risk and reasonably foreseeable consequences of escape.
12. Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
13. Prior contacts with the individual or awareness of any propensity for violence.
14. Any other exigent circumstances.

iv. When a criminal incident also involves a violation of school rules, SRO's should consider referral of the matter to school authorities in lieu of formal criminal referral, as appropriate for the incident, the students and families involved, the victim(s) and the larger school community.

v. SROs should exercise age-appropriate practices when interacting with children, and developmentally appropriate practices with youth and individuals known to have physical, mental health, developmental or intellectual disabilities recognizing that the individual's disability may affect their ability to understand or comply with commands from SROs.

f. Arrest Considerations

i. As much as is reasonably practical, SROs should seek to utilize alternatives to formal criminal referral such as diversion and restorative justice programs where possible and as appropriate for the incident, the students and families involved, victim(s) and the larger school community.

ii. Custodial arrests in school should be avoided if reasonably practical. If a custodial arrest is necessary because of exigency or public safety considerations, the arrest should be made in a non-communal area away from the view of other students if practicable.

iii. When reasonably practicable, appropriate school staff should be notified prior to and/or present during the custodial arrest of a student.

g. Training

i. Except as provided for in paragraphs E.2., E.3., and E.4. below, beginning September 1, 2025, a peace officer assigned to serve as a school resource officer must complete a training course that provides instruction on the learning objectives identified in Minnesota Statutes, section 626.8482, subdivision 4 prior to assuming the duties of a school resource officer.

ii. A peace officer who has completed either the School Safety Center standardized Basic School Resource Officer Training or the National School Resource Officer Basic School Resource Officer course prior to September 1, 2025, must complete the training mandated under paragraph E.1. above before June 1, 2027. A peace officer covered under this paragraph may complete a supplemental training course approved by the board pursuant to

Minnesota Statutes, section 626.8482, subdivision 4, paragraph (b), to satisfy the training requirement.

iii. Whenever practicable, it is preferable that a peace officer completes the training required under this section prior to filling the role of SRO.

However, if an officer's employer is unable to provide the required training course to the officer prior to the officer assuming the duties of a school resource officer, the officer must complete the required training within six months of assuming the duties of a school resource officer. The officer is not required to perform the duties described in Minnesota Statutes, section 626.8482, subdivision 2, paragraph (a), clause (4) or (5), until the officer has completed the required training course. The officer must review any policy adopted by the officer's employer pursuant to section 626.8482, subdivision 6 before assuming the other duties of a school resource officer and must comply with that policy.

iv. An officer who is serving as a substitute school resource officer for fewer than 60 student contact days within a school year is not obligated to complete the required training or perform the duties described in Minnesota Statutes, section 626.8482 subdivision 2, paragraph (a), clause (4) or (5), but must review and comply with any policy adopted pursuant to subdivision 6 by the law enforcement agency that employs the substitute school resource officer. 5. An SRO will complete a refresher course at a minimum of once every three years. 6. For each school resource officer employed by an agency, the chief law enforcement officer must maintain a copy of the most recent training certificate issued to the officer for completion of the training mandated under this section.

h. Data Practices

i. The contract between the school district and the law enforcement agency must address data practices policies and procedures. These procedures and policies shall identify the education records that can be shared with the law enforcement agency generally and with the SRO specifically and for what purposes.

ii. Law enforcement records that contain student and parent data that are maintained by the law enforcement agency shall be governed by the agency’s data practices policy and in compliance with the requirements of the Minnesota Government 7 Approved by MN POST Board 11/7/24 Data Practices Act, Minn. Stats., chapter 13, and Minnesota Rules, parts 1205.0100-1205.2000.

REDWOOD FALLS POLICE DEPARTMENT
POLICY AND PROCEDURES

SUBJECT: #46 POLICE CANINE
REVISION DATE: 05/20/2025

I. PURPOSE

This policy establishes guidelines for the use of police canines to augment law enforcement services in the community including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

II. POLICY

It is the policy of the Redwood Falls Police Department (RFPD) that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives. K9 teams remain within the established chain of command of RFPD and shall be subject to supervision by on-duty Sergeants and, ultimately, the Chief of Police or designee.

III. PROCEDURE

A. Request for Use of Canine Teams

RFPD officers may request the use of the canine. Requests from outside agencies for the canine team should be approved by a supervisor with input from the canine handler.

a. Outside Agency Requests

All requests for canine assistance from outside agencies are subject to the following:

i. Canine teams shall not be used for any assignment that is not consistent with this policy.
ii. The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
iii. It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
iv. It shall be the responsibility of the canine handler to complete all necessary reports or as directed.
v. Police coverage for the City of Redwood Falls shall take priority over providing police canine assistance to an outside agency.

b. Public Demonstrations

All requests for a canine team demonstration shall be reviewed by the Chief or Assistant Chief after consultation and input from the K9 handler. The canine handler is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate apprehension work unless authorized to do so by the Chief or Assistant Chief.

B. Selection of Canine Handlers

The minimum qualifications for the assignment of canine handler are:

a. Redwood Falls Police Department officer that is off probation.

b. Residing in a residence with adequate measures to prevent unauthorized access to the canine.

c. Live in a residence no more than six minutes from the Redwood Falls Police Department. Any exceptions to this must be approved by the City Administrator.

d. Agree to be assigned to the position for the working life of the canine.

C. Canine Handler Responsibilities

a. Availability

When not on duty, the canine handler will be available for call-out but will not be called out without approval from a supervisor. Being available for call out shall not be interpreted to mean the canine handler is on-call and subject to callback at any time while off duty.

b. Care for the Canine and Equipment

The handler shall ultimately be responsible for the health and welfare of the canine and shall ensure the canine receives proper nutrition, grooming, training, medical care, affection and living conditions. The handler will be responsible for the following:

i. Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
ii. The handler shall maintain all equipment under his/her control in a clean and serviceable condition.
iii. Handlers shall permit the Chief or Assistant Chief to conduct spontaneous on-site inspections of affected areas of their residence, as well as the canine squad, to verify that conditions and equipment conform to this policy.
iv. If the handler moves to a new residence the address change must be reported to the Chief, or Assistant Chief, as soon as practical and a review of the new living environment for the dog must be reviewed as well as the response time from the residence to the RFPD office.
v. When off-duty, the canine shall be maintained in a kennel provided by RFPD at the handler's home. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, canines may be let out of their kennels while under the direct control of the handler.
vi. The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
vii. Under no circumstances will the canine be lodged at another location unless approved by the Chief or Assistant Chief.
viii. When off-duty, handlers shall not involve their canines in any ability demonstrations or police K-9 activity unless approved by the Chief or Assistant Chief.
ix. Whenever a canine handler anticipates taking a vacation or an extended number of days off, it may be necessary to temporarily relocate the canine. In those situations, the handler shall

give reasonable notice to the Chief or Assistant Chief so that appropriate arrangements can be made.

c. Canine in Public Areas
The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

i. A canine shall not be left unattended in any area to which the public may have access.
ii. When the canine is left unattended in the squad car all windows and doors shall be secured to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

D. Apprehension Guidelines

A canine may be used to locate and apprehend a suspect if the handler reasonably believes the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

a. There is a reasonable belief that the suspect poses an imminent threat of violence or serious harm to the public, officers, or handler.

b. The suspect is physically resisting or threatening to resist arrest, and the use of a canine reasonably appears necessary to overcome such resistance.

c. The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonable standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from a supervisor. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

d. Preparation for Deployment

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

i. The nature and seriousness of the suspected offense.
ii. Whether violence or weapons were used or are anticipated.
iii. The degree of resistance or threatened resistance, if any, the suspect has shown.
iv. The suspect's known or perceived age.
v. The potential for injury to officers or the public is caused by the suspect if the canine is not utilized.
vi. Potential danger to the public or officers at the scene if the canine is released.
vii. The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with officers to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take directions from the handler in order to minimize interference with the canine.

e. Warnings and Announcements

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If reasonably feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when reasonably practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

f. Reporting Deployments, Bites and Injuries

Handlers should document canine deployments in a written report. Whenever a canine deployment results in a bite or causes injury, a supervisor shall be promptly notified and the injuries documented in an Incident Report and Use of Force Report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the Chief or Assistant Chief. Unintended bites or injuries caused by a canine shall be documented in an administrative report but not in a use of force report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as reasonably practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current office evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Canines used by law enforcement agencies are generally exempt from dangerous dog registration, impoundment, and reporting requirements (Minn. Stat. § 347.51, Subd. 4).

E. Non-Apprehension Guidelines

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation the following guidelines apply.

- Absent a change in circumstances that present an imminent threat to officers, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

- Unless otherwise directed by a supervisor, assisting members should take directions from the handler in order to minimize interference with the canine.

- Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

- Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

a. Article Detection

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

b. Narcotics Detection
A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

i. The search of vehicles, buildings, bags, and other articles.
ii. Assisting in the search for narcotics during a search warrant service.
iii. Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics

c. Training Records

All canine training records shall be maintained in the canine handler's training files.

F. Canine Injury and Medical Care

In the event a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the Chief or Assistant Chief as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

G. Training

Before assignment in the field the canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards. Cross trained canine teams shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills. The Chief or Assistant Chief shall be responsible for scheduling periodic training for all office members in order to familiarize them with how to conduct themselves in the presence of office canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the Chief or Assistant Chief should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the Chief or Assistant Chief.

a. Continued Training

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

i. To maintain the canine and handler's skill proficiency, the handler shall ensure the team trains on a regular basis through in-house resources, canine trainers, or in collaboration with other police canine teams
ii. Canine handlers are encouraged to engage in additional training with the approval of the Chief or Assistant Chief.
iii. To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the Redwood Falls Police Department.
iv. All training of the K9 team shall be documented and maintained with the handler's training records.

b. Failure to Successfully Complete Training

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

c. Training Aids

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances for canine training must comply with federal and state requirements. Alternatively, RFPD may work with outside trainers with applicable licenses or permits.

d. Controlled Substance Training Aids

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with federal laws and if they comply with applicable state requirements (21 USC § 823(g)).

The Chief or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by RFPD to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA). These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

e. Controlled Substance Procedures

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

i. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
ii. The weight and test results shall be recorded and maintained by this department.
iii. Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
iv. All controlled substance training samples will be stored in locked, airtight, and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
v. The Chief or Assistant Chief shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
vi. Any unusable controlled substance training samples shall be returned to the Property and Evidence Storage or to the dispensing agency.
vii. All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

SUBJECT: #47 PEPPERBALL LAUNCHERS
REVISION DATE: APRIL 2026

III. POLICY

When it is safe to do so, de-escalation tactics are the preferred method to gain compliance with non-compliant subject(s). However, de-escalation is not effective for all people in every situation so it may be necessary to use alternative methods to gain compliance.

It is the policy of the Redwood Falls Police Department to utilize a PepperBall launcher to gain compliance from non-compliant subject(s) without intentionally causing bodily injury when it is likely to be the best option. Nothing in this policy shall be interpreted to prevent the use of deadly force or less-lethal force when it is justified under Minnesota Statute or RFPD policy. Furthermore, nothing in this policy shall supersede the officer's obligation to comply with Minnesota Use of Force Statutes or RFPD Use of Force policies.

IV. PROCEDURE

D. Definitions

a. PepperBall Launcher: Any device designed to expel PepperBall projectiles.

b. PepperBall Projectiles: Round projectile containing a chemical or organic irritant designed to be launched at a single, or multiple, non-compliant person(s) with the purpose of obtaining compliance or dispersal through kinetic impact and/or inhalation of the irritant.

Object designed to break glass but not to be used against non-compliant subjects. These include, but may not be limited to: VXR Shatter/Glass Breaker/Glass Breaker-X.

c. Deploy: Using a PepperBall launcher to gain compliance from a non-compliant subject(s).

d. Area Saturation: Deploying PepperBall projectiles containing a chemical irritant against inanimate object(s) near one or more non-compliant subjects.

e. Potentially Vulnerable Subject: A person who, due to their age, size, body mass, obvious injury, pregnancy, or other factor that could experience exacerbated effects of PepperBall projectiles.

E. Deployment Guidelines

a. PepperBall launchers are classified as a non-lethal device by the manufacturer, however, PepperBall launchers are designed to launch a projectile with the intended result of compliance through kinetic impact and/or in response to inhalation of the irritant powder inside the projectile. Although there is a potential to inflict injury if a projectile strikes a subject's face, eyes, neck or groin, when used in accordance with the manufacturers training curriculum, PepperBall launchers are on the same use of force level as OC spray.

b. Only officers who have been properly trained by a PepperBall instructor may deploy the PepperBall launcher. Discharging PepperBall projectiles shall conform to the curriculum of PepperBall training.

c. PepperBall launchers and projectiles can be affected by extreme heat and cold temperatures. Officers shall remove the PepperBall launchers and projectiles from squad cars at the end of their shift when temperatures inside the squad exceed 100 degrees or below 0.

d. Officers who are trained to deploy PepperBall launchers shall inspect the launchers and projectiles at the beginning of their shift. If a malfunction or damage is identified it must be reported to a supervisor as soon as possible and the launcher or projectiles shall be taken out of service until it can be repaired by the manufacturer or qualified armorer.

e. Officers shall not make modifications to the PepperBall launchers or projectiles without approval from an RFPD PepperBall instructor. Officers shall only use department purchased PepperBall launchers and projectiles while on-duty.

f. Officers shall not discharge PepperBall launchers for demonstration purposes without prior approval from the Police Chief, or designee.

g. Officers are not required to notify a supervisor prior to deploying a PepperBall launcher but should do so if time and circumstances allow. Whenever feasible, officers should provide a warning to non-compliant subjects they may be shot with the PepperBall projectile if they do not comply. Whenever feasible, officers should notify officers on-scene they are about to discharge the PepperBall launcher.

h. When it is feasible, officers shall activate their body worn camera prior to deploying a PepperBall device or launching projectiles at a non-compliant subject(s).

i. Decontamination of subject(s) affected by PepperBall projectiles will begin as soon as the subject(s) has been taken into custody and it is safe for officers to do so. Decontamination shall be consistent with procedures for OC spray as found in Policy #32, Subdivision C, subsection c, i-iv.

j. After deploying PepperBall projectile(s) at a non-compliant subject, and the subject has been taken into custody, officers must evaluate the medical condition of the detained subject and, if warranted, render aid or obtain medical aid as soon as possible.

k. PepperBall launchers may be used for area saturation toward multiple non-compliant subjects in order to gain compliance or to encourage them to exit the area. Persons affected by an area saturation of PepperBall projectiles may require medical aid. Officers must monitor people within, or near, an area saturation and render aid if necessary.

l. As distances between a non-compliant subject(s) and a PepperBall launcher decrease the potential for unintended injury to the subject(s) may increase. For this reason, before launching projectiles at close range officers should consider the totality of the circumstances including, but not limited to, the level of non-compliance displayed by the subject; the size of the subject in comparison to the officer; whether the subject is armed; clothing worn by the subject. All these, and other factors, should be considered in choosing whether to launch a PepperBall projectile directly at the subject or for area saturation.

m. When confronted by potentially vulnerable non-compliant subject(s) officers should consider the possibility of injury if the person is directly struck by a projectile and whether area saturation could obtain compliance.

n. PepperBall launchers may be utilized to deploy projectiles designed to break glass in order to gain access to a non-compliant subject. The use of launchers and projectiles designed to break glass shall be restricted to RFPD supervisor staff, or, by an officer who has received explicit authorization from a supervisor to deploy glass breaking projectiles.

C. Reporting

a. Any officer that points a PepperBall launcher at a non-compliant subject, fires projectiles at a non-compliant subject, fires projectiles for area saturation, or fires a glass breaking projectile the officer shall document the incident in both a written report as well as a use of force report.