

# Eden Prairie Police Department

## Department Manual

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Eden Prairie Police Department  
Department Manual  
Chapter 1 - General Definitions

**ARREST:** The taking of a person into custody so that the person may be held to answer for a public offense. An arrest is made by an actual restraint of the person or by the person's submission to the custody of the officer. As soon as an officer indicates by word or action the intention to take a person into custody, an arrest has been made.

**ASSIGNMENTS:** There are two types of assignments:

- A **Primary Assignment** is the base assignment of an employee. The employee may or may not have additional **Secondary Assignments**, which are within the scope of their primary assignment, and may replace portions of the primary assignment. Assignments generally do not have conclusion dates and conclude at the request of the assigned officer or if required for organizational purposes. All assignments are subject to temporary reassignment for the purpose of professional development.
- A **Professional Development Assignment** has a specific conclusion date. There are two purposes for Professional Development Assignments:
  - To expose employees to different assignments for the purpose of enhancing his/her ability to perform his/her current regular assignment.
  - To expose an employee to a different assignment for the purpose of preparing him/her for a future new assignment or to help him/her decide if he/she wishes to pursue a new assignment.

**CANINE SQUAD:** A canine squad is a Police Department vehicle set up and maintained for the specific use of a canine team.

**CANINE TEAM:** A canine team consists of one handler and one dog.

**CANINE UNIT:** The Canine Unit is the group consisting of handler-dog teams and the supervisor assigned to Canine.

**CHAIN OF EVIDENCE:** The documentation of the custody and transfer of custody of evidence.

**CHEMICALLY DEPENDENT PERSON:** Any person determined as being incapable of self-management or management of personal affairs by reason of the habitual and excessive use of alcohol or drugs **and** whose recent conduct as a result of habitual and excessive use of alcohol or drugs **(1)** poses a substantial likelihood of physical harm to self or others as demonstrated by a recent attempt or threat to physically harm self or others, **(2)** evidence of recent serious physical problems, **or (3)** a failure to obtain necessary food, clothing, shelter, or medical care.

**CHIEF:** Police Chief.

**CHILD:** Any person under the age of 18 years or any person certified or known to be mentally incompetent.

**CITY VEHICLES:** City vehicles are those owned or issued by the City or the Police Department and includes vehicles rented or leased by the City or the Police Department.

**CIVIL DISOBEDIENCE:** A general situation of lawlessness and disorder found in cases of riots, violent demonstrations, looting, and violent strike lines.

**COMMAND STAFF:** The Command staff consists of the Police Chief, the Deputy Police Chief, the Captain and the Department Division Commanders.

**DEADLY FORCE:** Any use of force that is likely to cause death or great bodily harm.

**DEPARTMENT MANUAL:** The collection of Department Manual directives currently in effect. The Department Manual is divided into chapters. The Operations Manual is a "living" document. It is the responsibility of all department personnel to ensure that the Department Manual changes as the needs of the Department change.

**DEPARTMENT MANUAL ADMINISTRATOR:** A member of the Police Department Staff, assigned by the Police Chief, who facilitates directive additions/revisions, communicates the status of additions/revisions, coordinates implementation and purging of directives, and is responsible for ensuring that the integrity of the Department Manual is maintained.

**DEPARTMENT MANUAL DIRECTIVES:** Department Manual directives are General Orders and Special Orders. General Orders and Special Orders may contain parts such as Purpose, Policy, and Procedure.

**DEPARTMENT PERSONNEL:** Department personnel are personnel sworn or civilian, and volunteers who work under the ultimate direction of the Police Chief.

**DIRECTIVE:** Any instruction, verbal or written, used to guide or affect the performance or conduct of department employees. For the purposes of this General Order, the terms "directive" and "order" are synonymous.

**DIRECTIVE POSTING BOARD:** An electronic Directive Posting Board will be maintained to communicate the status of directives that are in the process of being added/revised, as well as to display directives that are scheduled for implementation.

**DIVISION:** A Division is a group of Units that have similar responsibilities and/or objectives and report to the same Division Commander.

**DIVISION COMMANDER:** A Division Commander is the supervisor of a group of units within a specific division. The Commander is ultimately responsible for the performance and operations of an assigned division, and is also responsible for departmental command at the direction of the Police Chief.

**DOMESTIC ABUSE:** Domestic abuse means (i) physical harm, bodily injury, assault, or the affliction of fear of imminent physical harm, bodily injury or assault, between family or household members; or (ii) terroristic threats ([Minnesota State Statute 609.713, subd. 1](#)) or criminal sexual conduct in the first through fourth degree, committed against a family or household member by a family or household member. ([Minnesota State Statute 518B.01, subd. 2\(a\)](#)).

**DOMESTIC ABUSE PROGRAM:** A domestic abuse program means a public or private intervention project or advocacy program, which provides support and assistance to the victims of domestic abuse.

**DOMESTIC DISPUTE:** An altercation between family or household members that does not meet the statutory requirements of abuse.

**DOMESTIC DISTURBANCE:** A call for service that is believed to involve a domestic dispute between family or household members.

**EMERGENCY PREPAREDNESS DIRECTOR:** The Emergency Preparedness Director will serve in a staff capacity to the City Manager and will coordinate all aspects of the Emergency Management Plan.

**EMERGENCY RESPONSE:** A response which may be required in a situation in which the physical safety and well being of an individual is directly jeopardized; a "life and death" situation.

**EMERGENCY RESPONSE UNIT (ERU):** A special unit within the Police Department which is under the direction of the Division Commander assigned by the Police Chief.

**ENDANGERED CHILD:** A law enforcement official has received sufficient evidence that the child is with a person who present a threat of immediate physical injury to the child or physical or sexual abuse of the child.

**EVIDENCE:** Documentary or verbal statements and material objects obtained during a criminal investigation which tends to show that a crime was committed, that a particular person committed a crime, or that possession constitutes a crime.

**EVIDENCE/PROPERTY INVENTORY FORM:** The form used by this department to document the gathering, processing, storage, tracking, and disposal of evidence.

**FAMILY OR HOUSEHOLD MEMBER:** Family or household members means spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they have been married or have lived together at any

time, and persons involved in a significant romantic or sexual relationship. It also includes a man and a 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.

**FINAL DISPOSITION FORM:** The official form used by the Records Technician to determine present status of a particular piece of evidence. The form is routed to the investigator/officer in charge of a case following at least 90 days in evidence. The responding investigator/officer routes the form back to evidence explaining the status of the evidence.

**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 function of any bodily member or organ or other serious bodily harm.

**HIGH RISK WARRANTS:** Any warrant where: a potentially violent person or persons may be present, there is probable need for forced entry, dangerous weapons are believed to be present, and/or special tactics or equipment are needed. It is not necessary to have all three criteria in order to be called high risk. ERU personnel will be called out for all high risk warrants.

**IMMEDIATE SITUATIONS:** Incidents of high-risk barricaded suspect(s), high-risk hostage situations, building or open field searches for armed suspect(s), quickly escalating and/or violent civil disobedience, natural disaster, or other situations where events dictate an immediate response by the E.R.U.

**IMPOUND:** To take legal custody of a vehicle and hold it in a secure place in order to protect the vehicle, property inside the vehicle, or to preserve evidence connected with the vehicle. Once a vehicle is impounded, it can only be released if the owner has a signed release form.

**LOW RISK WARRANTS:** Any warrant where there is a minimal likelihood of occupants in the place to be searched, minimal likelihood of weapons of any kind, minimal likelihood that the involved suspects have a violent history, or the location of the search is such that one officer can execute the warrant safely. ERU personnel will not be called out for low risk warrants.

**MAJOR TRAFFIC OFFENSE:** Anything other than a minor traffic offense. Any traffic offense that requires a court appearance or fine over \$100.

**MEDIUM RISK WARRANTS:** Any warrant in which the risk factors are too great for a low risk designation, but not enough to justify as high risk. ERU personnel may be called out for medium risk warrants.

**MEMORANDUM:** A memorandum is a directive if it is used to guide or affect the performance or conduct of agency employees. Memoranda that contain directive material remain in effect for a period not to exceed 60 days beyond the date of issue. If the directive will continue beyond that date, a General Order or Special Order will be issued. Memoranda that contain only informational material are not directives.

**MENTALLY ILL PERSON:** Any person who has an organic disorder of the brain or a substantial psychiatric disorder of thought, mood, perception, orientation, or memory which grossly impairs judgment, behavior, capacity to recognize reality or to reason or understand which (a) is manifested by instances of grossly disturbed behavior or faulty perceptions; **and** (b) poses a substantial likelihood of physical harm to self or others as demonstrated by a failure to obtain necessary food, clothing, shelter, or medical care as a result of the impairment or a recent attempt to threaten to physically harm self or others.

**MENTALLY RETARDED PERSON:** Any person who has been diagnosed as having significantly subaverage intellectual functioning existing concurrently with demonstrated deficits in adaptive behavior and who manifests these conditions and whose recent conduct is a result of mental retardation and poses a substantial likelihood of physical harm to self or others in that there has been a recent attempt or threat to physically harm self or others, or a failure and inability to obtain necessary food, clothing, shelter, safety, or medical care.

**MINOR TRAFFIC OFFENSE:** An offense punishable only by a fine of not more than \$100 (i.e., speed, stop sign, expired tabs, muffler).

**MISSING CHILD:** The status of a child after a law enforcement agency has received a report of a missing child and has conducted a preliminary investigation which determined that the child cannot be located.

**MUTUAL AID:** Mutual aid is the formal request by another agency for officer assistance.

**NON-DEADLY FORCE:** Any use of force other than that which would be considered deadly.

**NON-IMMEDIATE SITUATIONS:** Incidents of high-risk warrants, medium-risk warrants where E.R.U. assistance is necessary, planned demonstrations, strikes, dignitary protection, or other occasions where there is time prior to the situation for planning.

**PHYSICAL APPREHENSION:** A physical apprehension is the actual taking into custody of a suspect through use of force involving a bite.

**POLICY:** A policy is a statement of the Department's philosophy on a given issue. Policy consists of principles and values that guide the performance of department employees. Policy is based upon ethics, experience, the law, and the interests and desires of the community. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity but rather provide a framework for development of procedures and rules. The essence of policy is that it provides for flexibility in decision-making. It leaves scope for the person who interprets the policy to exercise discretion, to use initiative, and to develop judgment in deciding what ought to be done in specific situations. Policy is formulated by analyzing objectives and determining those principles that will best guide the Department in achieving its objectives.

**PRIMARY OFFICER:** The primary officer is the assigned officer who has responsibility for managing a given call until relieved of that responsibility.

**PROBABLE CAUSE:** Sufficient knowledge of facts and circumstances that would lead a reasonable police officer to conclude that the suspect probably committed the crime. Probable cause requires a reasonable belief, based on reliable evidence. It must go beyond mere suspicion or a hunch, but does not have to be absolute certainty.

**PROCEDURE:** A procedure is a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs action in a particular situation to perform a specific task within the guidelines of policy. Both policies and procedures are objective oriented; however, policy establishes limits of action while procedure directs response within those limits. Deviation from standard procedures is acceptable when the employee can articulate that the deviation was necessary to accomplish the objectives of the policy within the guidelines of the policy.

**REASONABLE SUSPICION:** Reasonable suspicion is a set of articulable facts and circumstances which lead an officer to conclude that a person is possibly involved in past, present, or future criminal activity. It is not of a level equal to probable cause.

**RECOVERED PROPERTY:** Items brought into the Evidence Room which were found, abandoned, or seized, but are not being held for future evidentiary use.

**ROUTINE RESPONSE:** A response to a situation which an emergency response or an urgent response is not appropriate.

**SERIOUS FELONY:** A felony that involves an actual or threatened attack which the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury. Refer to [Minnesota State Statute 609.066](#).

**SERIOUS MEDICAL EMERGENCY:** When the ABC's of life are seriously compromised and childbirth.

**SNOW EMERGENCY:** A condition determined by the Public Works Superintendent or designate after an accumulation of at least two inches of snow that remains in effect until streets are plowed to the full width or until canceled by the Public Works Superintendent or designate.

**STATUS OFFENSE:** Prohibited conduct by a child under the age of 18 years which would be lawful conduct if committed by an adult.

**SUFFICIENT EVIDENCE:** Articulable facts and circumstance which would induce a reasonably prudent police or peace officer to believe that a crime has been or is about to be committed.

**SUPERVISOR:** Supervisors are all sworn personnel with the rank of Sergeant or above and all civilian personnel with

the word supervisor or manager in their job title.

- The **Unit Supervisor** is responsible for assigned unit employee work schedules, for directing employee activities and ensuring that unit objectives/responsibilities are met.
- The **Primary Supervisor** is responsible for an employee's overall performance and development and for compiling and writing the employee's performance evaluation. The primary supervisor is assigned annually.
- The **Patrol Shift Supervisor** is responsible for directing activities of assigned personnel for a given 8-hour patrol shift.

**SUPPLEMENTAL EMPLOYMENT:** An assignment where an outside entity reimburses the City for an officer's time.

**TRAFFIC OFFICER:** An officer with the secondary assignment of Traffic Officer.

**TREATMENT FACILITY:** A hospital, community mental health center, or other treatment provider qualified to provide care and treatment for mentally ill, mentally retarded, or chemically dependent persons.

**UNIT:** A Unit is an individual or a group of department personnel who have similar responsibilities and report to the same Unit Supervisor.

**URGENT RESPONSE:** A response which may be required in a situation in which personal injury is likely to occur if assistance is withheld or response is unnecessarily delayed.

**VERBAL DIRECTIVE:** A verbal directive is equivalent to a verbal order. Verbal orders are spontaneous in nature. Verbal orders permit little, if any, deviation therefrom. Violations of verbal orders normally result in administrative discipline.

**VULNERABLE ADULT:** Any person 18 years of age or older who is a resident or inpatient of a facility who is unable or unlikely to report abuse or neglect.

**WATCH COMMANDER:** Members of the Command Staff rotate through the duty of Watch Commander. The Watch Commander is responsible for: communicating information to the Command Staff; acting for the Chief, Captain, and Division Commanders in their absence; providing administrative/command support to on-duty supervisors; representing the Department at official functions; and other duties directed by the Police Chief.

**WRITTEN DIRECTIVE:** Any written document used to guide or affect the performance or conduct of agency employees. The term includes two specific categories: (1) Department Manual directives and (2) memoranda.



# City of Eden Prairie

## Police Department

### Directive 2.01: Direction

#### I. Policy

The Eden Prairie Police Department shall maintain a system of verbal and written directives in order to: provide an orderly method of direction, guide the day-to-day legal and ethical functions within the Department, and manage liability. The Police Chief will establish policies that provide clear direction without unnecessarily limiting an employee's exercise of discretion.

#### II. Procedure

##### A. Direction

##### 1. Authority/Responsibility — City of Eden Prairie

The City of Eden Prairie retains the full and unrestricted right to manage all matters of inherent managerial policy, including but not limited to, such areas of discretion or policy as the functions and programs of the Department, its overall budget, utilization of technology, the organizational structure, selection of personnel, and direction and the number of personnel (per [Minnesota State Statute 179A.07 sub. 1](#)).

##### 2. Authority/Responsibility — Police Chief

The authority and responsibility for the management, direction, control, and administration of all operations of the Eden Prairie Police Department is vested in the Police Chief. Whenever the Chief will not be able to be reached, or is unable to act for any reason, the Chief or City Manager will designate an Acting Chief who will have and exercise all the powers and duties of the Police Chief. The system of succession below the position of Police Chief will follow the chain of command.

##### 3. Authority/Responsibility — Supervisory Personnel

Supervisors at every organizational level within the Department have the authority and the responsibility to manage and direct the operational performance of employees under their control.

##### 4. Authority/Responsibility — All Personnel

Employees at every level of the organization have the authority and responsibility to provide constructive input regarding department operational decisions. The input will be communicated appropriately through the Department chain of command or in certain circumstances, through the Labor Management Team.

##### B. Directives System

The written directive system is one of the most important means by which employees are made aware of the actions and attitudes expected of them so that they can act in conformance with departmental policy.

##### 1. Types of Directives

a. General Order

A General Order is a directive concerned with policies and procedures. General Orders do not have specified expiration dates.

b. Special Order

A Special Order is a temporary directive concerned with policies and procedures regarding a specific circumstance or event. Special Orders have specified expiration dates.

c. Memorandum

A memorandum is a directive if it is used to guide or affect the performance or conduct of department employees. Memoranda that contain directive material remain in effect for a period not to exceed 60 days beyond the date of issue. If the directive will continue beyond that date, a General Order or Special Order will be issued.

d. Verbal Directive

A verbal directive is equivalent to a verbal order from a supervisor. Verbal orders are spontaneous in nature. Violations of verbal orders may result in administrative discipline.

All employees of this department shall promptly obey any lawful order from a supervisor, including any order relayed from a supervisor by an employee of the same or lesser rank.

Any order that requires an illegal act shall be considered an unlawful order and shall not be followed. An employee who commits an illegal action while following an unlawful order will be held accountable.

Should any order conflict with any previous order from any other supervisor, the employee shall promptly call attention to such conflict to the supervisor. If the supervisor does not change the order to eliminate such conflict, the most recent order shall stand.

2. Authority to Issue Written Directives

a. Department Manual Directives

The Police Chief is the sole authority for the issuance, revision, and cancellation of Operations Manual directives. The Police Chief shall appoint a Department Manual Administrator.

3. Responsibility

Department personnel are responsible for knowing, understanding, and obeying all provisions of all written directives that relate to the performance of their duties, their position, or their conduct. Department employees should treat a relevant written directive in the same manner as a direct order from a supervisor.

Department personnel shall adhere to all directives unless violation is clearly necessary in order to preserve life and/or property or to preserve public safety or order.

The standard that will be used to determine if the violation was clearly necessary will be based solely on the judgment of the Police Chief.

In the event a written directive appears to be in conflict with another written directive, the employee shall bring that fact to the attention of his/her supervisor for clarification.



**3-14-17**

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**Police Chief Signature**

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**Date**

*Effective date: 3-14-17*

*Annual review date: 4/1/18*

*Rescinds/Amends: 3-5-07*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Operations Manual*

*Authority: Police Chief*

# **City of Eden Prairie**

## **Police Department**

### **Directive 2.02: Implementation, Maintenance and Review**

#### **I. Policy**

It is the policy of the Eden Prairie Police Department to maintain and review all directives so that they are up-to-date and applicable to current operations. Directive additions/revisions will be based on external mandates, detected errors, omissions and changes in department philosophy or organizational responsibilities. All department employees are responsible for maintaining the integrity of the Department Manual and are accountable to the information contained in its directives.

#### **II. Procedure**

##### **A. Department Manual Directive Additions/Revisions**

Following is the process for making additions and revisions to the Department Manual:

1. An employee identifies a directive addition/revision issue.
2. The employee advises his/her supervisor of the issue and a possible solution.
3. The issue and solution are submitted by the supervisor to the Department Manual Administrator.
4. The Police Chief will either accept the directive addition/revision proposal and assign it to a Command Staff member to produce a draft directive with assistance from the Department Manual Administrator, or deny the addition/revision proposal with an explanation.
5. The Police Chief will review the completed draft directive and either schedule it for implementation or return it to the assigned Command Staff member for additional work.
6. Directives scheduled for implementation will be posted on the electronic Directive Posting Board for a period of 14 days unless mandates require immediate implementation. The purpose of this posting is to allow department employees to review the directive and provide them with an opportunity to appeal the Chief's implementation decision. If an employee wishes to appeal the Chief's implementation decision, it must be done in writing to the Department Manual Administrator.
7. All Department Manual directives scheduled for implementation will be reviewed by the Police Chief to determine whether formal in-service training is appropriate. When training is appropriate, the Training Unit will be given responsibility for the development, scheduling, and presentation of the training material.
8. Department Manual directives will be approved by the Police Chief prior to implementation and will bear the signature of the Police Chief on the last page.

##### **B. Implementation and Purging of Written Directives**

1. Implementation/Purging of Department Manual Directives

- a. The Department Manual will be available electronically to department personnel through the department computer network system

2.

**C. Department Manual Maintenance**

1. Department Manual Training

Supervisors at every organizational level are responsible for ensuring that their immediate subordinates have an adequate understanding of all Department Manual directives and memoranda.


Supervisors at every organization level are the primary trainers for their immediate subordinates. Supplementary training may be provided by the department for supervisors and/or line personnel.

The Field Training Officer (FTO) Unit Supervisor will be responsible for ensuring that all new officers have an adequate understanding of the Department Manual and memoranda prior to completion of the FTO program.

In the event a supervisor feels a need for additional training in order for the supervisor to adequately understand and teach the directive or to respond to a question from a subordinate, the supervisor should contact his/her immediate supervisor for additional training or clarification.

**D. Annual Review of Written Directives**

1. The Department Manual Administrator will be responsible for annually reviewing the Operations Manual to assess completeness and applicability.
2. The review date which appears on the directives and memoranda is the date when the directive is intended to be inspected. This serves as a reminder only for administrative review and does not constitute an expiration date.



2-27-24

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**Police Chief Signature**

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**Date**

Effective date: 2-27-24  
Annual review date: 4/1/19  
Rescinds/Amends: 4-25-18

Directive type: General Order  
Section: Administrative Operations  
Chapter: Operations Manual  
Authority: Police Chief

# City of Eden Prairie

## Police Department

### Directive 3.01: Objectives

#### I. Policy

The mission of the Eden Prairie Police Department is to protect and serve the community of Eden Prairie through active and professional engagement. The Police Chief shall establish objectives which support this mission.

#### II. Procedure

##### A. Prevention of Crime

The Department is responsible for interacting with the community in order to generate public cooperation for crime prevention. Interacting with the community includes building relationships and facilitating open communication with Eden Prairie residents, businesses and schools in order to assist in the identification of problem areas.

##### B. Deterrence of Crime

Crimes committed against people in public places and property crimes can be reduced by police patrol. These types of crime can be curbed by a criminal's fear of immediate apprehension or by the increased likelihood of his/her detection. The deterrence of crime requires the investigation of behavior which reasonably appears to have criminal intent.

##### C. Apprehension of Offenders

The administration of criminal justice consists of the identification, arrest, prosecution, punishment, and rehabilitation of a law violator. Once a crime has been committed, it is the duty of the Department to initiate the criminal justice process by identifying and arresting the perpetrator, obtaining necessary evidence, and cooperating in the prosecution of the case.

##### D. Recovery and Return of Property

To minimize the losses due to crime, the Department will make every reasonable effort to recover lost or stolen property, to identify its owners, and to ensure its prompt return.

##### E. Movement of Traffic

To facilitate the safe and efficient movement of vehicular and pedestrian traffic, the Department will enforce traffic laws, investigate traffic accidents, and direct traffic. Officers respond to traffic accidents in order to care for the injured; investigate the causes of accidents, including infrastructure design, so that methods of prevention may be developed; and to gather the necessary evidence to prosecute the violator.

##### F. Public Service

Often because there are no other public or private agencies available, the public relies upon the Department for assistance and advice in many routine and emergency situations. To satisfy these requests the Department will respond to calls for service and render such aid or advice as is necessary. Such services are provided in cooperation with fire, rescue, ambulance, and other safety agencies within the community.

**G. Blueprint for Success**

The Department shall follow the long-term organizational planning tool known as “Blueprint for Success”, a document which links the department’s outputs and outcomes. Blueprint for Success has three elements: Initiatives Status Update, Upcoming Initiatives, and Performance Measures.



**2-27-24**

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**Police Chief Signature**

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**Date**

*Effective date: 2-27-24  
Annual review date: 4-1-25  
Rescinds/Amends: 3-14-17*

*Directive type: General Order  
Section: Administrative Operations  
Chapter: Professional standards  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 3.02: Personal Conduct

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to follow the P.O.S.T. Board personal conduct guidelines which are listed below.

#### II. Procedure

##### A. Scope

1. This directive 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 as well. Conduct not mentioned under a specific rule, but which violates a general principle is prohibited.

2. This policy is organized into eight principles governing conduct unbecoming an officer. Each principle is followed by the rationale explaining the principle and a set of rules.

##### B. Code of Conduct Principles

###### 1. 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

- (1) Peace officers shall not knowingly exceed their authority in the enforcement of the law.
- (2) 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.
- (3) 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.
- (4) 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 in which



the officer is present, except where permitted in the performance of duty under proper authority.

## 2. 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

- (1) Peace officers shall carry out their duties with integrity, fairness, and impartiality.
- (2) 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.
- (3) Peace officers shall truthfully, completely, and impartially report, testify, and present evidence, including exculpatory evidence, in all matters of an official nature.
- (4) Peace officers shall take no action knowing it will violate the Constitutional rights of any person.
- (5) Peace officers must obey lawful orders, but must refuse to obey any orders 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.
- (6) Peace officers learning of conduct or observing conduct which is in violation of any law or policy of this Department shall take necessary action and report the incident to the officer's immediate supervisor, who shall forward the information to the chief law enforcement officer. If the misconduct is committed by the officer's immediate supervisor, the officer shall report the incident to the immediate supervisor's supervisor.

## 3. 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, sex, marital status, status with regard to public assistance, disability, sexual orientation, or age.

### b. Rules

- (1) Peace officers shall provide every person in our society with professional, effective, and efficient law enforcement services.
- (2) Peace officers shall not express, whether by act, omission, or statement, prejudice concerning race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, gender identity/expression, immigration status, housing status, occupation, language fluency, sexual orientation, or age.
- (3) Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, gender identity/expression, immigration status, housing status, occupation, language fluency, sexual orientation, or age.

#### 4. Principle Four

**Peace officers shall not, whether on or off duty, exhibit any conduct which discredits them or their Department or otherwise impairs their ability or that of other officers or the Department 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

- (1) 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 as provided for in 4.b.(3).
- (2) 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.
- (3) 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 a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.
- (4) Peace officers, while on duty, shall not commit any act which, as defined under Minnesota law, constitutes sexual harassment, 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.
- (5) Peace officers, while off duty, shall not engage in any conduct which the officer knows, or reasonably should know, constitutes an unwelcome sexual advance or request for sexual favor, or unwelcome sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature.
- (6) Peace officers shall not commit any acts which, as defined under Minnesota law, constitute

sexual assault or indecent exposure. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.

- (7) Peace officers shall not commit any acts which, as defined under Minnesota law, constitute domestic abuse, or 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.
- (8) Peace officers shall not, in the course of performing their duties, engage in any sexual contact or conduct constituting lewd behavior, including but not limited to, showering or receiving a massage in the nude, exposing themselves or otherwise making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the Department.
- (9) 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 Department. 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.

## 5. 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

- (1) Peace officers shall exercise reasonable courtesy in their dealings with the public, fellow officers, superiors, and subordinates.
- (2) No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, shame any person, or do anything reasonably calculated to incite a person to violence.
- (3) Peace officers shall promptly advise any inquiring citizen of the Department's complaint procedure, and shall follow the established Departmental policy for processing complaints.

## 6. Principle Six

**Peace officers shall not compromise their integrity, nor that of their Department 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 Department.

### b. Rules

- (1) Peace officers shall not use their official position, identification cards or badges: for personal

or financial gain, for themselves or another person; for obtaining privileges not otherwise available to them except in the performance of duty; and for avoiding consequences of unlawful or prohibited actions.

- (2) 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.
- (3) Peace officers shall refuse favors or gratuities which could be reasonably interpreted as capable of influencing official acts or judgments.
- (4) 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 regular assigned duties.
- (5) Peace officers shall:
  - Not authorize the use of their names, photographs, or titles in a manner that identifies the officer as an employee of the Department in connection with advertisements for any product, commodity, or commercial enterprise;
  - Maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
  - Not make endorsements of political candidates, while on duty, or while wearing the Department'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.

None of these rules shall prevent officers from engaging in the free expression of political speech in their capacities as private citizens, or the rights of police fraternal or labor organizations to endorse political candidates or express views on political issues or other matters of public concern.

## 7. Principle Seven

**Peace officers shall not compromise their integrity, nor that of their Department 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 Departments, officers must avoid taking or influencing official actions where the officer's actions would or could conflict with the officer's appropriate responsibilities.

### b. Rules

- (1) Peace officers shall, unless required by law or policy, 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.
- (2) Peace officers shall, unless required by law or policy, 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.

- (3) Peace officers shall not use the authority of their position as peace officers, or information available to them due to their status as peace officers, for any purpose of personal gain including, but not limited to, initiating or furthering personal and/or intimate interactions of any kind with persons which whom the officer has had contact while on duty.
- (4) Peace officers 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. For information on supplementary and secondary employment see [Directive 7.01](#).

## 8. 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 Department's commitment to preserving such confidences.

### b. Rules

- (1) Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
- (2) 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.
- (3) Peace officers shall not divulge the identity of persons giving confidential information except as required by law or Department policy.

## C. Application

Every law enforcement agency is required to adopt an identical or substantially similar policy by July 1, 1996. This does not prohibit an agency from developing a more restricting policy.

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with [Minnesota State Statute 626.89](#), Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by P.O.S.T. Board Rules, Minn. R. pt. 6700.2000 to 6700.2600.



6-14-17

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**Police Chief Signature**

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**Date**

*Effective date: 6-14-17*

*Annual review date: 4-1-18*

*Rescinds/Amends: 4-3-07*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Department standards*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 3.03: Grooming and Dress

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that all members of the Department present a professional appearance. Sworn personnel are expected to maintain their uniforms in compliance with this directive.

#### II. Procedure

##### A. Class A/Dress Uniform

1. The Class A/dress uniform shall be worn for funerals, department ceremonies and other special events as directed by the Police Chief.
2. The Class A/dress uniform shall be freshly cleaned and pressed.
3. The Class A/dress uniform includes the following items:
  - a. Visor hat
  - b. Long sleeve shirt with tie and tie bar
  - c. Approved trousers, excluding cargo pants
  - d. Standard issue polished leather shoes or boots
  - e. Whistle
  - f. Standard issue jacket

##### B. Duty Uniform

1. The duty uniform is the standard work uniform for uniformed personnel.
2. The duty uniform includes the following items:
  - a. Issued visor hat or watch cap optional.
  - b. Approved short-sleeve shirt or long sleeve shirt

- c. Approved sweater. The sweater may be worn with the long sleeve shirt.
  - d. Standard issue pants or cargo pants.
  - e. Standard issue black footwear.
  - f. Standard issue jacket, raincoat or approved alternatives.
  - g. Black gloves optional.
  - h. Approved external vest carrier and pouches.
3. Every sworn officer is required to keep an extra duty uniform in their locker at the Police Department.

### **C. Special Duty Uniform**

Other uniforms may be worn for specific duties. Specifications shall be recommended by the special unit supervisor. Approved special duty uniforms will be identified in the department's uniform standards procedure.

### **D. Body Armor**

Body armor must be worn when duty assignments and/or tasks could reasonably be expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

### **E. Severe Weather Clothing**

1. Severe weather protection clothing approved by the shift supervisor may be substituted when the officer is exposed to weather conditions in which the approved uniform is not satisfactory.
2. Black watch caps may be worn for outside activities during the winter months.
3. Approved uniform baseball caps may be worn for special events or during inclement weather with a shift or event supervisor's approval.

### **F. Wearing Uniform**

1. While wearing the short-sleeve uniform, the required undergarment is a black t-shirt meeting the following criteria: crew neck, synthetic material, snug fit (tight to neck).
2. While wearing the long-sleeve uniform, officers have the option to wear 1) a necktie (mandatory for court), or 2) a navy blue, synthetic, snug-fit mock turtleneck with the



EPPD insignia, or 3) a black t-shirt meeting the following criteria: crew neck, synthetic material, snug fit (tight to neck).

3. Sleeves shall not be rolled up or unbuttoned.
4. Shirt pockets shall be kept buttoned.
5. No unauthorized insignia or emblems may be worn on the duty uniform. Exception: [Heart Saver and Stork Pins](#) may be worn for 14 days post-incident on the left pocket flap.
6. Supervisors are responsible for the appearance of personnel under their command.
7. All staff exposed to traffic flow must wear their department issued/approved, high visibility traffic garment over their raincoat if the rainwear does not meet the ANSI 107, Class 2 standard as noted on the manufacturer's tag. An exception to the high visibility garment exists if an officer is doing an enforcement activity while working in traffic.
8. Leather gear and footwear must be polished.

## **G. Jewelry**

1. Uniformed personnel will not be permitted to display decorative jewelry while on duty except wrist watches or rings.
2. Body piercing jewelry
  - a. Uniformed personnel including all sworn officers, CSOs and Reserves, shall not wear any visible body piercing jewelry while on duty, with the exception that they may wear stud earrings in their ears. Earrings must not distract from a professional uniformed appearance.
  - b. Non-uniformed personnel shall not wear any visible body piercing jewelry while on duty, with the exception that personnel may wear earrings. Earrings must not distract from a professional appearance.
3. Personnel choosing to wear authorized decorative jewelry do so at their own risk. Neither the city, nor the department, will be held responsible for any loss or damage.

## **H. Tattoos**

1. All personnel, while on-duty or representing the Eden Prairie Police Department in an official capacity, may have visible tattoos as long as the tattoos are not deemed to be offensive. Examples of offensive tattoos include, but are not limited to, those that depict racial, sexual, discriminatory, or gang-related images or obscene language, or that undermine city or departmental values. Tattoos deemed offensive must be covered by navy blue or flesh-colored sleeves while personnel are on duty.
2. The Eden Prairie Police Department command staff will make the final determination as to whether a tattoo is acceptable in appearance and in conformance with this policy. This includes the authority to rescind any previous tattoo approval.
3. Tattoos on the head, face, neck and hands are prohibited. There shall be no tattoos visible while in department dress uniform (Class A). The only exception is a ring

tattoo on the left ring finger, not to exceed a ¼ inch width.

4. Personnel seeking approval for a new or pre-existing tattoo shall submit an email to their lieutenant with a scaled image of the current or proposed tattoo **prior to having the tattoo exposed while on duty**. The command staff will review the image and approve or deny the request.

## **I. Court Appearances**

1. Officers shall wear either their dress or duty uniform when appearing in court. However, mock turtlenecks are not allowed for court.
2. On-duty officers may wear cargo pants to court.
3. Off-duty officers and investigators required to appear in court may wear the authorized duty uniform or formal business attire. Off-duty officers and investigators may not wear cargo pants.
4. Civilian personnel required to appear in court must wear formal business attire.

## **J. Non-uniformed Personnel Attire**

1. All Non-uniformed Personnel
  - a. All personnel not wearing a uniform must wear clothing that meets or exceeds business casual standards (e.g. no graphic/logo t-shirts, sweatshirts, jerseys, crop tops, shorts, skorts, blue jeans, ripped clothing, flip flop sandals, workout wear (unless in training), see-through attire or other revealing clothing).
  - b. Personnel not wearing a uniform may wear blue jeans and sweatshirts on Fridays, Saturdays and/or Sundays, on training days and with prior supervisor approval for special details.
  - a.
  - c. Non-uniformed personnel are not required to wear EPPD patched apparel, however if they opt to do so, the department will pay for up to seven patched apparel items per year for these employees. Requests should be made through the employee's supervisor and the Administrative Assistant.
3. Sworn Employees
  - a. Sworn employees may use their uniform allowance to purchase EPPD patched apparel through the Administrative Assistant using the civilian clothing purchase program.

## **K. Professional Appearance**

All department personnel are expected to present a professional image while on duty. This includes, but is not limited to, the following:

1. Male Sworn and Uniformed Personnel:
  - a. Hair must be clean and neat. The bulk or length of hair may not interfere with the normal wearing, or detract from normal appearance of, all standard headgear and may not interfere with the efficient performance of assigned duties.

- b. Sideburns must be neatly trimmed and rectangular in shape, and must not extend below the ear lobe.
- c. Mustaches must be neatly trimmed and must not extend below the upper lip line or extend more than one-half inch beyond the corners of the mouth.
- d. Beards and goatees must be neatly trimmed and the total length must not exceed ½ inch. They must be uniform in length and appearance. A beard must be worn “full” and must include hair on the chin area.
- e. If wearing a goatee, a mustache must also be worn. The cheeks, jaw line and neck shall remain clean shaven.
- f. If wearing a beard, a mustache must also be worn. Beards shall cover the complete jaw line. Cheeks shall be shaved on and above the cheekbone. The neck shall be clean shaved on and below the Adam’s Apple.
- g. Beards shorter than 1/16<sup>th</sup> of an inch (stubble) are not permitted.
- h. Sworn personnel electing to grow a beard/goatee must advise their direct supervisor in advance of reporting for duty unshaven.
- i. Officers are required to keep a means to shave available should the need arise, or an order be given for the purposes of responding to an incident that may require a gas mask.
- j. Officers shall be clean shaven, with the exception of a directive-conforming mustache, for gas mask fit testing.
- k. Supervisors may order the officer to shave immediately if not conforming to standards.
- l. The Chief or designee may prohibit beards/goatees from special events and under special circumstances.

2. Female Sworn and Uniformed Personnel:

- a. Hair must be clean and neat. The bulk or length of hair may not interfere with the normal wearing, or detract from normal appearance of, all standard headgear and may not interfere with the efficient performance of assigned duties.

3. All Employees:

- a. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
- b. Dyed or colored hair, including facial hair, must be a natural hair color.

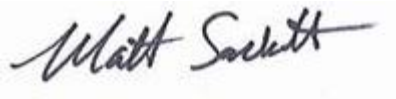
4. Exceptions may be temporarily granted by the Police Chief for officers working undercover or for other reasons.

## **L. Tobacco**

Officers are prohibited from using tobacco products while on duty and visible to the public. Officers are prohibited from using tobacco products on city property.

## **M. Accommodations**

If an employee believes they may need a reasonable accommodation due to a disability to meet the requirements of this directive, the employee may speak with their supervisor or human resources.



2-27-24

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**Police Chief Signature**

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**Date**

*Effective date: 2-27-24*

*Annual review date: 4-1-24*

*Rescinds/Amends: 12-5-23*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Professional Development*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 3.04: Awards and Recognition

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to recognize personnel and citizens for various accomplishments and actions.

#### II. Procedure

##### A. Types of Awards

###### **AWARD OF HONOR:**

The Award of Honor is awarded by the Police Chief and is the Eden Prairie Police Department's highest award. It may be awarded to police personnel for an act of outstanding bravery or heroism. Such an act would be characterized by courage in the face of great danger and a risk of personal injury or death. This award may be given posthumously.

###### **AWARD OF VALOR:**

The Award of Valor is awarded by the Police Chief to department personnel or citizens who, conscious of danger, intelligently distinguish themselves by the outstanding performance of an act of gallantry and valor at imminent personal hazard to life, above and beyond the call of duty, in accordance with departmental policies and procedures.

###### **COMMENDATION:**

A Commendation is awarded by the Police Chief to department personnel or citizens for excellent or unusual accomplishments or actions as acknowledged by other officers, their supervisors, or concerned citizens.

###### **AWARD OF MERIT:**

The Award of Merit is awarded by the Police Chief to department personnel or citizens for outstanding accomplishments which have resulted in improved administration, improved operation or substantial savings in manpower or operational costs where they have gone far beyond the requirements of the normal assignment to contribute to more effective and efficient police or fire service.

###### **UNIT CITATION:**

The Unit Citation Award is awarded by the Police Chief to a unit or division for exemplary service or a specific action.

**LETTER OF RECOGNITION:** A Letter of Recognition is awarded by a department supervisor to an employee or citizen for quality performance which exemplifies excellence in service to the community, but does not qualify for an Award of Valor, a Commendation, or an Award of Merit.

###### **CAREER ACHIEVEMENT AWARD:**

The Career Achievement Award is issued by the Police Chief. This award may be given to police personnel who have demonstrated over the course of one's career a consistent and superior performance of assigned duties within

the Police Department. This award pays tribute to an employee for a great length of career accomplishments.

**OFFICER OF THE YEAR  
AWARD :**

The Officer of the Year Award is issued annually by the Eden Prairie Labor Management Team. This award is given to sworn officers who have shown exemplary performance within their primary assignment and dedicated commitment in service to community. Supervisory staff are not eligible to receive this award.

**CIVILIAN EMPLOYEE OF  
THE YEAR:**

The Civilian Employee of the Year Award is issued annually by the Eden Prairie Labor Management Team. This award is given to a non-sworn full-time, regular part-time or temporary part-time police department employee who has shown exemplary performance and a dedicated commitment to the department and the community. Supervisory staff are not eligible to receive this award.

**CHAPLAIN TIM POWER  
AWARD:**

The Chaplain Tim Power Award is awarded annually by the Chaplain Unit to a sworn or civilian, full- or part-time police department employee who demonstrates consistent care, empathy, teamwork and actions that encourage people to share themselves.

**SECONDARY ASSIGNMENT:** Once an employee has retired from a secondary assignment and if they have served five years or more in that assignment, the supervisor of the assignment shall contact the Department's Administrative Assistant to order a plaque recognizing the secondary assignment service. The plaque will be awarded at the annual Awards Ceremony.

**B. Initiating Recognition**

1. Awards may be given throughout the year.
2. Recommendations must be made in writing to the Police Chief through the Administrative Assistant. The recommendation should cite reports, witness names, statements, evidence, or any other information that will assist the Police Chief in reviewing the recommendation.
3. Department personnel who wish to draw attention to the exemplary conduct of another which does not meet the criteria established for the top four awards should notify the person's supervisor who may issue a Letter of Recognition if he/she deems it appropriate.

**C. Presentation Formats**

Recipients of these awards will be given medals, plaques, uniform bars, and certificates according to the following guidelines:

<b>Award Type</b>	<b>Medal</b>	<b>Plaque</b>	<b>Bar</b>	<b>Certificate</b>
Award of Honor	Blue Ribbon	X	Blue	X
Award of Valor	Red Ribbon	X	Red	X

Commendation		X	Gold	X
Award of Merit		X		X
Unit Citation		X		X
Career Achievement		X		X

1. Uniform bars will be issued to police personnel only and may be worn at the discretion of the recipient. The proper location of the pin is on the left breast pocket flap, centered under the badge.
2. Awards of Honor, Valor, Commendation and Merit and Unit Citations will be formally awarded at a department awards presentation.
3. Letters of Recognition to department personnel will be given to them by their supervisors. Letters of Recognition to citizens will be given to them as decided upon by the Police Chief.



**3-31-20**

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**Police Chief Signature**

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**Date**

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Annual review date: 4-1-21  
Rescinds/Amends: 5-26-10*

*Directive type: General Order  
Section: Administrative Operations  
Chapter: Professional Standards  
Authority: Police Chief*

# **City of Eden Prairie**

## **Police Department**

### **Directive 3.05: Performance Inquiries**

#### **I. Policy**

It shall be the policy of the Eden Prairie Police Department to handle employee performance inquiries in a prompt, just, open and expeditious manner.

#### **II. Procedure**

##### **A. Receiving, Evaluating and Categorizing Inquiries**

1. All employee performance inquiries will be directed to a department supervisor.
2. The receiving supervisor will evaluate the credibility of the inquiry and categorize it as an operations question, a performance issue, policy failure or employee misconduct. The supervisor may consult with their Division Commander or the Watch Commander if they need assistance evaluating and categorizing the inquiry.
3. The receiving supervisor shall immediately notify their Division Commander or the Watch Commander of allegations of misconduct.

##### **B. Operations Questions**

1. An operations question is a performance inquiry where the employee acted in accordance with department direction.
2. Operations questions shall be handled by the receiving supervisor.
3. The supervisor will attempt to explain the operational issue in question as specifically and clearly as possible to the inquirer.
4. If the supervisor's response is not satisfactory, the supervisor may refer the inquirer to another supervisor with more expertise on the issue, or to a member of the command staff.

##### **C. Performance Issues**

1. A performance issue is a violation of a department directive or city policy or procedure that does not constitute misconduct.
2. If the issue needs immediate attention, the receiving supervisor will take appropriate



action.

3. If the issue does not need immediate attention, it will be referred to the employee's immediate supervisor.

#### **D. Policy Failures**

1. A policy failure means that the complaint revealed a policy failure. The allegation is factual, and the officer followed proper department procedure, however, that procedure has proven to be deficient.
2. The receiving supervisor will immediately correct the incorrect employee performance.
3. The receiving supervisor will immediately notify the Watch Commander who will take any necessary follow-up action.
4. The Watch Commander will notify the Department Manual Administrator to ensure that the incorrect directive is corrected.

#### **E. Employee Misconduct**

1. An employee misconduct complaint is a violation of a department directive or procedure governing conduct of department members, or conduct by a peace officer that would be a violation of POST Standards of Conduct per [Minn. Rules 6700.1600](#).
2. An employee misconduct complaint shall be handled as an Administrative Investigation in compliance with Directive 3.07 and Directive 3.09.

#### **F. Administrative leave**

All supervisory officers have the authority to impose administrative leave with pay until the next business day upon a member of the Department when it appears that such action is in the best interest of the Department.

#### **G. Maintenance and Disclosure of Data**

1. Disclosure to the complainant and respondent of data collected, created, or received by the Department in connection with this policy and procedures shall be maintained in accordance with the Department's records retention schedule.
2. All data collected, created, or received by the Department in connection with this policy

and procedure shall be maintained in accordance with the Department's records retention schedule.

3. The placement of the disposition report or other data in an employee's personnel file shall be governed by the City of Eden Prairie's employee handbook.
4. Access to data collected, created, or received in connection with this policy and procedure may only be authorized by the Police Chief or the agency's Data Practices "Responsible Authority," and as provided by [Chapter 13, the "Minnesota Government Data Practices Act,"](#) or valid court order.



**9-14-23**

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**Police Chief Signature**

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**Date**

*Effective date: 9-14-23  
Annual review date: 4-1-24  
Rescinds/Amends: 5-11-22*

*Directive type: General Order  
Section: Administrative Operations  
Chapter: Professional Standards  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 3.06: Impartial Policing

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to provide impartial and unbiased policing. Policing impartially, not racial profiling, is standard procedure for the Eden Prairie Police Department.

#### II. Procedure

##### A. Definition

1. Racial profiling has the meaning given to it in [MN State 626.8471](#), sub.2, which states: “racial profiling” means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:
  - a. The behavior of that individual; or
  - b. Information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.
2. 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

1. Investigative detentions, pedestrian and vehicle stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution. 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.
2. Except as provided in paragraph (3), officers shall not consider race, ethnicity, national origin, gender, sexual orientation, disability, age, gender identity/expression, immigration status, housing status, occupation, language fluency and religion in establishing either reasonable suspicion or probable cause.
3. Officers may take into account the descriptors in paragraph (2) of a specific suspect(s) based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals. This information may be used in the same manner officers use specific information regarding age, height, weight, etc., about specific suspects.

##### C. Preventing Perceptions of Biased Policing

In an effort to prevent the perception of biased law enforcement, whenever possible officers shall act in accordance with the following:

1. Be respectful and professional.
2. Introduce or identify him/herself to the citizen and state the reason for the contact as soon as practical, unless providing this information will compromise officer or public safety.
3. Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense.

4. Attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact, including relevant referrals to other agencies when appropriate.
5. Provide his/her name and badge number when requested, preferably in writing or on a business card.
6. Explain if he/she determines that the reasonable suspicion was unfounded (e.g., after an investigatory stop).

#### **D. Supervision and Accountability**

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

#### **E. Duty to Report**

Every member of the Eden Prairie Police 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. Department members should, when reasonable to do so, intervene to prevent any biased-based actions by another department member.

#### **F. Violations**

Alleged violations of this directive must be reported to POST in accordance with the reporting requirements in MN Statute [626.8457](#).



9-14-22

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**Police Chief Signature**

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**Date**

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Annual review date: 4-1-23  
Rescinds/Amends: 3-14-17*

*Directive type: General Order  
Section: Administrative Operations  
Chapter: Professional Standards  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 3.07: Administrative Investigations

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to conduct fair and impartial background, critical incident, and employee misconduct investigations.

#### II. Procedure

##### A. Background Investigations

1. All police department employees and volunteers are required to submit to a background investigation, the level of which is determined by current department guidelines.
2. Background investigations shall be initiated and completed as soon as possible.

##### B. Critical Incident Investigations

Critical incident investigations will be conducted whenever a department member's actions result in death or great bodily harm. The purpose of a critical incident investigation is to investigate a department member's actions to ensure that the member followed all laws, policies and procedures. It is also to determine any policy changes or training opportunities. Critical incidents include use of deadly force, non-intentional serious injury or death of an employee or citizen, and pursuit driving that results in death or great bodily harm.

1. In the case of an injury or a death, the involved department member may be placed on administrative leave, without loss of pay or benefits, pending the results of the investigation.
2. A supervisor or administrative investigator will be assigned by the Chief of Police to be responsible for the overall investigation.
3. As the subject of an investigation, the department member(s) may be listed as suspect(s) on reports, be issued advisories including Miranda, Garrity and Tennesen warnings, and may be requested to give formal statements. This does not prejudice guilt or innocence on the part of the department member(s). When the respondent is a licensed peace officer, the investigation shall comply with the requirements of [Minnesota State Statute 626.89](#) and acts amendatory thereto.
4. The supervisor or administrative investigator assigned by the Chief of Police will conduct an investigation, separate from any criminal investigation, to evaluate:
  - a. Whether the use of deadly force or other action was within departmental policy or accidental in nature.
  - b. Any training considerations.
  - c. If any rules, regulations, or laws were violated.

5. A professional counseling session will be offered to the involved department member(s) and their family(s).
6. Non-involved department personnel will be briefed in a timely manner and in an appropriate format as determined by the Chief to avoid rumors.

**C. Employee Misconduct Investigations (For Licensed Peace Officers See 3.09 Allegations of Peace Officer Misconduct)**

1. Allegations of misconduct against a sworn employee shall be handled in accordance with Directive 3.09: Allegations of Peace Officer Misconduct.
2. Allegations of misconduct against a civilian employee shall be handled in accordance with the [City of Eden Prairie Employee Handbook](#).

**D. Maintenance and Disclosure of Data**

1. Disclosure to the complainant and respondent of data collected, created, or received by the Department in connection with this policy and procedures shall be maintained in accordance with the Department's records retention schedule.
2. All data collected, created, or received by the Department in connection with this policy and procedure shall be maintained in accordance with the Department's records retention schedule.
3. The placement of the disposition report or other data in an employee's personnel file shall be governed by the City of Eden Prairie's Employee Handbook.
4. Access to data collected, created, or received in connection with this policy and procedure may only be authorized by the Police Chief or the agency's Data Practices "Responsible Authority," and as provided by [Chapter 13, the "Minnesota Government Data Practices Act,"](#) or valid court order.



5-11-22

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**Police Chief Signature**

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**Date**

*Effective date: 5-11-22*  
*Annual review date: 4-1-23*  
*Rescinds/Amends: 3-31-20*

*Directive type: General Order*  
*Section: Administrative Operations*  
*Chapter: Professional Standards*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 3.09: Allegations of Police Officer Misconduct

#### I. PURPOSE

The purpose of this directive is to inform all employees and the public of procedures for reporting, receiving, investigating and disposition of complaints regarding the conduct of licensed peace officers of the Eden Prairie Police Department. The provisions of this directive are applicable only to the investigation and the disposition of allegations of administrative misconduct. This directive does not apply to a criminal investigation.

#### II. POLICY

It is the policy of the Eden Prairie Police Department to accept and to fairly and impartially investigate all complaints of misconduct to determine the validity of allegations; and to impose any corrective actions that may be justified in a timely and consistent manner.

#### III. DEFINITIONS

For the purpose of this directive, the terms set forth below are defined as follows:

- A. *Administrative Investigation:*** An internal investigation conducted in response to a complaint with the goal of determining whether an employee engaged in misconduct.
- B. *Chief Law Enforcement Officer (CLEO)*** means the chief of police.
- C. *Law Enforcement Officer*** means an individual who holds a peace officer license in the State of Minnesota. Within this directive, a law enforcement officer will be referred to as LEO.
- D. *Complainant*** means a person who submits a complaint to the Department or Police Chief alleging misconduct by an agency member.
- E. *Complaint*** means a statement alleging behavior that constitutes misconduct.
- F. *Member*** means all voluntary and compensated personnel of the department.
- G. *Discipline*** means any of the following or combination thereof:
  - Oral Reprimand
  - Written Reprimand
  - Suspension

- Demotion
- Discharge

- H. *Unfounded*** means there is no factual basis for the allegation. The act or acts alleged did not occur.
- I. *Exonerated*** means a fair preponderance of the evidence established that either:
1. the department member named in the complaint was not involved in the alleged misconduct; or
  2. the act(s) that provided the basis for the complaint occurred; however, the investigation revealed that such act(s) were justified, lawful or proper.
- J. *Not Sustained*** means the investigation failed to disclose sufficient evidence to prove or disprove the allegations made in the complaint.
- K. *Sustained*** means a fair preponderance of the evidence obtained in the investigation established that the LEO's actions constituted misconduct.
- L. *Policy Failure*** means that the complaint revealed a policy failure. The allegation is factual and the LEO(s) followed proper department procedure, however, that procedure has proven to be deficient.
- M. *Respondent*** means an individual who is the subject of a complaint investigation.
- N. *Misconduct*** means:
1. a violation of a department directive or procedure governing conduct of department members;
  2. conduct by a peace officer that would be a violation of POST Standards of Conduct per [Minn. Rules 6700.1600](#)
- O. *Official Allegation*** – Means a complaint received, regardless of in what manner, which goes beyond preliminary inquiry/assessment and leads to investigation of the allegation. An official allegation is one that can't be dismissed on its face and clearly requires further action. An Official Allegation is also one that falls under the violations of standards of conduct ([Minn. Rules 6700.1600](#)) or POST mandatory model policies
- P. *Receiving Authority*** means the entity who receives and is required to investigate the complaint when the subject of the complaint is the Police Chief.

## IV. PROCEDURE

### A. ACCEPTANCE AND FILING OF COMPLAINTS

1. Complaint forms will be made available through agency personnel, at designated public facilities, and online.
2. Complaints may be received either in person, over the telephone, in writing, or via the internet. A complainant may remain anonymous. The complainant should be advised that remaining anonymous may affect the investigation of the complaint.
3. 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.
4. Employees must provide assistance to individuals who express the desire to lodge complaints against any



employee of the department.

5. The complainant must be advised of the procedures for submitting the complaint and provided with a copy of their submitted complaint.
6. The complainant should be asked to verify by signature if the complaint is a complete and accurate account. If the complainant elects not to sign, this fact must be documented and the complaint processed according to procedure.
7. The Police Chief will forward a copy of the written complaint 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.
8. The Police Chief or Receiving Authority may delegate the duties and responsibilities required of the Chief by this directive to an appropriate designee(s).
9. Any complaint made against the Police Chief must initially be made to the city manager.
10. The city manager must refer investigations of alleged misconduct against the Police Chief to an outside law enforcement agency or criminal justice agency that has no discernible conflict of interest.

## **B. INVESTIGATION OF A COMPLAINT**

1. Upon receipt of the complaint, the Police Chief must make an initial determination as to whether or not the facts alleged require an administrative investigation. If the Police Chief decides that an investigation is not required, the disposition of the complaint must be cleared as “unfounded”, “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 Police Chief may reverse this decision and order an administrative investigation.
2. If the Police Chief determines an administrative investigation is required, an appropriate designee will be assigned to investigate the complaint. When the Police Chief believes an external investigation is appropriate or when the Police Chief is the subject of the complaint, the investigation will be assigned to an external agency that has no discernible conflict of interest.
3. The investigator must inform the complainant of his or her name, business phone number and the status of the complaint as soon as possible after being assigned the investigation.
4. The investigator must 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 department member, the investigator must report that fact to the Police Chief or, in the case of a complaint against the Police Chief, the city manager.
5. All department members must cooperate with the investigation. When the respondent is a licensed peace officer, the investigation must comply with the requirements of [MNSTAT 626.89](#) and acts amendatory thereto.
6. The investigator must prepare a report that contains all relevant information organized into the following three (3) sections:
  - *Allegations*: An itemized summary of the acts of misconduct alleged in the complaint. Reference must be made

to those rules, procedures, orders, statutes, or constitutional provisions that would be violated if the allegations are taken as true.

- *Investigation:* A chronological summary of the investigation including all pertinent facts obtained through interviews with the complainant, accused department member(s), and all available witnesses. Written statements, descriptions and analysis of any physical evidence, and all other relevant information must be included.
- *Conclusions:* The investigator's findings and conclusions as to whether any misconduct occurred and the underlying reasons for the findings and conclusions.

7. The investigation must be completed within thirty (30) days of the filing of the complaint unless the Police Chief or Receiving Authority determines there is good cause to grant an extension. The complainant and respondent must be informed of any extension.

### **C. ADDITIONAL INVESTIGATION, REVIEW AND DISPOSITION**

1. Upon completion of the investigation, the investigator must submit the report, case file and all investigative notes to the Police Chief or Receiving Authority. The Police Chief or Receiving Authority may require additional investigation or make one of the following decisions:
  - Unfounded
  - Exonerated
  - Not Sustained
  - Sustained
  - Policy Failure
2. The Police Chief or Receiving Authority may postpone making a decision until any related criminal charges are resolved. The complainant and respondent must be informed of this decision.
3. If the decision is "unfounded," "exonerated," "not sustained" or "policy failure" the Police Chief or Receiving Authority must immediately notify the complainant and the respondent of the decision.
4. If the complaint is "sustained" the Police Chief or Receiving Authority will:
  - Issue findings of fact including a summary of the acts constituting misconduct and the specific statutes, policies, regulations and procedures violated; and
  - Take appropriate remedial and/or disciplinary action.
  - Advise the complainant of any public information regarding the disposition
  - Notify the Eden Prairie Prosecutor and Hennepin County Attorney's Office as per the [Memorandum of Understanding](#).
5. Prior to the implementation of remedial and/or disciplinary action the respondent will be provided with a copy of the findings of fact. The Police Chief, Receiving Authority and/or designee must review the findings of fact with the respondent and explain the reason for the remedial and/or disciplinary action.
6. The investigation may be re-opened by the Police Chief or Receiving Authority at any time if substantial new evidence is discovered concerning the complaint.
7. When a "sustained" disposition is final the respondent may appeal the disposition pursuant to the rules and law governing the accused member's employment.

#### D. MAINTENANCE AND DISCLOSURE OF DATA

1. Disclosure to the public, complainant and respondent of data collected, created or received by the department in connection with this policy and procedure will be governed by the provisions of the MN Government Data Practices Act. Retention of data collected or maintained in connection with this policy must be retained in accordance with the department's "Record Retention Schedule."
2. All data collected, created or received by the department in connection with this policy and procedure will be maintained in accordance with the city's "Record Retention Schedule."
3. Access to data collected, created, or received in connection with this policy and procedure may only be authorized by the Police Chief or the department's Data Practices "Responsible Authority," and as provided by Chapter 13, the "Minnesota Government Data Practices Act," or valid court order.

#### E. POST BOARD REPORTING REQUIREMENTS

1. Under [Minn. Rule 6700.1610](#), a licensed peace officer must self-report to the POST Board any violations of the Standards of Conduct for peace officers listed in [Minn. Rule 6700.1600](#).
2. Any person with knowledge of peace officer misconduct constituting grounds for action under Minn. Stat. chapter 214, or [Minn. Rules 6700.1600](#), may report the violation to the Board.
3. Minnesota Stat. [626.8457 Subd. 3](#) requires CLEOs to submit individual peace officer public and private data related to allegations of misconduct to the POST Board in "real time" via the POST Board Misconduct Reporting System.
4. A chief law enforcement officer must update data within 30 days of final disposition of a complaint or investigation.
5. Law enforcement agencies and political subdivisions are prohibited from entering into a confidentiality agreement that would prevent disclosure of the data identified in Minn. [Stat. 626.8457 Subd. 3](#) paragraph (b) to the Board. Any such confidentiality agreement is void as to the requirements of this section.



5-11-22

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Police Chief Signature

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Date

Effective date: 5-11-22  
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Rescinds/Amends:

Directive type: General Order  
Section: Administrative Operations  
Chapter: Professional Standards  
Authority: Police Chief



# City of Eden Prairie

## Police Department

### Directive 4.01: Employee Scheduling

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to adhere to all federal, state, and city laws and regulations regarding employee scheduling. The Department maintains minimum staffing requirements to ensure that a coordinated effort of public service and law enforcement is in effect at all times. The Department will consider the impact that scheduling decisions have on employees and on the community, recognizing the significance of the decisions to both groups.

#### II. Procedure

##### A. Establishing Minimum Staffing Requirements

1. Minimum staffing requirements are the number and type of staff needed to provide established levels of service to the community at specific periods of time. Factors used in determining minimums will include, but not be limited to, projected demands for service and available staff resources.
2. The Division Commander is responsible for establishing and communicating minimums for all assigned work units.
3. Supervisors may increase minimums due to scheduled special events and unscheduled major incidents.
4. Supervisors may decrease minimums due to lack of staff availability and decreases in service demands.

##### B. Establishing Base Schedules

1. The base schedule is utilized to ensure that city service needs are met. The base schedule reflects the hours of specific daily shifts, weekly day on/off rotations and shift rotation requirements.
2. The Division Commander is responsible for establishing the base schedule of assigned work units.
3. Base schedules will be distributed in the schedule bidding packets of the specific work units.

##### C. Establishing Annual Schedules

1. The annual schedule is derived from the base schedule. It applies to a specific year with individuals assigned to specific schedule lines.
2. The Division Commander is responsible for ensuring that an annual schedule is established for assigned work units through a seniority bidding process.
3. Bidding packets and related process timelines will be distributed at a time that allows for the annual schedule to be completed and distributed by the first week in December for the following schedule year. Bidding packets are information packets distributed annually to individual work units, used by employees to bid their annual schedules. Bidding packets describe work unit base schedules, seniority lists, special requirements for bidding specific schedules, bidding process/timelines and any other information necessary to establish annual schedules.
4. Employees wishing to be included in the Patrol Division bidding process, who were not included in the process the previous year, must submit their intentions by September 1 to be eligible to bid.
5. Schedule Bidding Seniority is as follows:

**Police Officers:** Seniority for work schedule bidding purposes is defined as the employee's length

of continuous employment as a sworn police officer from his/her date of hire as a sworn police officer with the Eden Prairie Police Department. If this length of employment is equal, seniority will be determined by date of license as a police officer.

**Police Supervisors:** Seniority for work schedule bidding purposes is defined as the supervisor's length of employment in the specific rank plus any time accrued at a higher rank in the Eden Prairie Police Department. If this length of employment is equal, seniority will be determined by seniority as a police officer.

**Civilian Staff:** Seniority for work schedule bidding purposes is defined as the employee's length of continuous service in a specific job classification within the same work unit.

#### D. **Establishing Master Schedules**

1. The master schedule is posted on the Intranet. The master schedule is derived from the annual schedule and contains schedule adjustments due to time-off requests, training assignments, etc. The master schedule is where all individual work schedule changes are documented.
2. The Division Commander is responsible for ensuring that a master schedule is established for assigned work units.
3. The master schedule will be posted within the scheduling software a minimum of two weeks prior to the schedule month.

#### E. **Schedule Requirements**

1. All schedules shall conform to the Federal Labor Standards Act (FLSA) as defined below:  
Schedules for non-exempt civilian employees must adhere to a 40 hour work week, Saturday through Friday.

Schedules for non-exempt sworn employees should adhere to a base 160 hours in an established 28 day work period, but must adhere to no more than 171 hours in a 28 day work period (two pay periods) in accordance with FLSA Section 13(b)(20) and Section 7(K).

#### F. **Process for Granting Paid Time Off (PTO)**

1. Scheduled PTO requests will be granted based on work unit minimums.
2. Scheduled PTO requests will be granted on a first-come, first-serve basis after an individual's annual schedule has been bid.
3. Employees are encouraged to keep at least 40 hours of PTO in their bank as these hours are necessary to be used in the event the employee needs to go on short term disability. If an employee does not have 40 hours of PTO and needs short term disability they will be in an unpaid status for the waiting period of short term disability.
4. Scheduled PTO requests must be submitted to the employee's designated scheduling supervisor by the first day of the month preceding the month of the requested day off.
5. When the annual schedule reflects staffing above minimums, Scheduled PTO requests may be granted at the time of posting the master schedule.
6. When the annual schedule does not staff above minimums, Scheduled PTO requests may be granted based on the ability to cover minimums through:
  - a. Flexing schedules within the work unit and for Non Exempt Sworn officers within the 28 day work period, for Civilian employees within the 7 day work period Utilizing alternative staff resources (flex staff from other work units, part-time staff, etc),
  - b. Utilizing overtime,
  - c. Denying personal leave/training requests.
7. The Division Commander will establish and communicate any additional criteria (not listed above) for granting Scheduled PTO Requests specific to their assigned work units.
8. Short-notice PTO requests (requests after master schedule distribution) may be granted based on

minimums and any other anticipated demands for service. There is no assurance that short notice time off will be granted even if the schedule shows staffing above minimums.

9. Patrol Officers wishing to trade days must do so through a supervisor, however the trade must be occur within the same 28 day work period. Supervisors will add a comment to the requesting officers' trade days identifying the change on the master schedule. Non-sworn employees may trade schedules; however the trade must be within the same work week (Saturday through Friday).
10. Partial time-off requests will be addressed after the posting of each monthly schedule. Requests should be presented to the supervisor of the shift for which the time off is requested.
11. Patrol Officer payback days shall be managed by the scheduling sergeant and any payback days will be granted within the 28 day work period. Changes made after posting shall be made by the supervisor who requested the officer to change his or her schedule.
12. Patrol officer payback days should be taken in the pay period accrued or if not possible, must be taken within the same FLSA 28 day work period. If no days are available in that time period, the department will pay compensatory time or overtime for the time already worked.
13. If a day off has been granted, employees may work a supplemental employment or grant overtime assignment (an assignment where an outside entity reimburses for the officer's time) that day but may not work police department overtime.

#### G. Staff Availability/Accountability

1. All employees are subject to being called in or held over when needed to meet minimum staffing requirements.
2. All employees are subject to schedule changes when needed to meet minimum staffing requirements.
3. All employees are responsible for maintaining communications with the Department for the purpose of establishing call-in availability and/or for communicating critical information.
4. Employees with "on-call" status are responsible to immediately report to work as directed when paged.
5. All employees are responsible to contact the Department and advise of their availability when requested to do so.
  - a. Employees must provide the Department with a way to be contacted (home phone number, wireless phone number, voice mail, personal pager number, etc.) and are required to respond as directed.
  - b. Employees are not required to respond to informational pages/notifications unless directed to do so.
  - c. All employees must understand that communications technology is not 100 percent reliable and must have reasonable expectations in its use.

#### H. Scheduling Records

1. The Police Chief's Administrative Assistant is responsible for establishing and maintaining all scheduling records.



7-7-21

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**Police Chief Signature**

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**Date**

*Effective date: 7-7-21*

*Annual review date: 4-1-21*

*Rescinds/Amends: 10-20-20*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Organization*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 5.01: Sergeant Promotions

#### I. Policy

The Police Chief will approve department promotions. The process for promotions will ensure that the performance and experience of each applicant are objectively measured and considered.

#### II. Procedure

##### A. Posting Officer

The Posting Officer is assigned by the Police Chief to coordinate a promotion process within the Department. The Posting Officer will:

- Complete and submit all Human Resources documents prior to posting.
- Coordinate all phases of the selection process with Human Resources.

##### B. Selection Process

The selection process will consist of four phases:

###### Phase I: Application.

Interested department personnel will submit their applications as instructed in the posting by the application deadline.

###### Phase II: Performance Review.

- A performance review will be conducted on each qualified applicant by the Performance Review Panel.
- The Performance Review Panel will consist of Eden Prairie Police Department sergeants. Each candidate's primary supervisor is required to serve on the panel. If not available to serve as a member of the Performance Review Panel, a candidate's primary supervisor will be required to provide written input.
- Each applicant will give an oral presentation in response to questions given to the applicant in advance.
- The Performance Review Panel will discuss the candidates based on their performance history and preparation for the position.
- The Performance Review Panel will determine which candidates will move on to Phase III and will provide supporting documentation to the command staff.
- A representative from Human Resources will facilitate the performance review and provide the documentation and results to the Police Chief.

###### Phase III: Command Staff Review & Peer Review Panel

- Human Resources will convene a Peer Review Panel for candidate(s) remaining in the process.
- The Command Staff Review Panel will be appointed by the Police Chief and will consist of Eden Prairie Police Department Command Staff and city Human Resources staff.
- The Command Staff Review Panel will conduct an oral interview.

- A representative from Human Resources will facilitate the oral interview.
- The Command Staff Review Panel will determine a candidate ranking based on the interviews and the results of the Performance Review Panel.
- The Command Staff Review Panel will evaluate the candidates' leadership potential in relation to department needs.
- The Posting Officer will provide the results to the candidates.
- The results of the Command Staff Review Panel will determine which candidates participate in Phase IV.

**Phase IV: Police Chief Review.**

- The Police Chief will review the results of the first four phases of the process.
- The Police Chief will make a promotional recommendation to the City Manager.
- Upon approval of the City Manager, the Police Chief will offer the position to the candidate.
- The final results of the promotion process and all required records will be maintained in accordance with the city retention schedule by Human Resources.



**3-13-14**

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**Police Chief Signature**

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**Date**

*Effective date: 3-13-14  
 Annual review date: 4-1-18  
 Rescinds/Amends: 3-19-08*

*Directive type: General Order  
 Section: Administrative Operations  
 Chapter: Professional Development  
 Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 5.02: Assignments

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that assignments are made at the discretion of the Command Staff. Primary assignments will usually be determined using the following defined procedure; however, the Command Staff reserves the right to use alternative procedures if necessary. Notification of an alternate procedure will be made through the posting officer or unit supervisor at the time of the posting .

#### II. Procedure

- A. Open assignments will be identified by the Command Staff. A Posting Officer designated by the Command Staff will post the open assignment. A memorandum posted advising personnel of an open assignment shall include:
  1. The open assignment;
  2. Identification as professional development, organizational development or non-rotating assignment:
    - a. Professional Development Assignment: Term-limited primary assignment that gives the candidate the opportunity to develop knowledge outside of their current assignment
    - b. Organizational Development Assignment: Term-limited position that fills a need of the department.
    - c. Non-rotating Assignment: Primary assignment with no term limit
  3. Assignment requirements and desired skills and abilities;
  4. A timeline defining: projected assignment date, conclusion date (if professional or organizational development assignment), the application deadline, and tentative dates of review process and oral interview.
- B. Employees interested in an open assignment must submit an application that includes a one- or two-page summary listing qualifications and how the applicant has prepared for the assignment to the posting officer by the posted deadline. This application and summary will be reviewed by a panel in a performance review.
- C. The Posting Officer and the Unit Lieutenant will create a three-person review panel consisting of department supervisory personnel. The panel will evaluate the officer's performance and may conduct an oral interview. The panel will review position expectations with the candidate if there is only one qualified candidate. It will be the panel's responsibility to determine a ranking of the applicants based on the criteria listed in the directive describing the open assignment.
- D. A recommendation for assignment will be made to the Command Staff by the posting officer, based on the above information.
- E. The Command Staff will review the recommendation and make the assignment.
- F. In the event related assignment and promotion openings exist, the promotion process will take place prior to the assignment process.
- G. In the event no one applies for the assignment, the Command Staff will make the assignment based upon their discretion.
- H. Any officer requesting to be assigned to Patrol must do so in writing to their Primary Supervisor in

accordance with [Directive 4.01 Employee Scheduling](#).



3-27-24

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**Police Chief Signature**

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**Date**

*Effective date: 3-27-24*

*Annual review date: 4-1-25*

*Rescinds/Amends: 7-21-21*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Professional Development*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 5.03: Training

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to promote personal skill development and the Department's overall capabilities by providing employees with quality training opportunities. Training provided shall meet the requirements of the Minnesota POST Board and in compliance with [MN Statute 626.8452](#), subd 2 and subd. 3.

#### II. Procedure

##### A. Internal Training for Sworn Officers

1. Training sessions will be posted on the employee information board. Each posting will list the personnel required to attend.
2. Officers are responsible for signing up for required training in a timely manner.
3. Officers must attend all required training.
4. Officers may only be excused from required training by their primary or shift supervisor, the training Sergeant or a Division Commander.

##### B. External Training

1. Employees should coordinate their external training with their immediate supervisor and attend external training based on their developmental needs as well as the needs of the police department.
2. Training requests should be submitted to the employee's primary supervisor for approval.

##### C. Records

1. Training files will be maintained by the Department for all employees.
2. Employees shall complete a training evaluation form and return it along with any training certificates received to the Training and Professional Development Sergeant upon completion of any external training attended.
3. Sworn officers are responsible for ensuring that they have the requisite number of training hours to maintain their peace officer license.

##### D. Mandatory Protective Equipment

1. Ballistic protection (vest) must be worn when firing, handling, and/or manipulating firearms as part of training.
2. When weapons are being fired as part of training, eye protection and hearing protection equipment must be worn. Double ear protection must be worn when utilizing indoor ranges.
3. During simunition training, participants must wear eye protection. Headgear and protective clothing shall

be worn if necessary.



**3-31-20**

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**Police Chief Signature**

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**Date**

*Effective date:* 3-31-20  
*Annual review date:* 4-1-21  
*Rescinds/Amends:* 3-14-17

*Directive type:* General Order  
*Section:* Administrative Operations  
*Chapter:* Professional Standards  
*Authority:* Police Chief

# City of Eden Prairie

## Police Department

### Directive 5.04: Organizational Fitness

#### I. Policy

The ability for an organization to perform and carry out its mission is directly impacted by the fitness of the organization and its members. It is the policy of the Eden Prairie Police Department to promote and facilitate organizational fitness through proactive and reactive physical, intellectual and emotional/spiritual fitness programs.

#### II. Procedure

The training unit will be responsible for providing training and resources that address the physical, intellectual and emotional/spiritual fitness needs of the organization and its members necessary for them to effectively carry out their duties and responsibilities.



4-1-07

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**Police Chief Signature**

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**Date**

*Effective date:* 11-6-06

*Annual review date:* 4-1-11

*Rescinds/Amends:*

*Directive type:* General Order

*Section:* Administrative Operations

*Chapter:* Professional Development

*Authority:* Police Chief

# City of Eden Prairie

## Police Department

### Directive 5.05: Return to Work – Clearance & Re-orientation

#### I. Policy

It is the policy of the Eden Prairie Police Department to ensure that all sworn members of the department who have been on the Family Medical Leave Act for a physical, mental or emotional health issue be fully cleared by medical professionals before resuming full duties.

#### II. Procedure

##### A. Return to Work Clearance

###### 1. Mental or Emotional Health

For the health and safety of the affected employee, other staff members and city residents, if an employee has been out of work due to a mental or emotional health issue that has rendered them unable to perform the duties of police officer, the employee may be required to participate in an evaluation by a licensed psychologist to determine if the employee is cleared to return to work.

###### 2. Physical Health

For the health and safety of the affected employee, other staff members and city residents, if an employee has been out of work under the Family Medical Leave Act due to a physical health issue, according to the [City of Eden Prairie Employee Handbook](#), a Physician's Certification Form must be completed and submitted to Human Resources before an employee can return to work.

###### 3. In no case should the employee return prior to receiving formal approval.

##### B. Re-orientation

1. When any officer is placed on light/alternative duty or has been on medical leave for more than 90 days, the department will schedule a re-orientation period for that officer prior to their return to regular status.

2. The re-orientation for each officer will last as long as needed, depending on the extent of the training necessary. Training staff will provide daily updates to the FTO Sergeant on the officer's training progress.

3. The re-orientation process will include, but will not necessarily be limited to, changes and updates in the areas of: department policy and procedures, legal processes/statutes/codes, equipment and technology, fleet operations, use of force, medical response, city orientation, and any missed departmental monthly trainings that contain Minnesota POST Board mandates.

4. The officer's immediate supervisor and the FTO Sergeant will oversee the re-orientation process and make adjustments if necessary. The FTO Sergeant will assign the FTOs and Instructors to assist in



the training of the officer returning to regular status.

Daily observation reports may be completed if extended deficiencies are observed. Failure to resolve extended deficiencies may result in discipline, up to and including termination.

5. Once the training is completed, the officer's immediate supervisor, the FTO Sergeant, and the returning officer will review the work and determine if an acceptable level of performance has been achieved. Once an acceptable level of performance has been achieved, the officer will then be able to return to regular status



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**Police Chief Signature**

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**4-10-24**

**Date**

*Effective date: 4-10-24*

*Annual review date: 4-1-25*

*Rescinds/Amends: 6-14-17*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Professional Development*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 5.06: Classroom Discrimination in POST-Approved Courses

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to handle classroom discrimination complaints in a prompt, just, open and expeditious manner, in compliance with MN Rules 6700.0100, Subpart 25, MN Rules 6700.0900, Subpart 13, and 6700.0902, Subpart 12.

Copies of this directive will be given to all faculty, staff and instructors teaching POST-approved continuing education. All students will be given written notification about the existence of this directive prior to POST-approved instruction.

#### II. Definitions

Classroom discrimination means oral, written, graphic, or physical conduct directed against any person or group of persons because of their race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, disability, or veteran's status that has the purpose or reasonably foreseeable effect of demeaning or intimidating that person or group of persons.

Complaint means a statement which is made to a Training Unit Supervisor in writing, in person, or by phone, which alleges classroom discrimination.

Training Unit Supervisor means the Eden Prairie Police Department employee in charge of the training or education program.

#### III. Procedure

##### A. Initiating a Complaint

1. Class attendees, instructors, observers, and other individuals who are not City of Eden Prairie employees and who have personal knowledge of classroom discrimination may file a complaint according to these procedures. Members of the Eden Prairie Police Department and other City of Eden Prairie employees who have personal knowledge of classroom discrimination shall file a complaint according to these procedures.
2. All complaints must be directed to the Training Unit Supervisor.
3. The Training Unit Supervisor shall immediately notify his or her Division Commander or the Watch Commander of the complaint.
4. Upon receiving a complaint, the Training Unit Supervisor shall require the complainant to submit a signed statement outlining the facts surrounding the allegation. The complaint will not be considered filed until the complainant signs the statement.

##### B. Investigation of the Complaint

1. If the Police Chief or his/her designee determines that an investigation is required, he or she will assign an investigator to investigate the complaint. When the Police Chief believes an investigation external to the Eden Prairie Police Department is appropriate or when the Police Chief is the subject of the complaint, the investigation will be referred to the Eden Prairie Human Resources Manager.
2. If the initial investigation of a complaint shows alleged employee misconduct by a member of the Eden Prairie Police Department, the investigation and disposition will follow Directive 3.07, Administrative Investigation, C. Alleged Employee Misconduct Investigations and the Eden Prairie Employee Handbook.

3. If the initial investigation of a complaint shows misconduct by a City of Eden Prairie employee other than a member of the Police Department, the investigation and resolution of the complaint will follow the procedures outlined in the Eden Prairie Employee Handbook.
4. Upon receiving a complaint regarding any entity, organization, or individual other than the City of Eden Prairie or its employees (“Outside Entity or Individual”) in violation of the Classroom Discrimination Directive, the investigation will be conducted by the Training Unit Supervisor.

C. Review and Disposition for Outside Entity or Individual

1. For a complaint regarding an Outside Entity or Individual, the investigator shall prepare a written report containing all relevant information regarding the allegation, investigation, findings of facts, and conclusions.
2. The investigation shall be completed within thirty (30) days of the filing of the complaint, unless for good cause the Police Chief grants an extension. The complainant and respondent shall be informed of any extension of time granted.
3. Upon completion of the investigation, the investigator shall submit the report to the Police Chief. The Police Chief may require additional information or investigation if he/she feels it necessary.
4. The Police Chief may postpone making a decision until any related criminal charges are resolved. The complainant and respondent shall be informed of this decision.
5. After reviewing the report and giving required due process to the respondent, the Police Chief shall make a decision on the matter of the investigation and assign one of the following dispositions:
  - a. Exonerated. Exonerated means a fair preponderance of the evidence established either that:
    - i. the act, or acts complained of did not occur
    - ii. the respondent 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.
  - b. Not sustained. Not sustained means the investigation failed to disclose sufficient evidence to prove or disprove the allegations made in the complaint.
  - c. Sustained. Sustained means a fair preponderance of the evidence obtained in the investigation established that the accused person’s actions constituted misconduct.
6. The Police Chief shall notify the complainant and the respondent of the decision in writing.
7. If the complaint is “sustained,” the Police Chief will:
  - a. Notify the POST board of the complaint and decision
  - b. Notify the range or training facility manager of the class of the complaint and decision.
  - c. Report the investigation findings to the head of the entity or organization or the employer, as applicable, of the respondent Outside Entity or Individual.
  - d. Cease future business or education contact with the respondent Outside Entity or Individual, as applicable.
8. The investigation may be re-opened by the Police Chief at any time if substantial new evidence is discovered concerning the complaint.
9. When a “sustained” disposition is final, the respondent may appeal the disposition to the Eden Prairie City Manager by filing a written notice of appeal with the City Clerk within ten (10) days of the date that the respondent received notification of the disposition. The City Manager shall affirm, reverse, or modify the Police Chief’s decision within ten (10) days of receipt of the appeal.

D. Data Practices

The data generated by this process will be maintained and disseminated in accordance with the Minnesota Governmental Data Practices Act.



10-16-18

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Police Chief Signature

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Date

*Effective date: 10-16-18*  
*Annual review date: 4-1-19*  
*Rescinds/Amends: \_\_\_\_\_*

*Directive type: General Order*  
*Section: Administrative Operations*  
*Chapter: Professional Development*  
*Authority: Police Chief*

**City of Eden Prairie**  
**Police Department**  
**Directive 5.07:**  
**Mental Health Check-In**

**I. Policy**

The Eden Prairie Police Department is committed to supporting the emotional health of all employees by providing them with resources that will help ensure stability and longevity in the personal and professional lives of each employee. It is the policy of the Eden Prairie Police Department to provide employees with cost-free services from mental health professionals that specialize in working with first responders. This service is intended to supplement the City's EAP, health and wellness programs.

**II. Definitions**

**Approved Mental Health Professional:** A licensed mental healthcare provider who has undergone the approval process with the police department and has established a current contract or working relationship with the Eden Prairie Police Department.

**III. Procedure**

The annual Mental Health Check-in program provides employees with access to qualified mental health professionals contracted by the Eden Prairie Police Department. The program is administered under the following guidelines:

- A. The program is mandatory for both sworn and civilian full-time and regular part-time police employees. Spouses, family members and significant others are excluded, but may qualify for the City Employee Assistance Program (EAP).
- B. Eligible employees must complete an annual check-in session in one of the following ways:
  - i. Meet with the contracted mental health professional.
  - ii. Meet with one of the other vetted, first responder-trained mental health professionals. A list of current contracted and vetted mental healthcare providers is maintained by the Training Sergeant.
  - iii. Employees may choose to visit their own licensed mental health professional for their annual check-in session. If an employee decides to use an alternate licensed healthcare professional for their annual check-in, they must complete a Release of Information form that allows their licensed mental health provider to confirm with the contracted mental health professional that the annual check-in has been completed.
- C. When an employee selects an approved mental health professional for the annual Mental Health Check-in, the cost of the session will be paid for by the Eden Prairie Police Department.
- D. When an employee selects their own licensed mental health provider for the annual Mental Health Check-in, the cost of the session is the responsibility of the employee.
- E. If needed or beneficial, employees may request, or the mental health professional may suggest, additional check-in sessions. These additional sessions are not mandatory.
- F. The Eden Prairie Police Department will pay for up to five total sessions with an approved mental health professional for each employee per year.
- G. After the five sessions, the employee and their health insurance are responsible for the payment of further sessions.
- H. The approved mental health professional shall not conduct fit for duty evaluations.
- I. Annual check-in sessions with the approved mental health professionals will be billed anonymously, per the contract.
- J. Each staff member will be protected under HIPPA through informed consent provided by the approved mental health professional.
- K. During mental health check-ins, the employees of the Eden Prairie Police Department shall be the client of the mental health professional.
- L. The approved mental health professionals shall be prohibited from sharing any employee information other than confirming with the Eden Prairie Police Department that an employee was compliant with this directive by the end of each year.

*Matt Sacchetti*

12-20-21

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**Police Chief Signature**

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**Date**

*Effective date: 12-20-21*

*Annual review date: 1-1-22*

*Rescinds/Amends: 3-31-20*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Professional Development*

*Authority: Police Chief*

**City of Eden Prairie  
Police Department  
Directive 5.08:  
Peer Support**

I. POLICY

The Peer Support program is committed to enhancing resiliency of staff by educating, influencing and assisting staff to invest in themselves to ensure stability and longevity in their personal and professional lives. The Peer Support Team (PST) will develop and support sustainable programs to impact officer wellness and longevity in conjunction with EPPD Directives [5.04](#) and [5.07](#).

II. MISSION

The mission of the PST is to offer safe, non-judgmental and private assistance to all consortium agency employees in times of personal need or due to the unique experiences of a law enforcement related career. The PST works to provide proactive support to peers to enhance overall employee well-being, including mental, physical, social, and spiritual wellness. The PST does not replace psychological treatment but can facilitate pathways to professional help through the city Employee Assistance Program (EAP). PST members may provide additional support during traumatic events and critical incidents with the guidance of approved mental health professionals, which may be agency specific.

III. DEFINITIONS

A. Peer Support Team:

1. A team led by a Peer Support Sergeant *or* other first line supervisor and staffed by trained members of the police department assigned to provide support to Eden Prairie Police Department and consortium agency members.
2. Peer Support Team members are not professional counselors or therapists however under MN state statute, Peer Support Team Members are referred to as "Peer Support Counselor".
3. May provide day-to-day support, referrals to mental health professional(s), provide support during traumatic events and critical incidents, augment Employee Assistance Programs (EAP) and other outreach programs that support staff wellbeing.
4. The Peer Support Team members and approved mental health providers *shall not* conduct fitness for duty evaluations.
5. Peer Support Team members will not provide peer support until they have completed formal Minnesota DPS approved peer support training and are cleared by their agency's peer support coordinator.
6. Due to the sensitive nature of information shared and the peer support system being built on trust, Peer Support Team members must have an understanding of the overlapping principles of privilege, confidentiality and privacy and the impact of these boundaries on peer-to-peer communication.

B. Consortium:

1. The Peer Support Team Consortium consists of the Eden Prairie, Edina, Hopkins, Minnetonka, Bloomington and St. Louis Park Police Departments.

C. Approved Metal Health Professional:

1. A licensed mental healthcare provider who has undergone the approval process with the police department and has established a current contract or working relationship with the police department, which includes the City of Eden Prairie Employee Assistance Program.
2. The mental health professionals ***shall not*** conduct fitness for duty evaluations.

3. A list of current contracted mental healthcare professionals will be maintained by the Support Sergeant or assigned team administrator from each consortium agency if applicable. The Eden Prairie Police Training Sergeant will also maintain a list of contracted and approved mental health professionals.
4. The approved mental health professional's role within the Peer Support Team will be determined by each consortium agency.

#### IV. PRIVACY

- A. Information discussed in PST interactions is private and protected by MN State Statutes [181.9731](#), [181.9732](#), and [13.43 sub 9](#), and not subject to disclosure by PST members, even at the request of police department administration, supervisors, or fellow peer support team members with the following exceptions:
1. The peer support counselor reasonably believes the disclosure is necessary to prevent harm to self by the person in receipt of public safety peer counseling or to prevent the person from harming another person, provided the disclosure is only for the purpose of preventing the person from harming self or others and limited to information necessary to prevent such harm;
  2. The person receiving public safety peer counseling discloses information that is required to be reported under the mandated reporting laws, including, but not limited to the reporting of maltreatment of minors under section [260E.06](#) and the reporting of maltreatment of vulnerable adults under section [626.557](#), provided the disclosure is only for the purpose of reporting maltreatment and limited to information necessary to make such a report;
  3. The person who received public safety peer counseling provides written consent authorizing disclosure of the information;
  4. The emergency service provider who received public safety peer counseling is deceased and the surviving spouse or administrator of the estate of the deceased emergency service provider gives written consent authorizing disclosure of the information; or
  5. The emergency service provider who received public safety peer counseling voluntarily testifies, in which case the peer support counselor may be compelled to testify on the same subject.
- B. Due to the sensitive nature of information shared, Peer Support Team members will sign an annual confidentiality agreement and may be dismissed from the peer support role for any breach of the confidentiality agreement, behavior that violates trust, agency policy violations that would violate trust, failure to attend training or loss of good standing with their agency.

#### V. ADMINISTRATION

- A. Peer Support Sergeant *or* other first line supervisor will be the highest rank held by an agency's Peer Support Team.
- B. Anonymous statistical information may be recorded regarding utilization of peer support and may be collected by the peer support committee for the consortium. Information that could identify staff members **shall not** be collected.
- C. Peer Support Team members are selected by a process determined by each agency and report to the Peer Support Sergeant or first line supervisor of their respective department.
- D. When cross agency peer-to-peer support is provided and further resources are needed or requested, staff should be referred to their own city's or agency's EAP, approved mental health professional or resourced list of mental health professionals approved by the consortium coordinator's group.
- E. Peer Support Team members that are involved in an incident shall not serve as a Peer Support Team member for that event.

#### VI. OPERATIONAL GUIDELINES



- A. Peer Support Team members will be available to provide support, guidance, and resources to any police department staff in need. Members of the Peer Support Team are not mental health professionals, but specially trained to provide support to fellow members of the police department.
- B. Any staff of the department may be referred to the PST in a number of ways including:
  - 1. Self-referral: Any staff of the police department may seek PST services.
  - 2. Supervisor-referral: A staff member of the police department may be referred to the PST by a supervisor or peer. The department staff member is under **no obligation** to contact the PST based on this suggestion.
  - 3. Peer Referral: A staff member of the police department may be anonymously referred to the PST by a peer using the Peer Connect app. Peers can also contact a PST member directly for a referral if anonymity is not essential. The department staff member is under no obligation to contact the PST based on this suggestion.
  - 4. Proactive contact: PST may proactively contact department staff they recognize could benefit from PST interaction.
- C. It is up to each consortium agency to define the rules of their program for staff involved in active Administrative Investigations. It is recommended that the PST member caution staff involved in Internal Affairs Investigations about sharing information about an investigation or incident during peer-to-peer counseling.
- D. Staff involved in active Critical Incident or Internal Affairs Investigations should not seek out peer support outside of their agency's peer support Peer Support Team. Staff involved in active Critical Incident or Internal Affairs Investigations may utilize the support services of their City EAP programs or the approved mental health professional if available.
- E. Peer Support Team members will be provided with an optional leave of absence from the Peer Support Team when personal issues or obligations require it. The length of leave is up to each individual agency.



**3-27-24**

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**Police Chief Signature**

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**Date**

*Effective date: 3-27-24*

*Annual review date: 4-1-25*

*Rescinds/Amends: 3-21-23*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Professional Development*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 5.09: Physical Agility Testing Program

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to ensure sworn police officers are able to perform the essential and physical requirements of the job, to reduce the chances of injuries on the job or while training, and to enhance the overall health and wellness of officers.

#### II. Procedure

##### A. General

1. The Physical Agility test is administered by a third-party vendor whose employees have been trained in the test components. All test components have been validated as part of a statewide effort and in compliance with Equal Employment Opportunity Commission (EEOC) guidelines. As such, they represent the minimum acceptable standards for the duties and demands of police work in Minnesota. [Minn. Rules 6700.0700 Subp. 1\(J\)](#), requires police officers possess sufficient physical fitness to perform the job.
2. In a few extenuating circumstances, such as injuries, pregnancy, or temporary disabilities, the time frame for testing of these minimum physical requirements may be extended. In these circumstances, the Chief or designee may establish other reasonable guidelines and/or time frames in which the minimum physical requirements will be met by the individual.
  - a. The City will work with an employee or job candidate to address timelines and accommodations if those are needed; however, the City will not presume any special accommodations are needed unless requested and recommended by the employee's or applicant's doctor.
3. **New hires:** All candidates for sworn police officer positions must pass the department's Physical Agility Test after receiving a conditional job offer and shall maintain this minimum fitness level after employment by the department.
4. **Annual testing:** All sworn officers will be required to participate in the Physical Agility Test at least once annually, on a timetable prescribed by the Police Chief or designee, to ensure this minimum level is maintained, barring an officer's extenuating circumstances or emergencies requiring significant police response. Officers will be allowed to participate in the test while on duty or will be paid for travel to and from the test site and for the time spent participating in the test.
5. Failure to successfully complete all components of the test will result in a temporary reassignment to other duties or other arrangement which allows the Police Department to meet operational needs and retesting will be scheduled. In some situations, the officer may be required to be evaluated by a medical doctor, in which case the medical guidance for retesting will be followed.
6. Reconditioning guidance will be provided from the third-party vendor for officers who are unable to complete all

test components. This guidance will include exercises and frequency rates the employee can perform in order to successfully re-test in the timeframe recommended. Officers will be paid for time spent in recommended reconditioning activities per the [Fitness/Workout Time procedure](#).

7. No discipline will be taken against officers for failing to successfully perform the test components. However, the City of Eden Prairie may need to evaluate whether the officer can safely perform the job and whether the City can reasonably accommodate any physical disabilities and temporary physical limitations identified as part of the testing process.

8. The City of Eden Prairie will take the following steps to help its officers maintain their physical fitness and ability to perform the duties of the job:

- a. Time to work out in the City-provided police workout room per the [Fitness/Workout Time procedure](#),
- b. a free membership to the Eden Prairie Community Center, and
- c. participation in wellness programs.

9. **Data Privacy:** The City of Eden Prairie will follow all requirements of the Minnesota Government Data Practices Act (MGDPA) with regard to any information gathered as part of the testing process. In general, the City will only have access to the information required to make decisions with regard to an applicant's performance of essential job duties and as otherwise required by law. For current employees, all information will be treated as private data on the employee and shared only as allowed under the MGDPA; as a general rule, this means only those individuals with a business reason for having the information will have access to it.

10. **Discrimination Issues:** The City of Eden Prairie will follow all applicable laws associated with physical agility testing, including the Americans with Disabilities Act (ADA) and MHRA (Minnesota Human Rights Act), the Civil Rights Act of 1964, and the Genetic Information Nondiscrimination Act (GINA). The City will engage in an interactive process with a disabled employee or applicant to determine whether they can be reasonably accommodated to perform the essential functions of the job of police officer. The City will also consider any requests for reasonable accommodation during the testing process itself; in order to ensure sufficient time to make modifications, officers should let Human Resources or their supervisor know of any potential issues with testing at least one week prior to testing.

The City of Eden Prairie will also consider requests for time off under the Family and Medical Leave Act, if applicable.

11. **Workers Compensation:** While the Physical Agility Test is designed to be as safe as possible, there is always a chance an applicant or employee could be injured while taking it. If this occurs, a [First Report of Injury](#) form should be completed and filed.



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**Police Chief Signature**

**Date**

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**12-13-23**

*Effective date: 12-13-23*

*Annual review date: 4-1-24*

*Rescinds/Amends: 3-1-23*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Professional Development*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 6.01: Vehicles

#### Policy

It is the policy of the Department to use and care for city vehicles according to established procedures.

#### I. Procedure

##### A. Vehicle Operation

1. Department vehicles and equipment contained therein are to be used for official business only, unless authorized by the Police Chief or City Manager.
2. Department personnel shall operate department vehicles in a careful, safe, and prudent manner and shall obey all laws of the state, all department directives and the [City of Eden Prairie Employee Handbook](#) pertaining to such operation. Department personnel shall not operate department vehicles unless they have a valid Minnesota driver's license. Personnel hired with an out of state drivers license must comply with [MN Statute 171.03\(h\)](#).
3. Loss or suspension of a civilian driver's license shall be immediately reported to the Department.
4. Department personnel driving official department vehicles involved in an accident, damage to private or public property, or any damage to their vehicle shall immediately notify the on-duty supervisor.

##### B. Vehicle Maintenance

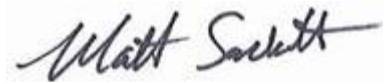
1. Personnel operating a department vehicle are required to inspect the vehicle and equipment contained in the vehicle in accordance with current departmental procedures.
2. Vehicle and vehicle equipment deficiencies will be reported and corrective action will be taken by the operator.
3. Employees will ensure that vehicles they operate are serviced according to procedures established by the City Fleet Services Division.
4. Employees are responsible for the regular cleaning and care of the vehicles they operate.
5. Employees shall follow the City of Eden Prairie's [Idle Reduction Policy](#).

##### C. Vehicle Damage (not related to a crash)

1. Personnel who damage or discover damage to a department vehicle shall notify the on-duty supervisor as soon as reasonably possible.
2. The on-duty supervisor will view the damage and complete a written report (including photographs). This report shall be completed as outlined in Eden Prairie Police Procedure - [Damage to Police Vehicles](#).
3. If any department personnel are injured, follow [Directive 11.05 Personnel Injuries/Exposures](#).

##### D. Report Requirements

1. EPPD Continuation and/or Supplemental Reports
2. First Report of Damage



1-8-20

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Police Chief Signature

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Date

Effective date: 1-8-20

Annual review date: 4-1-20

Rescinds/Amends: 4-4-17

Directive type: General Order

Section: Administrative Operations

Chapter: Facilities, Equipment and Supplies

Authority: Police Chief

# City of Eden Prairie

## Police Department

### Directive 6.02: Wireless Communications Systems & Equipment

#### I. Policy

It is the policy of the Eden Prairie Police Department to use and maintain wireless communications systems and equipment owned or leased by the city according to established procedures.

#### II. Procedure

##### A. Permitted Use of Wireless Communications

1. [The City of Eden Prairie's Technology Policy](#) (section 12:1) covers all city-owned electronic devices.
2. Radios owned or leased by the city are to be used for city business only.
3. City-issued mobile phones are to be used primarily for city business but may be used for incidental personal use.
4. Wireless communications, both voice and data, are not private and other secure communications paths should be considered for sensitive communications.
5. The Police Chief may authorize employees to use personal communications equipment and services for official purposes and receive an allowance from the city.
6. Employees receiving such authorization and allowance shall provide the telephone number of the device to the Department and configure the equipment to receive work related calls from the Department.
7. Employees who provide their own wireless communications shall assume all risks and costs associated with the use of that equipment and service.
8. Two-way radio is the primary communications path for field service delivery. Telephone is considered secondary.

##### B. Prohibited Use Of Wireless Communications Systems & Equipment

1. The transmission of false or fraudulent messages.
2. The transmission of obscene or profane messages or images, actual or veiled, unless in the course of undercover operations, and the scope of duty for police operations is approved by a supervisor.
3. Unnecessary or needless communications.

##### C. Maintenance of Wireless Communications Equipment

1. Damaged, lost or inoperative city owned or leased equipment shall be reported to a supervisor without delay.



4-25-18

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**Police Chief Signature**

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**Date**

*Effective date: 4-25-18*

*Annual review date: 4-1-19*

*Rescinds/Amends: 6-14-17*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Facilities, Equipment & Supplies*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 6.03: Facilities

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to provide clean and well-maintained facilities and for department personnel to treat those facilities with great care and respect.

#### II. Procedure

##### A. Facilities

1. Department employees shall be responsible for notifying maintenance personnel if they notice any damaged or inoperable city facilities.
2. Any condition that affects security or safety, or threatens to create additional damage shall be reported without delay and documented at the Public Safety Answering Point.

##### B. Personal Storage Area

1. All department personnel shall use the appropriate changing rooms for any clothes change. There shall be no dressing in the main locker/personal storage area.
2. When a department member is not in the locker/personal storage area, his/her locker door is to be closed and locked. Each locker will have a combination lock. The Police Chief or designee will retain a master key.
3. There shall be no additional locks placed on lockers. All lockers are subject to inspection at any time by the Police Chief or designee.
4. The placement or storage of the following items in a locker is prohibited: alcoholic beverages, non-prescription controlled substances, unauthorized weapons, inappropriate material, and evidence or other property taken by the Department for safekeeping.
5. Only the Department member's name, as provided by the Department, will be affixed to the locker doors. No other material is permitted on the outside of the doors or vent slots.
6. Only authorized personnel are allowed in the locker/personal storage area.
7. It shall be the responsibility of each department member to contribute to the neatness of the locker/personal storage area and shower room. Clothing or other personal items shall not be left in open areas.
8. Storage of personal items and department equipment shall be confined to the locker/personal storage area. There will be no storage on top of or outside of the lockers with the exception of bullet-proof vests which may be stored on top of the lockers and footwear which may be stored under benches for the purpose of drying.



4-24-18

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**Police Chief Signature**

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**Date**

*Effective date: 4-24-18*

*Annual review date: 4-1-19*

*Rescinds/Amends: 3-5-07*

*Directive type: General Order*

*Section: Administration*

*Chapter: Facilities, Equipment & Supplies*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 6.04: Firearms

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to use and care for department-issued firearms according to established procedures.

#### II. Procedure

##### A. General

1. Only sworn personnel will be authorized by the Police Chief to carry firearms.
2. Only department approved firearms and ammunition will be carried.
3. Personnel may not carry a firearm unless they are currently qualified on that particular firearm on a course of fire approved by the Police Chief.
4. All officers shall be armed with the department-issued handgun when on duty in the City of Eden Prairie. Requirements for officers on alternative duty or light duty as defined in Chapter 6 of the [City of Eden Prairie Employee Handbook](#) shall be decided on a case by case basis.
5. Officers who are on duty outside of the City of Eden Prairie, but not in uniform and not driving a city vehicle may carry a department-approved firearm but are not required to do so.
6. All officers, while operating department vehicles, shall be armed with, or have access to, the department-issued handgun.
7. All Police Department personnel will provide security for all firearms in their custody or under their control.
8. Officers shall not brandish or remove a firearm from its holster or holder other than in the proper performance of duty or training, or for inspection purposes.
9. While in civilian clothes, officers shall conceal their firearms from public view when practical.
10. Officers are advised not to carry firearms when it is anticipated that alcoholic beverages will be consumed.
11. No officer will be subject to disciplinary action if an occasion should arise when the officer, while off-duty, could have taken action but elected not to because of being unarmed.

12. Firearms will not be modified in any way except with approval of the Police Chief.
13. The Training Unit shall inspect, detail, adjust and/or repair all primary on-duty firearms annually by Glock certified armorers and document the work done.
14. The Police Chief, or his/her designated representative, may waive any, or all, of the above-listed items as he/she deems appropriate, except item 11 above.
15. When inside the police station, unless an officer is engaged in a deadly force situation, all firearms loading and unloading shall be done over an authorized loading and clearing barrel. When loading or unloading firearms at a training center, firearms shall be loaded and unloaded only in areas designated as a safe zones by training staff.

## **B. Ammunition**

1. Department issued duty ammunition shall be carried at all times.
2. All reasonable attempts to replace ammunition expended in the line of duty shall be made by an officer prior to continuing with his/her duties.
3. The Police Chief, his/her representative, or any supervisor may waive any requirement of this section as special occasions arise, or as deemed appropriate.
4. Ammunition Quantity and Manner of Carrying
  - a. On-Duty Firearms
    - Officers in duty uniform shall have one round chambered in the weapon, a fully-loaded magazine (may be less the round chambered) locked in the weapon, and no less than two fully-loaded magazines carried in an approved holder.
    - Officers not in uniform shall have one round chambered in the weapon, a fully-loaded magazine (may be less the round chambered) locked in the weapon, and no less than one fully-loaded magazine carried in an approved holder.
  - b. Other Authorized Weapons
    - The number and manner in which any additional rounds may be carried shall be dictated by the duty the weapon is expected to perform.

## **C. Holsters and Ammunition Holders**

1. On-Duty Holsters/Ammunition Holder
  - a. While on duty and in uniform, only department approved holsters may be carried.
  - b. While on duty and in uniform, only department approved magazine and magazine holders

may be carried.

#### **D. Laser Sighting Systems**

1. Officers may carry an approved supplemental laser sighting system with their duty firearm.
  - a. Personnel may not carry laser sight in their duty weapon without first completing a safety class and qualifying in a course of fire approved by the Police Chief.
  - b. It is the officer's responsibility to maintain the laser (batteries, routine maintenance).

#### **E. Handgun Red Dot Sight**

1. Only department approved red dot sights will be used on department issued handguns.
  - a. Department approved suppressor height iron sights must be used when there is a red dot sight mounted on your department issued handgun.
2. Red dot sights must be mounted by department armorers.
  - a. Suppressor height iron sights must be mounted by a department armorer.
3. Officers must attend department red dot training and pass the department qualification course before carrying a red dot sight on duty.
4. If maintenance is needed it must be performed by a department armorer.
  - a. Batteries will be provided by the Police Department and will be changed by department armorers.
5. Yearly inspections and maintenance will be performed by department armorers.

#### **F. Special Weapons/Firearms**

1. Only those special weapons/firearms approved by the Police Chief shall be used by members of the Police Department.
2. Only those officers trained and currently qualified shall use or deploy any special weapon/firearms in other than a training program.

#### **G. Off Duty Weapons and Qualification**

1. No off-duty weapon shall be carried which has a chambering of less than .380.

2. The number of rounds carried will be at the option of the officer.
3. The holder or manner in which any additional rounds are carried is at the option of the officer.
4. The Training Unit shall grant approval of an off-duty weapon and ammunition based on its annual inspection of the firearm and ammunition. The Police Chief has the final approval.
5. Department-issued ammunition shall be carried at all times.
6. After inspecting a weapon and ammunition, the Training Unit Supervisor shall document the weapon type, ammunition type, date of inspection and the name of the firearms instructor who approved the weapon.
7. Officers who elect to carry an off-duty firearm must demonstrate proficiency and knowledge, and must pass the department qualification course with the weapon prior to receiving authorization to carry it.
8. When qualifying with a duty firearm, secondary firearm, or off-duty firearm, officers may attempt the qualification three times during a session. If the officer cannot pass the duty qualification with their assigned firearm(s) during the session, the officer can attempt the duty qualification three times during a second session on a different day. Officers that do not qualify during the second session with their duty firearm(s) will report to the Training Sergeant for additional firearms training before attempting additional duty qualifications and may be subject to job restrictions, loss of secondary assignments and other work restrictions. Officers that do not qualify with their secondary or off-duty firearms will not be allowed to carry them until qualified. Officers that cannot qualify with their duty firearm within a third session will meet with their division Lieutenant and Eden Prairie Human Resources to determine future steps.

## **H. Secondary Weapons**

1. Officers shall have the option of carrying one secondary firearm on their person while on duty.
2. The secondary firearm is in addition to the department issued firearm and will not replace the department issued firearm while on duty.
3. The secondary firearm will be supplied by the officer and the officer will be responsible for maintenance and repair.
4. The secondary firearm may either be a Glock 23 or 27 with .40 cal ammunition, 42 with .380 ammunition or 43 and 43X with 9 mm ammunition.
5. Department-issued ammunition shall be carried at all times.
6. Officers may have a red dot sight mounted on their secondary firearm if they have attended department red dot training and pass the department qualification course before carrying a red dot sight on duty.

7. The Training Unit shall inspect the secondary firearm annually and grant approval of a secondary firearm. The Police Chief has the final approval.
8. After inspecting a firearm, the Training Unit Supervisor shall document the weapon type, serial number, date of inspection and the name of the firearms instructor who approved the weapon.
9. Officers may arrange to have their secondary firearm detailed through the Training Unit supervisor. The firearm may only be detailed by a Glock Armorer.
10. Officers may arrange to have a department armorer mount a red dot sight on their secondary firearm.
11. After detailing, the officer will be supplied with a report identifying any issues with the firearm. The officer will be responsible for purchasing the recommended parts which can then be installed by a Glock Armorer.
12. Officers who elect to carry a secondary firearm must demonstrate proficiency, knowledge and pass the department qualification course with the weapon prior to receiving authorization to carry it.
13. An officer who elects to carry a secondary firearm shall carry that weapon concealed on their person in a manner where it is not easily identifiable as a firearm.



4-10-24

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**Police Chief Signature**

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**Date**

*Effective date: 4-10-24*  
*Annual review date: 4-1-25*  
*Rescinds/Amends: 5-17-23*

*Directive type: General Order*  
*Section: Administrative Operations*  
*Chapter: Facilities, Equipment and Storage*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 6.05:

### Evolution 3 Mobile Fingerprint Identification

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to utilize the Evolution 3 Mobile Fingerprint Identification system in a manner consistent with this policy, other policies, or data practices statutes.

#### II. Procedure

##### A. Utilization of the Mobile Fingerprint Identification

1. Information received from the Mobile Fingerprint Identification system shall not be used as the sole grounds for establishing probable cause for arrest. Employees operating Mobile Fingerprint Identification equipment or accessing Mobile Fingerprint Identification data shall ensure that all EPPD directives and procedures are followed.
2. Officers shall document the use of Mobile Fingerprint Identification equipment to identify an arrested person.

##### B. Employee training and authorization

1. Only personnel trained in Mobile Fingerprint Identification equipment use shall be authorized to operate this equipment and have access to Rapid Identification data.
2. Individuals who use the Rapid Identification System in a manner inconsistent with this directive, other procedures, or data practices statutes may be subject to discipline procedures.



**6-21-22**

**Police Chief Signature**

**Date**

*Effective date:* 6-21-22  
*Annual review date:* 4-1-23  
*Rescinds/Amends:* 1-24-13

*Directive type:* General Order  
*Section:* Administrative Operations  
*Chapter:* Facilities, Equipment & Supplies  
*Authority:* Police Chief

# City of Eden Prairie

## Police Department

### Directive 6.06: Mobile Audio/Video Recorder

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to establish guidelines for the installation, operation and use of a police vehicle mobile audio/video recording system. The purpose of the system is to collect evidence to be used in the prosecution of those who violate the law and to provide objective information concerning police/citizen contacts.

#### II. Procedure

##### A. Definitions

1. Mobile Audio/Video Recorder (MAVR): A mobile electronic system that captures audio/video signals.
2. Data: Audio/video recordings captured by the MAVR and preserved for evidentiary purposes.
3. Emergency Driving: When the driver of an emergency vehicle as defined by Minnesota State Statute activates emergency lights and/or siren while driving.
4. Live Video Streaming: The ability to remotely monitor a video/audio feed in real time.
5. Triggering Event: A preprogrammed setting that causes the MAVR to automatically begin recording.
6. System Power: When the MAVR equipment is powered on and ready to record.
7. Upload: The electronic and wireless transfer of audio/video data from the MAVR to the system's server.

##### B. Installation

1. The Chief of Police shall designate a system administrator, who will be responsible for the installation, integrity, wireless connectivity and overall functionality of the MAVR system.
2. A MAVR will be installed within the occupant compartment of the police vehicle so as to present neither a safety hazard nor vision impairment to the driver.
3. A MAVR should be securely mounted to the police vehicle and placed such that items within the vehicle do not restrict the optical view of the camera.
4. The system administrator shall assure the MAVR accurately identifies the proper date and time. The date and time shall be synced to the United States Naval Observatory Global Positioning System (GPS).
5. The system administrator shall assure that the mobile equipment contains the proper vehicle identifiers and that all MAVR service records are maintained at the police department.

##### C. General Use

1. Officers should use a vehicle that is equipped with a functioning MAVR.
2. Officers shall inspect the equipment at the beginning of each shift and report failures, date/time errors, or

any issues with the equipment to a supervisor.

3. Supervisors shall immediately notify a MAVR technician and/or system administrator of any known problems with the system.
4. The MAVR system power will automatically power on when the vehicle engine is on. The MAVR will record only when the officer depresses the record button or a triggering event occurs.
5. Officers shall not manipulate the optical view of a camera to circumvent the recording of an event, however they may turn the camera in the direction of an event to assure it is being captured on camera.
6. Officers operating a squad equipped with MAVR are required to wear their body-worn camera in a manner consistent with [Directive 6.10: Body-Worn Cameras](#).
7. Recorder activation will automatically take place at the time of emergency equipment activation.
8. Officers will have the capability to manually start or stop recording as circumstances warrant. Recording may be stopped, for example, during traffic control situations (i.e. directing traffic at emergency scenes) even though the police vehicle's emergency lights may still be in operation. Prior to stopping the video recording system during an event, the officer should make an audible notation on the recording by stating the reason for discontinuing use of the recording devices, or include the reason in his or her report.
9. The primary purpose for using audio/video recorders is to obtain evidence. Therefore officers shall record and preserve (both audio and video) all traffic stops, pursuits, emergency driving events, and any incidents where evidentiary preservation is believed to be of value to the law enforcement mission.
10. The MAVR should be activated any time an officer deals with the public in the vicinity of the squad car. This includes any call for service when the video would not reveal visual documentation, but it is close enough to the squad car for the audio to capture the information.
11. Once audio/video recording is activated, officers shall record the incident until the incident has concluded unless circumstances dictate as otherwise mentioned, or at the direction of a supervisor.
12. Officers may review any recordings connected to incidents that they were involved in as allowed by system securities.
13. Personnel may activate Live Video Streaming to monitor interviews being conducted within police department interview rooms, when the purpose is to provide safety and security to the occupant(s) or to assist in an investigation.

#### **D. Audio/Video Data Custody and Control**

1. The system administrator shall be responsible for ensuring that all data is preserved in a secure environment.
2. MAVR data shall be uploaded by officers at the end of each shift. Officers shall report any known issues with the data transfer to a supervisor.
3. MAVR data shall only be stored on Eden Prairie Police Department servers, or archived backups managed by the system, or on electronic storage devices as defined in the Duplication section of this directive.
4. Under no circumstances shall the original or system backups be altered.
5. Under no other circumstances shall officers copy, export and/or retain any MAVR data, unless it's in accordance with the Duplication section of this directive.
6. MAVR data generated is the exclusive property of the Eden Prairie Police Department and shall be governed by current policy and law regulating government data.

#### **E. Duplication**



1. The Records Unit Supervisor or designee is responsible for the duplication of the original data for one of the following purposes:
  - a. Dissemination to a requesting prosecutor for discovery purposes.
  - b. To comply with public data requests in accordance with department policy and data privacy laws (Minnesota State Statute, Chapter 13).
  - c. To be used for internal training purposes once the data is releasable in accordance with data practices laws. Written approval must be obtained from a member of the department Command Staff. No additional copies shall be made of the data without approval. The original copy shall be maintained by the Training Supervisor. A [Request for Internal Training Video](#) form must be completed.
  - d. To enhance a video/audio segment of the original data for the purposes of improving the clarity. This is only permissible for case investigative law enforcement purposes. The copies shall be clearly labeled as “enhanced or modified” and shall be retained in accordance with the [Directive 11.06 \(Evidence Collection & Preservation\)](#).

**F. Retention**

1. All MAVR data identified and preserved as case evidence shall be retained and/or disposed of in accordance with [Directive 11.06 \(Evidence Collection & Preservation\)](#).
2. All MAVR data retained as event data, but not preserved as case evidence, shall be retained and/or disposed of in accordance with established data retention procedures.



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**Police Chief Signature**

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**6-22-23**  
**Date**

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*Directive type: General Order*  
*Section: Administrative Operations*  
*Chapter: Facilities, Equipment and Storage*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 6.07: Automated License Plate Recognition System

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to allow the use of Automated License Plate Recognition (ALPR) systems as outlined in this directive.

#### II. Procedure

##### A. Overview

1. The ALPR is a computer-based system that uses cameras to capture license plate numbers and compare those numbers through the Minnesota license plate data file.
2. Per MN Statute 13.824 subd. 2-C, Data collected by an automated license plate reader may only be matched with data in the Minnesota license plate data file, However, the Eden Prairie Police Department may use additional sources of data for matching. if the additional data relate to an active criminal investigation
3. Data collected shall be limited to:
  - a. license plate numbers
  - b. date, time and location of vehicles
  - c. pictures of license plates, vehicles and areas surrounding the vehicles.
4. The data is used for law enforcement purposes for the identification of such things as stolen vehicles, stolen license plates, outstanding warrants, driver's license violations, missing persons and criminal investigations.
5. The Bureau of Criminal Apprehension shall be notified by the Support Lieutenant or designee within 10 days of the installation of a new ALPR.

##### B. Operator's Responsibilities

1. Only department personnel trained in the proper use of the ALPR system may operate the system(s).
2. The ALPR system shall only be used for official and legitimate law enforcement business.
3. Operators receiving a "hit" on the ALPR system shall obtain independent verification of the information associated with the "hit" prior to taking any enforcement action. Verification shall be made by running the information through the state real-time data system using either the MDC or Dispatch, or through confirmation received from the source that generated the data resulting in the "hit".
4. Any problem with the ALPR systems should be reported to the Support Lieutenant.

##### C. Data Storage

Notwithstanding any State law to the contrary, data collected by an ALPR that is not related to an active criminal investigation must be destroyed no later than 60 days from the date of collection, except as otherwise provided in Minnesota statute 13.824 Sec.3/Sub 3.

##### D. Release of Data

Notwithstanding any state law to the contrary, all data and images gathered by ALPR are for the

official use of the Eden Prairie Police Department and are considered private or nonpublic data.

ALPR information gathered and retained by the department may be used and shared with prosecutors and other law enforcement agencies for legitimate law enforcement purposes or as otherwise permitted by law and in accordance with applicable department policies and in compliance with [Minnesota Statute 13.824 Sub.4](#) and Sub. 7

#### **E. Accessing of Data**

In accordance with MN Statute 13.824 Sub. 7, the ability of authorized individuals to enter, update, or access automated license plate reader data will be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law.

Only those approved by the Chief of Police may access the data collected by the ALPR system. The data accessed must be pertinent to an active criminal investigation. A record of all data queries shall be generated indicating the factual basis for the access and any associated case number, complaint or basis for the access. Employees accessing data in violation of this policy may be subject to criminal penalties or department discipline.

#### **F. Records Review**

The Support Lieutenant or their designee will maintain a record for the purpose of audit. The record shall show the date and time ALPR data was collected and the applicable classification of the data. The data shall be reviewed on a biennial basis, by a person independent of the police department to verify whether the data is classified, how the data was used, whether the data was destroyed in compliance with this policy and to verify the data was accessed in compliance with this policy.



10-2-19

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**Police Chief Signature**

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**Date**

*Effective date: 10-2-19*  
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*Rescinds/Amends: 6-14-17*

*Directive type: General Order*  
*Section: Administrative Operations*  
*Chapter: Facilities, Equipment and Supplies*  
*Authority: Police Chief*

**City Of Eden Prairie**

**Police Department**

**Directive 6.08: Response Bags**

**I. Policy**

It shall be the policy of the Eden Prairie Police Department to use, care and store all response equipment in the issued response go-bags. This equipment will include: gas masks, gas mask holder bags, riot helmets, sim-mask helmets, padded gloves, batons and baton O-rings.

**II. Procedure**

**A. General**

- a. Only sworn personnel shall be authorized to use the equipment in the department issued response bags.
- b. The response bag and its contents shall only be used for live events or department training while on duty.
- c. Only department-issued equipment shall be stored in the response bag.
- d. Individual officers shall be responsible for keeping and maintaining their own response bag. This includes reporting damaged, used or lost equipment, proper storage of equipment and keeping equipment in a ready to use state.
- e. The response bags and equipment shall be inspected and inventoried annually by the Training Unit staff.
- f. Issued gas masks shall be inventoried and fit-tested annually by an independent vendor. Fit-testing shall meet OSHA minimum standards.
- g. Officers shall follow [Directive 3.03](#) standards to ensure annual fit test qualification.
- h. Officers shall maintain one sealed CBRN canister in their response bag and have a second opened canister for CS/CN/OC use and training.
- i. Opened canisters will be connected to the mask in a ready state and replaced annually during inspection.
- j. Unopened canisters shall be replaced after 5 years or in accordance with manufacturer's recommendations.
- k. Gas mask corrective lens inserts, optometrist consultation and lenses will be purchased by the Police Department at initial issue and will be replaced or maintained through uniform replacement policy if damaged. Prescription lenses will be replaced for prescription changes not more than one time per year. Any additional changes will be covered by the officer.
- l. Response bag equipment and gas masks shall be clean post-deployment and maintained per manufacturer recommendation, prior to returning to ready to use state. See department procedure for cleaning and canister disposal.
- m. Canisters that are exposed to respiratory hazards while on duty shall be replaced and taken out of service immediately after use. See department procedure for cleaning and canister disposal.
- n. The Training Unit will maintain a stock of spare masks, replacement canisters, accessories and cleaning consumables.



**Police Chief Signature**

**10-30-19**

**Date**

Effective date: 10-30-19

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Rescinds/Amends:

Directive type: General Order

Section: Law Enforcement Operations

Chapter: Facilities, Equipment and Supplies

# City of Eden Prairie

## Police Department

### Directive 6.09: Unmanned Aircraft System (UAS)

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to provide guidance on the use of the Unmanned Aircraft System (UAS) and the storage, retrieval and dissemination of images and data captured by the UAS. The UAS shall be utilized in strict accordance within Federal Aviation Administration (FAA) regulations.

#### II. Procedure

##### A. Operator Responsibilities

1. Operators of the UAS will be limited to City of Eden Prairie employees and volunteers who have been selected to the UAS team and successfully passed the CFR Part 107 test. These operators will be referred to as Remote Pilot-In-Command. The Remote Pilot-In-Command will have final authority and responsibility for the operation and safety of an UAS operation.
2. Only department personnel trained in the proper use of the UAS may operate the aircraft.
3. The UAS shall only be used for official and legitimate business.
4. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record images of any location where a person would have a reasonable expectation of privacy. Operators and observers shall take reasonable precautions to avoid inadvertently recording images of areas where there is a reasonable expectation of privacy.

##### B. Use of the UAS

1. Authorized Use
  - a. Unless a search warrant is obtained as required under MN Statute 626.19, operation of the UAS is authorized if one of the following exceptions are met:
    - a. during or in the aftermath of an emergency situation that involves the risk of death or bodily harm to a person
    - b. over a public event where there is a heightened risk to the safety of participants or bystanders
    - c. to counter the risk of a terrorist attack by a specific individual or organization if the

agency determines that credible intelligence indicates a risk

- d. to prevent the loss of life and property in natural or man-made disasters and to facilitate operational planning, rescue, and recovery operations in the aftermath of these disasters
- e. to conduct a threat assessment in anticipation of a specific event
- f. to collect information from a public area if there is reasonable suspicion of criminal activity
- g. to collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road
- h. over a public area for officer training or public relations purposes
- i. for purposes unrelated to law enforcement at the request of a government entity provided that the government entity makes the request in writing to the law enforcement agency and specifies the reason for the request and proposed period of use

- b. Any use of the UAS will be in accordance with federal, state and city laws, to include constitutional privacy rights, search and seizure regulations, FAA regulations and department policy.

## 2. Prohibited Use

- a. Conducting random surveillance activities.
- b. Harassing, intimidating or discriminating against any individual or group.
- c. Conducting personal business of any type.

### **C. Retention of UAS Data**

1. Each UAS operator shall maintain a flight log in accordance with FAA rules and regulations. Operators shall log the date, flight time and locations of all UAS deployments including training operations. They shall also document case numbers, incident type, and whether photo images or video were captured during the flight.
2. Data collected by the UAS shall be retained as provided in the established City of Eden Prairie's records retention schedule, in conjunction with MN Statute 626.19.

### **D. Supervisor Responsibilities**

1. The UAS program will have oversight from a Sergeant and Team Leader. The Chief of Police will appoint these positions. The UAS Sergeant and Team Leader will be responsible for the management of the UAS program. The responsibilities include:

- a. Ensuring policies and procedures conform to current laws and regulations.
- b. Establishing a training standard for operators that meets the FAA requirement.
- c. Overseeing the procurement and maintenance of UAS equipment.
- d. Review of UAS deployments to ensure compliance with policies and operating procedures.
- e. Ensuring operators are current with their part 107 certification.
- f. Retention of data.
- g. Completion of required annual reports.



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**Police Chief Signature**

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**10-20-20**  
**Date**

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*Annual review date:* 4-1-21

*Rescinds/Amends:*

*Directive type:* General Order

*Section:* Administrative Operations

*Chapter:* Facilities, Equipment & Supplies

*Authority:* Police Chief

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# City of Eden Prairie

## Police Department

### Directive 6.10: Body-Worn Cameras

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to authorize and require the use of department-issued body-worn cameras (BWC) as set forth below, and to administer BWC data as provided by law.

#### II. Procedure

##### A. Use and Documentation

1. Officers may use only department-issued BWCs in the performance of official duties for this agency or when otherwise performing authorized law enforcement services as an employee of this department.
2. Officers who have been issued BWCs shall operate and use them consistent with this policy. Officers shall conduct a function test of their issued BWCs at the beginning of each shift to make sure the devices are operating properly. Officers noting a malfunction during testing or at any other time shall promptly report the malfunction 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.
3. While on duty, officers may only use BWCs issued and maintained by the EPPD in documenting the officer's activities.

Body cameras must be worn at or above the midline of the officer's waist in a position to maximize recording.

3. Officers must document BWC use and non-use as follows:
  - a. Whenever an officer makes a recording, the existence of the recording shall be documented.
  - b. 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.
4. The department will maintain the following records and documents relating to BWC use, which are classified as public data:
  - a. The total number of BWCs owned or maintained by the agency;
  - b. A daily record of the total number of BWCs actually deployed and used by



officers.

- c. The total amount of recorded BWC data collected and maintained; and
- d. This policy, together with the Records Retention Schedule.

## **B. General Guidelines for Recording**

1. Officers shall activate their BWCs when anticipating that they will be involved in, become involved in, or witness other officers of this agency involved 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 in II.A.4.b.
2. Officers have discretion to record or not record general citizen contacts.
3. Officers have no affirmative duty to inform people that a BWC is being operated or that the individuals are being recorded.
4. Once activated, the BWC should continue recording 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 likewise direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, officers 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.
5. Officers shall not intentionally block the BWC's audio or visual recording functionality to defeat the purposes of this policy.
6. 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 recording is authorized as part of an administrative or criminal investigation.
7. Officers may mute the audio on their cameras when discussing tactics or strategies for handling a call.

## **C. Special Guidelines for Recording**

1. Officers may, in the exercise of sound discretion, determine:
  - a. To use their BWCs 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 use their BWCs 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. Digital Audio recording will continue to be the primary method of collecting statements.
- c. Officers need not record death notifications or persons being provided 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, 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.
- d. Officers should use their BWCs and 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. Officers actively working in an undercover operation are not required to wear or activate a body worn camera unless directed by a supervisor.
- f. Officers assigned to the southwest Hennepin Drug Task Force will be supplied with a body camera by the Hennepin County Sheriff's Office and will follow the policies and procedures for that agency.
- g. Officers assigned to the FBI Task Force will follow the policies and procedures for that agency.
- h. Officers conducting search warrants may discontinue recording after the location has been secured, as long as evidence collected is being documented in an alternative manner. Officers who remain with the occupants of the search location must continue to leave their cameras on,

#### **D. Downloading and Labeling Data**

1. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from his or her camera is completed 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.
2. In accordance with department procedure, officers shall label the BWC data files at the time of capture or transfer to storage with the following labels:
  - a. Test/Error
  - b. Incident
  - c. Evidence
  - d. Traffic Citation

- e. Traffic Warning
- f. MV Crash
- g. Citizen Contact
- h. Death Investigation/CSC

## E. Administering Access to BWC Data

1. **Data subjects.** Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC data:
  - a. Any person or entity whose image or voice is documented in the data.
  - b. The officer who collected the data.
  - c. 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.
2. **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:
  - a. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
  - b. Some BWC data is classified as confidential (see 3 below).
  - c. Some BWC data is classified as public (see 4 below).
3. **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 and the “public” classifications listed below.
4. **Public data.** The following BWC data is public:
  - a. Data documenting 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.
  - b. Data that documents the use of force by a peace officer that results in substantial bodily harm.
  - c. 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 practicable*]. In addition, any data on undercover officers must be redacted.
  - d. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

5. **Access to BWC data by non-employees.** Officers shall refer members of the media or public seeking access to BWC data to the Eden Prairie Police Department Records Unit, who shall process the request in accordance with the MGDPA and other governing laws.

In particular:

- a. An individual shall be provided with access and allowed to review recorded BWC data about him- or herself and other data subjects in the recording, but access shall not be granted:
    - i. If the data was collected or created as part of an active investigation.
    - ii. To portions of the data that the agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. § 13.82, subd. 17.
  - b. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, but subject to the following guidelines on redaction:
    - i. Data on other individuals in the recording who do not consent to the release must be redacted.
    - ii. Data that would identify undercover officers must be redacted.
    - iii. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.
- 6. Access by 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. 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 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.
  - c. Employees seeking access to BWC data for non-business reasons may make a request for it in the same manner as any member of the public.
- 7. Other authorized disclosures of data.** Officers may display portions of BWC footage to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. § 13.82, subd. 15, as may be amended from time to time. Officers should generally limit these displays in order to protect against the incidental disclosure of individual 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.

- c. Notwithstanding section 13.82, subdivision 7, when an individual dies as a result of a use of force by an Eden Prairie officer, the EPPD must allow the following individuals, upon their request, to inspect all portable recording system data, redacted no more than what is required by law, documenting the incident within five days of the request, subject to paragraphs (c) and (d):
  - i. the deceased individual's next of kin;
  - ii. the legal representative of the deceased individual's next of kin; and
  - iii. the other parent of the deceased individual's child.
- d. The EPPD may deny a request to inspect portable recording system data under paragraph (c) if the department determines that there is a compelling reason that inspection would interfere with an active investigation. If the department denies access under this paragraph, the police chief must provide a prompt, written denial to the individual in paragraph (c) who requested the data with a short description of the compelling reason access was denied and must provide notice that relief may be sought from the district court pursuant to section 13.82, subdivision 7.
- e. When an individual dies as a result of a use of force by an EPPD officer, the EPPD shall release all portable recording system data, redacted no more than what is required by law, documenting the incident no later than 14 days after the incident, unless the police chief asserts in writing that the public classification would interfere with an ongoing investigation, in which case the data remain classified by section 13.82, subdivision 7.

#### **8. Sharing among agencies.**

- a. BWC data that is not public may only be shared with or disseminated to another law enforcement agency, a government entity, or a federal agency upon meeting the standards for requesting access to data as provided in subdivision 7.
- b. If data collected by a BWC is shared with another state or local law enforcement agency under this subdivision, the agency that receives the data must comply with all data classification, destruction, and security requirements of this section.
- c. BWC data may not be shared with, disseminated to, sold to, or traded with any other individual or entity unless explicitly authorized by this section or other applicable law.

#### **F. Data Security Safeguards**

1. Access to BWC data from city or personally owned and approved devices shall be managed in accordance with established city policy.
2. Officers shall not intentionally edit, alter, or erase any BWC recording unless otherwise expressly authorized by the chief or the chief's designee.
3. As required by Minn. Stat. § 13.825, subd. 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its BWC program.

#### **G. Agency Use of Data**

1. Supervisors will randomly review BWC usage by each officer to whom a BWC is issued or available for use, to ensure compliance with this policy
2. In addition, supervisors and other assigned personnel may access BWC data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.
3. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.
4. 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.

## **H. Data Retention**

1. All BWC data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.
2. Data documenting 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, must be maintained for a minimum period of one year.
3. Certain kinds of BWC data must be retained according to the Records Retention Schedule:
  - a. Data that documents the use of deadly force by a peace officer, or force of a sufficient type or degree to require a use of force report or supervisory review.
  - b. Data documenting circumstances that have given rise to a formal complaint against an officer.
  - c. Other data having evidentiary value. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.
4. 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.
5. The department shall maintain an inventory of BWC recordings having evidentiary value.
6. The department will post this policy, together with a link to its Records Retention Schedule, on its website.

## **I. Compliance**

Supervisors shall monitor for compliance with this policy. The unauthorized access to or disclosure of BWC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.

## **J. Notification to BCA**

Within ten days of obtaining new surveillance technology that expands the type or scope of surveillance capability of a BWC device beyond video or audio recording, the department must notify the Bureau of Criminal Apprehension that it has obtained the new surveillance

technology. The notice must include a description of the technology and its surveillance capability and intended uses. The notices are accessible to the public and must be available on the bureau's website.



**3-13-24**

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**Police Chief Signature**

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**Date**

*Effective date: 3-13-24*

*Annual review date: 4-1-24*

*Rescinds/Amends: 2-21-24*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Professional Development*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 6.11: Phlebotomy/Blood Draw


#### I. Policy

It shall be the policy of the Eden Prairie Police Department to use a certified phlebotomist for blood draws following the procedures listed below.

#### II. Procedure

##### A. General

1. If an Eden Prairie Police Department phlebotomist is not available, the arrested party should be brought to Fairview Southdale Hospital to do a blood draw with an Eden Prairie kit.
2. Only persons authorized by law to draw blood shall collect blood samples (Minn Stat. [169A.51.subd. 7](#)).
3. If/when a law enforcement phlebotomist is collecting a sample, a second officer should be present during the draw.
4. Body Worn Cameras and/or Scales video shall be activated at the time of the draw and throughout the procedure.
5. If the subject is uncooperative or resists a blood draw, a urine test shall be offered. If the subject refuses both blood and urine tests, the subject shall be charged with refusal.
6. A forced blood sample may be taken in cases involving vehicular homicide or injury (Minn. Stat. [171.177, Sub. 13](#)).
7. If the subject is still uncooperative and injury is likely due to a forced blood draw, the officers should transport the subject to HCMC to obtain a sample with assistance of medical staff.



1-24-22

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**Police Chief Signature**

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**Date**

*Effective date:*

*Annual review date:* 4-1-22

*Rescinds/Amends:*

*Directive type:* General Order

*Section:* Administrative Operations

*Chapter:* Facilities, Equipment and Storage

*Authority:* Police Chief



# City of Eden Prairie

## Police Department

### Directive 7.01: Supplemental and Secondary Employment

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to allow department personnel to hold employment in addition to their regularly assigned duties.

#### II. Procedure

##### A. Supplemental Employment

1. Any employment as a police officer within the geographical limits of the City, which is in addition to an employee's regularly assigned duties and reimbursed by an outside entity, will be considered supplemental employment and may be engaged in only when assigned by the department. Supplemental employment must be scheduled in advance and compensated through normal City payroll practices. The Department reserves the right to assign postings to employees with certain qualifications or experience to the benefit of the City.

- a. Supplemental Employment will be accepted in accordance with the [Supplemental Employment](#) procedure.
- b. Supplemental Employment will be assigned in accordance with the [Overtime Assignments](#) procedure.
- c. The employee will be paid on his or her regular paycheck in accordance with department policy upon submission of proper documentation as required by the Department. The city will bill the requesting party for the employee's services at a rate to be determined by the city.
- d. While performing supplemental employment, an employee will at all times be an employee of the Department. Any employee who is working in uniform shall at all times conform to the standard of dress set forth in existing directives.

2. Outside of the geographical limits of the City, no employee will be allowed to engage in any type of employment as a police officer without written consent of the Police Chief, except pursuant to the Mutual Aid Pact.

##### B. Secondary Employment

1. Any employment not as a police officer, either inside or outside the geographical limits of the city, which is in addition to an employee's regularly assigned duties, will be considered secondary employment and may be engaged in only when approved by the Department. Secondary employment must not interfere with the employee's work schedule, work performance, or availability for overtime, call back to duty, and pertinent meetings the employee is expected to attend.
2. Employees wishing to engage in secondary employment must complete a [Secondary Employment Application](#). Employees may not begin secondary employment until the Police Chief has approved the application.
3. Secondary employment will be subject to the following conditions:
  - a. No employee shall (1) wear his/her uniform, (2) use any equipment or articles or dress belonging to the Department or issued by the Department, or (3) use any Records documents while conducting such proposed secondary employment. No employee shall act in a manner suggesting that he/she is vested with police authority while engaged in secondary employment. While engaged in secondary employment, no employee shall identify himself or herself to any person as an Eden Prairie police officer

or Department employee.

b. The Police Chief may require, as a condition of approval, that the secondary employer execute an indemnification agreement in favor of the City of Eden Prairie in the form attached to the application.

c. The Police Chief may contact the secondary employer in order to obtain information necessary to determine whether approval of the secondary employment is appropriate.

d. The Police Chief may impose other conditions or limitations on his or her approval that appear necessary in each situation.

e. No employee shall conduct any business relating to secondary employment while on duty as a department employee, including possession or use of any equipment or records relating to or used in the conduct of such employment.

f. Secondary employment is separate and apart from an employee's duties for and responsibilities to the Department, and neither the Department nor the city are responsible to the employee as an employer with respect to secondary employment. Further, while engaged in secondary employment, the employee is not an agent or representative of the Department or the city, and neither the Department nor the city is responsible or liable for any actions of the employee.

g. Paperwork approval for teaching related programs will expire after 3 years and must be renewed with Administration.

h. The above-listed conditions apply to both sworn and non-sworn personnel.

4. Approval of proposed secondary employment does not constitute an endorsement by the City of Eden Prairie of the secondary employer. The approval of the proposed secondary employment does not create any legal or contractual obligations to the secondary employer or to the employee who has submitted the proposal. The approval of the proposed secondary employment may be revoked by the city whenever the Police Chief reasonably concludes that continued secondary employment of an employee has become inconsistent with the purposes of this directive.

### **C. Restrictions on Employment**

1. The following restrictions are designed to minimize actual or perceived conflicts of interest between secondary employers and the city. The following types of secondary employment are prohibited:

a. Secondary employment which is derived from or based on the employee's status or authority as an employee of the Eden Prairie Police Department. Such employment includes, but is not limited to, work in which the employee is assumed or expected to utilize or access department equipment or information which is available to the employee because of his/her status as a department employee (for example, presence in uniform, permit to carry a firearm, or access to records).

b. Secondary employment in which the employee exercises police authority on behalf of an secondary employer.

c. Security work or private investigator work within the city limits of Eden Prairie. Security work outside the City of Eden Prairie which does not require the use of police power or firearms may be approved by the Police Chief.

d. Employment which involves or is related or incidental to the selling, serving, or dispensing of alcoholic beverages at a liquor establishment within city limits.

e. Involvement in pictures or advertising which endorses commercial products while identifying the employee as an Eden Prairie police officer.

f. Repossession or collections work within the city.

g. Employment involving a bail bond agency.

### **D. Denial, Restriction, or Revocation of Approval**

Approval required by this directive may be denied, limited, conditioned, or subsequently revoked based upon

any of the following criteria at the sole discretion of the Police Chief:

1. The requested employment creates an actual or perceived conflict of interest with the employee's duties for or responsibilities to the Department, or presents an unreasonable risk of liability to the city.
2. The requested employment would in any way restrict the employee from performing his or her duties for the Department or renders the employee unavailable in an emergency or in connection with police business.
3. The requested employment impairs the ability of the employee to perform efficiently and effectively while on duty, whether the impact is physical, mental, or emotional.
4. The requested employment requires that special or unreasonable consideration be given to scheduling the employee's duties for the Department.
5. The employee conducts secondary employment while on duty in violation of Section B.2.f. of this directive.

#### **E. Volunteer Activities**

1. Voluntary or uncompensated activities need not be disclosed to the Department. However, voluntary or uncompensated activities which violate the purposes of this directive may be regulated or prohibited by the Department in particular cases; for example, where such activities pose a conflict of interest with an employee's police employment or unduly interfere with an employee's performance of police duties.
2. When engaged in voluntary or uncompensated activities, department employees are prohibited from using any equipment or articles of dress belonging to or issued by the Department, unless otherwise authorized by the Police Chief.



12-22-15

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**Police Chief Signature**

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**Date**

*Effective date: 12-22-15*

*Annual review date: 4-1-18*

*Rescinds/Amends: 7-8-15*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Finances*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 8.01: Use of Force

#### I. Policy

It is the policy of the Eden Prairie Police Department 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 engaged in the discharge of official duties.

#### II. 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, nor 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 department to carry and use in the

discharge of that officer's duties, and for which the officer has:

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

H. **Physical Control:** The actions a department member uses to influence or neutralize the action of a person.

I. **Physical Force:** The force a department member uses to influence or neutralize the action of a person.

### III. Procedure

#### A. General Provisions

1. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
2. 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.
3. 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.
4. All uses of force shall be documented and investigated pursuant to department policies.

#### B. Duty to Intercede

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

1. 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
2. physically or verbally able to do so.

#### C. 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.

#### D. De-escalation

1. 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 reduce the need for force.
2. 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.

#### E. Use of Other Than Deadly Force

1. 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 department-approved other than deadly force techniques and issued equipment in the following circumstances:
  - a. effecting 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.

## F. Levels of Resistance

Resistance is manifested by a person through some action or credible threat to evade the department member's control. Resistance may come in the form of:

1. **Psychological Intimidation:** Non-verbal actions that indicate that the person may not be willing to cooperate with a department member (i.e., glares, reputation for resistance, etc.).
2. **Verbal Non-Compliance:** Threats to the department member or verbal responses indicating unwillingness to cooperate.
3. **Passive Resistance:** Physical actions that do not attempt to prevent the department member from taking control, but do not cooperate with the department member requests.
4. **Defensive Resistance:** Physical actions that attempt to prevent the department member from taking control, but are not aggressive acts against the department member
5. **Active Aggression:** Unarmed acts of physical attacks against the department member.
6. **Aggravated Active Aggression:** Physical attack with a weapon or special physical skill.

## G. Levels of Control

**Physical control** is the actions a department member uses to influence or neutralize the action of a person

Actions in response to resistance will be based on the department member's perception of the level of resistance, as described above, and consistent with training in measured responses including the following (any threats of physical force shall be considered physical force as defined below):

1. **Officer Presence.** A department member's mere presence of legal authority in a situation may in itself be a form of control.
2. **Verbal direction** may resolve a resistive or threatening situation if the department member effectively invests time and communication skills to defuse a person's fear and anger.
3. **Soft Empty-Hand Control** techniques have low possibility of injury, and can be used to control any level of resistance, but are generally applied to passive or low-level resistances.

**Physical force** is the force a department member uses to influence or neutralize the action of a person.

1. **Soft Empty-Hand Force** techniques have low possibility of injury, and can be used to control any level of resistance, but are generally applied to passive or low-level resistances. and may include physical restraints, pain compliance, and pressure points.
2. **Conducted Electrical Weapon (CEW)** is a non-lethal neuromuscular incapacitation (NMI) weapon using conducted energy to cause electro-muscular disruption. Only conducted electrical weapon devices approved by the Chief of Police may be used by department trained personnel.
  - a. Only department personnel trained in its use and designated by the Chief of Police may use a CEW.
  - b. Personnel carrying a TASER device should perform a spark test with their TASER prior to

every shift, special event or whenever the TASER is carried while working.

- c. Department trained personnel using a CEW shall carry it in a holster approved by the Chief of Police and on the opposite side of the body from their duty firearm.
- d. The CEW may be used by deploying the propelled probes to the subject or through direct contact.
- e. The CEW shall not be displayed or pointed at another person frivolously.
- f. The application of CEW shall be terminated when resistance or aggression is discontinued.
- g. The operator of a CEW shall notify the on-duty sergeant of all field uses and unintentional deployments.
- h. The probes shall be treated as a biohazard and removed in accordance with department training. Appropriate first aid and/or treatment shall be rendered by an officer, paramedic or emergency room as necessary.
- i. The probes, wires and cartridge shall be entered into evidence and officers should make a reasonable attempt to photograph injuries to the subject.
- j. The deployed CEW shall be taken out of service and turned over to the on-duty sergeant. The sergeant shall download the use information from the data port, inspect the CEW for operational readiness and put it back into service.
- k. Officers are responsible for ensuring that their issued TASER device is properly maintained and in good working order.
- l. If damage or functional issues are found with their TASER or cartridge, the officer shall immediately notify the on-duty sergeant or TASER instructor. A replacement, loaner TASER, may be issued and documented by the on-duty sergeant or TASER instructor.

#### **Off- Duty Considerations CEW:**

1. Officers are not authorized to carry department issued TASER devices while off-duty, unless traveling to or from work or training.
2. Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.
3. Officers will immediately notify the on-duty sergeant if their TASER is lost or stolen or security is compromised in any way.

### **3. Chemical Agents**

Only chemical agents approved by the Department may be carried for department trained personnel use.

- a. Chemical agents should never be displayed or pointed at another person frivolously.
- b. The application of a chemical agent shall be terminated when resistance or aggression is discontinued.

- c. Chemical agents may be irritating to the eyes, nose, and skin. Any time a department trained staff member uses a chemical agent for the purposes of subject control, the department member will ensure that the subject receives adequate decontamination as soon as possible.
- d. Any time a department trained staff member finds it necessary to use a chemical agent for subject control, the department member will contact a supervisor and advise him/her of the nature of the incident.

**34. Hard Empty-Hand Control** have a high probability of creating soft or connective tissue damage, skin lacerations requiring medical attention, or even bone fractures, and are appropriately used against higher levels of defensive resistance, active or aggravated aggression.

- a. Strikes with the open hand, fist, forearm, elbow, knee, leg, or foot mainly to major muscle masses, or to the face and other sensitive areas may be used if necessary
- b. It is the procedure of this department that an injury induced as described above be brought to supervisory attention and that injured persons shall be given the appropriate medical attention

**5. Impact weapon control** employs the use of department-approved tools that provide a method of controlling subjects when deadly force is not justified, but when empty hand control techniques are not sufficient in effecting an arrest. Whenever a department trained staff member uses an impact weapon for control, it should always be with the intent to stop the aggressive actions of the offender and never with the intent of creating permanent injury.

Only impact weapons approved by the Department may be intentionally used by department trained personnel for self-defense or to protect another from injury, to counter active resistance or aggression, or as a means of control.

- a. Batons

No department member shall carry a baton without having completed required training in its use, and no baton other than that approved by the Department may be carried.

Intentional strikes to deadly force targets, such as the head, neck, throat and clavicle should be avoided unless the use of deadly force is justified.

When a person is struck with an impact weapon, the supervisor should be informed by the department member and the person should be given the appropriate medical attention.

- b. Flashlight

The flashlight, by its nature and accessibility to the department trained staff member, may be used for immediate self-defense or in immediate defense of a third person, if lesser methods have failed or circumstances dictate the immediate use of available equipment for the defense against the assault. Flashlight use should be consistent with that of an impact weapon.

- C. Less Lethal: Specialty Impact Munitions and PepperBall

Only officers who have received department approved training in Specialty Impact



Munitions (SIM) are authorized to use this use of force option. The use of SIM must be consistent with the training provided. If the situation escalates to a deadly force option officers are also authorized to use SIM as a deadly force alternative.

Only officers who have received department approved training in PepperBall are authorized to use this option. The use of PepperBall must be consistent with the training provided.

Target areas include chest, abdomen, arms, buttocks, thighs and legs. The neck, head, face and spine should not be target areas as there is a high potential for injury. These areas should only be considered where deadly force is authorized pursuant to statute [609.066](#)

If PepperBall is deployed, officers shall ensure that the subject(s) receives adequate decontamination as soon as possible. If PepperBall is deployed for unlawful assembly or riot control, it may be impossible to identify all individuals who have been exposed to the chemical irritant

#### **H. Handcuffs and Restraints are to be used according to the following guidelines:**

1. All persons taken into custody should be handcuffed behind the back to ensure safety and reduce the threat of resistance, except when a person has an injury preventing it or when the person's age, physical condition, or physical limitations indicate a change in this procedure.
2. Handcuffs applied to persons under arrest shall be double-locked, unless precluded by a tactically unsafe arrest environment.
3. Department trained personnel transporting or detaining handcuffed persons must ensure, through inspection or on complaint of, the person that handcuffs are not so tight that blood circulation is unduly impaired or swelling of the hands occurs. Department trained personnel may adjust the handcuffs if the department member deems appropriate to prevent unnecessary pain.
4. Flexcuffs may be an accepted alternative restraint device to handcuffs.
5. Department trained personnel may use a hobble to restrain a person's legs and/or feet from causing damage to either the department member, a third party or the subject themselves. The hobble is to be used in accordance with department training.
6. Department trained personnel may use the department-approved spit hood to prevent a person from spitting during the custodial process. The spit hood is to be used in accordance with department training.
7. Control techniques used in response to resistance by a handcuffed person shall be consistent with the guidelines outlined in this directive.

#### **I. Use of Certain Types of Force**

1. 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
  - a. Choke holds,
  - b. Tying all of a person's limbs together behind a person's back to render the person immobile, or;
  - c. Securing a person in any way that results in transporting the person face down in a vehicle.
2. Less than lethal measures must be considered by the officer prior to applying these measures.

#### **J. Use of Deadly Force**

1. 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;
  - a. To protect the peace officer or another from apparent death or great bodily harm, provided that the threat:
    - i. can be articulated with specificity;
    - ii. is reasonably likely to occur absent action by the law enforcement officer; and
    - iii. 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.
2. 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).
3. Where feasible, the officer shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.
4. In cases where deadly force is authorized, less than lethal measures must be considered first by the officer.
5. Nothing in this directive shall be construed as preventing an officer from drawing his/her weapon or being prepared to use it in a threatening situation.
6. Warning shots shall not be fired.

## **K. Directed Fire**

1. Directed fire is the firing of weapons at or in the direction of a threat with the primary goal of reducing the threat's ability to continue their assault or return fire, by forcing them to remain under cover.
2. Directed fire shots may be fired only when deadly force is justified.
3. The following factors, if applicable, should be considered in using directed fire:
  - a. backdrop
  - b. safety of other persons
  - c. ricochet
  - d. site location
  - e. known location

## **L. Training**


1. All officers shall receive training, at least annually, on the department's use of force policy and related legal updates.
2. In addition, training shall be provided on a regular and periodic basis and designed to:
  - a. Provide techniques for the use of and reinforce the importance of de-escalation
  - b. Simulate actual shooting situations and conditions; and
  - c. Enhance officers' discretion and judgement in using other than deadly force in accordance with this policy.
3. 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 department's policies and state statutes with regard to such force. Such training and instruction shall continue on an annual basis.
4. 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.
5. 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.

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

**M. Recordkeeping Requirements**

- a. The Police Chief shall maintain records of the department’s compliance with use of force training requirements
- b. State Reporting: The Police Chief (in accordance with [Minnesota Statute 626.553, subdivision 2](#)), shall submit a [Firearms Discharge Report](#) to the Minnesota Department of Public Safety Office of Information Systems Management whenever an officer discharges a firearm in the course of duty other than for training purposes or animal control. The report must be filed within 30 days of the incident and shall include the reasons and circumstances surrounding the discharge.
- c. If a discharge of firearms occurs outside the above listed guidelines, the officer must immediately contact the on-duty supervisor and explain the circumstances surrounding the incident. An Incident Report will be generated and follow up will be done by the Training Unit Supervisor or the Criminal Investigations Sergeant.
- d. Whenever a police contact results in the use of force:
  - i. The department member involved shall complete an offense/incident report titling the report appropriately for the offense or incident. Include in the narrative portion of all reports a description of the force used, which department member applied the force, circumstances, weapons, extent of injuries to any parties involved, medical care provided to subject(s) injured or exposed to chemical irritants, charges, and other relevant factors including resistance given by the suspect.
  - ii. Other department members who participate in the use of force shall complete a [supplemental report](#) detailing their involvement.
  - iii. The duty sergeant will be responsible for reviewing any reports that involve use of force. [A report addendum](#) will be completed for the following uses of force: Hobble, Taser, Chemical Agent, Hard Hand Techniques, Impact Weapon, K9 bite, Deadly force. The report addendum will be forwarded to the Police Chief’s administrative assistant to be entered into the Use of Force tracking database. The Training Sergeant will review all reports in which a UOF Addendum was completed. The Training Sergeant will report to the Support Lieutenant if there are any UOF issues, training considerations or patterns that need to be addressed.



4-13-22

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**Police Chief Signature**

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**Date**

Effective date: 4-13-22  
Annual review date: 7-1-21  
Rescinds/Amends: 4-27-21

Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Use of Force Operations  
Authority: Police Chief

# City of Eden Prairie

## Police Department

### Directive 8.03: Arrests

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that arrests will be made in accordance with the procedures prescribed by law and these rules.

#### II. Procedure

##### A. Arrest With An Arrest Warrant

Whenever possible, an arrest warrant should be obtained before making an arrest.

No officer shall make an arrest without an arrest warrant unless the situation corresponds with one of the categories outlined in the rules for a warrantless arrest.

1. It is not necessary for an officer to actually possess an arrest warrant in order to execute it. If an officer has received notification from an authoritative source that a peace officer holds an arrest warrant for the person's arrest, the arrest warrant may be executed. However, before executing an arrest warrant not in his/her possession, the officer shall determine the location of the arrest warrant and confirm its validity through the originating agency.
2. Any arrest warrant which does not appear to be in proper form shall not be executed, but shall be returned to the court in which it was issued. No officer shall alter an arrest warrant in any way.
3. When executing an arrest warrant, an officer shall announce to the arrestee that the arrest is made pursuant to an arrest warrant and provide the arrestee a chance to see the arrest warrant. If the officer does not have the arrest warrant in his/her possession, and the arrestee requests to see it, the officer shall inform the arrestee of the location of the arrest warrant and shall immediately take steps to assure that the arrestee is shown the arrest warrant as soon as possible.
4. Arrests for felonies or gross misdemeanors may be made on any day and at any time of the day or night. Arrests for misdemeanors may not be made on Sundays or any other day between the hours of 10:00 p.m. to 8:00 a.m. except if the arrest warrant is nightcapped or if the arrestee is found on a public street or highway ([Minnesota Statute 629.31](#)).
5. Persons arrested on an arrest warrant shall be transported to the Hennepin County Sheriff's Office, except that in cases of arrest warrants issued for non-person crimes, bail may be accepted by the arresting officer.
6. If an arrest warrant that originated outside Hennepin County is executed, the originating agency should be notified of the execution, and the location of the arrestee. In these situations, if immediate pick-up is not possible, the arrestee should be transported to the Hennepin County Sheriff's Office.

The same procedure should be used if the arrest warrant originated out of state. Out-of-state arrest warrants should only be executed if they are extraditable arrest warrants unless directed otherwise.

7. Unless so stated in the arrest warrant, officers shall not break into, or force entry into, a private residence until the officers have identified themselves, stated their purpose, and been refused admittance. A forced entry may also be justified if, after announcing themselves, stating their purpose and requesting to enter, they receive no response and officers have probable cause to believe the person to be arrested is on the premises. The necessity to immediately execute an arrest warrant must always be scrutinized before making any forced entry.

## **B. Arrests Without A Warrant**

1. Officers are expected to use discretion in the exercise of their authority to arrest without an arrest warrant. It is the preferred procedure of the Department to obtain an arrest warrant.
2. An officer may arrest without an arrest warrant as authorized by [Minnesota Statutes 629.34 sub. 1](#) and [629.341](#).

## **C. Resisting Arrest; Use of Force**

If, after receiving notice of the intention to arrest, the suspect either flees or forcibly resists, the officer may use reasonable force to effect the arrest.

## **D. Notice of Arrest**

1. Except when impractical, an officer shall inform the person about to be arrested of:
  - a. The officer's intention to take the party into custody;
  - b. The authority of the arrest;
  - c. The reason for the arrest.
2. Impractical circumstances may include, but are not limited to:
  - a. When the person is in the act of committing an offense;
  - b. When the person is fleeing from the scene of a crime;
  - c. When the officer may be endangered;
  - d. When the arrest would be impaired.
3. In any event, advising the arrestee that he/she is under arrest and why, shall be done as soon as it is safe to do so. Documentation of this notice and how it was transmitted to the arrestee shall be included in the officer's report.
4. When not in uniform, an officer will display his/her badge and identification card and state that he/she is an officer.
5. An officer may place an unconscious, mentally ill, or injured person under arrest even though such person is incapable of understanding he/she is under arrest.

## **E. Arrest of Military Absent Without Leave**

1. Officers have the authority under Title 10, United States Code Annotated, Section 808, Article 8, to apprehend military personnel absent without leave (A.W.O.L.) from military service when information in either the NCIC computer or police records reveal the person is wanted by military officials for being A.W.O.L.
2. It should be noted that this is not a criminal offense under state or local law, but an offense of the general military law. For the purpose of arrest, the violation of A.W.O.L. will be treated as a misdemeanor.

3. Military personnel who voluntarily turn themselves in should be advised to do so at a military recruiter, the detachment at Fort Snelling, or return to their original unit.
4. A.W.O.L. arrests may be booked into the Detention Center only as allowed under [Directive 11.02 Detention Center](#).

#### **F. Booking and Detention**

Persons arrested for a crime may be booked in the Eden Prairie Police facility in accordance with the policy and procedures outlined in [Directive 11.02: Detention Center](#).

#### **G. Misdemeanor Arrests**

In the case of misdemeanor violations, officers shall issue formal complaints via the City Attorney, bail release forms or citations if it is believed that the suspect will make a voluntary court appearance. This does not apply to situations where the officer reasonably believes that arrest is necessary to prevent bodily harm to the accused or another, or to prevent further criminal conduct. All persons taken into custody on a targeted misdemeanor must be booked into the jail facility and fingerprinted. A list of targeted misdemeanors is posted in the booking room ([MSS 299C.10 S1 \(7\)\(e\)](#)).

#### **H. Petty Misdemeanor Citations**

If an officer wishes to charge a person with a petty misdemeanor, a citation must be issued and the accused released. Continued detention is permitted, but not required, if:

- a. The suspect is unable to satisfactorily identify himself/herself.

#### **I. Citizen's Arrests**

1. A private person may arrest another person in accordance with [Minnesota Statute 629.37](#):
  - a. For a public offense committed or attempted in the arresting person's presence;
  - b. When the person arrested had committed a felony, although not in the arresting person's presence;
  - c. When a felony has in fact been committed, and the arresting person has probable cause for believing the person arrested to have committed it.
2. Police Officer Duties

When an officer is called by a citizen who has placed someone under arrest, the officer shall review the arrest and determine if, in their opinion, the arrest was legal. If the arrest appears legal, the officer should:


- a. Investigate the situation by conducting interviews and collecting statements from all suspects, witnesses, and the arresting person.
  - b. Custody of the arrestee will be handled by the same guidelines as if the officer had made the arrest.
  - c. In all Citizen Arrest incidents, a signed department statement by the person making the arrest and [Citizen Arrest form \(Report Addendum\)](#) must accompany the report.
3. An officer may refuse to arrest the suspect in a Citizen Arrest incident if he/she does not feel the arrest was proper. If the arresting person in the incident would like to pursue the incident further, he/she should be advised to contact the City Attorney.

#### **J. Off-Duty and Out-of-Jurisdiction Arrests**

1. On or Off Duty/Inside Eden Prairie: When a full-time Eden Prairie officer is inside the City boundaries, the officer has arrest authority whether they are on duty or off duty.
2. On Duty/Outside Eden Prairie: When a full-time Eden Prairie officer is on duty, but outside the Eden Prairie City boundaries, the officer has full arrest authority when acting within the course and scope of his/her employment.
3. Off Duty/Outside Eden Prairie: When a full-time Eden Prairie officer is off duty, outside of the Eden Prairie City boundaries, the officer has the arrest authority of a police officer when, and only when, confronted with a situation that justifies his/her use of deadly force in the line of duty under [Minnesota Statute 609.066](#).

#### **K. Miranda Warning**

1. Whenever an officer arrests a person, or otherwise deprives the person of his/her freedom of action in any significant way, the officer shall advise the person of their rights as listed on the Department authorized Miranda card prior to questioning.
2. If a person indicates that he/she will not make a statement without a lawyer present, no statement will be taken. A person may at first waive his/her rights, but reassert them at any time and the officer must stop any questioning.
3. An officer should always document in his/her report the time and place that the Miranda Warning was given. The officer should also document the circumstances, location, mental capacity, and time in custody of any person offering a statement or admission.



**6-14-17**

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**Police Chief Signature**

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**Date**

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Annual review date: 7-1-18  
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*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Response Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 8.04: Pursuit Driving

#### **I. POLICY**

The primary purpose of this directive is to ensure officers and any member of the Eden Prairie 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 directive 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 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.
- 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)).
- No officer will be disciplined for terminating a pursuit.
- When responding to an emergency call or pursuing a fleeing vehicle officers 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)).
- 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.
- Involved officers should frequently re-evaluate factors and conditions to assess the continuation of the pursuit.

#### **III. DEFINITIONS**

- 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).
- 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:

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

D. **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.

E. **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).

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

G. **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/assume control of the pursuit.

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

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

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

K. **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.

L. **Intentional Contact:** Controlled contact between the patrol unit and pursuit vehicle at low speeds intended to safely end the pursuit. Intentional contact should only be used when other intervention strategies have been considered and determined not practical or ineffective. Intentional contact should be considered a use of force and must be reasonably applied based on the totality of circumstances presented. Intentional contact should be used on vehicles that are stopped or traveling at low speeds. Unless deadly force is authorized, intentional contact should not be utilized on motorcycles.

#### **IV. PROCEDURE**

##### **A. Pursuit Considerations – Minn. Stat §626.8458 Subd. 2 (2).**

1. 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.

2. Factors to be considered when weighing risks:

- Severity of the offense (in cases of non-violent offenses, officers should consider terminating the pursuit).
- Speed of the pursuit
- Area of the pursuit (including the geographical area, time of day, amount of vehicular and pedestrian

traffic)

- Divided highways and one-way roads (Minn. Stat. § 169.03 Subd. 3)
- Approach to intersections that are controlled by traffic signals, signs, or other location where there is an increased likelihood of a collision (Minn. Stat. §169.03)
- Environmental conditions (weather, visibility, road surface conditions)
- Special hazards (school zones, road construction, parades, special events)
- The ability to identify the offender at a later time
- Age of the suspect and occupants
- Other persons in or on the suspect vehicle

3. Ride-alongs are highly discouraged in an emergency vehicle while the vehicle is engaged in a pursuit. The presence of a ride-along should be considered when determining whether to engage in a pursuit and what role to play in a pursuit.

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

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

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

1. Emergency vehicles shall be driven in a safe manner and with due regard for public safety.
2. 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.

**C. 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:

- Travel direction/location/traffic and road conditions
- Reason for initial contact (specific violations)
- Identity of fleeing driver, if known
- Plate number, if available, and/or vehicle description
- Speed of fleeing vehicle

1. Provide relevant evolving information to dispatch
2. No officer will intentionally make vehicle-to-vehicle contact unless this action is in conformance with the department's Use of Force [directive 8.01](#) or meets the definition of intentional contact as listed in this directive.
3. Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles.
4. 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 required emergency equipment.

**D. Procedures & Tactics for support units**

1. 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.
2. 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.
3. All participating units should operate under emergency conditions.

#### **E. Supervision of Pursuit Activities**

1. 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)).

2. Procedures regarding control over pursuit activities should include:
  - Verbally acknowledge they are monitoring the pursuit.
  - Assess critical information necessary to evaluate the continuation of the pursuit. Evaluate and ensure pursuit is within the directive.
  - Direct that the pursuit should be discontinued if it is not justified to continue under the guidelines of this directive or for any other reason.
  - Communicate to all involved units if the pursuit should be terminated.
3. Options to keep in mind during a pursuit include, but are not limited to:
  - Parallel pursuits
  - Air support
  - Spike strips or other tire deflation device
  - Pursuit Intervention Techniques (PIT)
  - Blocking or Vehicle Intercept
  - Intentional Contact
  - Other apprehension or GPS tracking methods - Minn. Stat. §626.8458 Subd 2 (3)

#### **F. Dispatch Responsibilities**

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

- Coordinate pursuit communications of the involved units and personnel.
- Notify and coordinate with other involved or affected agencies as practicable.
- Ensure that a supervisor, if available, is notified of the pursuit.
- Assign an incident number and log all pursuit activities.
- Broadcast pursuit updates as well as other pertinent information as necessary.

#### **G. 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.

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

2. A supervisor orders it terminated.
3. Information is communicated that indicates the pursuit is out of compliance with department directives.
4. Communication is broken.
5. Visual contact is lost for a reasonable period of time or the direction of travel cannot be determined.
6. 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.
7. The pursuing officer believes that the fleeing vehicle is operated by a juvenile and the safety risk to the public is greater than the offense(s) committed by the juvenile.

#### **H. Interjurisdictional Pursuit – Minn. Stat. § 626.8458 Subd. 2 (5).**

1. The primary unit shall update critical information to the dispatcher before leaving Eden Prairie.
2. The primary law enforcement vehicle shall remain the primary vehicle in other jurisdictions unless the controlling pursuit authority transfers its authority to another jurisdiction.
3. 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.
4. When a pursuit enters Eden Prairie:
  - The dispatcher shall update the critical information to the shift supervisor or other authorized individual identified by the law enforcement agency.
  - The controlling pursuit authority shall determine if the pursuit is in conformance with policy and shall provide appropriate direction to their units.
5. 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)).

If a pursuit from another agency enters Eden Prairie, 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.

Officers shall not become involved in another agency's pursuit unless specifically authorized by the on-duty supervisor or the emergency nature of the situation dictates the need for assistance. If an officer becomes involved in another agency's pursuit within Eden Prairie, the officer should follow the tactics and responsibilities outlined in Directive 8.04: Pursuit Driving. This shall be the case whether the officer becomes aware of a pursuit entering his/her jurisdiction from information provided by Dispatch, from information monitored over the scanner in the police vehicle, or by other means. If the officer becomes aware of the pursuit other than through notification by Dispatch, he/she shall advise Dispatch and the shift supervisor of the situation.

## **I. Fresh pursuit outside state boundaries**

,Subject to the conditions identified in 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.)

## **J. Air Support**

1. 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.

## **K. Pursuit Summary Report**

1. The primary officer and the supervisor shall complete an offense/incident report. All pursuits must be documented even if an apprehension was not made.
2. 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.
3. As required in Minn. Stat. §626.5532, the report must contain the following elements:
  - a) the reason(s) for, and the circumstances surrounding the pursuit;
  - b) the alleged offense;
  - c) the length of the pursuit in distance and time;
  - d) the outcome of the pursuit;
  - e) any injuries or property damage resulting from the pursuit; and
  - f) any pending criminal charges against the driver.
  - g) other information deemed relevant by the Commissioner of Public Safety.
4. If a forfeiture hold is placed, follow instructions in [Fleeing Vehicle Forfeiture Procedure](#).
5. After a pursuit, each officer involved should evaluate their involvement in the pursuit and determine if any unseen damage or possible mechanical issue (i.e. running over a curb or going off road at high speeds) may have occurred. If an officer has any concerns regarding possible mechanical issues, or squad performance the officer should complete an online fleet request and bring their squad to fleet services for inspection.

## **L. 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)

- Calling an ambulance
- Rendering first aid until the officers are no longer needed at the injury scene
- Summoning additional units to the scene for assistance with the injured persons and/or traffic control

## **M. 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.

## **N. 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 department's Directive 8.01: Use of Force and Minn. Stat. §609.06.

## **O. 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.

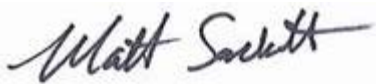
## **P. Training**

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

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

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



**Police Chief Signature**

**8-19-24**

**Date**

*Effective date: 8-10-22*

*Annual review date: 7-1-21*

*Rescinds/Amends: 2-22-21*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Use of Force Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 8.05: High/Medium/Low Risk Contacts

#### I. Policy

It is the policy of the Eden Prairie Police Department to follow training guidelines for determining when to use a high, medium or low risk contact procedure. Issues of safety are to be the primary consideration for this decision.

#### II. Purpose

##### A. High Risk Contact

1. A high risk contact is one in which an officer believes there is a high potential for violence against an officer, subject, or third party.
2. Following are situations in which a high risk contact is appropriate, whether the subject is in a vehicle or on foot:
  - a. The contact involves a (violent) felony suspect(s).
  - b. The subject(s) have used force or threatened the use of force in the incident in which they are suspected.
  - c. Subject(s) may possess weapons.
  - d. The subject(s) have attempted or may attempt to avoid apprehension.
  - e. The subject(s) may be assaultive or resist arrest.
  - f. Any other reasonable circumstances that would lead an officer to believe that the use of any less force would unnecessarily expose officers, third parties and subjects to physical harm.
  - g. The vehicle is stolen or suspected stolen.

##### B. Medium Risk Contact

1. A medium risk contact is one in which an officer believes the risk factor is too great for a low-risk contact but not enough to warrant a high risk contact.
2. A medium risk contact is designed to cover the “gray area” between the low and high risk contacts. It is intended to be flexible and allow the initiating officer a great deal of latitude while still providing a structure that assisting officers will recognize and be able to respond to appropriately. The medium risk contact procedures may be instigated at any time prior to or during any contact as the situation and information changes. The contact may be terminated at any time as the situation permits.

##### C. Low Risk Contact

A low risk contact is one in which an officer believes there is a low potential for violence against an officer, subject or third party. It is a situation which an officer believes they can manage on their own.

##### D. Report Requirements

An Eden Prairie Police Department Incident Report must be written on all high risk contacts if there is no offense report covering the incident. See [Directive 8.01 Deadly Force](#) for reporting requirements.



7-13-09

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**Police Chief Signature**

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**Date**

*Effective date: 7-13-09*

*Annual review date: 7-1-18*

*Rescinds/Amends: 8-14-06*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Use of Force Operations*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 8.06: Special Weapons and Tactics (SWAT)

#### I. Policy

It is the policy of the Eden Prairie Police Department to provide a Special Weapons and Tactics Unit (SWAT) consisting of trained personnel and special equipment for the safe and expeditious handling of situations beyond the scope of regular patrol and investigations units. SWAT will consist of two branches, Tactical and Negotiations, the safety and preservation of human life is SWAT's primary goal. The overall objective is to achieve a peaceful resolution through all available resources deemed necessary. The use of force including deadly force by SWAT personnel is at all times dictated by current state statutes and Eden Prairie Police Department directives.

#### II. Procedure

##### A. Immediate Situation

An immediate situation is an event which is actively occurring and requires a response without delay. Following is a list of situations which may be considered immediate situations: barricaded vulnerable persons, hostage situations, building or open field searches for suspect(s), quickly escalating and /or violent civil disobedience, natural disaster, or other situations where events dictate an immediate response by the SWAT Unit.

##### B. Response to Immediate Situation

1. Once it has been determined by the on-duty supervisor and/or watch commander that a situation requires immediate SWAT response, the on-scene officers' role primarily consists of containment of the situation. On-scene officers will set up an inner perimeter using proper cover and concealment consistent with the threat. This does not restrict on-scene officers from taking immediate action where appropriate.
2. After the creation of an inner perimeter, the on-duty supervisor will, when appropriate, obtain additional personnel to create an outer perimeter to deny access to the situation area for unauthorized personnel; initiate evacuation of endangered civilians if practical; locate an appropriate site for a command post, staging area, and media briefing, coordinate fire department standby; call in next shift early if necessary; and gather intelligence information from inner perimeter personnel.
3. The on-duty supervisor will remain in command of the situation until relieved by the designated incident commander.
4. The SWAT team leader will contact Dispatch after notification and will be given an overview of the call-out situation, receive the location of the command post, and give instructions to Dispatch reference team member gathering point.
5. The SWAT team leader will organize the initial response by SWAT team members including tactical dispatch.
6. The Police Chief or designate will have ultimate authority for decisions. The SWAT team leader will take primary supervisory responsibility related to tactical matters. The incident commander will oversee all other aspects of the operation.
7. Negotiators will initially be called to all immediate situations. Negotiators may be cancelled later by a SWAT Team Leader or Commander.
  - a. Negotiator team leaders will establish a Negotiations Operation Center (NOC) either on-scene or in another designated area by the team leaders or commanders.

b. Negotiators should use an investigative recording system for negotiations when applicable.

8. Any direct assault on the target location will only occur in one of the following:

a. At the direction of the team leader or designate after the development of a tactical plan using all information available to the team leader prior to the assault.

b. In an emergency where immediate action by the team is necessary in order to protect human life.

**C. Non-Immediate Situation**

A non-immediate situation is an event in which a delayed response will not compromise the safety of any person. Following is a list of situations which may be considered non-immediate: high-risk warrants, medium-risk warrants where SWAT assistance is necessary, planned demonstrations, strikes, dignitary protection, or other occasions where there is time prior to the situation for planning.

**D. Response to Non-Immediate Situation**

1. After receiving a non-immediate response request the SWAT team leader will coordinate call-out of SWAT, prepare a response plan for SWAT, and conduct a formal briefing for SWAT personnel.

2. The responsibility for tactical planning and execution of the plan rests with the team leader.

**E. How to Activate SWAT**

1. In immediate situations, the on-duty patrol supervisor has the authority to activate SWAT. The Watch Commander or designates will be notified immediately after SWAT activation.

2. In non-immediate situations or SWAT mutual aid requests, the Watch Commander will be contacted for approval prior to activation.

3. Dispatch will activate SWAT through Active911. SWAT members will respond within the app whether or not they are responding. Updated response instructions should be given within the Active911 app by the Team Leader or designate.

4. In order to maintain minimum staffing levels, SWAT members who are on-duty must receive permission from their shift supervisor or watch commander before departing for their SWAT assignment. SWAT team members become subordinate to the SWAT team leader until the activation is over.

**F. Termination of Emergency Operations**

1. Once the scene has been deemed safe by the team leader, it will be turned over to the appropriate division.

2. SWAT members will clear from the scene as soon as possible after incident conclusion.

3. The team leader will conduct the debriefing when all involved SWAT members have returned to the Police Department. The team leader will also insure that all team equipment has been accounted for and all SWAT reports have been completed.

**G. Reporting**

Each SWAT member who responded to the call-out shall complete an EPPD SWAT Deployment Report and submit it to the Team Leader writing the report for the incident.



**Police Chief Signature**

**Date**

*Effective date: 3-31-20*

*Annual review date: 7-1-21*

*Rescinds/Amends: 8-6-19*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Use of Force Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 8.07: Canine

#### I. Policy

It is the policy of the Eden Prairie Police Department to support a Canine Unit. The Department recognizes the police canine as an important tool in the location and apprehension of offenders, as well as in locating lost persons and collecting evidence.

#### II. Procedure

##### A. Canine Unit Supervisor

The Canine Supervisor Unit shall report directly to the Patrol Division Lieutenant or authorized designee.

The responsibilities of the Canine Unit Supervisor include, but are not limited to:

1. Review all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
2. Maintain a liaison role with command staff and other supervisors.
3. Maintain a liaison role with canine supervisors from other agencies.
4. Recommend and oversee the procurement of equipment and services for the canine teams.
5. Assist in canine activities.
6. Supervise personnel and schedule canine teams.
7. Prepare and maintain the Canine Unit budget.
8. Maintain and monitor Canine Unit records.
9. Investigate and document use of force incidents involving the canine apprehension of suspects.
10. Schedule periodic training for all department members on how to conduct themselves in the presence of department canines.

##### B. Handler Selection

1. The minimum qualifications for the assignment of canine handler include:
  - a. Four years of law enforcement experience, three of those years in uniformed patrol.
  - b. Agreement to be assigned to the position for a minimum of five years and/or the service life of the dog.

##### C. Handler Responsibility

1. Handlers are responsible for the health and welfare of their assigned canine, both on and off duty and shall adhere to the following standards:
  - a. The canine should not be used when ill or injured.
  - b. In an emergency situation, the handler shall ensure that the canine receives immediate medical attention.
  - c. The handler will make routine veterinarian appointments with a department-approved veterinarian to ensure that all shots are up-to-date.

- d. If applicable, the handler will administer any prescribed medications.
  - e. The handler will perform daily grooming and inspection of his/her assigned canine.
  - f. The canine squad interior should be cleaned and disinfected regularly.
2. The handler will always keep the canine under supervision while out of its squad or kennel, either on or off duty, and will not allow the canine to roam at will or be agitated unnecessarily.
  3. The handler is responsible for maintaining his/her canine's skills through regular training. The canine team will be tested and certified yearly by either the USPCA (United States Police Canine Association) or the NPCA (National Police Canine Association). Exemption from yearly certification will be permitted for medical reasons, and will allow for a one-year grace period. Canine teams certified in narcotics will maintain their certification.
  4. The only canine demonstrations that the handler and his/her assigned canine will be allowed to perform are those authorized by the Canine Unit Supervisor.
  5. The handler will alert the Canine Unit Supervisor as soon as possible of any changes in living status of the handler that may affect the lodging or environment of the canine.
  6. When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the Canine Unit Supervisor or member of the command staff.

#### **D. Handler Compensation**

1. The canine handler shall be available for call-out under conditions specified by the Canine Unit Supervisor.
2. The canine handler shall be compensated for the time spent in the care, feeding, grooming, and other needs of the canine in accordance with the [Fair Labor Standards Act \(FLSA\)](#), and according to the terms of the memorandum of understanding ([29 USC ss 207](#)).

#### **E. Canine Response**

1. While on duty, the canine teams will be available to respond to all calls where the use of a canine would be an asset. The canine teams may be dispatched as a primary or back-up unit. The handler will notify Dispatch of his/her intention to respond to any specific situation.
2. Canine teams may respond to the following types of calls:
  - a. Assist in searching for lost persons or fleeing suspects.
  - b. Assist in searching for evidence or lost property.
  - c. Assist in searching for narcotics or explosives, if trained to do so.
  - d. Any calls where canines, by their nature, would be an asset.
  - e. SWAT call-outs to assist with perimeters, containment or searches for suspects.
3. 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. When practical, the handler will advise the on-duty supervisor of his/her decision to deploy or not.
4. It is recognized that under certain circumstances a canine will be used to physically apprehend a suspect, and that an injury may be sustained. The decision to deploy a canine shall be based upon the following:
  - a. The severity of the crimes.
  - b. Whether the suspect poses an immediate threat to the safety of the officers or others; and

- c. Whether the suspect is actively resisting arrest or attempting to evade arrest at the time.
5. The handler will not use the canine to physically apprehend suspects for any non-violent misdemeanor. This does not include situations where an officer has been assaulted at the time of arrest or if there is reason to believe the suspect is armed and non-compliant.
6. The handler or designated personnel will issue progressive canine warnings prior to the release of the canine to include:
  - a. Eden Prairie Police Canine
  - b. Respond to my voice and come out with your hands up or I will send the dog and you may be bit
7. A second warning shall be given prior to releasing the canine. Assisting officer(s) shall verify hearing the announcement. No canine warning is required if it compromises officer safety. The handler or designated personnel will verbally announce canine warnings on each floor or section of any building when practical.
8. If there is a physical apprehension by the canine which results in injury, the handler or designee shall make certain that the injured person is given proper medical assistance.
9. A report, including the Use of Force Addendum, will be written for every incident of physical apprehension. The report shall include photographs of any injuries, or non-injuries. Photos are to be taken after cleaning.
10. The on-duty supervisor shall be called to the scene to conduct an investigation of the incident.
11. Per procedure, the on-duty supervisor is responsible for the oversight of the canine bite inquiry.

## **F. Building Searches**

During building searches:

1. The perimeter of the building will be secured by patrol personnel.
2. Patrol personnel should not initiate a building search if a canine is available for the search.
3. If practical, a key holder should be located and dispatched to the location.

## **G. Track Situations**

During tracking situations:

1. The perimeter area will be secured by patrol personnel while the canine team proceeds.
2. Officers should stay in their squads to eliminate any contamination of the area.
3. If an officer follows a suspect, or enters the search area, this information should be given to the handler immediately.
4. The canine team shall be assisted by a cover officer.
5. The canine should remain in sight of the handler at all times.
6. The canine handler shall direct the operation by keeping the perimeter personnel updated with location and direction of the track. This is to allow the perimeter personnel to move accordingly in an effort to keep the perimeter secure. The cover officer may perform this function at the request of the canine handler.

## **H. Narcotics**

1. A narcotics canine team shall be tested and certified yearly by either the USPCA (United States Police Canine Association) or the NPCA (National Police Canine Association).
2. When an officer has reason to believe that narcotics may be present, the officer should utilize a narcotics-certified canine team if available. The canine can be used to search both buildings and vehicles. If possible, the officer should communicate with the handler the circumstances leading to the request of the canine and what type of narcotic may be present. The officer should also warn the handler of any known dangers the canine may encounter during the search.
3. An inventory of controlled substances to be used for training purposes shall be maintained in a secure storage area. Access to these controlled substances shall be limited to canine handlers and the Canine Unit Supervisor. Canine handlers will document the removal and return of controlled substances for training purposes.
4. The Canine Unit Supervisor will be responsible for conducting and documenting a bi-annual audit of the controlled substance inventory.

### **I. Responding Police Personnel**

1. All responding police personnel should follow these guidelines when on a call with a canine team:
  - a. Set up and maintain a perimeter.
  - b. Avoid contaminating the area.
  - c. Advise handler of any contamination of the area.
  - d. Avoid any actions that may agitate or distract the canine.
2. Officers at the scene should make themselves available to assist the canine team at the direction of the handler.

### **J. Mutual Aid Requests**

1. All mutual aid requests will be forwarded to the patrol shift supervisor who will evaluate the request based on the following criteria:
  - Present shift coverage.
  - Distance away.
  - Type of call
  - Canine availability (on duty versus off duty)
2. The shift supervisor will always place the interest and welfare of Eden Prairie officers, citizens, and community first when evaluating a request.
3. The decision to call in an off-duty handler on a mutual aid request should be made based on the severity of the incident and the availability of other on-duty canine resources.
4. All deployments done under mutual aid shall be governed by this policy.

### **K. Public Demonstrations**

All requests from the public for a canine team shall be reviewed and, if appropriate, approved by the Canine Unit Supervisor prior to making any resource commitment. The Canine Unit Supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do

so by the Canine Unit Supervisor or command staff personnel.

### **L. Physical Apprehension**

1. The handler will not use the canine to physically apprehend suspects for any non-violent misdemeanor. This does not include situations where an officer has been assaulted at the time of arrest or if there is reason to believe the suspect is armed and is non-compliant.
2. The decision to deploy the canine in physical apprehension will be based on information or circumstances present at the time of the contact.

### **M. Canine Sale**

1. Per procedure, the City Council authorizes disposition of a police dog under [City Code Section 2.86 Subd. 3, B.](#) The Canine Unit Supervisor shall solicit quotes from interested parties within the department who must have the experience necessary to handle a police canine.



7-7-21

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**Police Chief Signature**

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**Date**

*Effective date: 7-7-21*

*Annual review date: 7-1-21*

*Rescinds/Amends: 2-1-21*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Use of Force Operations*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 8.08: Flash Diversion Devices

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to allow the use of Noise Flash Diversion Devices (NFDD) where appropriate as outlined in this directive.

#### II. Procedure

##### A. Department Authorization on Use of Noise Flash Diversion Devices

A Noise Flash Diversion Device is a hand-delivered device consisting of a metal body containing flash powder and a fuse or bouchon which ignites the flash powder upon delivery producing a brilliant flash and a loud report. NFDD are a tool which can be used to assist officers in creating a diversion during tactical operations. These operations may include but are not limited to: hostage rescue, warrant service, officer/citizen down, and barricaded individuals.

##### B. Rules Governing Noise Flash Diversion Deployment

1. Delivery of NFDD should only be done by officers who have received training in proper and safe deployment.
2. Anytime an NFDD is deployed, there should be a fire extinguisher present.
3. Prior to delivery the officer should look at the area the NFDD is being thrown to unless doing so would create a high probability of injury to an officer or innocent civilians.
4. NFDD should not be deployed when children, elderly person(s), or the infirm are known to be present at the location unless specific permission to do so is granted by supervisor.
5. While deploying NFDD officers should wear protective equipment such as gloves and eye protection.

##### C. Considerations During Noise Flash Diversion Deployment

It is advisable that an NFDD not be thrown in the following known circumstances unless the situation is such that the rules governing deadly force apply:

1. onto combustible or flammable materials or environments.
2. directly at a person.
3. into loose gravel, nails, or other small loose objects which may become airborne.

##### D. Training

Any officer deploying a NFDD must be current on NFDD training.



6-8-11

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**Police Chief Signature**

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**Date**

*Effective date: 6-8-11*  
*Annual review date: 7-1-11*  
*Rescinds/Amends: 8-13-08*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Use of Force Operations*  
*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 8.09: Search and Seizure

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that all searches and seizures of persons and or property will be made in accordance with the procedures prescribed by law and these rules.

#### II. Procedure

An officer shall not conduct a search or seize property without a search warrant unless the situation falls into one of the categories pertaining to search without a search warrant.

##### A. Search Warrants

An officer to whom a valid search warrant has been issued shall execute that search warrant in the manner provided by law and by these procedures.

1. The search warrant shall be executed at, and the search shall be made of, only the person(s), vehicle(s), item(s), place or places described in the search warrant.
2. The search shall be limited to discovering those items named in the search warrant, and examining those places or things which could contain or conceal the items described in the search warrant.

Items not named in the search warrant may be seized if they were found in a place reasonably within the scope of the search and:

- They are contraband; or
  - They are stolen; or
  - They are evidence of or instrumentalities of a crime.
3. Any persons found upon the premises may be searched:
    - If that person(s) is specifically listed on the search warrant to be searched
    - A Terry search may be performed to protect officers and other persons from attack; or
    - An exigent circumstances search may be performed to prevent disposal or concealment of any items listed in the search warrant; or
    - Incident to arrest.
  4. Whenever a search warrant is executed, the officer in charge shall assure that the search warrant is physically carried to the scene and is exhibited to the person, if any, in charge of the premises.
  5. No persons other than police officers, police department employees, members of the city, county or US attorney's offices or local, state or federal law enforcement shall be permitted to accompany officers in the execution of the search warrant.
  6. Unless authorized by a judge, officers shall knock, announce their identity, and demand admittance. If

there is no response or admittance is refused, officers shall enter the premises by the most efficient means possible. This may include breaking any door or window, but only if such is necessary.

7. When entering a building or other premises it is preferred that a uniformed officer be present. All plainclothes personnel shall wear a prominently displayed form of police identification.
8. The searching party shall make an orderly search for the items named in the search warrant. Damage to property shall be minimized and documented. If possible, take pictures of areas searched, items seized, and any damage.
9. Any arrests shall be made in accordance with the rules of arrest.
10. Before leaving the scene after executing a search warrant, officers shall assure that the premises are adequately secure.
11. An officer conducting a search must give a copy of the search warrant, and a receipt, if property or things are taken, to the person in whose possession the property or things are found. In the absence of any person, an officer must leave such copy of the search warrant and receipt in a place where the items are found. **If no property is taken, the receipt should read “no items seized”.**
12. All search warrants for a person, place or personal property should be reviewed by an investigative supervisor prior to being signed by a judge if time allows. DWI-related search warrants should be reviewed by the on-duty sergeant prior to submission for signing when possible.
13. A [Confidential Operations Plan](#) must be completed and approved by a supervisor prior to executing a search warrant for any coordinated physical seizure of premises requiring multiple officers.
14. Any deviation for special circumstances must be approved by a supervisor.
15. Searches of the electronic contents any seized electronic devices must be either specified in the original search warrant, or a separate search warrant authorizing the search must be obtained.

## **B. Search and Seizure Without Search/Arrest Warrant**

Search and seizure activity shall not be conducted by police officers without a search warrant unless authorized by this or other directives.

### **1. Reasonable Articulate Suspicion Stops and Terry Search**

The temporary detention, field questioning and limited search for weapons of persons who are reasonably suspected of either being about to commit, committing or having recently committed, a crime and are suspected of being armed or dangerous. Reasonable Articulate Suspicion and Terry Search must each be articulated independent of each other. An item may be seized, if upon its “plain-touch,” it constitutes a weapon or contraband.

### **2. Plain View**

- a. An officer who is lawfully in any place and observes seizable items in plain sight may seize the items without a search warrant.
- b. An officer who is lawfully outside a protected area in which seizable items are observed may make a warrantless entry to effect an arrest for a felony being committed in their presence.
- c. An officer may make a warrantless entry of a vehicle or vessel, provided exigent circumstances are present. (See section B. 4.)

### 3. Search Incident to Arrest

- a. An officer may conduct a search incident to a lawful full-custody arrest. A full-custody arrest does not include an arrest for a routine traffic violation where the subject is normally released at the stop location with a citation.
- b. The search of a person incident to arrest may not extend beyond the area of the person's immediate control without a warrant unless exigent circumstances exist or the officer is conducting a "protective sweep" search.
- c. During a protective sweep, officers may search areas immediately adjoining the place of arrest without any suspicion that criminal conduct is occurring. Officers may also conduct a search of areas near to the place of arrest if they reasonably believe that the area to be swept harbors one or more individuals who threaten the safety of officers and others at the scene.

### 4. Special Circumstances Field Strip Search

- a. A strip search may be conducted in the field only with a sergeant's authorization and only in exceptional circumstances when:
  - i. There is probable cause to believe that the individual is concealing a weapon, controlled substance, evidence of a crime or other dangerous item that cannot be recovered by a more limited search.
  - ii. There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

### 5. Exigent Circumstances

An officer may search any person, premises or vehicle without a search warrant whenever they have probable cause that immediate entry is necessary to:

- a. Aid persons in immediate danger of death or serious bodily harm.
- b. Prevent the imminent destruction or loss of evidence and or contraband in a felony case.
- c. Maintain hot pursuit of a misdemeanor or felony violator.

The officer may search the person, premises or vehicle only to the extent necessary to carry out the purposes of the search.

When searching a vehicle under incident to arrest or under exigent circumstances, the officer may conduct the search at the place where the vehicle is located, or remove the vehicle to a more convenient location, provided that the search is a continuance of the arrest and effected in a timely manner.

### 6. Consent Searches

Another alternative to a search warrant is to obtain consent from any person who has authority over the thing or place to be searched. However, before asking for consent to search, the officer must be able to articulate a reasonable suspicion that a crime has occurred and that the search would produce evidence of that crime. If the initial contact is for a minor traffic offense, the officer shall not ask for consent to search without reasonable, articulable suspicion of an additional crime to support expansion of the scope of the initial stop.

- When seeking consent the officer shall advise the person whose consent is sought:

- What area the officer is requesting to search.
- He or she has the right to refuse the search.
- Anything found may be seized as evidence.
- If possible, the suspect shall remain in the area of the search.

If the consent to search is revoked or limited, the officer must immediately stop the search or restrict it to the new limits. Officers should record (audio/video) if possible or have a consent to search form signed.

Third party consent is valid when the officer has reasonable belief that the third party has common authority over the premises sought to be searched, and so long as no co-occupant objects to the search.

**C. Impound Inventory**

Refer to Directive [11.04 Towing](#).


**D. Canine Search**

Refer to Directive [8.07 Canine](#)

**E. Report Requirements**

An Eden Prairie Police Department Offense or Supplemental Report will be used to document the search and or seizure of any person or property either with or without a search warrant unless no contraband or evidence is found. Search and/or seizure without a search warrant involving exigent circumstances will require the officer to describe the exigent circumstances in the report. Search Warrants must be served and the original copy must be filed at the District Court within ten (10) days after the date of issuance or it is void. (MS 626.15).

Officers will file all search warrants with a property receipt within ten days of application. For search warrants pending data requests, officers will file the search warrant and property receipt documenting that data is pending. Once the data is received officers will file a new property receipt to document what was received and indicate on that form the originally filed date and time for reference.



**6-22-23**

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**Police Chief Signature**

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**Date**

*Effective date: 6-22-23  
Annual review date: 7-1-24  
Rescinds/Amends: 10-20-20*

*Directive type: General Order  
Section: Field Operations  
Chapter: Use of Force Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 8.10: Chemical Munitions

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to allow the use of chemical munitions where appropriate as outlined in this directive.

#### II. Procedure

##### A. Department Authorization

1. Chemical munitions are hand-delivered or aerial launched devices capable of delivering chemical agents including OC, CS, CN and smoke to a designated target or location. They are tools which can be used to facilitate the execution of a tactical plan.
2. Authorization for the use of OC, CS and CN should be obtained from a division commander prior to delivery. In the absence of a division commander, permission may be obtained from the SWAT Team Leader.

##### B. Rules for the Use of Chemical Munitions

1. Chemical munitions should be delivered in accordance with current training guidelines.
2. Precautions should be taken when burning rounds are used including fire extinguishers or the presence of the Fire Department during gas delivery operations.
3. Chemical munitions should not be deployed when children, elderly persons or the infirm are known to be present at the location unless specific permission to do so is granted by a division commander.
4. Smoke should not be deployed in an internal environment unless deadly force is applicable.
5. A complete evaluation of the endangered area should be conducted prior to the delivery of chemical agents.
6. Before beginning munitions operations, officers should secure the perimeter, establish a means of alerting officers within the perimeter that chemical munitions deployment is beginning, and establish resources for the established plan.
7. The above procedures do not apply to individually carried OC.
8. Individually carried OC should be used in accordance with current training guidelines.



6-6-14

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**Police Chief Signature**

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**Date**

Effective date: 6-6-14  
Annual review date: 7-1-15

Directive type: General Order  
Section: Law Enforcement Operations

*Rescinds/Amends: 5-26-10*

*Chapter: Use of Force Operations  
Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 9.01: Officer Call Responsibilities

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to respond appropriately to calls for service as outlined in this directive.

#### II. Procedure

##### A. Call Response

Officers will respond to calls in an appropriate manner as outlined in [Directive 9.02: Vehicle Operation](#).

##### B. Scene Assessment and Stabilization

Upon arrival at the scene, officers shall do the following:

1. Make the scene safe.
2. Evaluate need for help and/or other resources needed to stabilize the scene.
3. Provide rescue or medical aid as needed.
4. Ensure ongoing protection of persons and property.

##### C. Scene Investigation

After the scene is stabilized, officers shall proceed with investigation as follows:

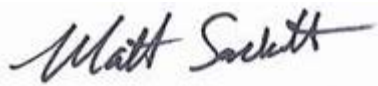
1. Secure/control the scene and activate any additional resources as needed.
2. Identify involved parties.
3. Gather evidence.
  - a. Officer observations.
  - b. Statements, oral and/or written (victim, suspect, witness).
  - c. Photographs.
  - d. Physical.
4. Determine if and what crime was committed.
5. Coordinate any additional resources needed to investigate.

##### D. Scene Management Responsibility

The first arriving officer is in command until formally relieved of that responsibility. All transfers of on-scene command responsibility will be formally communicated between the first officer and the officer assuming responsibility for the scene. Dispatch shall be notified of all transfers of command.

## **E. Report Requirements**

1. An Eden Prairie Police Department Offense Report will be completed whenever a reported crime has been committed in our jurisdiction.
2. If a complainant requests a report be written but not investigated, officers will advise the complainant that the Eden Prairie Police Department reserves the right to investigate all reported crimes.
3. An Eden Prairie Police Department Incident Report will be completed for incidents which are not crimes that department personnel respond to or act upon and which need to be documented.
4. An Eden Prairie Police Department Supplemental Report will be used by assist officers and investigators to record supplemental and follow-up information to an offense or incident report.
5. Officers are responsible for completing required information on the report form in addition to a thorough narrative. A thorough report includes:
  - a. All elements of the crime
  - b. All identifiable persons, vehicles and property involved
  - c. A description of the officer's subsequent investigation
  - d. A case disposition statement
6. Officers are required to add any and all squad car camera video and body camera footage under the appropriate title.
7. All reports should be submitted for approval prior to the end of an officer's shift unless an extension is granted by the shift supervisor. An incomplete report must be in the form of a case entry and contain basic information about the case. It should remain a level 1 case and be listed as incomplete prior to the end of an officer's shift.



**7-7-21**

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**Police Chief Signature**

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**Date**

*Effective date: 7-7-21  
Annual review date: 7-1-21  
Rescinds/Amends: 6-14-17*

*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Response Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.02: Emergency Vehicle Operation

#### I. Policy

All personnel operating department vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance that the principles of safety become secondary. Department personnel will be held accountable for the consequences of reckless disregard for the safety of others.

#### II. Procedure

A. Response codes for authorized emergency vehicles shall be designated as follows. The type of response will be determined by responding officers based on these code definitions.

1. Code One - Routine Response - Officer is to respond to call without unreasonable delay. Officer is not expected to interrupt assigned activity in progress. Reasonable delays would include enforcement action for serious traffic violations, hazardous vehicle stalls in the roadway, or intervening assigned activities.
2. Code Two - Urgent Response - Officer is to respond to call as soon as possible, proceeding directly to the location while operating the vehicle with due regard for the safety of all persons.
3. Code Three - Emergency Response - Officer is to respond to call immediately, proceeding directly to the location as quickly as reasonably possible, while operating the vehicle with due regard for the safety of all persons, utilizing emergency equipment.

B. Officers shall use emergency warning equipment in accordance with applicable statutes and/or when specifically authorized to do so by a supervisor.

Officers engaged in a Code 3 response shall sound an audible (siren) or visual (emergency lights) emergency warning equipment in response to calls for assistance.

Civilian personnel operating police vehicles will observe all traffic laws and make no exception to those laws regardless of the use of emergency lights and siren.

Non-sworn, emergency response trained medical personnel may respond code three/emergency response to medical emergencies.

Only department personnel and approved civilian ride alongs shall accompany an officer to Code Two or Code Three call.

C. Supervisory responsibilities:

1. The field shift supervisor shall monitor all emergency responses until the incident has stabilized or terminated, and assert control by directing specific units into or out of the response if necessary.

D. Operation of Motor Vehicles Without Headlights or Taillights

1. Department personnel may operate motor vehicles without headlights/taillights only as allowed by [Minnesota Statute 169.541](#), "Lighting exemption for law enforcement vehicles."
2. Department personnel may not operate a motor vehicle without headlights/taillights:
  - 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 police officer is an active participant in the pursuit of a motor vehicle in violation of [Minnesota Statute 609.487](#), "Fleeing a police officer in a motor vehicle."



**7-15-09**

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**Police Chief Signature**

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**Date**

*Effective date: 7-15-09  
Annual review date: 7-1-10  
Rescinds/Amends: 8-14-06*

*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Response Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.03: Crimes in Progress

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that crimes in progress calls be handled immediately with the resources necessary to address the situation.


#### II. Procedure

A. During a crime in progress the responding officer shall:

1. Respond appropriately utilizing the guidelines outlined in on [Directive 9.02 Emergency Vehicle Operation](#).
2. Communicate their arrival and take a position appropriate to observe or take action if necessary.
3. Work with other officers and/or follow the direction given by the on-duty sergeant.
4. Determine and take appropriate action if:
  - a. A suspect is not on scene.
  - b. There are injured individuals.
  - c. There are further threats.
  - d. There are witnesses.
  - e. The crime scene needs protection.
  - f. Other resources are needed.

B. During a crime in progress, the shift supervisor shall, if deemed necessary

1. Respond to the scene.
2. Coordinate officers' responses, approach and contact at the scene.
3. Make sure enough personnel and appropriate resources are available and utilized.
4. Make sure to notify other agencies where individuals involved may have gone.
5. Investigate until no longer feasible.
6. Notify the Watch Commander per [Directive 11.12](#).



6-14-17

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Police Chief Signature

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Date

Effective date: 6-14-17  
Annual review date: 7-1-18  
Rescinds/Amends: 6-6-14

Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Response Operations

Authority: Police Chief

# City of Eden Prairie

## Police Department

### Directive 9.04: Crimes of Bias

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to aggressively investigate bias motivated crimes due to their unique impact on the community. Bias motivated crimes are those crimes in which the motive of the perpetrator was based solely on the victim's actual or perceived race, religion, ethnic origin, sex, age, disability or sexual orientation.

#### II. Procedure

##### A. Responsibilities

##### 1. Primary Officer

When a patrol officer arrives on the scene and determines that the incident may be a bias motivated crime, he or she will:

- a. Request the on-duty supervisor.
- b. Provide assistance to the victim and/or referral to the appropriate legal or service agency.
- c. Write a report on all crimes of bias. The officer is required to write either an offense or incident report, as applicable, unless the case is cleared as unfounded.
- d. The officer shall add the Bias Motivation through in-field reporting or Mobile.
- e. The officer will ask the victim for permission to share their contact information with the Eden Prairie Human Rights and Diversity Commission (HRDC) Liaison ( [jstanley@edenprairie.org](mailto:jstanley@edenprairie.org)).
- f. The HRDC Liaison will follow up with the victim.
- g. If the victim does not wish to provide their information, officers will give the name and contact information of the HRDC Liaison to the person for future reference.
- h. The officer will note in their report whether permission to share the information was given.

##### 2. On-duty Supervisor

Upon arriving at the scene of a possible bias motivated crime, he/she will:

- a. Ascertain if the occurrence is bias motivated
- b. Take steps to insure that the incident does not escalate.
- c. Make appropriate Command Staff notifications.
- d. Assure that all reports are properly completed and submitted.
- e. Notify the Investigations Division in person and via X6251.

##### 3. Command Staff

After being notified of a bias motivated incident, Command Staff will:

- a. Notify the Police Chief.
- b. The Police Chief or his/her designee will notify the Human Rights & Diversity Commission liaison at the earliest practical point. Notice will precede media release whenever possible.
- c. Determine if community, religious, and civic leaders should be informed and if their assistance is needed.
- d. Determine if a liaison with minority organizations and leaders is needed.

#### 4. Investigations Division

- a. Actively investigate the reported crime.
- b. Coordinate victim assistance with community resources.
- c. Determine if meeting with neighborhood groups, residents in target communities, and other groups to allay fears, reduce the potential for counter-violence, and provide safety and protection information is needed.

#### 5. Records Unit

Forward Crimes of Bias to the BCA to ensure compliance with the National Incident Reporting System (NIBRS) requirements.

**3-29-22**

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**Police Chief Signature**

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**Date**

*Effective date: 3-29-22*

*Annual review date: 7-1-22*

*Rescinds/Amends: 7-7-21*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Response Operations*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 9.05: Medicals

#### I. Policy

It is the policy of the Eden Prairie Police Department to provide the most effective and efficient emergency care possible to the patient of a medical emergency.

#### II. Procedure

##### A. Response

1. Two officers will be dispatched to all serious medical emergencies.
2. Minor emergencies may be handled by one officer at the discretion of the on-duty supervisor.
3. If sufficient officers are unavailable, a fire/rescue unit will be dispatched.
4. Fire/rescue will automatically be dispatched to predetermined high priority calls. The call types can be found in the [Dispatch Procedures: Medicals](#).
5. Fire/rescue may be started or canceled by any sworn officer.

##### B. Scene Responsibilities

1. Police, fire/rescue, and ambulance personnel shall cooperate in providing emergency medical attention to the patient.
2. Ambulance personnel will be in charge of the patient and will make the decision when to transport. Police personnel will be in charge of any crime scene.
3. If the patient is under arrest, an officer shall accompany the ambulance to the hospital.
4. Officers may clear from the scene of any medical if they determine that their presence is not needed and the ambulance crew indicates that they are in control of the situation.
5. Officers may accompany ambulance personnel to the hospital if requested to continue assisting in emergency care of the patient. It is preferred that a member of fire/rescue perform this task if possible. Officers must have field shift supervisor approval to accompany the ambulance.

##### C. Protection from Exposure

If an exposure occurs, follow procedures outlined in [Directive 11.05: Personnel Injuries/Exposures](#).

##### D. Report Requirements

1. Reports shall be made at all medical emergencies except as outlined in D(2) below. Reports will be coded "Incident Report" and contain the following information:
  - Date, time, and location.

- Officers present.
- Patient's name and date of birth.
- Narrative: Problem, cause, action taken, ambulance service and the service's Run Number, and intended destination if transported.

2. For medical emergencies where the only action taken is to administer oxygen and/or take vital signs, or no medical attention is given, the following information will be recorded in CAD:

- Patient's name, and date of birth.
- Ambulance service.
- Destination if transported.

#### **E. Medical Emergencies at Industrial Accidents**

1. When a person sustains an injury which may have been caused by working conditions or machinery at his/her place of employment and department personnel are called to assist, a report titled "Medical - Industrial Accident" should be made.
2. Once the medical attention has been completed, the officer should then inform whoever is responsible for the business that an industrial accident investigation will be conducted.
3. The report must be more detailed than the usual medical report as to the description of what factors contributed to the accident or injury. The report should include the following:
  - a. Serial number of any machinery involved.
  - b. Defective machinery or equipment used.
  - c. Working condition factors.
  - d. Employee error.
  - e. Other information that may be important.
  - f. Photographs

#### **F. Water-Related Medical Incidents (Rescues, Drownings, Accidents, etc.)**

1. Hennepin County Sheriff's Officer (HCSO) Water Patrol will be notified as soon as possible on all water rescues/accidents (lakes, rivers, swimming/wading pools, bathtubs, etc.). They have investigation and reporting responsibilities for all water-related incidents in the county.
2. HCSO Water Patrol will be requested to respond to all fire/rescue water rescue/accident calls. Communications will advise HCSO Water Patrol of the status of responding fire units to ensure appropriate response by the Water Patrol.
3. HCSO will not be called on animal water rescues.
4. An Eden Prairie Incident Report will be completed by the responding officer on all water rescue/accident medicals.

**G. Automated External Defibrillators (AEDs)**

1. AEDs will be carried and used only by department personnel who have successfully completed a department-approved AED training program.
2. The care and maintenance of the AEDs will be the responsibility of each officer who uses the device. The care and maintenance will be in accordance with procedures provided with each unit.
3. The overall care and maintenance of the AEDs will be the responsibility of the officer assigned to managing medical supplies and equipment.



**10-5-23**

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**Police Chief Signature**

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**Date**

*Effective date: 10-5-23  
Annual review date: 10-1-24  
Rescinds/Amends: 5-28-19*

*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Response Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.06: Vehicle Crash Investigation

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to investigate, or cause to be investigated, vehicle crashes to determine causes and circumstances of the crash, to report to the state on required crashes, to determine if enforcement action is warranted, and to obtain information to identify traffic safety problems.

#### II. Procedure

##### A. Crash Investigation

Crash investigations may be conducted by sworn police officers of this department. Investigation of crashes that happen on public and private roads or private property will be required if any of the following circumstances exist:

1. Death or injury;
2. Impairment of an operator due to alcohol or drugs;
3. Damage to public vehicles or property;
4. One or more of the parties involved in the crash requests that an investigation be conducted;
5. The officer feels that an investigation would be appropriate;
6. One of the vehicles in the crash left the scene without leaving the information required by state statute (hit and run);
7. All property damage crashes involving a bus or other commercial passenger carrier;
8. Any crash where a supervisor directs the responding officer to write a report;
9. Any crash where one of the vehicles involved is owned by the City of Eden Prairie.
10. Officers should personally view damage caused by a crash they are investigating. Officers should avoid taking crash reports over the phone.

##### B. Report Requirements

1. A Minnesota Accident Report will be required when:
  - the Eden Prairie Police Department investigates the crash, and
  - there is personal injury or the total damage of the crash exceeds the amount set by current state statute, and
  - the crash occurs on a roadway.

2. A Minnesota Driver Exchange Report will be required when:
  - the Eden Prairie Police Department investigates the crash, and the crash occurs on private property, or
  - the crash occurs on a public roadway but does not meet the requirements of a Minnesota Traffic Crash Report. This will be the only report covering the incident so complete documentation of the crash details should be included.
3. An Eden Prairie Police Department Offense Report will be required if:
  - Officers initiate any enforcement action that requires a court appearance by the violator, or
  - The crash is a hit and run.
4. The investigating officer will advise all drivers involved in crashes of the driver's reporting requirements (Minnesota Motor Vehicle Crash Report).

### **C. Commercial Vehicle Crashes**

A police officer responding to an accident involving a commercial motor vehicle must immediately notify the State Patrol if the accident results in:

1. a fatality;
2. bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
3. one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicles to be transported away from the scene by tow truck or other motor vehicle.

### **D. After-The-Fact Crash Reports**

Officers will not be required to take crash reports on crashes that are reported after the vehicles in the crash have been removed from the scene, except if:

1. The crash is a hit and run crash.
2. The people involved in the crash moved from the scene to phone the police or travel to the police station.
3. The people involved moved from the scene to obtain medical attention for a person injured in the crash.

### **E. Crash Scene Responsibility**

1. Officers will respond to the scene in accordance with guidelines set in [Directive 9.02: Vehicle Operation](#).
2. When responding to the crash scenes, officers should be cognizant of oncoming traffic, protection of people, and preservation of evidence when placing their squad.
3. Staff shall wear their high visibility gear as provided.

## **F. Crashes Involving City-Owned Vehicles**

1. Property damage crashes involving city-owned vehicles (other than police vehicles) may be investigated by the Department. For insurance purposes, staff must leave a Damaged Property Tag on the property that was damaged.
2. If the crash involves personal injury, the Minnesota State Patrol should be called to investigate the crash.

## **G. Crashes Involving Police Vehicles**

1. When a department employee is involved in a crash while driving a city vehicle, he/she should notify the on-duty supervisor as soon as is reasonably possible.
2. If the crash is within the city limits, the on-duty supervisor will respond to the scene.
3. If the crash happened outside the city limits, the on-duty supervisor may respond to the scene, if necessary. Crashes happening outside the city limits may be investigated by the Minnesota State Patrol or the local agency.
4. If the crash involves only city-owned vehicles, a supervisor or a non-involved officer may conduct the crash investigation.
5. If the crash involves a person outside the employ of the city, the Minnesota State Patrol or other agency should be called to the scene to investigate the crash.
6. In any case, the on-duty supervisor shall complete a written report as outlined in Eden Prairie Police Procedure [Damage to Police Vehicles](#) (including photographs). A report will be completed for any crash involving a police vehicle regardless of the amount of damage or where the crash occurred.
7. The involved employee shall write a supplemental/follow-up report to the supervisor's report. This report should be completed as outlined in Eden Prairie Police Procedure [Damage to Police Vehicles](#) and [Directive 9.01: Officer Call Responsibilities](#). If there was damage to a city vehicle, the involved employee should also complete the [First Report of Vehicle Damage](#) and submitted to the Police Department Fleet Liaison Supervisor.
8. The crash will be reviewed by the involved employee's primary supervisor and division commander as soon as possible after the crash.
9. The division commander will advise the command staff of the results of the review to ensure consistency within the Department.
10. The primary supervisor will then review the crash with the involved employee and discuss any training, equipment, or engineering issues.
11. The division commander will be responsible for ensuring that the city's safety/risk management coordinator is advised of the crash and provided with all appropriate information.
12. If any department personnel are injured, follow procedure as outlined in [Directive 11.05 Personnel Injuries/Exposures](#).

13. No employee shall make statements as to guilt or contributing factors involved in a crash except to authorized personnel. Authorized personnel include supervisors, city attorneys, or city insurance company personnel.

H. Report Requirements

1. First Report of Damage
2. EPPD Continuation and/or Supplemental Reports



1-9-20

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**Police Chief Signature**

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**Date**

*Effective date: 1-9-20*

*Annual review date: 10-1-20*

*Rescinds/Amends: 10-30-14*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.07: Driving While Impaired

#### I. Policy

It is the policy of the Eden Prairie Police Department to apprehend and charge DWI (Driving While Impaired) suspects and all related crimes.

#### II. Procedure

##### A. Invoking the Breath Test Advisory Law

1. A peace officer should invoke the Breath Test Advisory Law in accordance with the criteria listed in [Minnesota Statutes 169A.50 to 169A.53](#).
2. The officer will complete the Breath Test Advisory and chemical testing procedure by conducting a breath test. Only a certified Data Master Transportable (DMT-G) operator can conduct breath tests.
  - a. If the suspect refuses a breath test, none shall be taken except if the matter under investigation is a Criminal Vehicular Homicide or Injury (felony or gross misdemeanor) charge, a search warrant is required to obtain a blood or urine test.
  - b. The officer reading the Breath Test Advisory need not be the arresting officer. It is necessary that the person reading the Breath Test Advisory be a licensed police officer and that he/she has probable cause to believe that the suspect was DWI.
3. A blood or urine test search warrant shall be obtained if the suspect has injuries or an illness that makes providing a breath sample impractical.
  - a. Urine samples should be obtained by an officer of the same sex as the suspect.
4. The officer should completely fill out the Peace Officer's Certificate and a Notice of Revocation whenever a suspect refuses testing or tests over .08 alcohol concentration on a DMT-G.
5. Additional tests will be allowed in accordance with [Minnesota Statute 169A.51 sub.7](#). An officer must provide access to a telephone and telephone directories to facilitate the test. If the suspect is to be released from custody without delay no further assistance is required. If the suspect is to be held or transported to the Hennepin County Adult Detention Center, the officer should allow the tester and suspect a timely conference to obtain the additional tests if such tests can be arranged. The suspect and tester must provide their own test materials and test analysis.
6. If the driver's impairment is not consistent with his/her alcohol concentration, a Drug Recognition Evaluator (DRE) should be requested. In this case, a search warrant is required in order to obtain a blood or urine test.

##### B. Implied Consent Special Cases

1. DWI suspect escapes from custody before Breath Test Advisory.

Fill out Peace Officer Certificate as refusal but note in narrative and on Certificate that Breath Test Advisory was not read due to suspect's escape.



2. Unconscious or incoherent injured DWI suspect.

The officer shall obtain a search warrant in order to obtain an evidentiary blood test.

3. (Felony and Gross Misdemeanor) Criminal Vehicular Homicide or Injury suspect.

- a. Utilize the criminal vehicular operation wizard in e-charging.
- b. The officer shall then obtain a search warrant in order to obtain an evidentiary blood test.
- c. If the offender is unconscious, the officer shall obtain a search warrant in order to obtain an evidentiary blood test.

### **C. How to Process DWI Suspects**

1. When a lawful arrest can be made but the suspect is injured and receiving medical treatment, the officer should not place a police hold on the suspect but instead seek a formal complaint provided the suspect's identity is known and he/she is not a risk to flee the court.
2. All misdemeanor DWI charges will be issued by citation upon release from our facility. HCADC will issue a tab charge to those transported to jail.
3. All gross misdemeanor DWI charges will be charged by formal complaint.
4. All felony DWI charges will be referred to Investigations and held on Probable Cause.
5. All DWI arrests shall be entered using the echarging system. If the echarging system is not working, officers should process suspects by manually filling out the proper forms. The officer will be required to transfer the data into the echarging system when it becomes available.

### **D. Mandatory Holds for Court/Conditional Release/Mandatory bail**

1. See [DWI – Mandatory Booking Procedure](#).
2. Violators of [Minnesota Statute 169A.24](#) (1<sup>st</sup> degree DWI) and [169A.25](#) (2<sup>nd</sup> degree DWI) shall be jailed until first court appearance.
3. The following violators shall be jailed until a Conditional Release or Mandatory bail has been satisfied:
  - DWI violation within 10 years of two or more prior impaired driving convictions.
  - Second DWI violation conviction and under 19 years of age.
  - DWI violation with Cancel-IPS status.
  - Any violation 0.16 AC or more at the time or within two hours.
  - [Child Endangerment](#)

### **E. Administrative Plate Impoundment and Vehicle Forfeiture**

1. See [DWI - License Plate Impound Procedure](#) and [DWI - Vehicle Subject to Forfeiture procedure](#).

2. Motor vehicle license plates will be impounded as per [Minnesota Statute 169A.60](#). License plates of the vehicle the violator is currently driving will be seized and destroyed, regardless of ownership.

3. This department will pursue the forfeiture of a vehicle driven by a violator as outlined in [Minnesota Statute 169A.63](#). Exceptions: out –of-state plates and rental car plates.



**10-20-20**

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**Police Chief Signature**

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**Date**

*Effective date: 10-20-20*

*Annual review date: 10-1-21*

*Rescinds/Amends: 1-9-20*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.08: Domestic Disturbances

#### I. Policy

It is the policy of the Eden Prairie Police Department to ensure coordination between law enforcement personnel and human services in dealing with both the victim and the assailant in domestic disturbance cases and to establish a reasonable degree of uniformity in the way officers handle such incidents.

The Eden Prairie Police Department 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.

#### II. Procedure

##### A. Call Handling

1. Unless there are reasonable grounds to believe that immediate intervention is necessary to prevent bodily injury, a domestic abuse call should be handled by two officers. Officers should follow the appropriate guidelines set forth in [Directive 8.05: High/Medium/Low Risk Contacts](#) concerning safety for all people who may be affected by the incident.
2. If a person is arrested in a domestic abuse incident and charges are going to be brought against the person, it shall be presumed that custodial arrest is necessary to prevent bodily harm to the accused or another, or to prevent further criminal conduct. Absent unusual circumstances, persons arrested for domestic abuse offenses shall be transported to the Hennepin County Adult Detention Center. An officer must obtain supervisor approval before releasing the suspect from the Department, and in no event shall such release be made for a gross misdemeanor or felony level offense.

##### B. Entry to Private Residence

The guidelines in this section apply to making entry into private residences during the investigation of domestic abuse calls.

1. When one of the parties in a domestic abuse requests police intervention, the officers may enter the premises over the objection of the other party.
2. Where one party is locked out by the other party, the officers may not assist the evicted party in forcing an entry.
3. Where both parties to a domestic dispute refuse to admit the officers into the dwelling, the officers shall respect the parties' wishes unless they have reasonable grounds to believe that immediate entry is necessary to prevent bodily injury or to render aid to an injured person.
4. Where the officers enter a dwelling on the consent of either or both parties involved and subsequently both parties request that they leave, the officers must leave unless they have reasonable grounds to believe that their continued presence is necessary to prevent bodily injury.
5. Where the officers enter the dwelling on the consent of either or both parties and subsequently one

requests that they leave, the officers may remain over the objection of that party.

6. Where officers are refused entry and have no legal grounds for forced entry and have reasonable grounds to believe a crime has been committed, the officers should obtain a search warrant.

### **C. Arrest Decisions**

1. **Predominant Aggressor and Dual Arrests:** The Department shall discourage dual arrest. Minnesota State Statute 629.342 specifies that department policy “shall discourage dual arrests, include consideration of whether one of the parties acted in self defense, and provide guidance to officers concerning instances in which officers should remain at the scene of a domestic abuse incident until the likelihood of further imminent violence has been eliminated.” Where there are allegations that each party assaulted the other, the officer shall determine whether there is sufficient evidence to conclude that one of the parties is the predominant aggressor based on the following criteria and the officer’s judgment:
  - a. comparative extent of any injuries inflicted,
  - b. fear of physical injury because of past or present threats,
  - c. actions taken in self-defense,
  - d. the history of domestic abuse perpetrated by one party against the other, or
  - e. existence or previous existence of Order for Protection.
2. **Victim Request not to Prosecute:** If the officer finds probable cause to believe a domestic abuse offense has been committed and intends to arrest but the victim requests no arrest or prosecution, the officer should inform the victim that the decision to arrest is the officer’s and the decision to prosecute lies with the prosecutor.
3. **Suspect gone on arrival:** If the officer finds probable cause to believe a domestic abuse offense has been committed and the suspect has not been located then the following steps should be taken:
  - a. Efforts to locate the suspect including Attempt to Locate teletypes shall be documented in the report.
  - b. The suspect’s physical description, vehicle description, and locations where suspect may be located will also be documented in the report.
  - c. The report will be completed before the end of the officer’s shift.
  - d. A Directed Patrol for the victim’s residence and/or place of employment, if in Eden Prairie, shall be completed.
  - e. The scene of the assault shall be processed for any evidence to aid in the criminal prosecution of the suspect.
  - f. The case shall be reviewed by the Investigations Sergeant and assigned as a priority.
  - g. Efforts shall be made to locate and take the suspect into custody within 72 hours allowed by State Statute.

### **D. Authority And Types Of Arrest**

1. **Warrantless Probable Cause Arrest for Fifth Degree Assault or Domestic Assault:** An officer may arrest a person anywhere without a warrant, including at the person’s residence, if the officer has probable cause to believe that the person within the preceding 72 hours has assaulted, threatened with a dangerous weapon, or placed in fear of immediate bodily harm any person covered by the “family or household member” definition, even if the assault did not take place in the presence of the officer (Minnesota State Statute 629.341). An officer acting in good faith and exercising due care in making an arrest pursuant to this statute is immune from civil liability that might result from the officer’s action.
2. **Level of Arrest for Fifth Degree Assault and Domestic Assault: Misdemeanor, Gross Misdemeanor and Felony:**

- a. If an arrest is made, officers should ask both the victim and the suspect about any previous arrests to determine the appropriate charges including enhancements. Officers must check for previous convictions on the subject's Criminal History and/or Court Record (Odyssey). If there is an indication of a prior offense that may result in enhancement to either a gross misdemeanor or a felony, the suspect must be booked on a probable cause hold and further investigation must be performed. Officers shall document relevant convictions in their police report and then destroy the original Criminal History Report. ([Assault Enhancement Chart](#))
- b. At a domestic call, the officer should consider whether other chargeable crimes have been committed including but not limited to trespassing, criminal damage to property, disorderly conduct, assault, burglary, violations of court orders, terroristic threats, kidnapping, false imprisonment, harassment, stalking, and witness tampering.
- c. If the person arrested has access to bail money, the party should be transported to the Hennepin County Jail where bail can be posted.

**3. Violation of Court Orders:** The officer(s) shall verify whether any of the following orders exist before or during an arrest. Methods of verification include personally seeing a copy of the order or obtaining verification from the court or law enforcement agency that has the actual order. The police report shall include identifying information of the specific court order violated, including county of origin, the file number, and the provision allegedly violated.

- a. *Order for Protection:* An officer shall arrest and take into custody without a warrant a person who the officer has probable cause to believe has violated the restraint or exclusion section of an Order for Protection granted pursuant to Minnesota State Statute 518B.01, subds. 6, 7, and 9. Such an arrest shall be made even if the violation of the Order did not take place in the presence of the officer, if the officer can verify the existence of the Order. Out of state orders shall be enforced in the same way as Minnesota orders as long as the elements of the offense are otherwise met.
- b. *Harassment Restraining Order:* An officer shall arrest and take into custody a person who the officer has probable cause to believe has violated a harassment restraining order issued pursuant to Minnesota State Statute 609.748, subds. 4 and 5, if the officer can verify the existence of the order.
- c. *Domestic Abuse No Contact Order:* An officer shall arrest without a warrant any person who s/he has probable cause to believe has violated the provisions of a no contact or restraining order issued by a court pursuant to Minnesota State Statute 629.75.

## **E. Assistance, Staying At The Scene, Crime Victim Rights, And Services**

**1. Staying at the Scene:** If an arrest does not occur, officers should remain at the scene of the disturbance until they believe that the likelihood of further imminent abuse has been eliminated. If a domestic abuse intervention program is available, the officer should make contact for immediate intervention.

If an officer does not make an arrest, the officer must provide immediate assistance to the victim according to Minnesota State Statute 629.341, subd. 3.

**2. Assistance to Non-English Speaking Victims or Victims with Communication Disabilities:** The officer shall use the resource list established by the law enforcement agency to contact a person to assist in those cases where the participants in the domestic call, including the witnesses, are non-English speaking, are hearing-impaired, or have other communication disabilities. The officer should avoid the use of friends, family or neighbors serving as the primary interpreter for the investigation.

**3. Notice of Crime Victims Rights:** The officer shall give the victim of a domestic call a copy of the

agency's crime victim notification form.

4. **Services:** The officer should contact the local domestic abuse program by phone as soon as possible on all arrest situations and provide the name and address of the victim and a brief factual account of events associated with the action. This section shall not apply if prohibited by the Minnesota Government Data Practices Act (Minnesota State Statute 13.82, subd. 17).
5. **Removal and Destruction of Property:** If a Judgment and Decree exists between parties, the removal or destruction of property by one party may be dealt with as a criminal matter. Where the facts and circumstances are not clear or a party's right to specific property is not clearly evident, the parties should be advised to consult with their attorneys.

## F. Children

1. **Child Victims:** If a child is present at the scene of a domestic call or is the victim of domestic abuse, the officer should determine whether the child has been subjected to physical abuse, sexual abuse, or neglect, and comply with the requirements of Minnesota State Statute 626.556, Reporting of Maltreatment of a Minor. If the child has been injured, the officer should escort the child to the nearest hospital for treatment.
2. **Child Custody Issues**

Disputes involving allegations that one party has violated the terms of a Court Order dealing with custody or visitation of minor children shall be dealt with in the following manner:

- a. If there is reliable evidence that the well being of the child is in immediate jeopardy, an officer may take the child into custody. The child may be turned over to the appropriate custodial parent and a report should be filed with Hennepin County Child Protection pursuant to [Directive 9.14: Child Abuse and Neglect](#).
- b. If there is probable cause to believe that a violation of Minnesota State Statute 609.26, Depriving Another of Parental Rights, is occurring and the child is being removed from the state, an officer may act pursuant to that statute to arrest the party detaining the child and return the child to the custodial parent.
- c. A child should not be returned to a parent where it is likely that the child would be removed from the state.
- d. If no court order is present, or can be verified, the parties involved will be advised that they must pursue their civil remedies via the courts.

## G. Report Requirements

1. An offense report shall be written for all domestic disturbance calls where probable cause exists that fear or harm was caused. The call shall be labeled "domestic assault" in CAD.
2. If probable cause does not exist that there was fear or harm caused, an incident report shall be written and it should be titled, "Domestic Disturbance/Information Only." The call shall be labeled "domestic" in CAD.
3. The Hennepin County Sheriff's Office Adult Detention Center Crimes of Violence/Attempted Crimes of Violence Information Form (Victim Information Form) will be completed if the arrested person is going to jail.

4. The Domestic Violence Lethality Screen for First Responders should be administered when a current or previous intimate relationship is involved and the first responder: believes an assault has occurred, senses the potential for danger is high, is responding to repeat names or location, or simply believes one should be conducted.

5. If the officer has decided not to arrest one of the participants in the call, the officer shall thoroughly document all relevant information in the report and may refer the report to the prosecutor for review and consideration of criminal charges.



**2-12-19**

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**Police Chief Signature**

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**Date**

*Effective date: 2-12-19*

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*Rescinds/Amends: 10-16-18*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.09: Fire Calls

#### I. Policy

It is the policy of the Eden Prairie Police Department to assist the Eden Prairie Fire Department in the initial response to all fire calls.

#### II. Procedure

##### A. Initial Response

If available, an officer will be dispatched to all fire related calls.

##### B. Scene Management

At the direction of the incident commander, officers will provide scene management or any other required assistance.

##### C. Assist with Investigations

1. If an actual fire is involved, the officer will write a report.
2. The Police Department will assist the Fire Department in the investigation.
3. The Duty Sergeant should notify the on-call Investigator if there are suspicious circumstances that require an immediate investigation, any large scale fire event, or death as a result of the fire.



9-29-21

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**Police Chief Signature**

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**Date**

*Effective date: 9-29-21*  
*Annual review date: 10-1-21*  
*Rescinds/Amends: 10-2-19*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Response Operations*  
*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 9.10: Bomb Threats

#### I. Policy

It is the policy of the Eden Prairie Police Department to respond immediately to all bomb threats or suspected bombs, to assist with public safety and investigation of the threat, and to coordinate the efforts of assisting agencies.

#### II. Procedure

##### A. Bomb Threats

1. The decision to evacuate a building shall be made by the owner or the person in charge of the building. If asked for a recommendation, officers shall advise the owner or person in charge that the on-duty supervisor will determine if an investigation and search are needed.
2. If a building has been evacuated, the decision to re-occupy the building rests with the owner or person in charge of the building.

##### B. Handling an Incident Involving a Suspected Explosive Device

###### 1. Duties of Communications Center

- a. The on-duty supervisor shall be notified of all bomb threats.
- b. Telecommunications shall immediately notify the fire department of the bomb threat.
- c. If a bomb or suspected explosive device is located, the on-duty supervisor shall direct Telecommunications to notify the bomb squad.
- d. At the direction of the on-duty supervisor, Telecommunications shall notify the ATF (Alcohol, Tobacco & Firearms Bureau of the U.S. Department of Treasury).

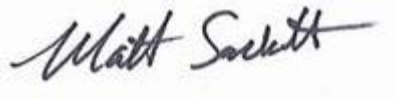
###### 2. Officer on the Scene--Suspected Explosive Device Found

- a. Contact the Communications Center (preferably via telephone) and advise them exactly what has been found.
- b. Evacuate the building if it is still occupied.

##### C. Command Responsibilities

1. The Police Department shall respond and assume command of the scene during search operations.
2. The Police and Fire Departments will work in unified command in the event of an explosion.
3. Upon arrival, the Bomb Squad shall assume authority of the suspected explosive device and shall be assisted by the Police Department as requested.
4. The investigation of a detonation will be handled by the Police Department with assistance from the

Fire Department.



**07-10-24**

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**Police Chief Signature**

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**Date**

*Effective date: 10-23-07*  
*Annual review date: 10-1-17*  
*Rescinds/Amends: 1-02-07*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Response Operations*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.11: Airport and Aircraft Incidents

#### I. Policy

It is the policy of the City of Eden Prairie to provide police and fire services to the Flying Cloud Airport pursuant to the "Letter of Agreement" with the Metropolitan Airports Commission (MAC) and the Federal Aviation Administration (FAA). In addition, the City will respond to "off field" aircraft incidents.

#### II. Procedure

##### A. Access to Airport Field

1. Access to the airport field should be handled in accordance with current procedure.
2. Upon arrival, the first responding unit (police or fire) will contact the Control Tower on the designated radio channel and establish incident command until relieved by a supervisor. A police supervisor should join incident command as soon as possible.
3. During operational hours of the Control Tower, squads will not enter active ground areas (runway/taxiway) without permission from the Tower. The airport should be considered active at all times.
4. All responding equipment must display activated emergency red lights whenever on the active airport ground areas.
5. When the Control Tower is not staffed (after hours), officers must use extreme caution when entering the runway/taxiway area. Emergency lights must be activated.

##### B. Communications

1. Once command has been established, all communications must go through joint command.
2. The incident commander is responsible for communications with the Tower and dispatch.
3. In the event of a radio communications failure with the Tower, the incident commander may assign personnel (police or fire) to respond to the Tower and establish communications. The Tower may also use the "red/green light system" to authorize the crossing of active taxiways and runways. The police commander will manage the information and coordinate the police response in cooperation with the overall incident commander.

##### C. Aircraft Accidents/In-Flight Emergencies/Facility Emergencies

In the event of an aircraft accident, in-flight emergency, or facility emergency, responding officers should:

1. Follow the above procedures for accessing the airfield.

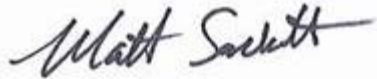
2. Establish incident command.

3. The Metropolitan Airport Commission (MAC) and Federal Aviation Administration (FAA) should be notified. Control Tower personnel, if on duty, will make this notification. At all other times, the Eden Prairie Public Safety Answering Point (PSAP) personnel will make the notification.

4. The responding officer shall document the following information in an incident report: complete pilot information, complete passenger information, the make and model of the aircraft and the tail number.

#### D. Supervisory Responsibility

In the event of an aircraft crash or in-flight emergency, the on-duty supervisor shall respond to the scene or designate a responding officer as the police command. At the scene, he/she shall coordinate efforts with the Fire Department, Ambulance service, Medical Examiner's Office, MAC, FAA, and/or NTSB.



10-22-08

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**Police Chief Signature**

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**Date**

*Effective date: 10-22-08*

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*Rescinds/Amends: 9-15-05*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.12: Death/Great Bodily Harm Investigations

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to investigate all incidents and offenses which result in death or great bodily harm and to cooperate with the County Medical Examiner on all death investigations.

#### II. Procedure

##### A. Reported Death

1. Upon receiving a report of a death or possible death, Dispatch shall request an ambulance to respond to the location.
2. Once on the scene, the officer shall attempt to confirm whether or not a death has occurred.
3. If signs of death are obvious:
  - a. the ambulance should be canceled.
  - b. the Hennepin County Medical Examiner's Office must be contacted. Officers should use the [ME Worksheet](#) as a guide to providing information to the ME. If some information is unknown at the time, leave it blank. If completed, have the document scanned into the case file.
4. If the Medical Examiner's Office indicates that they will send someone to the scene, contact the Hennepin County Crime Lab and the Eden Prairie on-call investigator.
5. If the Medical Examiner's Office indicates they will not send someone to the scene, an on-duty Crime Scene Technician or an officer shall conduct a thorough investigation including photographs, observations of scene and interviews.
6. If the death appears to be from other than natural causes, the officer shall:
  - a. Initiate measures to protect the scene and ensure that the body is not moved.
  - b. Limit access in and out of the crime scene and log all activity.
  - c. The on-duty supervisor will respond to the scene to ensure that all additional notifications are made.
7. The officer shall complete a "Death Investigation" report that documents all observations, actions taken, interviews and other investigative information.
8. If the death is the result of a homicide, the officer will advise family members of the deceased of their rights under statute 611A.02. The Minnesota Department of Public Safety has created a [brochure](#) detailing those rights.
9. The Hennepin County Water Patrol shall be notified of all water-related deaths.

##### B. Great Bodily Harm

Incidents resulting in great bodily harm that may result in death shall be investigated in accordance with the above procedures with the exception of contacting the Medical Examiner's Office. The on-duty

sergeant shall determine if the Eden Prairie Crime Tech Unit or the Hennepin County Crime Lab should be contacted. The on-duty sergeant shall take into account the severity of the injury when making this determination.

### C. Pregnancy Miscarriage

1. Upon receiving a report of a miscarriage, Dispatch shall request an ambulance to respond to the location.
2. The Hennepin County Crime Lab, the on-call investigator and the on-duty supervisor must be contacted if there has been suspected maternal use of, or exposure to, unprescribed controlled substances, including street drugs, or in which there is history or evidence of maternal trauma.
3. The Medical Examiner's Office must be contacted for miscarriage of fetus of 20 or more weeks' gestation.
4. The Medical Examiner must be contacted for miscarriage involving suspected illicit drugs.
5. The Medical Examiner may respond to the scene to take custody of the fetus.
6. The event shall be investigated like any other death investigation.
7. Secure the scene until the Medical Examiner's arrival.
8. Complete an incident report.



10-20-20

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**Police Chief Signature**

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**Date**

*Effective date: 10-20-20  
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Rescinds/Amends: 6-6-14*

*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Response Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.13: Juvenile Field Contacts

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to handle all juvenile field contacts in accordance with state law and county procedures.

#### II. Procedure

##### A. Contact Dispositions

To exercise the best judgment in choosing among possible dispositions, officers should consider factors that contribute to the criminal offense for which a juvenile has been apprehended. The objective is to resolve the contact in a manner most appropriate for the victim, offender and community and that best prevents further criminal activity.

##### 1. Juvenile Diversion

The Juvenile Diversion Program may be used in all arrest and traffic situations based on officer discretion.

##### 2. Arrest and Detention

Officers shall arrest and detain all juveniles who have committed a felony or other offense which makes the juvenile a danger to the community. Juveniles should be detained if they are a danger to themselves, other persons, or wanted by another jurisdiction. They shall also be detained if there is no parent, guardian, or custodian who is able and willing to accept custody of the juvenile. See [Directive 11.02: Detention Center](#). Officer reports shall be forwarded to the Juvenile County Attorney.

##### 3. Arrest and Release

Officers will release all juvenile offenders whom the officer believes should be brought to the attention of juvenile court but where further immediate detention would not be considered appropriate. An offense report should be completed, and the juvenile will be released to a parent or guardian pending a court appearance. Misdemeanor offenders must be issued Hennepin County Juvenile Citation at the time of arrest. The arresting officer should forward Gross Misdemeanors and Felonies to the Investigations Unit who will then complete a Hennepin County referral form (ProCase) and Offender Tracking Form. The case will then be forwarded to Hennepin County Juvenile Court.

##### 4. Arrest and Official Warnings

Officers may arrest and release any juvenile offender whom the officer believes should not be brought to the attention of the juvenile court. This includes status and other minor offenses which the officer wishes to bring to the attention of the juvenile's parents by way of an official warning. An offense report showing an arrest with a warning shall be completed and the juvenile released to a parent or guardian. Officers may release at the scene any juvenile offender for a minor offense when the officer feels that the case should be disposed of at the scene without an official record.

##### B. Status Offenses

1. Status offenses will be handled under current department procedure and relevant statutes.

2. **Juvenile Controlled Substance & Alcohol Violations.** When a juvenile has violated a misdemeanor alcohol or controlled substance statute, the violator should be issued a juvenile citation referring the juvenile to Hennepin County Juvenile Court.

According to State Statute, if the offender is currently attending a primary or secondary school, the Police Department must notify the school of the violation. This notification will be completed by the liaison unit and forwarded to the appropriate school.

3. **Juvenile Runaways/Missing Person.** At the discretion of the school liaison unit, the school of attendance for a missing or runaway juvenile may be contacted.

### C. Apprehension of Juvenile Suspects at School

1. When an arrest is made on school property, every effort should be made to coordinate with the school liaison officer.
2. In the event a hot pursuit situation arises and the suspect enters a school to avoid apprehension, the officer may continue to pursue and make the apprehension. In such situations, the on-duty supervisor and the school principal, or his/her agent, should be notified prior to the subject's removal from the school if this can be done without undue delay.
3. In any event where a juvenile has been apprehended, every effort shall be made to contact the parent or guardian of the child.

### D. Fingerprinting and Photographing of Juveniles

Juveniles will be booked in accordance with booking procedures as outlined in [Directive 11.02: Detention Center](#).

### E. Detention of Juveniles

Juveniles will be detained in accordance with [Directive 11.02: Detention Center](#).

### F. Juvenile Traffic

1. A child who is at least 16 years of age and not yet 18 years of age at the time of the commission of a "Minor Traffic Offense" shall be handled as an adult traffic offender and shall not be under the jurisdiction of juvenile court.
2. Adult court also has jurisdiction over any child who is at least 16 years of age and not yet 18 years of age who has been charged with a violation of [Minnesota Statute 169A.20](#) or any other misdemeanor or gross misdemeanor level traffic violation committed as part of the same incident.
3. If a juvenile is charged with a "Major Traffic Offense," then juvenile court shall have jurisdiction.

### G. Criminal Conduct on School Buses

1. As required by state statute, officers will respond to calls of criminal conduct on school buses in an appropriate manner and handled as outlined in [Directive 9.01: Officer Call Responsibilities](#).
2. Any offense, incident, or supplemental report written will be reviewed and prioritized by Investigations.



10-16-18

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**Police Chief Signature**

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**Date**

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Annual review date: 10-1-19  
Rescinds/Amends: 10-9-14

Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Response Operations  
Authority: Police Chief



# City of Eden Prairie

## Police Department

### Directive 9.14: Child Abuse and Neglect

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to investigate all reports of suspected child abuse and neglect as defined by [Minnesota Statute 260C.007](#) and to notify and work with the appropriate child protection agency.


#### II. Procedure

##### A. Reporting

1. When an officer receives a report of child abuse or neglect, that officer shall be responsible for the initial investigation and completion of an offense or incident report.
2. In cases of severe abuse or neglect where the officer has reason to believe that the child is in imminent danger, the officer shall remove the child to a safe location and have any injuries treated at a medical facility.
3. Upon receiving sufficient facts of an alleged case of child abuse/neglect, the officer shall notify Hennepin County Child Protection as soon as possible but in no event longer than 24 hours.
4. The report can be made verbally by calling Child Protection. A copy of the officer's report must be sent to them at a later date.
5. If the officer is unable to contact Child Protection, he/she must relay to Investigations that Child Protection needs to be notified. An investigator will then make the necessary notification.
6. Unless Child Protection has been notified, the case cannot be considered complete.

##### B. Investigation

Due to the nature of child abuse and the age of the victim, it is preferred that a complete child victim interview be delayed until it can be determined whether a professional forensic interview is indicated. Forensic interviews are to be completed at Corner House. DO NOT ask the child detailed questions surrounding the reported incident. Circumstances may dictate that the on-call investigator or Juvenile Investigations Sergeant be consulted regarding how to proceed.



10-9-14

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**Police Chief Signature**

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**Date**

*Effective date: 10-9-14*  
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*Rescinds/Amends: 9-20-06*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Response Operations*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.15: Vulnerable or At-Risk Adults

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to protect adults who, because of a physical or mental disability or dependency on institutional services, are particularly vulnerable to abuse, financial exploitation or neglect. It is the policy of this department to investigate and report suspected abuse or neglect of vulnerable adults to the [Minnesota Adult Abuse Reporting Center \(MAARC\)](#).

#### II. Procedure

##### A. Abuse/Neglect of a Vulnerable or At-Risk Adult

1. Vulnerable adult is defined in [Minnesota Statute 626.5572, subd. 21](#).
2. A report of suspected abuse, neglect or maltreatment shall be treated as a potential criminal investigation.
3. All incidents and/or offenses shall be documented in a report.
4. All incidents of abuse or neglect shall be reported to the MAARC.
5. Adult individuals found to be incapable of caring for themselves and who are endangering themselves may be taken to Hennepin County Medical Center or other qualified hospital/treatment facility. The officer may need to complete an Application by Peace or Health Officer for Emergency Admission (see [Directive 9.16: Emergency Holds](#)).
6. Adults found in unhealthy or unsanitary conditions who are not in immediate danger should be reported to the MAARC. An incident report should be drafted and forwarded to Investigations and the Eden Prairie Fire Department Inspections Division.
7. Veterans who are found to be incapable of caring for themselves and who are endangering themselves may be taken to the Veterans Affairs (VA) Medical Center in Minneapolis. Call ahead of time to explain the situation. An Application by Peace or Health Officer for Emergency Admission (see [Directive 9.16: Emergency Holds](#)) should be completed. A direct, personal hand-off story to the triage nurse may also be helpful.
  - a. The Veterans Affairs Medical Center will only accept veterans who have been honorably discharged. The best way to determine if a person is an “honorable veteran” (honorably discharged) is to ask the veteran. You may also ask if they have used VA services in the past.
  - b. If there is any question about whether the person is a veteran, the intake personnel will determine their status. You will no longer have a role in the direction of the patient.



11-30-16

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Police Chief Signature

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Date

Effective date: 11-30-16  
Annual review date: 10-1-17

Directive type: General Order  
Section: Law Enforcement Operations

*Rescinds/Amends: 9-23-13*

*Chapter: Response Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.16: Emergency Holds

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to protect individuals believed to be unable to care for themselves and place such individuals in a treatment facility in accordance with state statutes.

#### II. Procedure

##### A. Emergency Holds

According to [Minnesota Statute 253B.051](#), emergency hospitalization may be provided for persons who appear to be mentally ill, developmentally disabled, chemically dependent or intoxicated, and unable to care for themselves, and who appear to be in imminent danger of causing injury to self or others or are incapable of obtaining necessary food, clothing, shelter, safety, or medical care.

##### B. Physician's Authority

A licensed physician has authority to order a person hospitalized for the conditions above. A written statement by a physician shall be sufficient authority for a police officer to transport a patient to a hospital.

##### C. Police Officer's Authority

1. A police officer has the authority to transport a patient to a hospital on the strength of a written statement by a licensed physician or [Health Officer](#).
2. A police officer also has the authority to take a person into custody and transport the person to a licensed physician or treatment facility if the officer has probable cause, either through direct observation of the person's behavior, or upon reliable information of the person's recent behavior and knowledge of the person's past behavior or psychiatric treatment, that the person is 1) mentally ill or developmentally disabled **AND** 2) in danger of injuring self or others if not immediately detained.

##### D. Admission/Transport

1. Emergency Hospitalization
  - a. If an officer determines that a person requires emergency hospitalization, the officer shall complete an Application by Peace or Health Officer for Emergency Admission.
  - b. The officer shall transport the person to an appropriate treatment facility.
  - c. As far as is practicable, a peace officer who provides transportation for a person placed on an emergency hold should not be in uniform and not use a vehicle visibly marked as a law enforcement vehicle as stated in [Minnesota Statute 253B.05, subd. 2b](#).

##### E. Alternatives for Intoxicated Individuals

An officer may at his or her discretion release an intoxicated individual to a responsible adult if the

officer has probable cause that the individual is not in danger of self-harm or harm to any person or property. The person taking custody of the intoxicated person must sign an “Impaired Individual Release Form.”



3-7-22

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**Police Chief Signature**

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**Date**

*Effective date: 3-7-22*

*Annual review date: 10-1-19*

*Rescinds/Amends: 8-6-19*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.17: Animal Complaints

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to assist people in dealing with domestic animal and wildlife concerns while protecting the rights and safety of people and the welfare of animals.

#### II. Procedure

##### A. Animal Complaints

When on-duty, the Animal Control Officer or Community Service Officer will handle all animal complaints. When no Animal Control Officer or Community Service Officer is available, Dispatch shall designate who will respond to the complaint.

##### B. Animal Impounds

1. When an animal is taken into custody, responding personnel shall make a reasonable effort to immediately notify the owner and release the animal to him or her. If the owner cannot be contacted, the animal shall be transported to an animal shelter by an Animal Control Officer or Community Service Officer as soon as is practical.
2. While the animal is in the custody of the Eden Prairie Police Department, every effort shall be made to keep the animal in a safe and humane environment including the proper environment and water. Exercise and food shall be provided for those animals held more than eight hours.
3. For employee and animal safety, access to and handling of animals shall be limited to those officers and CSOs assigned to the call. For safety reasons, animals should not be brought any further into the Police Department than the Evidence Garage.
4. The assigned call shall remain open as a reminder to Dispatch until the animal is no longer in custody.
5. An Animal Control Officer or Community Service Officer shall sign over to the animal shelter any animal that is not reclaimed during the required hold time specified by [MN Administrative Rule 1721.0520, subpart 10](#).

##### C. Animal Bites

1. An Animal Bite/Quarantine Report and an EPPD Incident Report will be completed whenever someone has been bitten by a domestic animal. An Incident Report will be completed whenever someone has been bitten by a wild animal.
2. An Animal Control Officer/Community Service Officer shall monitor any quarantine to ensure that all quarantine rules specified by the Minnesota Board of Animal Health will be followed.
3. An Animal Control Officer/Community Service Officer shall ensure that the veterinarian inspection of the animal is conducted within the required time limit and the inspection report is received by this department.
4. An Animal Control Officer/Community Service Officer shall complete any potentially dangerous or

dangerous dog reports that apply as defined under [Minnesota Statute 347.50, sub. 3](#). The Animal Control/Community Service Officer Supervisor will review the report with the Police Chief.

5. The Eden Prairie Police Department will hold a “Dangerous Dog Designation Review” as defined by [Minnesota Statute 347.51](#), if requested by the dog owner or at the recommendation of the Animal Control Unit supervisor.

#### **D. Destroying Animals**

1. Wildlife may be destroyed if, at the judgment of a sworn officer or Animal Control Officer/Community Service Officer, the animal is a danger to humans, other animals or property, or to prevent further suffering of an animal who has been critically injured.
2. When a domestic animal is critically injured the following steps should be taken in order:
  - Make every effort to contact the owner of the animal.
  - If the owner is not available, make every effort to contact an emergency veterinarian.
  - If an emergency veterinarian is not readily available, the officer may destroy the animal. The names and addresses of witnesses shall be obtained to assist in verifying that the animal was critically injured.
3. Only a sworn officer may destroy an animal by firearm. The officer must follow safety protocols taught in firearms training and complete a report entitled “Animal Destroyed by Firearm.”
4. If a pet or companion animal is critically injured and does not pose an immediate threat to other animals, people or property and the owner is present, it his or her responsibility to have the animal removed and cared for, or destroyed.



**10-20-20**

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**Police Chief Signature**

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**Date**

*Effective date: 10-20-20*

*Annual review date: 10-1-21*

*Rescinds/Amends: 10-2-19*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.18: Parking

#### I. Policy

It is the policy of the Eden Prairie Police Department to ensure fair access to parking and to expedite the flow of vehicular traffic. Existing parking regulations will be enforced with reasonableness and impartiality.

#### II. Procedure

##### A. Impounds

1. All impounds will be made pursuant to [Directive 11.04: Towing](#).

##### B. Overtime Parking

1. Investigation of an overtime parking violation may be officer initiated or generated by a citizen complaint.
2. The officer shall mark the street around the tire and the marking shall be documented by squad camera or body- worn camera. In addition, the officer shall leave a warning tag. A reasonable effort will be made to contact registered owner.
3. If a vehicle is not removed 24 hours after warning, the officer may cite vehicle for overtime parking.

##### C. Loading Zones

Officers may **not** cite loading zone violations unless such loading zone is established by resolution of the City Council as a justified loading zone.

##### D. Private Property

1. Officers may not cite or impound illegally parked vehicles on private property with the exception of fire lanes, handicapped zones and fire hydrants that have been properly marked.
2. Vehicles illegally parked on private property are the responsibility of the property owner.

##### E. Snowbird Enforcement/Removal

1. The Public Works Superintendent or designate will determine when snow depth is two or more inches. The shift supervisor may also notify Dispatch to contact Public Works if they observe the current snowfall to be in excess of two inches.
2. Once such determination has been made, officers may enforce the no parking provisions of [City Code 8.15](#), which restricts on-street parking until the street is plowed to the full width of the roadway. Further direction is provided in the [Snow Emergency/Snowbird Parking procedure](#).
- 3.
4. After a vehicle is identified as a violator, it is subject to citation and impound.
5. In determining whether to impound a vehicle, consideration shall be given to the hazard the vehicle poses on the roadway, the obstruction to city plows, the availability of towing services and the availability of officers. Vehicles that are impounded shall also be ticketed.





10-5-23

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**Police Chief Signature**

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**Date**

*Effective date: 10-5-23*

*Annual review date: 10-1-24*

*Rescinds/Amends: 10-2-19*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.19: Missing and Endangered Persons

- I. Policy – It shall be the policy of the Eden Prairie Police Department to have an immediate and consistent response to reports of missing and endangered persons.
  
- II. Procedure
  - a. Patrol Response
    - i. Upon receiving a report of a person believed to be missing, the officer shall conduct a preliminary investigation to determine whether the person is missing, and if missing, whether the person is endangered.
    - ii. Juveniles and any adults under 21 years of age are to be entered into the NCIC system immediately, not to exceed two hours, upon receiving the minimum data required for entry into NCIC. The two-hour clock shall begin when the minimum data required for entry is received from the complainant. Once this data is obtained, Patrol will contact Dispatch for entry into NCIC.
    - iii. If the person is initially determined to be missing and endangered, the on-duty supervisor shall immediately consult the Bureau of Criminal Apprehension during the preliminary investigation, in recognition of the fact that the first two hours are critical. The on-duty supervisor shall request assistance if necessary, including possible activation of an Amber Alert.
    - iv. Under [Minnesota Statute 299c.52\(e\)](#), an “endangered person” means that a law enforcement official has received 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:
      1. The person is missing as a result of a confirmed abduction or under circumstances that indicate that the person’s disappearance was not voluntary;
      2. The person is missing under known dangerous circumstances;
      3. The person is missing more than 30 days;
      4. The person is under the age of 21 and at least one other factor in this paragraph is applicable;
      5. There is evidence the person is in need of 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;
      6. The person does not have a pattern of running away or disappearing;
      7. The person is mentally impaired;
      8. There is evidence that the person may have been abducted by a noncustodial parent;

9. There is evidence that the person has been the subject of past threats or acts of violence;
  10. 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;
  11. 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.
- v. Under [Minnesota Statute 299c.53, subd. 1](#), the Department shall accept without delay any report of a missing person. The Department 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 time;
  4. The person has been missing for a long amount of time;
  5. There is no indication that the missing person was in Eden Prairie at the time of the disappearance;
  6. The circumstances suggest that the disappearance may be voluntary;
  7. The reporting person does not have personal knowledge of the facts;
  8. The reporting person cannot provide all of the information requested by the Department;
  9. The reporting person lacks a familial or other relationship with the missing person; or
  10. For any other reason, except in cases where the Department 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 being made.
- vi. Missing Person records must be documented with an Incident Report entitled "Missing Person." Missing Person records entered for emancipated persons (age 21 and over) must be documented by a signed report stating the conditions under which the person is declared missing. The report may be signed by a parent, legal guardian, next of kin, physician, or other authoritative source, including a friend or neighbor in unusual circumstances. When such documentation is not reasonably attainable, a signed report by the investigating officer will suffice. An emancipated missing person who has not been determined to be endangered shall be entered into NCIC within three days of receipt of the minimum amount of data required for entry.
- vii. Any documentation must be saved in the case file.

b. Dispatch Response

- i. The Dispatcher will enter the person into the NCIC (National Crime Information Center) Missing Person File (involuntary category) with critical information regarding the person including all available descriptors. DVS and CCH/III inquiries should be made to obtain

personal descriptors and numeric identifiers in order to pack the record. A record for a missing person should be entered into NCIC 2000 (whether or not there is signed documentation) within two hours of receiving the minimum data required for entry using one of the appropriate categories (Disability, Endangered, Involuntary, Juvenile or Catastrophe Victim). A missing person categorized as a catastrophe victim does not require documentation prior to the entry into NCIC. A missing person report filed with an agency is sufficient documentation for entering a juvenile in the NCIC 2000 Missing Person File.

- ii. The Dispatcher will enter complete descriptive information regarding the suspect(s) into the NCIC system.
- iii. A second Dispatcher shall review all missing person NCIC files and inspect for accuracy.
- iv. If a person returns home or is found by law enforcement, the person should be removed from the NCIC system.

c. Investigations Response

- i. If the person identified in the missing person report remains missing for 30 days (reminder message will be sent by NCIC via a \$K message at 30 days), and the additional information and materials specified below have not been received, the Department shall attempt to obtain:
  - 1. DNA samples from family members and, if possible, from the missing person along with any needed documentation, including consent forms, required for the use of state or federal DNA databases;
  - 2. Dental information and x-rays of the missing person, and an authorization to release dental information or x-rays of the missing person;
  - 3. Any additional photographs of the missing person that may aid the investigation or an identification; and
  - 4. Fingerprints.
- ii. Entry of medical and dental information is to be entered within sixty (60) days of an original entry of a missing person record, if available. NCIC will send an administrative message, \$K thirty (30) days after the record has been entered. This will serve as a reminder to attempt to obtain additional identifying information.
- iii. A notation shall be made in the case file indicating when this attempt was made and what the outcome was, ie: child has returned, dental records obtained, etc. This sixty (60) day update is a mandatory requirement on all missing persons under the age of 21 and Eden Prairie Police Investigations shall document this attempt in the case file to show that this requirement has been met.
- iv. The Department shall obtain the most recent photograph available for missing and endangered person and forward these photographs to the Commissioner of Public Safety.



**6-29-16**

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**Police Chief Signature**

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**Date**

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*Rescinds/Amends: 9-23-11*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Response Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.20: Forfeiture

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that all employees of the Department shall follow all state and federal laws pertaining to the processing of property seized for forfeiture. Officers assigned to the Southwest Hennepin Drug Task Force shall follow [Hennepin County Sheriff's Office Policy 6-2200: Processing of Property Seized for Administrative Forfeiture](#).

#### II. Procedure

##### A. SEIZED PROPERTY SUBJECT TO ADMINISTRATIVE FORFEITURE

1. The following property may be seized and is presumed under [Minnesota Statutes 609.5314](#), [609.5318](#), [609.5312](#) to be subject to administrative forfeiture if the item has a retail value of \$50,000.00 or less:
2. All money, precious metals, and precious stones found in proximity to:
  - a. Controlled substances;
  - b. Forfeitable drug manufacturing or distributing equipment or devices; or
  - c. Forfeitable records of manufacture or distribution of controlled substances.
3. All conveyance devices containing controlled substances with a retail value of \$100 or more if possession or sale of the controlled substance would be a felony under chapter 152.
4. 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.
5. Seizure of property not listed above must be processed in coordination with and approved by the unit supervisor.

##### B. PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

1. When any property as described in the above section is seized, the officer making the seizure must prepare the following:
  - - a. The proper Notice of Seizure and Intent to Forfeit Property form. This form must be completed to include 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 MN Statutes §609.5314 if the retail value of the asset exceeds \$50,000.00.
    - b. A receipt for the item(s) seized.
2. The Notice form also contains information in English, Hmong, Somali and Spanish concerning the right to

obtain judicial review and the procedure under Minnesota Statute 609.5314 to follow to obtain it. The form must be dated and signed by the officer conducting the seizure. The department 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 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.

3. All property subject to and being processed for forfeiture through the department must be held in the custody of the department.
4. The officer conducting the seizure shall forward the original and pink copy of the seizure notices, seized property processing worksheets, property receipts and reports will be forwarded to the Investigations Lieutenant within 10 days of seizure.
5. The officer conducting the seizure shall inform the on-duty supervisor of the estimated retail value of drugs found in proximity to the asset seized.

### **C. CASH**

1. Cash is defined as 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.
2. Officers shall not seize cash having an aggregate value less than \$500, unless pre-recorded buy funds are included in the cash seized. Cash shall be recounted and the amount verified by another employee of the Department. The property bag and/or inventory receipt shall then be co-signed when cash is involved.
3. All forfeitable cash seized will be turned over to the evidence room as soon as practicably possible of the seizure. Upon receipt of cash, the Property Room Technician shall notify the Investigations Lieutenant.
4. Prior to deposit with the Investigations Lieutenant, officers shall examine all cash seized to determine whether it contains any buy funds. Officers shall document the recovery of all buy funds and deposit those funds with the Investigations Lieutenant to be returned to the appropriate unit's buy fund account.
5. Officers seizing cash shall also prepare a property inventory. 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 agency property inventory shall also contain a detailed description of all checks, money orders and/or travelers checks or other financial instruments.
6. It is the seizing officer's responsibility to secure the cash consistent with the department policy or procedure.

### **D. JEWELRY/PRECIOUS METAL/PRECIOUS STONES**

1. 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.
2. Officers seizing jewelry, precious metals, and/or precious stones will write a detailed description of each item on the property inventory receipt prior to inventorying the items. A copy of the property inventory

receipt and any photographs of the jewelry, precious metals and/or precious stones shall be delivered to the Investigations Lieutenant.

3. Officers seizing jewelry, precious metals, and/or precious stones shall deliver those items to the property/evidence room as soon as practicably possible.

#### **E. CONVEYANCE DEVICE**

1. A conveyance device is a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and 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.
2. Upon seizure for forfeiture, all conveyance devices shall immediately be either taken to a secure designated area or to a department approved impound facility.
3. Officers shall inventory the conveyance device and its contents in accordance with department policy. Officers shall also complete applicable report forms and distribute them appropriately.

#### **F. FIREARMS/AMMUNITION/FIREARM ACCESSORIES**

1. Firearms/ammunition/firearm accessories are devices that project 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.
2. When firearms, ammunition, or firearms accessories are seized, they shall be inventoried and delivered to the property/evidence room as per department policy/procedure.

### **III. REPORT WRITING**

Officers seizing property must complete a report. All reports must include a description of the items seized, where the property is turned in/stored, the name of the individual served, the date that the seizure form was served, the name of the serving 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 when practically possible.

All individuals must be given a receipt detailing the property seized.



**1-9-20**

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**Police Chief Signature**

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**Date**

*Effective date: 1-9-20*  
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*Rescinds/Amends: 10-25-12*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Response*  
*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 9.21: Criminal Sexual Conduct Investigations

#### I. Policy

Officers will utilize this policy in response to sexual assault reported to the Eden Prairie Police Department. 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. The Eden Prairie Police Department will take an initial Criminal Sexual Conduct case regardless of jurisdiction and then refer it to another agency as appropriate.

For procedures on conducting Criminal Sexual Conduct Investigations, see the Procedure Manual ([link](#)).

#### II. Policy

##### A. Protecting Victim Rights

- 1) 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 [Minnesota Statute 13.82, subd. 17\(b\)](#)
- 2) Crime Victim Rights: Officers must provide the following information to the victim:
  - a. Crime victim rights and resource information required to be provided to all victims as specified by [Minnesota Statute 611A.02, subd. 2\(b\)](#)
  - b. 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 [Minnesota Statute 629.341, subd. 3](#).
  - c. The victim's right to be informed of the status of a sexual assault examination kit upon request as provided for under [Minnesota Statute 611A.27, subd. 1](#).
  - d. Pursuant to [Minnesota Statute 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.
- 3) Other information: Officers should provide to 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.
- 4) Language access: Officers shall follow the [Language Line procedure](#) if necessary.

##### B. Case Review/Case Summary

A supervisor should ensure cases are reviewed on an on-going basis. The review process should include an analysis of:

- 1) Case dispositions
- 2) Decisions to collect evidence
- 3) Submissions of evidence for lab testing
- 4) Interviewing decisions



5-28-19

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**Police Chief Signature**

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**Date**

*Effective date: 5-28-19*

*Annual review date: 1-1-20*

*Rescinds/Amends:*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 9.22: Eyewitness Identification

#### I. POLICY:

It is the purpose of this policy to establish guidelines for eyewitness identification procedures involving show-ups, photo arrays, and line-ups. 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. 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.

#### A. Definitions:

**Show-up:** The presentation of a suspect to an eyewitness within a reasonable amount of time following the commission of a crime to either confirm or eliminate him or her as a possible suspect. Show-ups, sometimes referred to as field identifications, are conducted in a contemporaneous time frame and proximity to the crime.

**Line-up:** The process of presenting live individuals to an eyewitness for the purpose of identifying or eliminating suspects.

**Photo Array:** A means of presenting photographs to an eyewitness for the purpose of identifying or eliminating suspects.

**Administrator:** The police department staff member conducting the identification procedure.

**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.

**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.

**Filler:** A live person, or a photograph of a person, included in an identification procedure who is not considered a suspect.

**Sequential:** Presentation of a series of photographs or individuals to a witness one at a time.

**Simultaneous:** Presentation of a series of photographs or individuals to a witness all at once.

## **II. Procedure:**

### **A. 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.

1. Document the witness's description of the suspect prior to conducting the show up.
2. Conduct a show-up only when the suspect is detained within a reasonable time frame after the commission of the offense and within a close physical proximity to the location of the crime.
3. Do not use a show-up procedure if probable cause to arrest the suspect has already been established.
4. 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.

Caution the witness that the person he or she is about to see may or may not be the suspect. In addition, advise the witness that it is just as important to clear innocent persons from suspicion as it is to identify guilty parties.

5. The witness should also be advised that the investigation will continue regardless of the outcome of the show-up.
6. Do not conduct the show-up with more than one witness present at a time.
7. Separate witnesses and do not allow communication between them before or after conducting a show-up.
8. If one witness identifies the suspect, use a line-up or photo array for remaining witnesses.
9. Do not present the same suspect to the same witness more than once.
10. Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the suspect.
11. Officers should scrupulously avoid words or conduct of any type that may suggest to the witness that the individual is or may be the suspect.
12. Ask the witness to provide a confidence statement.
13. Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it

permissible.

14. Videotape the identification process using an in-car camera or other recording device when feasible.
15. Document the time and location of the show-up, the officers present, the result of the procedure, and any other relevant information.

## **B. Line-up Procedures**

### 1. Conducting the Line-up

- a. Live line-ups shall be conducted using a blind administrator.
- b. Ensure that all persons in the line-up are numbered consecutively and are referred to only by number.
- c. The primary investigating officer is responsible for 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.

### 2. Basic Procedures for Conducting a Line-up

- 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. Live line-ups must be conducted using a blind presentation.
- c. The line-up should consist of a minimum of six individuals. 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 suspect 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.
- h. During a line-up, the suspect's attorney should be present.
- i. Place suspects in different positions in each line-up, 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.
- k. The witness shall be given a copy of the following instructions included in the [EPPD Photo Identification Report](#) prior to viewing the line-up and the administrator shall read the instructions aloud before the identification procedure.

*You will be asked to look at a series of individuals.*

*The suspect may or may not be present in the identification procedure.*

*It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.*

*I don't know whether the person being investigated is included in this series.*

*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.*

*The individuals are not configured in any particular order.*

*If you make an identification, I will continue to show you the remaining individuals in the series.*

*Regardless of whether you make an identification, we will continue to investigate the incident.*

*Since this is an ongoing investigation, you should not discuss the identification procedures or results*

- l. The line-up 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 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.

### **C. Photo Array Procedure**

#### 1. Creating a Photo Array

- a. Use contemporary photos.
- b. Do not mix color and black and white photos.
- c. Use photos of the same size and basic composition.
- d. Never mix mug shots with other photos and ensure consistent appearance of photograph backgrounds and sizing.
- e. Do not include more than one photo of the same suspect.
- f. 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.
- g. 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.
- h. Fillers should not be reused in arrays for different suspects shown to the same witness.

#### 2. Basic Procedures for Conducting a Photo Array

- a. 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.
- b. If a blind administrator is not available, the administrator shall ensure that a blinded presentation is conducted using the following procedures.
  - i. 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).
  - ii. 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.
  - iii. The administrator should position himself or herself so that he or she cannot see inside the folders as they are viewed by the witness.

- c. 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.
- d. 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. The witness shall be given a copy of the following instructions included in the [EPPD Photo Identification Report](#) prior to viewing the line-up and the administrator shall read the instructions aloud before the identification procedure.

*You will be asked to look at a series of individuals.*

*The suspect may or may not be present in the identification procedure.*

*It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.*

*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.*

*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.*

*The individuals are not configured in any particular order.*

*If you make an identification, I will continue to show you the remaining individuals in the series.*

*Regardless of whether you make an identification, we will continue to investigate the incident.*

*Since this is an ongoing investigation, you should not discuss the identification procedures or results*



**11-19-20**

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**Police Chief Signature**

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**Date**

Effective date: 11-19-20

Annual review date: 1-1-21

Rescinds/Amends:

Directive type: General Order

Section: Law Enforcement Operations

Chapter: Response Operations

Authority: Police Chief





# City of Eden Prairie

## Police Department

### Directive 10.01: Directed Patrols

#### I. Policy

It is the policy of the Department to utilize security details, directed patrols and funds escorts to focus police resources and efforts on specific public safety issues.

#### II. Procedure

##### A. Directed Patrol

1. Directed patrols are designed to focus patrol efforts on short-term public safety concerns.
2. Any member of the Department can initiate a directed patrol.
3. Directed patrols shall be no longer than two weeks in duration unless the duty supervisor authorizes an extension.
4. Department personnel are responsible for being aware of directed patrols which pertain to their duties and responsibilities.
5. Directed patrols may be assigned by a sergeant or worked pro-actively by any member of the Department.



2-22-21

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**Police Chief Signature**

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**Date**

*Effective date: 2-22-21*

*Annual review date: 1-1-21*

*Rescinds/Amends: 1-24-13*

*Directive type: General Order*

*Section: Field Operations*

*Chapter: Pro-active Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 10.02: Emergency Preparedness

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to utilize the City of Eden Prairie Emergency Operations Plan (EOP) in appropriate situations. It is the responsibility of the Emergency Preparedness Director for the city to manage and communicate the plan.

#### II. Procedure

- A. The purpose of the Emergency Operations Plan is to ensure the effective, coordinated use of resources in order to:
  1. Maximize the protection of life and property.
  2. Ensure the continuity of government.
  3. Sustain survivors.
  4. Coordinate the repair essential facilities and utilities.
- B. The EOP may be activated by any department staff.
- C. Activation of the city Emergency Operations Center (EOC) should be consistent with guidance contained in the EOP.
- D. An incident command structure compliant with the National Incident Management System (NIMS) will be utilized when the plan is activated.
- E. The EOP will be managed by the Eden Prairie Fire Department under the authority of the Fire Chief/Director of Emergency Preparedness.



1-3-12

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**Police Chief Signature**

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**Date**

*Effective date: 1-3-12*

*Annual review date: 1-1-17*

*Rescinds/Amends: 12-12-07*

*Directive type: General Order*

*Section: Field Operations*

*Chapter: Pro-Active Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 10.03: Homeland Security

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to follow direction provided by the United States Office of Homeland Security.

#### II. Procedure

##### A. Homeland Security Advisory System, HSAS

The Department will establish, document and communicate specific Eden Prairie actions to be taken in response to condition levels established by the HSAS.

##### B. Documentation of Suspicious Incidents

All suspicious incidents that have terrorist implications must be documented in an incident or offense report. The report will indicate if the FBI or other agency has been contacted. Substantiated suspicious incident reports should be referred to investigations for review. Documentation of the investigation will be completed in follow-up reports to the original incident/offense report. In addition, the Law Enforcement Analyst shall forward the report to the Minnesota Fusion Center.

##### C. National Incident Management System (NIMS)

The Eden Prairie Police Department recognizes the National Incident Management System (NIMS) principles and policies. The department will establish, train and utilize NIMS concepts and terminology to meet HSPD 5 requirements.



2-12-19

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**Police Chief Signature**

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**Date**

*Effective date: 2-12-19*

*Annual review date: 1-1-19*

*Rescinds/Amends: 12-21-16*

*Directive type: General Order*

*Section: Field Operations*

*Chapter: Pro-Active Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 10.04: Prostitution

#### I. Policy

It is the policy of the Department to proactively investigate prostitution and prostitution related crimes, including human trafficking.

#### II. Procedure

- A. All proactive investigations involving prostitution shall be supervised by a sergeant or lieutenant from the Investigations Division.
- B. The sergeant approving the investigation shall notify the Watch Commander, Dispatch Center and on-duty sergeant as soon as practicable.
- C. The sergeant approving the investigation shall make sure there are sufficient support personnel to ensure the safety of the undercover officer.
- D. The investigation shall be audio recorded.
- E. The undercover officer may consume alcoholic beverages for the express purposes of fitting into a given scenario, cover story or the environment. The officer should limit their consumption to one drink per hour.
- F. Absent exigent circumstances, city funds must be used for all transactions between the undercover officer and the suspected prostituted person. The funds must be photocopied before being transferred to the undercover officer. To request funds from the city refer to the [Cash for Undercover Investigations procedure](#).
- G. Undercover officers are authorized to disrobe to the extent they deem necessary including removal of underwear to obtain sufficient evidence for a successful prosecution.
- H. Undercover officers shall not initiate the touching of a suspect on any sexual part of the body including but not limited to the breasts, buttocks, inner thigh and lips.
- I. Undercover officers shall not initiate the touching of any part of their own body using any body part of the suspected prostitute.
- J. Once the undercover officer has obtained enough evidence to make an arrest and gives the arrest signal, or when the back-up officers have witnessed enough evidence to uphold and arrest, the back-up officers shall initiate the arrest without delay.



12-21-16

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Police Chief Signature

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Date

*Effective date: 12-21-16*  
*Annual review date: 1-1-17*  
*Rescinds/Amends: 3-21-16*

*Directive type: General Order*  
*Section: Field Operations*  
*Chapter: Pro-Active Operations*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.01: Data Systems Operations

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that all records and data system operations and activities shall be conducted in accordance with the procedures prescribed by law and the policies set forth in this directive.

#### II. Procedure

##### A. Staff Responsibilities

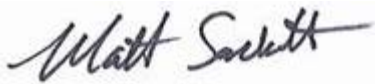
1. The administration of all law enforcement data shall be the responsibility of the Support Operations Division Commander.
2. The Support Operations Division Commander shall appoint a Terminal Agency Coordinator (TAC) to oversee access to the Criminal Justice Data Network and insure compliance with the [FBI Criminal Justice Information System \(CJIS\) Security Policy](#) and the BCA/MNJIS Security Policies.
3. The Dispatch Unit Supervisor shall be responsible for the accuracy, security and retention of data stored in the department's Computer Aided Dispatch (CAD) system.
4. The Records Unit Supervisor shall be responsible for the accuracy, security and retention of all incident and investigative data stored in the department's Records Management System (RMS).
5. The Support Operations Division Commander shall assign a Database Administrator to all other databases. The Database Administrator will be responsible for managing user access, training users on appropriate use, and insuring compliance with federal and state statutes, this Directive, and the database provider's user agreement.
6. Employees shall only access, view, use or disseminate any data provided by the department in accordance with CJIS Policy, MNJIS Policy, federal and state statutes, this Directive, and the database provider's user agreement. Employees are responsible for securing passwords and ensuring that they are changed periodically and as required by the database provider.

##### B. Information Security

1. Law enforcement records will be classified, stored and disseminated in accordance with the [Minnesota Government Data Practices Act, Chapter 13](#).
2. Any and all data obtained through internal and externally provided databases shall only be accessed in accordance to federal regulations, state statutes, city ordinances and the provider's user agreements. Provided databases and a summarization of authorized uses are defined in the [Eden Prairie Police Database Access Authorization Chart](#).
3. Any reported CJIS security incidents will be reported to the state using the [IT Security Incident Response Form](#) by the TAC.

## C. Discipline

1. Inquiries into the motor vehicle registration, driver license, criminal history or any other file in the MNJIS/NCIC systems will be performed for criminal justice purposes only.
2. Any employee misusing information or obtaining information for other than official criminal justice purposes from the Criminal Justice Data Network will be subject to disciplinary action.
3. When performing any file inquiries or making any entries into NCIC or MNJIS, it is important to remember that the data stored in MNJIS/NCIC is documented criminal justice information and this information must be protected to ensure correct, legal and efficient dissemination and use. The individual receiving a request for criminal justice information must ensure that the person requesting the information is authorized to receive the data. The stored data in NCIC and MNJIS is sensitive and should be treated accordingly, and unauthorized request or receipt of NCIC or MNJIS material could result in criminal proceedings.
4. When the Chief or the TAC becomes aware that an employee of (Eden Prairie Police Department) is using a CJDN terminal, CJDN terminal generated information, CJDN equipment, or CJDN access not in accordance with agency policies, state policies, or NCIC policies and said problem is not deemed merely operator error, the Chief or his designee, or the TAC shall promptly address the violation.
5. The Chief or his designee shall meet with the person who is alleged to have violated the policy and determine appropriate sanctions, which may include any or all of the standard discipline policies currently in place at (Eden Prairie Police Department) including verbal reprimand, written reprimand, suspension, or termination. Intentional misuse of the CJDN system is a serious violation and the BCA will be informed of such violations. If criminal behavior is believed to have occurred, appropriate agencies will be notified for further investigation.
6. The specific situation in each case of misuse of the CJIS system will be looked at, with all circumstances considered when determining disciplinary actions. Consideration will be given to the extent of loss or injury to the system, agency, or other person upon release or disclosure of sensitive or classified information to an unauthorized individual. This also includes activities which result in unauthorized modification or destruction of system data, loss of computer system processing capability, or loss by theft of any computer system media including: chip ROM memory, optical or magnetic storage medium, hardcopy printout, etc.
7. The TAC, with the Chief's approval may at any time terminate a staff person's access to the CJDN system for any rule violation.



6-29-16

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**Police Chief Signature**

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**Date**

*Effective date: 6-29-16*

*Annual review date: 1-1-17*

*Rescinds/Amends: 1-13-15*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 11.02: Detention Center

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that all detention facility activities shall be conducted in accordance with the procedure prescribed by law and the policies set forth in this directive.

#### II. Procedure

##### A. Staff Organization

The administration of the detention facility shall be the responsibility of the Patrol Operations Division Commander. The daily operation of the facility will be supervised by the patrol shift supervisor, who will be responsible for ensuring compliance with this procedure.

##### B. Facility Application

1. Length of Prisoner Detention - A prisoner may not be detained longer than a four-hour time period unless extenuating circumstances exist. These circumstances must be documented and be approved by a supervisor.
2. Types of Prisoners - Adult male and female prisoners may be detained in the facility. Juvenile male and female prisoners charged with an act of delinquency, age 14 or over, may be held in the facility but must be kept separate from adults and out of earshot of other prisoners. Juveniles under age 14 and juveniles charged only with status offenses may not be held in the jail. Offenders of this nature must be held in another location within the police facility while being processed.
3. Persons reported as escaped or A.W.O.L. (absent without leave) from mental institutions may be held until arrangements can be made for their return transportation. Military A.W.O.L. personnel can temporarily be housed, upon proper authorization.
4. Separation of Prisoners
  - a. Male prisoners must be kept separate from female prisoners; juvenile prisoners must be kept separate from adult prisoners, with the greatest separation possible maintained between the cells housing adults and juveniles.
  - b. Any prisoner suspected of having a contagious disease shall be kept separate from other prisoners.
  - c. Prisoners who have been identified as dangerous shall be kept separate from all other prisoners.

##### C. Booking Process/Admissions

1. Prior to entering the detention center, officers shall deposit their firearms and knives in the weapons locker.
2. Prisoners will be thoroughly searched before entering the detention center. Purses, wallets, belts, jewelry which could potentially be used as a weapon, necklaces, contents of all pockets, and any other property which could be used to injure persons or property shall be taken from the prisoner. The property shall be inventoried in the New World Booking Module.
3. A strip search will only be conducted if there is probable cause to believe there is a weapon, controlled substance or evidence of a crime that will not be discovered by a less obtrusive pat down search. Before conducting a strip search, the officer must have the approval of a supervisor. When conducting a strip search:
  - a. Only officers of the same sex will conduct.
  - b. The search will be done in a private area where there are no recording devices activated.
  - c. Personal Protective Devices (PPEs) must be used.
  - d. The officer(s) conducting the search shall not touch the breasts, buttocks or genitalia of the person being searched (see Strip Search Procedure).
  - e. If an object is actually protruding from a body cavity, the prisoner will be asked to voluntarily remove it. If the prisoner refuses, advise the on duty supervisor. The supervisor may authorize transportation to an area hospital emergency room for removal by physician.

- f. After the search, the prisoner shall have his/her clothing returned or issued a jail shirt and pant.
4. Assisting another agency with a strip search. If an outside agency contacts our department asking an officer to assist them in a strip search of a person the following must occur:
  - a. The sergeant on duty must speak directly with the requesting department's shift supervisor to gather the details of the request.
  - b. The sergeant will explain to the requesting department's shift supervisor that the responding officer will follow our department's strip search policy and procedures.
  - c. If there are concerns, additional policies and/or procedures to be followed or other details to consider, those will be discussed and agreed upon before sending an officer to assist.
  - d. If an officer goes to assist, upon arrival they will meet with the shift supervisor or officer in charge of the search.
  - e. The assisting officer will conduct the search.
  - f. If at any time the assisting officer believes there is a policy or procedural issue or if the scene becomes unsafe, they can stop searching.
  - g. When the search is complete, the assisting officer will return to the city and speak with the sergeant to debrief.
  - h. A report (Assist Other Agency) will be completed.
5. The Eden Prairie Police Booking Module is to be used for all persons who are arrested and brought into the detention facility by Eden Prairie officers or for persons arrested by another criminal justice agency and temporarily housed in the detention facility.
6. Temporary Mental Holds - A person who has been apprehended as an escapee from a mental institution shall be placed in a cell alone while awaiting transfer back to the hospital.
7. Military A.W.O.L. - Acceptance of a military person into the jail who is only charged with A.W.O.L. is contingent upon one of the following factors being present:
  - a. Existing warrant authorizing the person's apprehension as an A.W.O.L.
  - b. Teletype identifying the branch of military service and the person authorizing the apprehension.
  - c. The individual apprehended is listed as A.W.O.L. in the MINCIS/NCIC computer file.

#### **D. Adult Prisoner Release/Transfer - Felony Charge**

1. An adult prisoner arrested on a felony charge without a warrant may be held in the Eden Prairie Police detention facility for investigative purposes up to four hours. At the conclusion of the four hours, the prisoner must be released by one of the following methods:
  - a. Transferred to Hennepin County Jail pending further investigation and formal charging.
  - b. Released pending further investigation and formal charging.
  - c. Transferred to another criminal justice agency for continued investigation.
  - d. No charges filed (NCF).
2. A District Court Judge, the prosecuting attorney, or a police supervisor can order the release of a person arrested for a felony without a warrant. When so ordered, the person shall be released pending formal complaint.
3. An adult arrested on the authority of a felony warrant will be transferred to Hennepin County Jail or to a transport unit from the representative county of the warrant. .
4. When a person is transferred to Hennepin County Jail on a felony charge without a warrant, a Hennepin County Authority to Detain form and any other required forms shall be completed on the arrestee. In the charge section, only the applicable felony charges and outstanding warrants shall appear. Any new gross misdemeanor or misdemeanor charges will be charged later by formal complaint.
5. When a person is arrested on the authority of a felony warrant, new gross misdemeanor or misdemeanor charges may appear on the Authority to Detain form in conjunction with the warrant.

#### **E. Adult Prisoner Release Transfer/Gross Misdemeanor Charge**

1. Gross misdemeanor violations must be charged by formal complaint. A person arrested on a gross misdemeanor may be transferred to the Hennepin County Jail after processing at the Eden Prairie Police facility. The person may be held or released from Hennepin County Jail pending formal complaint. If deemed appropriate, upon a supervisor's approval, a person arrested for a gross misdemeanor charge may be

released from the detention center pending further investigation and/or formal complaint.

2. A Hennepin County Authority to Detain form and a 36-Hour Advisory form shall be completed depicting only the gross misdemeanor violations when that is the most serious charge sought. Additionally, any outstanding warrants may be added.
3. Notify Investigations Supervisor or “Morning Supervisor” phone line for Probable Cause Felony and Gross Misdemeanor bookings to Hennepin County Adult Detention Center for compliance with 48-hour hold rule (applies to adult and juveniles).
4. Those persons charged with gross misdemeanor D.W.I. will be released pending formal complaint unless it is necessary to place in custody to prevent bodily harm to the accused or another, to prevent further criminal conduct by the accused, if there is substantial likelihood that the accused will fail to respond to a summons or if their continued detention is mandated by law.
5. A District Court Judge, the prosecuting attorney or a police supervisor can order the release of a person arrested on a gross misdemeanor without a warrant. When so ordered, the person shall be released pending formal complaint.
6. Any intoxicated person charged with a gross misdemeanor whose continued detention is not necessary in a secured facility may be released pending formal complaint to a responsible adult or committed to a detox center when circumstances would permit admittance to a detox center.

#### **F. Adult Prisoner Release/Transfer-Misdemeanor Charge**

1. Minnesota Court Rules mandate that a person arrested for a misdemeanor without a warrant must be released on a promise to appear unless it reasonably appears that continued detention is necessary:
  - a. To prevent bodily harm to the accused or another.
  - b. To prevent the accused from further criminal conduct.
  - c. Because there is a substantial likelihood that the accused will fail to respond to the promise to appear.
2. After a person has been booked in the Eden Prairie Police detention facility, he/she shall be released if none of the criteria for continued detention is present. If continued detention is indicated, the individual shall be transferred to the Hennepin County Adult Detention Center. If a person required to post bail cannot produce the necessary amount in cash or bail bond, then he/she shall be transferred to the Hennepin County Jail. Completed Authority to Detain form and arrest reports must accompany the prisoner to jail.
3. Release, No Bail Required (NBR)

Completion of the Hennepin County Release-Receipt form is required. The person making the release must advise the person of their rights as indicated on the release form and secure the person's signature on the form. The released person shall be issued a court date at least 14 days into the future. Persons unwilling to sign an NBR release will be transferred to the Hennepin County Jail with an Authority to Detain form and completed arrest reports.

#### 4. Release on Personal Recognizance (RPR)

An arrested person who would normally be required to post bail to gain release may be ordered released by a judge. When this occurs, the release is handled like an NBR situation, and the Release/Receipt form marked RPR.

#### 5. Domestic Assault

A person charged with domestic assault is eligible for release only under the conditions outlined in [Minnesota Statute 629.72](#) and [Directive 9.08: Domestic Disturbances](#).

#### 6. D.W.I.

A person charged with D.W.I. and eligible for an NBR release may be released to a responsible adult or placed into a detox facility if conditions for detox admission are present.

#### 7. Warrant

A person arrested on a misdemeanor warrant may be released based upon the terms and conditions of the warrant. If bail is stipulated, only cash or a bond shall be accepted and a court

date set as with any other misdemeanor. If a fine is stipulated, either cash or a first person local check made payable to Hennepin County District Court may be accepted and the individual is to be advised that no further action is necessary.

#### 8. Mental Absentees/Escapees/A.W.O.L.

Persons detained who are discovered to be A.W.O.L. or escapees from a mental institution shall be returned to the appropriate facility by arranging transportation with the facility from which the person absented.

#### 9. Release of Military Personnel

Persons currently on active duty in the military service not charged with being A.W.O.L. shall be processed in the same manner as civilians.

#### 10. Military A.W.O.L. Release

A person who has been apprehended as A.W.O.L. from the military shall be turned over to the Federal Protection Agency or, when personnel from the Federal Protection Agency are unavailable, the person A.W.O.L. shall be booked in the Ramsey County Jail.

#### 11. Property Return

Upon release or transfer to another detention facility, all personal property taken from the prisoner at admission, and not considered evidence, shall be returned to the prisoner or transferred to the person taking custody. The property should be released through the New World Booking Module. Any unclaimed property remaining in the jail after the prisoner is released will be property inventoried under the original case number and transferred to the evidence room.

### **G. Juvenile Status Offense Violators**

#### 1. Juvenile Suspects Age 14 and Under

The following procedures apply to those juvenile suspects age 14 and under:

- These offenders cannot be placed in a jail cell.
- These offenders must be under direct visual observation of a staff member.
- These offenders cannot be held in our facility for over four hours.

#### 2. Any juvenile held only for a status offense at the Police Department

- Complete a Booking Module entry

#### 3. Juvenile Release

- a. A juvenile may be transferred to the Hennepin County Juvenile Center (HCJC) for continued detention when circumstances exist that would convince the HCJC Intake to accept the juvenile. Normally, those circumstances involve serious felony crimes or situations where the juvenile has an extensive criminal history.
- b. When a juvenile is not transferred to HCJC, he/she may be released to either a parent or legal guardian, a responsible adult, or to another county facility such as Juvenile Supervision Center or St. Joseph's.
- c. Juveniles are never required to post bail to gain their release.
- d. When a juvenile is released to someone other than a parent, every effort should be made to contact the parent concerning the disposition of the juvenile. If a parent cannot be contacted, a notation shall be entered in the officer's report that notification was not made.

### **H. Booking Photographs**

1. Adult prisoners booked into the jail facility on a criminal charge will be photographed.

2. Photographs or digital recordings of arrested juveniles can be taken without permission from the courts, however, all photographs of juveniles must be destroyed when the child reaches the age of 19 years.

### **I. Fingerprinting**

1. All adults arrested and booked for a crime shall be fingerprinted.
2. Juveniles charged with felonies, gross misdemeanors or targeted misdemeanors should be fingerprinted. Arrested juveniles can be fingerprinted for identification purposes and part of an official investigation.

### **J. Jail Security – Firearms**

1. Members of the Eden Prairie Police Department, prior to entering the jail area, must deposit all firearms and knives into a weapons locker.
2. Any member of another criminal justice agency, prior to entering the jail, shall deposit all weapons into a weapons locker. When such person is not in an identifying uniform, he/she must prominently display a visitor pass. When the visit is for the purpose of a prisoner interview, it shall be in the Booking Module.
3. No firearms are allowed within the jail area, including the booking vestibule, except when a condition exists that would authorize the use of deadly force. Firearms may be introduced into the jail area only for tactical purposes.

### **K. Jail Keys**

The keys shall remain in the lock box in the sally-port garage and the lock box outside the interior booking room doors.

### **L. Jail Inspection**

1. Sometime during each shift, the on-duty supervisor shall conduct a visual inspection of the jail facility. The inspection shall be entered on the Detention Center Inspection Log and any irregularities noted.
2. Yearly inspections shall be conducted by the Eden Prairie Fire Department and the Hennepin County Health Department.
3. The Detention Center Sergeant and Patrol Division Commander shall conduct an inspection every year.

### **M. General Security Measures**

1. Only one prisoner should be permitted out of a locked cell at any given time. An exception to this is in circumstances when adequate staffing is present to permit more than one prisoner out of a cell at a time.
2. Any item that could be used as a weapon when not in use shall be kept in a drawer out of reach of prisoners in the booking office.

### **N. Fire Alarm - Emergency Plan**

1. If a fire alarm or smoke detector activates, an audible warning will be sounded and any smoke detector responsible for the activation will illuminate.
2. Any time the fire alarm system activates, the Fire Department shall immediately be requested. When prisoners are confined in the jail, the officer presently in charge of the jail shall make an immediate inspection of the jail area to ascertain if the alarm is originating from there. If no life-threatening situation exists in the jail, the officer in charge will stand by, ready to evacuate the jail if a life-threatening situation is detected in another portion of the building.

### **O. Fire - Emergency Plan**

1. In the event of a fire which threatens the detention facility, an immediate call shall be made for assistance from the Fire Department. Any prisoners placed in jeopardy by the fire, smoke, or potentially hazardous fumes shall be moved to a location of safety. The location may be to another portion of the building not threatened by the fire. If total evacuation of the building is necessary, any prisoner so removed should be placed into the caged area of a squad car.
2. After the Fire Department has been summoned, and no threat to life exists, on-duty personnel, when possible, shall attempt to extinguish the fire with available fire extinguishers.
3. Fire extinguishers are located in the Sprinkler Room.

4. Prisoners removed from the detention facility shall be kept under guard while out of their cells and then returned when all danger has passed. If the evacuation is for a prolonged period of time or the fire renders the detention area uninhabitable, the prisoners shall be transferred to the Hennepin County Jail.

#### **P. Tornado - Emergency Plan**

1. In the event of a tornado warning, all prisoners shall remain locked in their cells. Any other prisoner with the police facility shall be taken to the jail area and locked in a cell for the duration of the warning.
2. Should a tornado strike the police facility, the on-duty supervisor shall assess the damage and evacuate any prisoners if the structural integrity is compromised. If the facility must be evacuated, any prisoner requiring continued detention shall be transferred to the Hennepin County Jail.

#### **Q. Injured Prisoner Procedures**

The following guidelines are to be followed when a prisoner requests or is in need of medical attention. When a person in custody is ill, injured, or is obviously in need of first-aid, officers will adhere to the following procedures:

1. If a prisoner requests aid, the individual will first be checked by a Hennepin County Ambulance crew.
2. If necessary, the subject will be transported to an approved medical facility deemed appropriate by the ambulance crew and on-duty supervisor.
3. Prisoners may be transported to a medical facility by an ambulance or police vehicle as deemed appropriate by the ambulance crew or the on-duty supervisor.
4. Prisoners may be handcuffed if such use is justified unless the type or severity of the injury precludes their use.
5. Accompanying officer(s) will remain with the prisoner until they can return the individual to the Eden Prairie detention facility or transport the individual to the Hennepin County detention facility.
6. When a prisoner is admitted to a medical facility, the officer will use the following guidelines:
  - a. Prisoner Charged with Misdemeanor -- Release from custody pending formal complaint, or NBR with an appointed court date.
  - b. Prisoner Charged with Gross Misdemeanor -- Release from custody pending formal complaint.
  - c. Prisoner Charged with Felony -- Notify the shift supervisor. If the felony stems from a property crime, the person may be released from custody. When the charge is based upon a crime against a person, the prisoner shall remain in custody under guard provided by our agency, until a supervisor reviews and assesses the need for continued detention. If the supervisor determines the prisoner may be released, the prisoner will be charged with a formal complaint. Otherwise the department will continue custody under guard. After a prisoner has been charged by complaint, the responsibility for guarding transfers to the Hennepin County Sheriff's Department.
7. Officers shall not assume medical payment responsibility without supervisor approval. Private medical insurance admitting procedures shall be followed whenever possible.

#### **R. Violent Prisoner**

Should a prisoner become violent, the officer shall not attempt to subdue the individual alone if possible. When subduing violent prisoners, two officers should be present. When necessary, restraints may be used for the protection of the prisoner and others.

#### **S. Mechanical Malfunction**

1. Any malfunction critically hindering the operation of the detention facility shall be immediately reported to the on-duty supervisor who will assess whether the malfunction endangers the welfare of the prisoners. If prisoner welfare is jeopardized, the Watch Commander shall be notified and the prisoners shall be evacuated. Those prisoners requiring continued detention shall be transferred to Hennepin County Jail. Other prisoners shall be released pursuant to normal release procedure.
2. In the event of any type of emergency, completed reports will be prepared as soon as possible and notation made in the log in New World Booking Module.

## **T. Prisoner Restraint**

1. The use of force against any prisoner shall be commensurate with existing state law governing the use of force or applicable case law, whichever is appropriate for the given circumstances.
2. Instruments of restraint such as handcuffs, hobbles, or plastic restraints may be used in the following circumstances:
  - a. As a precaution against escape during transfer.
    - a. Anytime the prisoner is moved from the secure detention facility to another location.
    - b. To prevent a prisoner from injuring himself/herself or others or from damaging property.
3. The restraints shall not be applied for any longer time than necessary. Each incident involving the use of restraints as a means to control an unruly prisoner shall be documented in the Eden Prairie Continuation Report.
4. Instruments of restraint shall not be used as a means of punishment, nor shall any prisoner be subjected to unwarranted physical or verbal abuse.

## **U. Prisoner Visitation – Adult**

No prisoner will be allowed visitation unless the on-duty sergeant deems it necessary.

## **V. Prisoner Visitation - Juvenile**

The procedures applicable to adult prisoner visitation are also applicable to juvenile prisoners, with the exception that juvenile visits shall be limited to parents, guardians, and attorney and shall be permitted at any time.

## **W. Phone Calls**

1. Adult prisoners will be permitted a minimum of one phone call. Each time a phone call is made by a prisoner, an entry shall be made in the New World Booking Module, indicating the date, time, number called, person called, and whether the call was completed.
2. When a prisoner is intended to be transferred without delay to the Hennepin County Jail, the phone call can be deferred until they are booked at that facility.
3. When an officer places a call on behalf of a juvenile, it is not necessary to permit the juvenile a call.
4. A phone call shall not be permitted if it would endanger the scope of the criminal investigation. The decision to deny a telephone call will be with the investigator in charge of the case.

## **X. Bedding**

Any prisoner placed in a cell equipped with a wall-mounted bunk shall be issued a mattress and blankets sufficient to provide comfort under existing temperature conditions. Bedding will be taken away from a prisoner if behavior dictates and will be reissued only when behavior conforms to policy. The incident will be documented on the log in the New World Booking Module. When the cell is vacated, the door will be locked and the wall mounted sign shall be changed to “Used.”

## **Y. Prisoner Medication**

No medication shall be delivered to a prisoner. If a medical emergency arises, Paramedics should be notified and the prisoner may be transported to a Hospital.

## **Z. Prisoner Supervision**

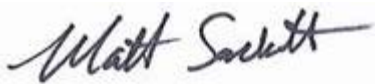
1. At all times, while a prisoner is confined within the jail, a police officer must be in the police facility and capable of supervising the welfare of the prisoner.
2. No employee may become personally involved in a circumstance that can be described as invasion of privacy, degrading, or humiliating to a prisoner.
3. When prisoners are detained, a jail inspection must be conducted each half hour monitoring the welfare of those detained. Each time an inspection is made, an entry must be entered on the log in the New World Booking Module. The responsibility for the inspection is that of the officer; or in the absence of a officer, the on-duty supervisor or designee.

## AA. Reporting of Critical Incidents

1. All incidents of a special or serious nature which endanger the lives of staff or prisoners and/or building/facility, shall be reported in writing to the Minnesota Department of Corrections within ten days. Such reports shall include the name(s) of person(s) involved (staff and prisoners), nature of the occurrence, actions taken, and the date and time of the occurrence.
2. Special occurrences shall include:
  - a. Homicide.
  - b. Suicide.
  - c. Death other than homicide or suicide.
  - d. Serious injury or illness incurred subsequent to detention.
  - e. Fire causing serious damage.
  - f. Riot.
  - g. Assaults requiring medical care.
  - h. Escape or runaway.
  - i. Other serious disturbances.
  - j. Occurrences of infectious diseases and disposition of the occurrences.
3. The report to the Minnesota Department of Corrections will be prepared on the Critical Incident Reporting Form, supplied by that agency. The on-duty supervisor shall be responsible for preparation of the form prior to completing his/her current shift. The completed form shall be forwarded to the Watch Commander who, in turn, will be responsible for forwarding the report to the Department of Corrections.
4. The Watch Commander shall be notified as soon as practical whenever any special occurrence occurs.

## BB. Death Occurring in the Detention Facility

1. In the event of any death occurring in the detention facility, the Watch Commander will immediately be notified. The Medical Examiner's Office and the Hennepin County Crime Lab shall be notified to process the scene. The affected portion of the facility shall be sealed with access limited to those involved in the investigation. Prisoners in the facility when the death of another occurs shall remain confined as part of the investigation. When possible, all prisoners should be sequestered from one another.
2. Any incoming prisoners that require booking should be taken to the Hennepin County Detention Facility until the investigation has been completed.
3. Notification of a deceased prisoner's next of kin should be coordinated with the Medical Examiner's Office and will normally be the responsibility of that agency.
4. Due to civil considerations, members of the Eden Prairie Police Department are prohibited from speaking with anyone concerning a critical incident except a member from other criminal justice agencies while acting in an official capacity or with specific authorization of the Police Chief or designee.



1-28-20

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**Police Chief Signature**

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**Date**

*Effective date: 1-28-20*

*Annual review date: 1-1-20*

*Rescinds/Amends: 8-6-19*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 11.03: Maintenance or Utility Call-out

#### I. Policy

It is the policy of the Eden Prairie Police Department to notify appropriate government agencies and/or utility companies of potential problems or hazards that exist in the city when maintenance or assistance is required.

#### II. Procedure

##### A. General Call Out Procedure

1. If immediate attention is necessary for maintenance or repair, have Dispatch contact the appropriate jurisdictional agency immediately.
2. If immediate attention is not necessary, have Dispatch contact the appropriate jurisdictional agency as soon as possible during regular business hours.

##### B. Snow/Ice Removal

1. If inclement weather (snow, ice, or sleet) causes hazardous road conditions which require sanding or plowing of city streets, the on-duty supervisor shall ensure that the designated city street maintenance employee is notified and advised of conditions.
2. Hazardous conditions on county or state highways should be reported to the appropriate agency.

##### C. Water and Sewer

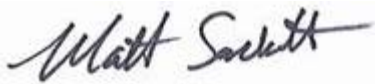
Any water or sewer problems should be referred to the designated on-call city employee.

##### D. Sign and Signal Maintenance

Downed road signs or improperly functioning semaphores should be reported to the appropriate jurisdictional agency immediately.

##### E. Damage To Public Property At Crashes

If damage to public property occurs as a result of a crash, the officer should identify the damaged property on the crash report along with the name of governmental agency or utility company who has jurisdiction over the damaged property. Records will send a copy of the report to the appropriate agency.



1-25-10

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**Police Chief Signature**

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**Date**

*Effective date: 1-25-10*  
*Annual review date: 1-1-17*  
*Rescinds/Amends: 9-15-05*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.04: Towing

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that vehicles will be impounded whenever it is necessary to protect the vehicle and/or any property inside it, to remove a vehicle that is restricting traffic flow or causing a hazard to other motorists, and to preserve any evidence of a crime involving the vehicle to be impounded.

#### II. Procedure

##### A. Private Tows

Officers shall assist motorists in contacting private tows but are not responsible for the vehicle, its destination, or towing fees. Tows may be arranged by using a mobile phone or by contacting the Dispatch Center.

##### B. Police Impounds

1. A vehicle may be impounded when one or more of the following circumstances are present:
  - a. The vehicle is stolen and recovered;
  - b. The vehicle is found unattended on the roadway and there are no plates displayed or the plates are stolen or altered;
  - c. The operator of the vehicle has been placed under custodial arrest and is not able to make immediate private arrangements to remove the vehicle from the roadway;
  - d. If the operator of the vehicle is not legally able to operate it, there are no other legal drivers available, and the operator is not able to make immediate private arrangements to remove the vehicle from the roadway;
  - e. If the vehicle is uninsured and the operator is not able to make other arrangements to remove the vehicle from the roadway;
  - f. The operator of the vehicle is in a physical condition such that they cannot make arrangements for the vehicle; i.e., injured or severely intoxicated;
  - g. The vehicle is evidence related to the commission of a crime;
  - h. The vehicle is being driven by a juvenile who has been taken into custody and there is no responsible adult available to release the vehicle to;
  - i. The vehicle is parked in such a manner as to violate [Minnesota Statute 169.32 \(a\)](#). In this instance the vehicle may be impounded if the operator or owner is unable to move the vehicle to a position where it may be legally parked. Also, officers may only

impound under this section if they have followed the requirements of [Minnesota Statute 168.04, Subd. 2\(b\)\(1\)\(i\)](#). These sections require that the vehicle be unattended and that four hours must pass after the officer properly tags the vehicle.

j. Anytime a vehicle is parked on the roadway in violation of any city ordinance or state statute. A reasonable effort shall be made to contact the registered owner prior to impounding a vehicle. The officer conducting the impound should issue a citation for the parking violation in accordance with [Directive 9.18: Parking](#) and must follow the requirements of [Minnesota Statute 168B.04, subd. 2\(b\)\(1\)\(i\)](#).

k. Vehicles that are impeding firefighting equipment.

l. Under no circumstances will a vehicle be impounded for punitive reasons.

m. If a vehicle is not to be towed but will be left legally parked, a hold harmless form will be completed and documented in a report.

## 2. Vehicle Impound Form

a. Whenever a vehicle is impounded, the impounding officer shall complete an [Eden Prairie Police Department Vehicle Impoundment Report](#) as per the [Vehicle Impound procedure](#). The impounding officer will give a copy of this form to the tow company.

## 3. Inventory of Vehicles

a. All impounded vehicles shall be inventoried.

b. All impounded vehicles being held for a non-drug related forfeiture shall undergo a second inventory search performed by the forfeiture coordinator or their designee.

c. When conducting an inventory search or a second inventory search of a vehicle being held for a non-drug related forfeiture, areas to be recorded include the interior, glove compartment, and trunk. Trunk and glove compartment areas should not be forced open if the officer does not have access to a key or remote trunk opening device. Inventoried items should be listed according to their location in the vehicle and adequately described.

d. Any weapons found in vehicles shall be submitted into evidence.

## 4. Police Holds

a. Police holds may be placed on a vehicle if one or more of the following situations exist:

1. The vehicle is evidence of or was used in the commission of a crime.

2. Ownership of the vehicle cannot be determined.

3. The vehicle is subject to forfeiture under state statute.

b. A police hold should not be put on vehicles because they are not currently licensed or insured. These vehicles can legally be towed from the impound lot. The release form for these vehicles should be marked to indicate that they must be towed, not driven, from the impound lot unless proof of current insurance or registration is produced for the person releasing the vehicle.

## 5. Impoundment Report Routing

- a. When an officer impounds a vehicle, they shall attach a PDF copy of the Vehicle Impoundment Report to the case file.
- b. Citations/warnings should be given to the front desk to be mailed by accountable mail.
- c.
- c.. All paperwork associated with the entry/cancellation will be attached to the Impoundment Report.
- e.
- d. Records Unit personnel will file the impoundment papers in the appropriate file.
- g.

## 6. Releasing Vehicles

- a. Impounded vehicles not on police hold may be released by any officer, dispatcher, records staff member, or the city's authorized towing contractor subject to conditions set forth in the current Agreement for Towing Services. Impounded vehicles should only be released to the registered owner of the vehicle unless otherwise authorized by a supervisor.
- b. The registered owner can authorize, in writing, someone else to obtain the vehicle release. An authorization letter can be brought in or faxed to the Department. The authorization letter will be attached to the Department's copy of the impound form and kept in the Department's files. Written authorization can be used under any circumstances.
- c. If the registered owner is unable to do either, an individual who has been given the registered owner's "Power of Attorney" may obtain the vehicle release by showing proper documentation.
- d. Impounded vehicles subject to police hold cannot be released until first authorized by the Eden Prairie Police Department.

### C. Hold Harmless Agreement

Officers may elect not to impound a vehicle if all of the following conditions exist:

1. The registered owner signs a Hold Harmless release form.
2. The vehicle is legally parked or owner releases vehicle to other licensed person.
3. The vehicle is not a hazard.



1-10-24

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**Police Chief Signature**

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**Date**

Effective date: 1-10-24  
Annual review date: 1-1-24  
Rescinds/Amends: 6-22-1-23

Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Supplemental Operations  
Authority: Police Chief

# City of Eden Prairie

## Police Department

### Directive 11.05: Injured on Duty/Exposures

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that all injuries or hazardous exposures to department employees be given prompt and complete attention.

#### II. Procedure

##### A. Securing Medical Care

1. Serious or life-threatening injuries will be handled via normal emergency procedures.
2. Non-life threatening injuries should be handled as follows:

Contact Order	Report To
<b>Call First</b> <b>Monday-Friday 0800-1630 Hours</b>	Allina Sports and Orthopedic Specialists (West Health), 2805 Campus Drive #465, Plymouth, MN 55407; Phone: 952-946-9777
<b>If you are unable to make an appointment at location above</b> <b>Monday-Friday 0800 - 2000</b> <b>Saturday &amp; Sunday 0800 - 1700</b>	Park Nicollet Chanhassen Urgent Care, 300 Lake Drive East, Chanhassen, Phone: 952-993-4300  * for after-hours work injuries you can also call the HealthPartners CareLine at 612-339-3663 to speak to a nurse 24/7
<b>Weekends, After Hours &amp; Holidays (when above clinics cannot be utilized)</b>	Methodist Hospital 6500 Excelsior Blvd. St. Louis Park, MN 952-993-5000

3. At the first appointment the injured employee should bring the [Report of Workability](#), the [Insurance Provider Billing Information Form](#) and the [Police Officer position profile](#) to the appointment to be completed by the physician.

##### B. Reporting an Injury

1. An employee must report to his/her supervisor any accident or incident resulting in personal injury regardless of severity.
2. An employee must report any accident or incident where there is a potential for injury even though no injury is apparent at the time.
3. The supervisor and employee must complete a [Supervisor's Report of Injury/Accident form](#). The supervisor will forward copies of the form to Human Resources, the Unit Lieutenant, the employee's direct supervisor and the department's Administrative Assistant.
4. The Supervisor's Report of Accident form shall be submitted to the City of Eden Prairie Human

Resources – Risk Management Unit or designee within 24 hours or one work day.

5. All physician follow-up/rehabilitation forms and appointments must be forwarded to Risk Management promptly. Failure to do so may result in a delay of treatments and the employee's return to work.

a. Risk Management can assist the employee in expediting the scheduling of follow-up treatments and appointments.

### **C. Blood, Body Fluids or Infectious Disease Exposures**

1. All exposures to blood or body fluids should be treated as if infected. Exposure occurs when a person's blood or body fluids transfer to another's blood stream in any of the following three ways: needle sticks, exposed cuts, splashing into eyes, nose or mouth.

2. When a department employee is exposed to the blood or bodily fluids of an individual and medical care has been secured, that employee shall:

a. Notify supervisor.

b. Immediately after the incident, the employee shall be seen by a doctor at the Park Nicollet Occupational Medicine Unit or if not available, an Emergency Room physician. If the infected person who exposed the blood or bodily fluid is transported to a medical facility, the employee should seek medical attention at the same facility. The employee should request a screening test for infectious diseases for the employee and the infected person. If the infected person consents to testing, the officer or sergeant should fill out the [Minnesota Standard Consent Form to Release Health Information](#). If the infected party refuses consent, and a sample is not obtained from the infected person, contact the Watch Commander who will notify the City Attorney office's for the application of a court order.

c. Any officer who believes he/she has been exposed to an infectious disease by someone they are booking in the Hennepin County Adult Detention Facility (HCADC) shall notify HCADC personnel during the intake process. HCADC medical personnel will interview and possibly test prisoners. If the prisoner consents to testing, the officer or sergeant should fill out the [Minnesota Standard Consent Form to Release Health Information](#). Prisoners are not compelled to submit to testing without a court order, but every effort will be made to obtain a sample. If a sample is not obtained by HCADC personnel, contact the Watch Commander who will notify the City Attorney office's for the application of a court order. . Upon inquiry, the arresting officer will be informed of the findings.

d. Work with the shift supervisor to complete the Supervisor's Report of Accident form.

### **D. Protection from Exposure**

1. The following precautions are required when an employee may be exposed to the blood or body fluids of an individual.

a. Wear rubber gloves when handling persons, clothing, or other items which may have been contaminated with blood or body fluids.

b. Use a pocket mask (with one-way valve) when giving mouth-to-mouth resuscitation.

c. Sharp items (needles, scalpel blades, and other sharp objects) should be considered as potentially infective and be handled with extraordinary care to prevent accidental injuries. Disposable syringes and needles should be placed into puncture-proof containers (Steri-Cycle).



d. Use a leak-proof container when transporting or inventorying evidentiary items contaminated by blood or body fluids. Mark the container as "bio-hazard." Package needles in a puncture-proof container labeled bio-hazard.

## 2. Hazardous material, including drugs.

Exercise extreme caution with any suspected opioid delivery method. Carfentanil can be absorbed through the skin or accidental inhalation of airborne powder. Avoid coming into contact with needles, bags or other paraphernalia. Do not come into contact or disturb any powder that may be in the area without proper protective gear. Do not field test carfentanil or fentanyl. The substance will be officially tested by the BCA for court.

a. Wear proper protective gear. Never handle any drugs, even pharmaceuticals or marijuana, without latex gloves. Narcotics or hazardous drugs can be pressed into a pill that can look like any other pharmaceutical. The following precautions are required when an employee may be exposed to a hazardous drug during searches of persons, places or vehicles:

1. Wear latex gloves and an N95 facemask.

2. Cover as much exposed skin as possible. Consider wearing a disposable or easily removable layer over uniform/clothing.

3. If uniform/clothing is contaminated, remove promptly and discard in a red biohazard bag. Remember to wear latex gloves and an N95 mask until the bag is sealed and disposed of. Complete a uniform replacement form and submit to the duty sergeant.

a. Be aware of any sign of exposure. The onset of the following symptoms may occur within minutes of exposure:

1. Respiratory depression or arrest.

2. Drowsiness or profound exhaustion, disorientation, sedation, pinpoint pupils and clammy skin.

3. Pursuant to OSHA requirements, the Hepatitis B vaccination series is available to all at-risk employees at no cost to the employee.

## **E. Reporting Persons Suspected of Having Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS)**

1. When an arrested person is suspected of having HIV/AIDS or any other infectious disease, officers shall also verbally inform any personnel who comes in contact with the suspect. However, no reference of the suspect's illness may be made in any reports or contact with the public (other than medical personnel).

2. Department personnel shall not make statements to the media about a person's AIDS status. Such inquiries will be referred to the Minnesota Department of Health - STD and HIV Section.

## **F. Return to Work**

1. All referrals and [Report of Workability](#) should be returned to Human Resources by the employee.

2. All [Supervisor's Report of Injury/Accident](#) must be submitted to the City's Risk Manager immediately.



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**Police Chief Signature**

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**Date**

*Effective date: 7-7-21*

*Annual review date: 1-1-22*

*Rescinds/Amends: 2-23-21*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.06: Evidence Collection and Preservation

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to maintain evidence in the same condition as when first discovered and to preserve the evidentiary integrity for possible court presentation. Every reasonable effort shall be made to ensure the return of recovered property to its rightful owner or to dispose of it in accordance with established guidelines.

#### II. Procedure

##### A. Responsibility

The Captain will have the ultimate responsibility for the Evidence Room staffing and for coordinating operating procedures.

##### B. Inventory

An inventory of the Evidence Room will be completed by the Evidence Specialist and a designee every two years or any time an employee with card access to the Evidence Room is removed or added.

##### C. Photos in Lieu of Physical Property

[Minnesota Statute 609.523](#) allows law enforcement officers to release stolen property immediately after an arrest if a photograph is taken.

Photographs can be used in all cases if the proper procedure is followed.

- Complete the “Return of Property to Owners” form.
- Released property should be photographed before releasing to owner.
- The owner or agent must hold the property for at least 14 days if the value exceeds \$150.

##### D. Processing of Evidence/Property

1. Evidence/property must be gathered using department-issued technology devices. No personal devices may be used at a crime scene.
2. Evidence gathered at a crime scene which needs processing may be taken to a facility for processing or placed in the Property Room.

##### E. Entering Evidence/Property

In order to ensure consistency and proper chain of custody, department personnel shall follow department procedure when submitting property to the Evidence Room.

##### F. Storage of Evidence/Property

###### 1. Intake of Evidence/Property

It shall be the duty of the Evidence Specialist to complete the process of storing evidence including:

- a. Entering property into the Records Management system located in the Evidence Room.
- b. Assigning and then placing the property in a location and recording the location in the Records Management System.

- c. Currency that have evidentiary value are stored in the safe. Cash that has no evidentiary value is forwarded to the City's General Fund Account or Forfeiture Fund Account depending on the circumstances.
- d. Counterfeit currency shall be stored separate from non-counterfeit currency. Counterfeit currency shall be transferred to the U.S. Secret Service for further analysis.
- e. If an item coming into the Property Room is found property and an owner has not been determined, the Evidence Specialist will use serial numbers, Operation Identification (OPID) numbers, brand names, or other markings to attempt to determine ownership. If an owner is located, the item may be turned over to that person. See Section F., 3., d. "Return to Rightful Owner."

## 2. Protection of Evidence/Property

The Property Room is protected by a sprinkler system. Access to the Property Room is limited to the Evidence Specialist, the Support Division Commander, the Records Supervisor and the Records Specialist designated to back up the Evidence Specialist. Anytime a non-key holder enters the Property Room, it should be recorded in the Property Room Sign-in Log.

## 3. Evidence/Property Sign-Out Procedures

- a. Property can be released to officers and/or investigators for cases which they are assigned to, the City or County Attorney, or other personnel authorized by the Support Division Commander.
- b. The case number must be provided to the Evidence Specialist in order to locate the corresponding property.
- c. The chain of custody of property is logged in the department's Records Management System. Chain of custody entries document the date and time property is released as well as from and to information.
- d. Upon return of property, the chain of custody is updated and the property is returned to its assigned location.
- e. Articles may be checked out for an indefinite period of time, depending on the circumstances.
- f. If the property is passed from the officer or investigator to a third party, the officer must document the chain of custody and notify the Evidence Specialist for chain of custody update.

## **G. Disposition of Evidence/Property**

All property entered into the Evidence/Property Room shall be disposed of in accordance with the following procedures.

### 1. Found Property

- a. All items entered as found must be held for 90 days before any action is taken, unless the owner is determined. Bicycles that are determined to be junk will be disposed of immediately.
  - b. After 90 days, an item may be claimed by the person who found it. To claim the item, the finder must call our office to determine if the item has been claimed by the owner. If no owner is identified, the claimant must place an ad in one of two local newspapers for one week. If the item is of considerable value, the newspaper must be the *Star Tribune*. The ad should briefly describe the item and state the general location found. The claimant's phone number must also be included.
- The finder will notify the Evidence Specialist of any inquiries or claims. The claimant must submit a copy of the ad to the Evidence Specialist to verify that the ad did run for one week. If, after one week, the owner has not responded to the ad, the finder may call the Evidence Specialist to arrange an appointment to claim the item. If the finder fails to appear by the agreed-upon time, the item will be available for disposal pursuant to city ordinance. This subsection is not applicable if the property was found by a city employee in the ordinary course of his/her duties.

## 2. Responsibility of Evidence/Property Dispositions

- a. Targeted disposal dates are checked periodically for case disposition.
- b. The Evidence Specialist will request a Final Disposition from the appropriate investigator/officer.
- c. Before action on a disposition can be taken by the Evidence Specialist, a property disposition authorization must be received from the investigator or reporting officer. Evidence for petty misdemeanors may be disposed of after one year.
- d. Evidence/Property is disposed of only by the Evidence Specialist and/or the Support Operations Division Commander, supervisor, or his/her designee.
- e. After property has been disposed of or properly dispersed, the disposition is updated in the Records Management System.

## 3. Evidence/Property Dispositions

- a. **Destroy:** Property that is rendered inoperative so that no use of the property may be traceable or connected to this department or used by the public.
- b. **City Use:** Property that is in good condition and of interest to city departments may be converted to city use. The property is then assigned to the interested department at the time of case disposition. Requests for property conversion are to be made in written form, signed by both the requestor and a supervisor.
- c. **Auction:** Property that has value and not illegal either within or outside the City may be auctioned. Auctions or garage sales are arranged by the Evidence Specialist.
- d. **Return to Rightful Owner:** Officers and/or investigators requesting property be returned to the rightful owner should provide the name and complete address of the owner/claimant, including phone number. If the Evidence Specialist is unable to contact the owner by phone, a letter giving the owner 30 days to contact the Evidence Specialist must be sent. If no response has been received after 30 days, property will be disposed of. Any action taken to contact the owner should be noted in the case property entry.  
  
The Evidence Specialist will generate a property receipt requiring signatures from both the owner and the person releasing the property.
- e. **Hold For ... (months, days, years):** This disposition is provided to investigators/reporting officers so they can, at their discretion, request property be held longer than the normal retention period.

## H. Special Disposal Required

1. **Drugs/Paraphernalia:** Two officials are required for the disposal of drugs - the Evidence Specialist and a witness. Drug paraphernalia can be disposed of by the Evidence Specialist.
2. **Weapons Used in Crime:** No weapon or property used as a weapon in a crime may be returned to the arrested party. It may be converted to city use or destroyed.
3. **BB Guns:** The use of BB guns in Eden Prairie is illegal. If a BB gun was involved in a crime as a threatening weapon, it will not be returned to the owner, but rather will be destroyed.
4. **Electronic Media:** The Evidence Specialist will destroy all electronic media following the case file retention schedule, unless otherwise instructed.
5. **Liquor:** All liquor shall be destroyed by pouring it down the drain.
6. **Firearms:** Firearms may be returned to owners who meet the legal requirements based on state and federal firearm laws. If the owner is not qualified to obtain the firearm, the firearm may be released to someone other than the owner if the following conditions are met:
  - The original owner provides a written release of ownership to another person.

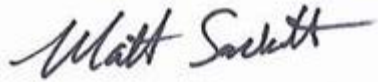
- That person meets the legal requirements based on state and federal firearm laws.
- That person signs a written notarized affidavit that acknowledges the transfer of ownership, acknowledges the original owner is not eligible to possess and agrees not to provide access to the original owner.

All guns seized related to a criminal act or found abandoned shall be submitted to the BCA/Crime Lab for NIBIN testing. Guns that are taken in for safekeeping with the intent of returning them to their owners are not required to be submitted for testing.

7. **Ammunition:** Ammunition shall not be released to an owner at the same time as a same caliber firearm. Ammunition will be released separately from a firearm.

a. The public may drop off ammunition for disposal by the department.

8. **Sexual Assault Kits:** All sexual assault kits are processed in accordance to MN State Statute 299C.106



6-2-22

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**Police Chief Signature**

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**Date**

*Effective date: 6-2-22*

*Annual review date: 1-1-23*

*Rescinds/Amends: 2-22-21*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.07: Court

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to cooperate with City and County Attorneys in regard to prosecution of criminal charges filed by this department.

#### II. Procedure

##### A. Notification/Court Appearances

1. Because of the duties and responsibilities of Police Department employees, it is necessary for them to testify in court. Employees are required to appear whenever necessary to testify.
2. Court notifications must be acknowledged in the manner prescribed in the [Court Notices](#) procedure.
3. Officers shall follow the procedures for court appearances set by the prosecuting authority and as stipulated in the court notice and/or subpoena.
4. Employees must contact the City Attorney regarding scheduling conflicts within one week of notification of the date of a court appearance.

##### B. Attire

See [Directive 3.03: Grooming and Dress](#).



1-3-12

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**Police Chief Signature**

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**Date**

*Effective date: 1-3-12*

*Annual review date: 1-1-17*

*Rescinds/Amends: 12-12-07*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.08: Reserve Officer Program

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to maintain an organized volunteer auxiliary police unit to assist sworn police officers in performing community service tasks, non-criminal police services, natural disasters, and other emergencies.

#### II. Procedures

##### A. Membership

1. Applicants must meet the following basic requirements to be considered for appointment to the Reserve Unit.

- a. Minimum age of 18 years.
- b. High school graduate.
- c. Possess a valid Minnesota driver's license and have a good driving record.
- d. Be an Eden Prairie resident or live within fifteen miles of the City.
- e. Good physical condition as defined in the Reserve Officer Position Profile.

2. The selection process will consist of the following:

- a. Written application.
- b. Civilian Observer shift and evaluation by current Reserve officer.
- c. Oral interview of accepted applicants.
- d. Background investigation which includes a psychological evaluation.
- e. Approval by Police Chief or designate.

3. The selection process will be conducted by the Reserve Supervisor, Coordinator(s), and current Reserve Officers.

4. There will be a 12-month probationary period for each new Reserve Officer. During this time, the applicant may be dismissed at any time without right of appeal.

##### B. Command

1. The Police Chief shall be the commanding officer of the Reserve Unit.

2. The Police Chief shall appoint a sworn supervisor and sworn officers as coordinators who shall oversee the day-to-day operations of the Reserve Unit.



3. The Police Chief shall appoint Reserve Officers to be non-sworn Reserve Supervisors. The Reserve Supervisors will report to the Reserve Coordinators and will be responsible for overseeing all Reserve Officers.

### **C. Orders Governing Reserve Activity**

1. When members of the Reserve Unit are acting in a Reserve capacity, their conduct and actions will be controlled by [department directives](#).
2. Members of the Reserve Unit, either on or off duty, will conduct themselves in such a manner so as not to bring discredit upon themselves, the Reserve Unit, or the Police Department.
3. Reserve Officers shall not carry firearms while on duty or acting in any capacity as a city employee.
4. Reserve Officers shall comply with MN Data Practices laws as they relates to criminal investigation data (MN Statute 13.82) and personnel records (MN Statute 13.43). . All internal and external database use is governed by [Directive 11.01 Data Systems Operations](#).
5. Reserve Officers shall not respond to calls of a serious criminal nature; i.e., domestics, assaults, robberies, alarms, etc. Reserve involvement in minor criminal activities shall be at the discretion of the on-duty supervisor.
6. Reserve Officers shall not make traffic stops unless directed by the on-duty supervisor.
7. Level II Reserve Officers may patrol alone with Shift Supervisor or Reserve Unit Supervisor approval. Level III and IV Reserve Officers may patrol alone with on-duty supervisor approval. Level I Reserve Officers may not patrol alone, but may be assigned to page-out details alone, with on-duty supervisor or Reserve Unit Supervisor approval.
8. The Reserve uniform shall only be worn while on official duty.
9. Badges shall only be displayed as part of the official uniform. Reserve Officers shall not carry a badge on their person nor shall any Reserve Officer display a badge other than on the official uniform.
10. Reserve Officers may carry a department-issued identification card which is to be used for official Police Reserve activities only.

### **D. Basic Requirements**

1. Reserve Officers are required to attend monthly meetings which will include administrative business and training. Reserve Officers must attend a minimum of nine out of twelve monthly meetings. Absences must be approved in advance by the Reserve Supervisors.
2. All Reserve Officers will complete an initial [field training program](#) in addition to other training programs as directed.
3. Reserve Officers will work a minimum of 120 hours per year. This includes: minimum one street shift per month, two football games, Schooner Days and/or the Fourth of July. Exceptions must be approved by the Reserve Supervisor prior to the activity.

### **E. Police Vehicles**

1. Reserve Officers are authorized to operate department vehicles.
2. Reserves shall use the primary vehicle assigned to the Reserve Unit. In the event the primary vehicle is

unavailable, another vehicle may be assigned by the on-duty supervisor.

3. Reserve Officers shall operate department vehicles in a safe manner and will obey all traffic regulations, all department directives and the [City of Eden Prairie Employee Handbook](#) pertaining to such operation. Reserve Officers shall comply with [Directive 6.01: Vehicle](#) at all times. . Reserve Officers will not respond Code 3 to any incidents unless directed by the on-duty supervisor.



1-24-22

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**Police Chief Signature**

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**Date**

*Effective date: 1-24-22*

*Annual review date: 1-1-22*

*Rescinds/Amends: 8-6-19*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.09: Victim Resource Programs

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to provide and utilize victim resource programs to assist victims during their times of need.

#### II. Procedure

##### A. Chaplaincy Program

##### 1. Requirements

Must be a current or retired ecclesiastically certified person in good standing and endorsed for Police and Fire Chaplaincy by a recognized religious body. Those wishing to serve as chaplain must either live in Eden Prairie or serve the citizens of Eden Prairie within their congregation. The Police and Fire Chaplains manifest a broad base of experience and professional ability to minister to varied faith backgrounds.

##### 2. Background Investigations

Volunteer police chaplains will be required to submit to a background investigation. The background investigation will include a Level 3 background check.

##### 3. Unit Structure

The Eden Prairie Police Department's Chaplain Program shall be supervised by a police sergeant. The services of the Chaplain program are shared with the Eden Prairie Fire Department.

4. Equipment  
Chaplains will be issued identification cards, an identifying outer jacket, shirts and an equipment bag. Identification will be returned when a member leaves the unit.

##### 5. Training

Training agendas and procedures will be determined by the chaplain coordinators.

##### 6. Call Outs

Chaplains will be on call on a rotating basis. The communications center will have the names of the current on-call chaplain, as well as all of the necessary phone numbers. Chaplains may be considered, but are not limited to, the following types of situations:

- Death notifications.
- Death investigations.
- Severe traffic accidents.
- Despondent people.
- Major fires.
- Major incidents or other incidents where their presence is needed.
- In detention when requested by a prisoner.

When called out, chaplains will take work direction from the on-duty supervisor or supervisor assigned to the specific incident.

##### B. Interpreter Program

1. At the Time of Apprehension or Arrest

Qualified interpreters will be utilized for persons handicapped in communications in accordance with [Minnesota Statutes 611.30](#), [611.31](#), [611.32 subd. 2](#), and [611.33](#). Qualified interpreters must be used when obtaining witness information or when working with a victim. Qualified interpreters may be contacted through Dispatch.

2. When Providing Public Assistance

Officers may utilize a volunteer interpreter when they have communication issues while providing public assistance. If a volunteer is not available, a qualified interpreter may be utilized if approved by a supervisor.

**C. Victim Resource Cards**

As required by [Minnesota Statute 611A.02, subd.2 \(b\)](#), officers must distribute the notice of rights of crime victims to each victim at the time of the initial contact with the victim.

**D. Domestic Abuse Response Team (DART)**

The Domestic Abuse Response Team proactively intervenes and provides assistance to individuals involved in domestic disputes in Eden Prairie in an effort to reduce violence in the community.

**E. Mental Health Unit**

The Mental Health Unit is a group of specially trained officers who help the department work with people dealing with mental health concerns.



1-24-22

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**Police Chief Signature**

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**Date**

*Effective date: 1-29-20*  
*Annual review date: 1-1-21*  
*Rescinds/Amends: 1-3-12*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Supplemental Operations*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.10: Mutual Aid Requests

#### I. Policy

It is the policy of the Eden Prairie Police Department to respond to requests for mutual aid in a timely manner, balancing the request with the priority of providing service to the City of Eden Prairie. It is also the policy of the Eden Prairie Police Department to maintain formal mutual aid agreements with neighboring law enforcement jurisdictions as authorized by [Minnesota Statute 471.59](#) in order to clarify the duties and responsibilities of each jurisdiction.


#### II. Procedure

##### A. Requesting and providing mutual aid

1. [Minnesota Statute 12.331](#) authorizes a political subdivision to request and respond to a request for assistance because of an emergency.
2. Any officer may request emergency assistance from another police agency.
3. Non-emergency mutual aid requests shall be approved by a department supervisor prior to making the request.
4. All requests from outside agencies for mutual aid must be approved by a department supervisor.
5. Prior to approving the request, the supervisor should consider whether granting the request will significantly affect the service level to the citizens of Eden Prairie.
6. When there is a request for assistance from another agency in an emergency situation and an Eden Prairie officer is the closest available unit, it will be up to the discretion of the officer to decide whether or not to leave Eden Prairie and respond. That officer shall make all reasonable attempts to notify his or her supervisor and Dispatch that they will be assisting.

##### B. Mutual Aid Agreements

1. In conjunction with the annual review of this directive, all formal mutual aid agreements will be reviewed annually.
2. Copies of formal mutual aid agreements will be maintained in the administrative records system.



12-21-16

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**Police Chief Signature**

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**Date**

*Effective date: 12-21-16*  
*Annual review date: 1-1-17*  
*Rescinds/Amends: 6-26-07*

*Directive type: General Order*  
*Section: Law Enforcement Operations*  
*Chapter: Supplemental Operations*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.11: In the Line of Duty

#### I. Policy

It shall be the responsibility of the Eden Prairie Police Department to provide liaison assistance to the immediate survivors of an officer who dies in the line of duty, whether feloniously or accidentally, while an active member of the Department. This will include the clarification and study of survivor benefits and the provision of emotional support during this period of readjustment for the surviving family.

#### II. Procedure

##### A. Death Notification

1. This procedure is to be followed in cases of critically injured officers or officers killed in the line of duty.
2. Notification of survivors will always be made in person and never alone. The Police Chief (or designee) will act as the informing officer.
  - a. If the Police Chief is not readily accessible, notification should not be held up until he/she can be located. The surviving family should hear of the death from a department representative first and not from the press or other source.
  - b. The Chief, or designee, must contact the City Manager or Mayor as soon as possible. If the City Manager cannot be reached, then the Chief, or designee, shall notify someone in city administration as soon as practical.
3. Communications regarding notification should be restricted to telephone or MCD wherever possible. The name of the deceased officer should never be released to the news media before immediate survivors and department personnel are notified.

##### B. Assisting the Family at the Hospital

1. The Department shall assist in arranging transportation to the hospital.
2. The Department should offer child care if necessary.
3. A hospital liaison officer should be appointed by command staff and is responsible for coordinating the arrival of immediate survivors, police officials, the press, and others. The hospital liaison officer shall:
  - a. Make arrangements with hospital personnel for appropriate waiting facilities. There should be a segregated area for:
    - (1) Immediate survivors,
    - (2) Police Chief,
    - (3) Notification officer,
    - (4) Others requested by the immediate survivors.
    - (5) A separate area for fellow officers and friends.
    - (6) A press staging area.
  - b. Ensure that medical personnel relate pertinent information on the officer's condition to the

family first.

c. Inform the hospital that billing should be sent to the City of Eden Prairie. The hospital liaison officer shall notify the City Human Resources Director during the next business day and ask that Human Resources assume all billing responsibilities and follow-up with the hospital and other health care providers.

d. Arrange transportation for survivors and others from the hospital back to their residence.

2. If it is possible for the family to visit a critically injured officer prior to death, depending on hospital policy, they should be afforded that opportunity right away. Medical personnel should make the family aware of hospital policy regarding visiting a trauma patient or visitation with the remains. Medical personnel should explain why an autopsy is required.

3. The Police Chief or designee should be present the entire time the family is at the hospital to arrange whatever assistance the family may need at the time.

### **C. Support for the Family During the Wake and Funeral**

1. Within 24 hours of death, the Police Chief should designate a benefits coordinator and a family support advocate.

2. The Police Chief should personally notify the surviving family of the designated choices.

a. The family support advocate should know that this is not a decision-making position. His or her role is that of facilitator between the family and the Eden Prairie Police Department. The family support advocate should ensure that the needs of the family come before the wishes of the Department.

b. The support advocate should meet with the family regarding funeral arrangements and make the family aware of what the Department can offer in the way of assistance if the family decides to have a "line-of-duty funeral."

c. The Minnesota Law Enforcement Memorial Association (L.E.M.A.) provides a memorial service in conjunction with the funeral service the family plans. The family support advocate should work with the family to determine what their wish is with regards to the L.E.M.A. service.

3. The Police Chief or designee should coordinate all law enforcement notifications and arrangements for a law enforcement funeral.

4. If the family decides to accept a media interview, an officer should be in attendance to screen all questions presented to the family so as not to jeopardize any upcoming legal proceedings.

5. Arrangements may be made for routine residence checks of the officer's home for a period of time. This may require outside liaison with other police jurisdictions if the officer's family lives outside the City of Eden Prairie.

6. The family should be made aware of other public safety survivors or support groups. The family support advocate should contact L.E.M.A. for assistance on this.

### **D. Benefits Coordinator**

1. The benefits coordinator should gather information on all benefits/funeral payments available to the family. This advocate should be responsible for filing appropriate paperwork and following through with the family to ensure that these benefits are being received.

2. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the children will be receiving.

3. The benefits coordinator should advise the family of the possible revocation of health benefits to the surviving family.

### **E. Family Support Advocate**

1. If criminal violations surround the death, the family should be informed of all new developments prior

to any press releases.

2. If there will not be any court proceedings, the Department should relay all details of the incident to the family at the earliest opportunity.

3. If possible, the family should not hear of a court or parole proceeding through the newspaper or television news. It is the Department's responsibility to keep the family informed of legal proceedings. A contact person from the Department should be assigned to notify the family of upcoming court proceedings. The Family Support Advocate should accompany the survivors to the trial.

#### **F. Support for Department Personnel**

The Police Department should provide referrals and/or psychological assistance/debriefing to agency personnel as soon as possible following the loss of a co-worker.



**12-12-07**

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**Police Chief Signature**

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**Date**

*Effective date: 9-15-05*

*Annual review date: 1-1-17*

*Rescinds/Amends: 9-25-95*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*



# City of Eden Prairie

## Police Department

### Directive 11.12: Command Staff Notification

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to notify the Police Chief and/or Watch Commander of incidents that may impact or be significant to the community or the Department.

#### II. Procedure

The on-duty supervisor shall ensure that the Watch Commander is notified via page, phone or radio of the following types of events.

##### A. Level I Notifications--Immediate

- Injury (requiring hospitalization) or death of any city employee/volunteer.
- Crimes involving any city staff members or high profile community members.
- Motor vehicle accident with injuries involving a city vehicle.
- Death investigation (unless obviously due to natural causes).
- Incidents attracting media interest.
- Serious traffic accident:
  - Critical injuries.
  - Major traffic implications; i.e., road closing.
- Serious aircraft or rail incidents.
- Hazardous materials incident requiring notification of State Duty Officer.
- Natural disasters or weather alerts when supplemental information is available.
- SWAT team activation.
- Long-term or multiple officer mutual-aid police or fire calls (requested or provided).
- Bias crime.
- Spontaneous, large or potentially disruptive crowd events.

##### B. Level II Notifications—As soon as Practical

- Serious crimes against person; i.e.: armed robbery, criminal sexual conduct (unknown assailant), 1st degree assault, etc.

- Multiple property crimes.
- Minor staff injuries.
- Facility damage, repairs needed, or problems that affect service delivery which cannot be resolved by on-duty staff; i.e., floods.
- Staff misconduct complaints or customer service complaints when on-duty supervisor is unable to resolve or when an investigation is required.
- Other motor vehicle accidents (no injuries) involving police vehicles.
- Pursuits.
- All other deaths.
- Any act or event that could cause grievous embarrassment to the Department or the City.



**3-15-18**

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**Police Chief Signature**

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**Date**

*Effective date: 3-15-18*

*Annual review date: 1-1-19*

*Rescinds/Amends: 10-5-16*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.13: Predatory Offender Registration and Community Notification

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to inform the public by disclosing information on predatory offenders residing in Eden Prairie.

#### II. Procedure

##### A. Notification

Notification for predatory offenders shall be handled in accordance with [Minnesota Statute 244.052, subd. 4](#). See EPPD [Predatory Offender- Community Notification Procedure](#).

##### B. Registration

Predatory offender registration shall be handled in accordance with [Minnesota Statutes 243.166](#) and [243.167](#) and BCA guidelines. See EPPD [Predatory Offender – Registration Compliance Procedure](#).



1-3-11

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**Police Chief Signature**

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**Date**

*Effective date: 1-3-11  
Annual review date: 1-1-17  
Rescinds/Amends: 1-15-08*

*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Supplemental Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.14:

### Liquor License Backgrounds and Enforcement

#### I. Policy

It is the policy of the Police Department to assist the city in the process of granting and checking compliance with liquor licenses.

#### II. Procedure

##### A. Background Investigations

##### 1. New Applications

a. Properly completed applications shall be submitted to the City Licensing Technician for investigation. The Licensing Technician will investigate the establishment and all principals listed in the application. Principals are the parties listed in the license application as owners of at least 5 percent, top officers of the organization and a named manager or responsible agent.

b. The intent of the investigation is to determine if the establishment and principals meet standards set forth in state statute and city code for the granting of liquor licenses. This will be accomplished by checking law enforcement records, civil and criminal filings, Minnesota Alcohol & Gambling Control records, financial records, business references, business records and possibly a physical site inspection.

c. Upon completion of the investigation the Licensing Technician, with approval from the Police Chief or designee, will make a recommendation to the City Council regarding the approval or denial of the application.

##### 2. Renewal Applications

a. Properly completed renewal applications shall be submitted to the City Licensing Technician for investigation. The Licensing Technician will investigate the establishment and any new principals listed in the renewal application.

b. The investigation will include checking law enforcement contacts for the previous year, any liquor violations for the previous year, any change in ownership or principals in the previous year, and anything which would indicate a reason to deny the renewal of the liquor license.

c. Upon completion of the investigation, the Licensing Technician, with approval from the Police Chief or designee, will make a recommendation to the City Council regarding the approval or denial of the renewal application.

##### B. Compliance Checks

Compliance checks can be conducted in the form of formal checks or educational checks. Checks will be done as time permits at department discretion.

##### 1. Formal Checks

Formal compliance checks consist of an underage decoy, employed by EPPD, attempting to purchase an alcoholic beverage with a plain-clothed officer observing.

2. Educational Checks

Educational compliance checks consist of an of-age individual (21 years or older), employed by EPPD, attempting to purchase an alcoholic beverage with either a fake identification card or identification card of another person. No civil or criminal charges will result from this type of compliance check as it is purely educational in nature.

**C. Processing Violations**

1. Sanctions for violations of city code are primarily civil for the licensee and primarily criminal for the actual violator (individual). In most criminal circumstances, a formal complaint is the appropriate charging instrument. In most civil cases, civil penalty, with the possibility of a civil hearing, is appropriate. Where city code or state statute designates the licensee as responsible, an offense report should be submitted to the investigative operations division for follow-up and subsequent formal complaint and/or civil penalty.
2. Offenses caught through compliance checks should be observed by a peace officer.

**D. Report Requirements**

A compliance check worksheet shall be completed and filed after each formal inspection. If violations are found, an offense report will be completed.



1-24-13

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**Police Chief Signature**

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**Date**

*Effective date: 1-24-13  
Annual review date: 1-1-17  
Rescinds/Amends: 12-18-07*

*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Supplemental Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.15: Civilian Observers

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to allow civilian observers who are not police department employees or volunteers to accompany officers on their shifts.

#### II. Procedure

##### A. Application

1. Only persons sixteen (16) years or older will be permitted to participate.
2. Persons wishing to participate must complete a [Civilian Observer packet](#) which includes the following: 1) Application for Civilian Observer form; 2) the Civilian Observer Program Confidentiality Agreement; 3) Criminal Justice Information Services (CJIS) Compliance Agreement; 4) Civilian Observer Waiver of Claims and Release of Liability Agreement; and 5) Data Practices Rights Advisory.
3. Applicants must be Eden Prairie residents and present an ID with their current Eden Prairie address. A completed application and photo ID must be presented in person during regular business hours: Monday – Friday, 8 a.m. – 4:30 p.m.
4. An applicant under the age of eighteen (18) must have their parent or guardian sign the application documents.
5. All applications must be approved by the Police Chief or designate. The Chief or designate may deny permission to any civilian to participate in the program and may change or suspend the application agreement.
6. Applicants will be subject to and must comply with a complete background check and shall not have been convicted of a felony; a serious criminal or traffic offense or order for protection/restraining order within the past year. Applicants shall not be involved in a pending criminal case.
7. Each applicant should be in good health and not have any conditions that may restrict a law enforcement officer from performing his or her official duties. The Police Department will, to the extent possible, make every effort to provide reasonable accommodations to all applicants.
- 8.. Applicants denied permission to observe will be notified.

##### B. Rules Governing Civilian Observers

1. Civilian Observers will comply with all instructions given to them by the officer assigned.
2. Civilian Observers will not attend roll calls.
3. Unless expressly instructed to by the officer assigned, Civilian Observers will not operate a police vehicle, use police computers or other equipment, or participate directly in any other police activity.
4. Civilian Observers shall wear a seatbelt at all times and remain in the police vehicle unless otherwise directed by the assigned officer.
5. Civilian Observers are prohibited from possessing or carrying a firearm or other weapon, camera, tape recorder, or other type of recording device during a ride-along. If a Civilian Observer is authorized to carry his or her cellular phone, it may only be used in cases of emergency.
6. Civilian Observers shall not smell of, possess, or consume alcoholic beverages before or during the ride-along.
7. Civilian Observers shall not use tobacco products while participating in the ride along.

8. Civilian Observers may wear casual attire but it must be conservative and reflect good taste.
9. Civilian Observers must respect the confidentiality of all information they obtain while on their session.
10. Civilian Observers are not authorized to access, read, handle or discuss Criminal Justice Information Services (CJIS). Unauthorized access, handling or discussion of CJIS could result in criminal prosecution.
11. Officers may terminate a ride-along at any time and transport the Civilian Observer back to the police station or other location of origin. Reasons for termination may include, but are not limited to the Civilian Observer's conduct, public safety, violation of the rules of conduct, or department response needs.
12. Officers shall notify the shift supervisor when they are assigned a Civilian Observer. Officers must obtain shift supervisor approval for any Civilian Observers not pre-approved by the department.
13. No person shall go on a ride-along more than two times per calendar year with the exception of City of Eden Prairie employees and volunteers.



11-29-21

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**Police Chief Signature**

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**Date**

*Effective date: 11-29-21*

*Annual review date: 1-1-22*

*Rescinds/Amends: 1-16-14*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11:16 Alternative Duty

#### I. Policy

It shall be the policy of the EPPD to provide an Alternative Duty policy for its employees.

#### II. Procedure

- A. Alternative Duty is defined in the [City of Eden Prairie Employee Handbook](#) as “...temporary work outside or inside of an employee’s normal job duties that is assigned because of the employee’s inability to perform normal job requirements due to an injury, illness, or other medical condition that occurred outside of the scope of employment.”
1. Injury/Illness/Medical Condition
    - a. The City of Eden Prairie shall make a good faith effort to provide Alternative Duty for employees who are not able to perform normal job requirements due to an injury, illness or other medical condition that occurred outside the scope of employment.
    - b. The decision to permit Alternative Duty shall be made by the Command Staff, after due consideration for department staffing and work levels, the training and capabilities of the officer and the recommendations of the officer’s physician. Decisions regarding the length and conditions of Alternative Duty shall be made in the same way.
  2. Pregnancy
    - a. Serving as a sworn officer in the line of duty while pregnant is potentially hazardous to a fetus as a result of chemical and physical hazards and the increased likelihood of trauma. Specifically, occupational hazards faced by pregnant officers include exposure to heavy metals, organic solvents and pesticides. Physical hazards include trauma, radiation and noise. As a result, pregnant police officers shall be assigned an Alternative Duty assignment.
    - b. Determination of the commencement of Alternative Duty for a pregnant police officer shall be the decision of the officer and their physician.
- B. As soon as practical, the employee should notify his/her immediate supervisor (or designate) of the request to work Alternative Duty. The employee shall turn in a completed Physicians Status Report to Human Resources.
- C. The immediate supervisor (or designate) will notify the Command Staff of the request for Alternative Duty. The Command Staff and Human Resources Department will verify that any immediate or future assignments, continued training and required qualifications fall within the parameters of the Physicians Status Report.
- D. It is the goal of the Command Staff to notify the employee of his/her schedule and assignment within seven days of the receipt of the Physicians Status Report.
- E. The Command Staff will keep the employee updated as to changes in Alternative Duty assignments or schedule.
- F. The employee will keep the Human Resources Department and Command Staff updated as to any changes in the



Physicians Status Report.

- G. Officers on Alternative Duty shall continue to be eligible to receive normal promotion and pay increases and other benefits.



12-19-22

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**Police Chief Signature**

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**Date**

*Effective date:* 7/28/08  
*Annual review date:* 1/1/23  
*Rescinds/Amends:* 7-28-08

*Directive type:* General Order  
*Section:* Law Enforcement Operations  
*Chapter:* Supplemental Operations  
*Authority:* Police Chief

# City of Eden Prairie

## Police Department

### Directive 11.17: Supporting Documentation for Hot Files

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that Hot file records shall be entered, modified or deleted by Hot File certified members only and in accordance with MNJIS and NCIC rules regulating such activities.

#### II. Procedure

##### A. VEHICLE FILE

1. Before entering a stolen or felony vehicle record into MNJIS/NCIC dispatch should determine if a stolen or impounded vehicle report has been filed and includes the serial (SER) or owner applied number (OAN).
2. Do a registration check with the state that the vehicle is registered with and print out a hard copy of the registration to attach to the record.
3. Enter the record into MNJIS/NCIC using the pre-formatted screen. Make sure to pack the record with as much information about the vehicle as is available. Also verify the NCIC codes as they are not always the same as what you see on the copy of the registration.
4. Query MNJIS/NCIC to verify entry and to obtain a copy of the record to be attached to the record.
5. Follow procedures for the second party check.

##### B. STOLEN GUNS, ARTICLES, BOATS AND SECURITIES

1. Before entering a stolen record into MNJIS/NCIC, dispatch should determine that a stolen report has been filed and includes the serial (SER) or owner applied number (OAN).
2. If entering a boat, do a registration check with the state that the boat is registered with and print out a hard copy of the registration to attach to the record.
3. Enter the record in MNJIS/NCIC using the pre-formatted screen. (Boats and securities will only be entered into NCIC). Make sure to pack the record with as much information about the item as is available.
4. Query MNJIS/NCIC to verify entry and to obtain a copy of the record to be attached to the record.
5. Follow procedures for the second party check.



9-23-13

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**Police Chief Signature**

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**Date**

Effective date: 9-23-13  
Annual review date: 1-1-17

Directive type: General Order  
Section: Law Enforcement Operations

*Rescinds/Amends: 1-3-12*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.18: Second Person Verification

#### I. Policy

It shall be the policy of the Eden Prairie Police Department that a second party check the accuracy and completeness of all Hot File entries and modifications to record entries. A second party is someone other than the person who made the record entry.

#### II. Procedure

The person conducting a second party check on a hot file should first query the record and print the HIT and proceed with the following steps:

1. Ensure that all appropriate sources were checked and queried for complete information. This may include Criminal History records, motor vehicle registrations, driver's license information and any other available sources. Make sure that this source material is kept with the case file or warrant. ie; D/L printouts, Registration printouts, CCH/III identification information
2. Compare the information from the sources listed above against the record entered into MNJIS/NCIC to verify the accuracy of information in all fields of the hot file record.
3. Verify that all information was coded correctly with appropriate up-to-date NCIC codes.
4. Correct any records that are inaccurate or coded incorrectly.
5. Verify that the record was "packed" with all available information.
6. Initial the hard copy of the entry.



**1-30-18**

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**Police Chief Signature**

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**Date**

*Effective date: 1-30-18  
Annual review date: 1-1-19  
Rescinds/Amends: 3-1-11*

*Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Supplemental Operations  
Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.19: CJDN Security

#### I. Policy

This document shall be considered the official CJDN Security Policy for the Eden Prairie Police Department regarding the physical and personnel security of the CJDN system. All staff must follow the policies contained herein. This will assure proper usage of the system and adherence to all local, state, and federal regulations that govern the use of the MNJIS computer system. The Terminal Agency Coordinator (TAC) for the Eden Prairie Police Department is the Dispatch Supervisor. The TAC manages the operation of the CJDN terminal on a local agency level and is responsible for ensuring that all state and local policies are enforced regarding the use of the CJDN terminal.

#### II. Procedure

##### A. Access to the CJDN System

Access to the CJDN shall be limited to employees who have been certified by the BCA to operate the terminal.

Staff having access to the CJDN system must meet the follow requirements:

- 1) Be an employee of the Eden Prairie Police Department.
- 2) Successfully pass a State and National fingerprint background check.
- 3) Complete Basic Security Awareness Training and pass a Single Certification exam prior to having access to the CJDN.

A potential new employee of the Eden Prairie Police Department shall have a background check completed before they are hired. Purpose code "J" will be used when running the criminal history on that person.

New employees of the Eden Prairie Police Department shall be fingerprinted prior to having unescorted access to areas where criminal justice information is processed. The fingerprint cards will be sent to the BCA for a background check.

Fingerprint cards on CJDN operators are to be kept in a locked drawer by the Administrative Assistant. Fingerprint cards of the IT personnel will be kept in their personnel files at the Eden Prairie Police Department.

The TAC will issue a unique username and password to authorized users with access to the CJDN and PsPortal XL.

##### B. Training

NCIC requires that personnel accessing the CJDN for their duties must receive basic MNJIS training and testing within the first 6 months of hire and annual refreshers thereafter. All training must be documented.

Eden Prairie Police Department will meet this requirement through the viewing of the FBI's Security Awareness Training and the BCA's Single Certification testing. Additional training is provided on Launch Pad, and classroom instruction, by the BCA regarding NCIC/MNJIS applications. Training will be documented and subject to auditing.

## C. Security of Terminal and Criminal Justice Information

The CJDN terminals and Criminal Justice Information for the Eden Prairie Police Department is/are maintained in a secure area. Only authorized personnel who have passed a State and National fingerprint background check are allowed unescorted access to the secure areas.

All personnel who have direct responsibility to configure and maintain computer systems and networks with direct access to FBI CJIS systems must successfully pass a fingerprint-based background check.

Criminal History responses, as well as all other CJDN printouts will be destroyed when no longer needed. These documents will be shredded at the Eden Prairie Police Department.

## D. Physically Secure Location

1. A physically secure location is a facility, a criminal justice conveyance, or an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect CJI and associated information system. The physically secure location is subject to criminal justice agency management control; BCA control, FBI SCJIS Security addendum; or a combination thereof.
  - a. Security Perimeter  
The perimeter of a physically secure location shall be prominently posted and separated from non-secure locations by physical controls. Security perimeters shall be defined, controlled and secured in a manner acceptable to the BCA.
  - b. Physical Access Authorizations  
Eden Prairie Police shall develop and keep current a list of personnel with authorized access to the physically secure location (except for those areas within the permanent facility officially designated as publicly accessible) or shall issue credentials to authorized personnel.
  - c. Physical Access Control  
Eden Prairie Police shall control all physical access points (except for those areas within the facility officially designated as publicly accessible) and shall verify individual access authorizations before granting access.
  - d. Access Control for Transmission Medium  
Eden Prairie Police shall control physical access to information system distribution and transmission lines within the physically secure location.
  - e. Access Control for Display Medium  
Eden Prairie Police shall control physical access to information system devices that display CJI and shall position information system devices in such a way as to prevent unauthorized individuals from accessing and viewing CJI.
  - f. Monitoring Physical Access  
Eden Prairie Police shall monitor physical access to the information system to detect and respond to physical security incidents.
  - g. Visitor Control  
Eden Prairie Police shall control physical access by authenticating visitors before authorizing escorted access to the physically secure location (except for those areas designated as publicly accessible). The agency shall escort visitors at all times and monitor visitor activity.
  - h. Delivery and Removal  
Eden Prairie Police shall authorize and control information system-related items entering and exiting the physically secure location.



4-5-23

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**Police Chief Signature**

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**Date**

*Effective date:* 4-5-23  
*Annual review date:* 1-1-24  
*Rescinds/Amends:* 1-30-18

*Directive type:* General Order  
*Section:* Administrative Operations  
*Chapter:* Supplemental Operations  
*Authority:* Police Chief

# City of Eden Prairie

## Police Department

### Directive 11.20: Hit Confirmation

#### I. Policy

Agencies that enter records into MNJIS/NCIC must be available for Hit confirmation 24 hours a day, every day of the year. A Hit is a positive response from MNJIS and/or NCIC in which the person or property inquired about appears to match the person or property contained in the response. Queried subject appears to match the record subject.

#### II. The Hit Confirmation Process

NCIC policy requires an agency receiving a hit on another agency's MNJIS/NCIC record to contact the entering agency to confirm that the record is accurate and up-to-date.

If you have performed an inquiry and received a "Hit", use the following procedures:

1. Print a hard copy of the Hit.
2. Immediately confirm with the arresting officer: Examine the Hit message and evaluate all information in the record and compare with the officer's description of the subject being stopped or property being recovered to insure that person or property matches the person or property described in the Hit.
3. Confirm the Hit with the originating agency. An inquiring agency that receives a hit must use the YQ message to request confirmation of a Hit. Use the appropriate pre-formatted screen.
  - a. RNO – Request Number. Enter 1, 2, or 3 to indicate whether the Hit confirmation request is the 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> request sent. When an agency requests a hit confirmation and fails to receive a response within the specified time (10 minutes or 1 hour), then it must send a second request for Hit confirmation, entering a 2 in the RNO field. The second request will be sent to the originating agency along with a copy that is automatically sent to the CTA in the state where the originating agency is located. If a second request is not responded to, then a third request must be sent with a 3 in the RNO field. This will cause the Hit confirmation request to be sent to the originating agency along with copies that are automatically sent to the CTA in the state where the originating agency is located, as well as to NCIC.
  - b. PRI – Priority. The agency requesting confirmation of a Hit must determine if an URGENT (10 minute) or ROUTINE (1 hour) response is appropriate.
  - c. Fill in any other appropriate fields before transmitting the request.
4. If the originating agency indicated that the Hit is not active, notify the requesting person. Do not arrest the subject or recover the property.
5. If the originating agency confirms that the Hit is still active and the subject is arrested, or property recovered, enter a Locate, and print a hard copy of the confirmation to be attached to the report.

#### III. Hit Confirmation Response

If you receive a Hit confirmation, use the following procedures to respond:

1. Print a hard copy of the confirmation request.
2. Note the amount of time that you have to respond and make sure to respond within that time period.
3. Attempt to confirm the Hit by checking the original warrant or report file to determine if the person is still wanted or property is still missing.
4. If you are unable to confirm the Hit, send a response with an explanation for not being able to confirm.
5. Use the appropriate YR message to respond. (Pre-formatted screen.)
  - a. CON – Confirmation Status. Enter one of the following codes:



Y – Yes, to positively confirm a Hit.

N – No, to provide a negative response to the Hit confirmation

P – In process, to indicate that you are in the process of confirming the Hit.

E – Extradition, to indicate that the Hit is positive or valid but the agency is awaiting a decision on extradition.

#### **IV. Documentation of the Hit Confirmation Process**

All Hit confirmation teletypes should be retained, and precise notes should be made on the printout concerning how, when, and to whom the information was given. The printout should be kept in the case file. Documentation of the confirmed Hit is essential and may be critical to the success of defending a later claim of misidentification or false arrest.



**9-23-13**

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**Police Chief Signature**

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**Date**

*Effective date: 9-23-13*

*Annual review date: 1-1-17*

*Rescinds/Amends:*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.21: Supporting Documentation for Identity Theft

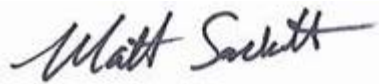
#### I. Policy

It shall be the policy of the Eden Prairie Police Department to comply with Bureau of Criminal Apprehension requirements related to documentation for identity theft crimes.

#### II. Procedure

Before an entry can be made in the Identity Theft File, an official complaint (electronic or hard copy) must be recorded and on file at the Eden Prairie Police Department. The Department may make an NCIC Identity Theft entry only if we are the agency that takes the identity theft complaint and the following criteria are met:

1. Someone is using a means of identification of the victim.
2. The identity of the victim is being used without the permission of the victim.
3. The victim's identity is being used or intended to be used to commit an unlawful activity.
4. The victim must sign a consent waiver, which can be found on the CJDN Secure site, prior to the information being entered into the Identity Theft file.
5. Information on deceased persons may be entered into the file if it is deemed by the police officer that the victim's information has been stolen. No consent form is required with the entry of deceased person information.
6. If the Identity Theft file is going to contain the Social Security Number of the victim, the Department is required to inform the individual of this fact and they must sign the "Notice about Providing Your Social Security Number" form, which can be found on the CJDN Secure site.



9-23-13

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**Police Chief Signature**

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**Date**

*Effective date: 9-23-13*

*Annual review date: 1-1-17*

*Rescinds/Amends:*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.22: Validation

#### I. Policy

It shall be the policy of the Eden Prairie Police Department to comply with Bureau of Criminal Apprehension requirements related to the validation of Hot File records.

#### II. Validation Process

Validation obliges the ORI to confirm that the record is complete, accurate, and still outstanding or active.

The agency ORI must validate all Hot File records, except for Article File records. Validation takes place 60-90 days from the date of entry and yearly thereafter.

Validation requires the entering agency to:

1. Remove all records that are no longer active with the exception of guns from the MNJIS/NCIC Hot Files. Guns will remain entered in hot files unless there is validation that the gun has been recovered.
2. Compare all records against the current supporting documentation to ensure:
  - a. That the information in each field is accurate.
  - b. That the records contain all available information found in the case files.
3. Remove all records for which corresponding case file documentation cannot be located with the exception of guns OR recreate the case file so our agency meets NCIC requirements.
4. Update records as needed when:
  - a. NCIC Code changes occur.
  - b. Agency related information, such as extradition limits or hit confirmation, and/or contact information changes.
  - c. New or additional information becomes available.
5. Contacts:
  - a. Missing Person - consult the complainant to verify that the person is still missing for all missing person records.
  - b. Stolen Property - contact the owner or insurance company for stolen property validations to verify that the property is still missing. On stolen vehicles, run a new registration to see if the vehicle has been re-registered to an insurance company or possibly in another person's name.

Note: All entries in any of the Hot Files must be documented for entry. In addition, upon the entry of any Hot File, a second party check must be completed.



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Police Chief Signature

1-30-18

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Date

*Effective date: 1-30-18*  
*Annual review date: 1-1-19*  
*Rescinds/Amends: 1-13-15*

*Directive type: General Order*  
*Section: Administrative Operations*  
*Chapter: Supplemental Operations*  
*Authority: Police Chief*

# City of Eden Prairie

## Police Department

### Directive 11.23: Disposal of Data

#### I. Policy

The purpose of this policy is to outline the proper disposal of data (physical or electronic) at Eden Prairie Police Department. These rules are in place to protect sensitive and classified information, employees and Eden Prairie Police Department. Inappropriate disposal of Eden Prairie Police Department and FBI Criminal Justice Information (CJI) and media may put employees, Eden Prairie Police Department and the FBI at risk.

#### II. Scope

This policy applies to all Eden Prairie Police Department employees, contractors, temporary staff, and other workers at Eden Prairie Police Department, with access to FBI CJIS systems and/or data, sensitive and classified data, and media. This policy applies to all equipment that processes, stores, and/or transmits FBI CJI and classified and sensitive data that is owned or leased by Eden Prairie Police Department.

#### III. Definitions

**Data** – information maintained in either physical or electronic form related to FBI CJIS Systems and data contained within

**Physical Data** –papers containing Data as defined above

**Electronic Data Storage Device** –Any device capable of storing an electronic version of Data as defined above.

#### IV. Policy

When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store and/or transmit FBI CJI and classified and sensitive data shall be properly disposed of in accordance with measures established by Eden Prairie Police Department.

A. Physical Data , as defined in section III shall be disposed of by one of the following methods:

- 1) Shredding using Eden Prairie Police Department issued shredders.
- 2) Placed in locked shredding bins for Shred Right to come on-site and shred, witnessed by Eden Prairie Police Department personnel throughout the entire process.

Incineration witnessed by Eden Prairie Police Department personnel at a state-approved contractor incineration facility.

B. Electronic Data/ Storage Device, as defined in section III shall be disposed of by:

- 1) Overwriting (at least 3 times) - an effective method of clearing data from magnetic media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located.

Incineration witnessed by Eden Prairie Police Department personnel at a state-approved contractor incineration

facility.

IT systems that have been used to process, store, or transmit FBI CJI and/or sensitive and classified information shall not be released from Eden Prairie Police Department's control until the equipment has been sanitized and all stored information has been cleared by overwriting.

**V. Enforcement**

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination.



**1-29-20**

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**Police Chief Signature**

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**Date**

*Effective date: 1-29-20*

*Annual review date: 1-1-21*

*Rescinds/Amends: 10-16-18*

*Directive type: General Order*

*Section: Administrative Operations*

*Chapter: Supplemental Operations*

*Authority: Police Chief*

**City Of Eden Prairie**  
**Police Department**  
**Directive 11.24: U/T Visas**

**I. Policy**

It shall be the policy of the Eden Prairie Police Department to process U/T Visas in accordance with the guidelines established by the U.S. Department of Homeland Security in the [U Visa Law Enforcement Resource Guide](#). U/T Visas are a United States nonimmigrant visa which is set aside for victims of crimes (and their immediate family members) who have suffered substantial mental or physical abuse and are willing to assist law enforcement and government officials in the investigation or prosecution of the criminal activity. T Visas are for victims of sex and/or labor trafficking.

**II. Procedure**

- A. The Chief of Police shall designate the Investigations Lieutenant as the certifying official authorized to review, process and certify requests as legally appropriate on a case-by-case basis taking into consideration all relevant facts.
- B. Any case tied to a Hennepin County case should be transferred to Hennepin County.
- C. Before a decision to deny a request is made, the Investigations Lieutenant will review the application with the Captain or Deputy Chief.
- D. Applications shall be either approved or denied within thirty days of receipt or as soon as reasonably possible.
- E. U/T Visa applications for crimes that are older than seven years will not be considered.



2-21-24 \_\_\_\_\_

**Police Chief Signature**

**Date**

*Effective date: 2-21-24*

*Annual review date: 1-1-25*

*Rescinds/Amends: 10-30-19*

*Directive type: General Order*

*Section: Law Enforcement Operations*

*Chapter: Supplemental Operations*

**City of Eden Prairie**  
**Police Department**  
**Directive 11.25: Confidential Informants**

**I. POLICY**

In many instances a successful investigation cannot be conducted without the use of confidential informants. To protect the integrity of the EPPD and the officers using informants, it shall be the policy of the EPPD to take appropriate precautions by developing sound information policies concerning the recruitment, control, and use of confidential informants.

**II. DEFINITIONS**

- A. Confidential Informant (CI):** A person who cooperates with a law enforcement EPPD confidentially in order to protect the person or the EPPD's intelligence gathering or investigative efforts and;
1. 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
  2. is able, by reason of the person's familiarity or close association with suspected criminals, to:
    - i. make a controlled buy or controlled sale of contraband, controlled substance, or other items that are material to a criminal investigation;
    - ii. supply regular or constant information about suspected or actual criminal activities to a law enforcement EPPD; or
    - iii. 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.

**III. PROCEDURES**



## A. 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:

1. 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 EPPD police chief, 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:
  - a. Age, sex, and residence
  - b. Employment status or occupation
  - c. Affiliation with legitimate businesses and illegal or suspicious enterprises
  - d. Extent to which potential information, associations, or other assistance could benefit a present or future investigation
  - e. Relationship with the target of an investigation
  - f. Motivation in providing information or assistance
  - g. Risk of adversely affecting an existing or future investigation
  - h. Extent to which provided information can be corroborated
  - i. Prior record as a witness
  - j. 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
  - k. Risk to the public or as a flight risk
  - l. Consultation with the individual's probation, parole, or supervised release agent, if any
  - m. 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
  - n. Relationship to anyone in law enforcement
  - o. Risk of physical harm to the potential CI or their immediate family or relatives for cooperating with law enforcement
  - p. Prior or current service as a CI with this or another law enforcement organization
2. Prior to an individual's use as a CI, the Investigations Lieutenant must review the [Initial Suitability Report](#) and determine if the individual is authorized to serve as a CI.
3. 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:
  - a. is receiving in-patient treatment or partial-hospitalization treatment administered by a licensed service provider for a substance use disorder or mental illness; or
  - b. is participating in a treatment-based drug court program or treatment court; except that
  - c. the prospective or current CI may provide confidential information while receiving treatment, participating in a treatment-based drug court program or treatment court.
4. 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.

5. 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.
6. 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 EPPD, or other substance abuse and mental health services.
7. 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.
8. 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 Investigations Lieutenant as soon as possible.
9. 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.
10. 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.

## **B. General Guidelines for Overseeing CIs**

Potential confidential informants will be interviewed before being used as a confidential informant. An audio and video recording shall be made of the interview. The recording shall be maintained in the respective informant's file.

All confidential informants are required to sign and abide by the provisions of the [EPPD Informant Agreement](#). The officer using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant.

Details of the agreement are to be approved in writing by the Adult Investigations Unit Supervisor before being finalized with the confidential informant.

General guidelines for overseeing CIs are as follows:

1. CIs must be treated as assets of the EPPD, not the individual overseeing agent.
2. 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.
3. CIs must not be used without authorization of the EPPD through procedures identified in this policy.
4. 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.
5. Under no circumstances must an informant be allowed access to restricted areas or investigators' work areas within a law enforcement EPPD.
6. All CIs must sign and abide by the provisions of the EPPD's CI agreement.
7. 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.
8. The CI's overseeing agent must discuss each of the provisions of the agreement with the CI, with particular emphasis on the following:
  - a. CIs may voluntarily initiate deactivation, whereupon the protocols outlined in section E of this policy must be followed.

- b. 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.
  - c. CIs found engaging in any illegal activity beyond what is authorized by the EPPD and conducted while under the supervision of an overseeing agent, will be subject to prosecution.
  - d. 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.
  - e. CIs are prohibited from engaging in self-initiated information or intelligence gathering without the EPPD's 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 EPPD.
  - f. 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.
  - g. CIs may be directed to wear a listening and recording device.
  - h. CIs must be required to submit to a search before and after a controlled purchase.
  - i. 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 EPPD must promptly report that activity or meeting to their overseeing agents.
9. CI activity outside jurisdictional boundaries:
- a. Investigators handling CIs who engage in operational activity in locations outside the jurisdictional boundaries of the EPPD 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.
  - b. Any decision to defer or delay notice to or coordinate with an outside EPPD having jurisdiction in the area where a CI has or may operate must be documented, reviewed, and approved by the EPPD police chief.
10. 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.
11. No member of the EPPD 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.
12. Members of the EPPD must not solicit, accept gratuities from, or engage in any private business transaction with a CI.
13. 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.
14. 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 EPPD and the CI. This plan should also aim to prevent the detection, compromise, or interception of communications between the overseeing agent and the CI.
15. 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.
16. 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.
- a. 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.

b. Overseeing agents must document:

i. the screening,

ii. any referral to services provided to, or requested by, the CI, and

iii. 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.

c. No part of this subsection supersedes MN Stat. 253B.05, sub.2.

17. Reasonable protective measures must be provided for a CI when any member of this EPPD 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 EPPD.

18. Overseeing agents must:

a. evaluate and document the criminal history and propensity for violence of target offenders; and

b. 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.

19. 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.

20. Whenever possible, officers must corroborate information provided by a CI and document efforts to do so.

21. 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.

22. Overseeing agents are responsible for ensuring that information of potential value to other elements of the EPPD is provided promptly to authorized supervisory personnel and/or other law enforcement agencies as appropriate.

23. Individuals leaving employment with the EPPD 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.

### **C. Exigent Confidential Informants**

1. Certain circumstances 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:

a. The individual is not excluded from utilization as a CI under III.A(3)(a-c) of this policy; and

b. 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

c. A supervisor has reviewed and approved the individual for utilization as a CI under these circumstances.

2. 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 EPPD's police chief 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:

1. Juveniles

a. 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.

- b. Authorization for such use should be granted only when a compelling public interest can be demonstrated, *except that*
  - c. Juveniles under the guardianship of the State may not be used as a CI.
2. Individuals obligated by legal privilege of confidentiality.
  3. Government officials.

#### **E. Establishment of an Informant File System**

An informant file system must be established as follows:

The Adult Investigations Unit supervisor or designee shall be responsible for maintaining informant files. A separate file shall be maintained on each confidential informant. An additional Unreliable Informant File must be established for CIs deemed unsuitable during initial suitability determinations or at a later time.

##### 1. File System Procedure

Each file shall be coded with an assigned informant control number. An informant history should be prepared to correspond to each informant file and include the following information:

- a. Name, aliases, and date of birth
  - b. Height, weight, hair color, eye color, race, sex, scars, tattoos, or other distinguishing features
  - c. Emergency contact information
  - d. Name of the officer initiating use of the informant and any subsequent overseeing agents
  - e. Photograph and criminal history record
  - f. Current home address and telephone number(s)
  - g. Residential addresses in the last five years
  - h. Current employer, position, address, and telephone number
  - i. Social media accounts
  - j. Marital status and number of children
  - k. Vehicles owned and their registration numbers
  - l. Places frequented
  - m. Gang affiliations or other organizational affiliations
  - n. Briefs of information provided by the CI and the CI's subsequent reliability
  - o. Special skills and hobbies
  - p. Special areas of criminal expertise or knowledge
  - q. A copy of the signed informant agreement
2. CI files must be maintained in a separate and secured area.
  3. 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.
  4. CI File Review
    - a. Sworn personnel may review an individual's CI file only upon the approval of the EPPD's police chief or their designee.

- b. 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.
- c. Officers must not remove, copy, or disseminate information from the CI file.
- d. CI files must be reviewed only in designated areas of the EPPD and returned as soon as possible to their secure file location.
- e. All disclosures or access to CI files must be recorded by the file supervisor, to include information such as the requesting officer or EPPD, the purpose of access or disclosure, the information conveyed, and the date and time of access or dissemination.
- f. 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.

## **F. Deactivation of Confidential Informants**

A CI deactivation procedure must be established as follows:

1. The overseeing agent must complete a deactivation form that includes, at minimum, the following:
  - a. The name of the EPPD.
  - b. The name of the CI.
  - c. The control number of the CI, where applicable.
  - d. The date of deactivation.
  - e. The reason for deactivation.
  - f. A notification that contractual agreements regarding monetary re-numeration, criminal justice assistance, or other considerations, specified or not, are terminated.
  - g. A notification that the EPPD 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.
  - h. A signature by the CI or documentation indicating the reason(s) why the CI was unable or unwilling to sign the form.
  - i. A signature by the overseeing agent.
2. All reasonable efforts must be taken to maintain the safety and anonymity of the CI after deactivation.

## **G. Monetary Payments**

Monetary payments must be managed as follows:

The potential payment of large sums of money to any confidential informant must be done in a manner respecting public opinion and scrutiny. Additionally, to maintain a good accounting of such funds requires a strict procedure for disbursements.

### **A. Payment Procedure**

The amount of funds to be paid to any confidential informant will be evaluated against the following criteria:

1. The extent of the informant's personal involvement in the case.
2. The significance, value or effect on crime.
3. The amount of assets seized.
4. The quantity of the drugs seized.
5. The level of risk taken by the informant.
6. Other factors that may motivate the informant.

The Adult Investigations Unit Supervisor will discuss the above factors with the Investigative Division Commander and

arrive at a recommended level of payment that will be subject to the approval of the Police Chief or designee.

B. Cash Disbursement Policy

No informant will be told in advance or given an exact amount for services rendered unless approved by a supervisor. The Adult Investigations Unit Supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

C. Payment Process

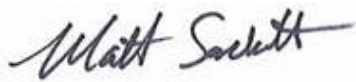
1. The case number shall be recorded justifying the payment. Any disbursement shall have the approval of the Adult Investigations Unit Supervisor. The disbursement of money shall be handled in accordance with established state and city policies, ordinances and protocols. Two officers must be present when making payments or providing funds to the CI. Any documentation of monies paid or received should not contain the true identity of the informant but should use the CI's control number
2. Cash will be obtained following the [Cash for Undercover Investigations Procedure](#).
3. The confidential informant will sign the form indicating the amount received, the date and that the confidential informant is receiving funds in payment for information voluntarily rendered in the case. The EPPD case number shall be recorded on the cash transfer form. A copy of the form will be kept in the confidential informant's file.
4. A complete written statement of the confidential informant's involvement in the case shall be placed in the confidential informant's file. This statement shall be signed by the confidential informant verifying the statement as a true summary of his/her actions in the case(s).

D. Reporting of Payments

Each confidential informant receiving a cash payment shall be informed of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income.

If funds distributed exceed \$600 in any reporting year the confidential informant should be provided an IRS 1099 Form (26 CFR § 1.6041-1), unless such documentation or reporting may reveal the identity of the confidential informant and by doing so jeopardize any investigation, the safety of peace officers or the safety of the confidential informant (26 CFR § 1.6041-3).

In such cases, the confidential informant shall be provided a letter identifying the amount he/she must report on tax returns as "other income," and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the confidential informant's file.



12-19-22

\_\_\_\_\_  
**Police Chief Signature**

\_\_\_\_\_  
**Date**

Effective date: 12-19-22  
Annual review date: 1-1-23  
Rescinds/Amends: 10-20-20

Directive type: General Order  
Section: Law Enforcement Operations  
Chapter: Supplemental Operations  
Authority: Police Chief





# City of Eden Prairie

## Police Department

### Directive 11.26

## Mental Health Crisis Data

### 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 Eden Prairie 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 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. Definitions

The following phrases and words have special meanings as used in this policy:

- 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 this agency who makes a request for Mental Health Crisis Data.

### IV. Procedure

#### A. 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 agency to seek mental health data, if:

1. The subject appears to be experiencing a behavioral, emotional, or psychiatric episode, and
2. It would likely result in one of the following outcomes, absent the assistance of a mobile crisis provider:
  - a. The person being unable to take care of basic functions like bathing, eating, dressing, and toileting; or
  - b. The person needing to be transported to a hospital for an emergency medical condition; or
  - c. The person being taken into custody for a transport hold; and
3. The information being sought is necessary to protect the health or safety of the PIC or another.

## **B. Requesting and Obtaining MHCD:**

Officers should adhere to the following procedures in requesting MHCD:

1. 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.
2. 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.
3. The purpose of making a request is to obtain information from a mental health provider, familiar with the PIC, about strategies for safely responding to and resolving the pending crisis. To that end, the requestee is obligated to 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.
4. 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.

5. 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.

### C. Data Practices

The following shall apply to mental health crisis data obtained by this agency:

1. **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:
  - a. Information obtained about strategies for resolving crisis situations with the PIC, including any circumstances that call for particular approaches, should be documented.
  - b. Any information that the requestee provided about the PIC's diagnosis should not be documented.
  - c. 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.
2. **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 *city-owned devices*.
3. **Private data.** MHCD is and shall be administered as private data on the person in crisis. If an officer or employee receives a request for MHCD, they must refer the request to the Records Supervisor.
4. **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.
5. **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.
6. **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.



3-1-23

Police Chief Signature

Date

Effective date: 3-1-23

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Rescinds/Amends:

Directive type: General Order

Section: Law Enforcement Operations

Chapter: Supplemental Operations

Authority: Police Chief

**City of Eden Prairie**

**Police Department**

**Directive 11.27: Fingerprint-based CHRI (Criminal History Record Information)**

**Checks for Non-Criminal Justice Purposes**

**I. POLICY**

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

**II. PROCEDURES**

**A. Requesting CHRI checks**

Fingerprint-based CHRI checks will only be conducted as authorized by the FBI and Minnesota Bureau of Criminal Apprehension (BCA), in accordance with all applicable state and federal rules and regulations. If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

The Eden Prairie Police Department has the authority, under Minnesota State Statute 299F.035 to conduct fingerprint-based criminal history background checks. After the initial determination for employment or licensing is made, CHRI shall not be reused for any other purpose.

**B. Access to CHRI**

All CHRI is subject to strict state and federal rules and regulations. CHRI cannot be shared with other entities for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the BCA and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Furthermore, an entity can be charged with federal and state crimes for the willful, unauthorized disclosure of CHRI.

**C. Storage of CHRI**

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent FBI security policy, have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage and destruction of CHRI.

**D. Retention of CHRI**

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes only:

1. Historical reference and/or comparison with future CHRI requests
2. Dispute of the accuracy of the record
3. Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in:

1. Hard copy form in personnel files located in the locked filing cabinet located in the secure Human Resource main office.
  - a. CHRI will be retained for 2 years (following the General Retention Schedule for Minnesota Cities). At the end of this term, the CHRI will be disposed of according to the Disposal of Physical Media policy. BCA has determined that 3 years of CHRI

needs to be accounted for. We will log 3 years' worth of fingerprint submission data on a fingerprint submission log which will be stored along with the personnel files.

#### **E. CHRI Training**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the Eden Prairie Police Department will review and become familiar with the educational and relevant training materials regarding CHRI laws and regulations made available by the appropriate agencies.

In addition to the above, all personnel authorized to receive and/or review CHRI must undergo Security Awareness Training on a biennial basis. This training will be accomplished using the training materials made available by the BCA.

#### **F. Adverse Decisions Based on CHRI**

If inclined to make an adverse decision based on an individual's CHRI, Eden Prairie Police will take the following steps prior to making a final adverse determination:

1. Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI; and
2. Provide the individual with information on the process for updating, changing, or correcting CHRI.
3. A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time to correct or complete the CHRI.

#### **G. Point of Contact and Local Agency Security Officer**

Each NCJA receiving CHRI is required to designate a Terminal Agency Coordinator (TAC), also known as the Point of Contact (POC). Each NCJA receiving CHRI is also required to designate a Local Agency Security Officer (LASO). An individual designated as the POC and the LASO is:

1. An individual who will be considered part of the NCJA's "authorized personnel" group.
2. An individual that has completed a fingerprint-based background check and found appropriate to have access to CHRI.
3. An employee directly involved in evaluating an individual's qualifications for employment or assignment.

The Eden Prairie Police Department's POC is Lisa Vik. The POC is responsible for the following:

1. Being the main point of contact between Eden Prairie Police Department and the MN BCA who will function as a liaison between BCA MNJIS Training and Auditing.
2. Maintaining knowledge of Eden Prairie Police Department's retrieval, dissemination, storage and destruction of CHRI.
3. Ensuring that CHRI is only used for authorized purposes, that all safeguards in place are followed and that CHRI is not being improperly disseminated.
4. Maintaining a list of personnel who are authorized to access CHRI.

The Eden Prairie Police Department's LASO is Aditi Salunke. The LASO is responsible for the following:

1. Identifying who is using or accessing CHRI and/or systems with access to CHRI.
2. Ensuring that personnel security screening procedures are being followed as stated in this policy.
3. Ensuring the approved and appropriate security measures are in place and working as expected.

When changes in the POC and LASO occur, the Eden Prairie Police Department shall complete and return a new agreement and a Non-Criminal Justice Agency Point of Contact Notification form. The most current copy of the agreements will be maintained on file indefinitely by the Eden Prairie Police Department's Administrative Assistant.

#### **H. Media Protection**

All media containing CHRI is to be protected and secured at all times. The following is established and to be implemented to ensure the appropriate security, handling, transporting, and storing of CHRI media in all its forms.

1. **Media Storage and Access:** Physical CHRI media shall be securely stored within physically secured locations or controlled areas. Access to such media is restricted to authorized personnel only and shall be secured at all times when not in use or under the supervision of an authorized individual.

Physical CHRI media:

- a. Is to be stored within employee records when feasible or by itself when necessary.
  - b. Is to be maintained within a lockable filing cabinet, drawer, closet, office, safe, vault, or other secure container.
2. Disposal of Physical Media: Once physical CHRI media (paper/hard copies) is determined to be no longer needed by the Eden Prairie Human Resources Division it shall be destroyed and disposed of appropriately. Physical CHRI media shall be destroyed by shredding, cross-cut shredding, or incineration. The Eden Prairie Human Resources Division will ensure such destruction is witnessed or carried out by authorized personnel:
- a. A member of the HR staff shall witness or conduct disposal.
  - b. Shredding will be the method of destruction used by the Eden Prairie Human Resources Division.
  - c. This will occur on the 2<sup>nd</sup> Friday of each month. Shredit is the company the City of Eden Prairie utilizes for shredding purposes.

**I. Incident and Disciplinary Response**

Access to, and dissemination of, CHRI is governed by state and federal laws. The security of information and systems in general, and of CHRI, is a top priority for Eden Prairie Police Department. Therefore, we have established appropriate operational incident handling procedures for instances of an information security breach. It is each individual's responsibility to adhere to established security guidelines and policies and to be attentive to situations and incidents which pose risks to security. Furthermore, it is each individual's responsibility to immediately report potential or actual security incidents to minimize any breach of security or loss of information. The following security incident handling procedures must be followed by each individual:

- 1. All incidents will be reported directly to the LASO.
- 2. If any records were stolen, the incident will also be reported to appropriate authorities.
- 3. Once the cause of the breach has been determined, disciplinary measures will be taken in accordance with the disciplinary policy.

In addition to the above, the LASO shall report all security-related incidents to the BCA within 24 hours.

All agency personnel with access to FBI and/or BCA CHRI have a duty to protect the system and related systems from physical and environmental damage and are responsible for correct use, operation, care and maintenance of the information. All existing laws and Eden Prairie Police Department regulations and policies apply, including those that may apply to personal conduct. Misuse or failure to secure any information resources may result in temporary or permanent restriction of all privileges up to employment termination.



**7-25-23**

**Police Chief Signature**

**Date**

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*Annual review date: 1-1-24*

*Section: Law Enforcement Operations*

*Rescinds/Amends:*

*Chapter: Supplemental Operations*

*Authority: Police Chief*