BLANK FOR SHERIFF’S PREFACE
CRIMINAL JUSTICE CODE OF ETHICS
As a criminal justice officer, my fundamental duty is to serve humankind; to safeguard lives and property; to protect all persons against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all people to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. Without compromise and with relentlessness, I will uphold the laws affecting the duties of my profession courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence, and never accepting gratuities.

I recognize my position as a symbol of public faith, and I accept it, as a public trust to be held so long as I am true to the ethics of The Criminal Justice System. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession.
BLANK FOR MISSION STATEMENT
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Chapter 1 - Law Enforcement Role and Authority
Law Enforcement Authority

100.1 PURPOSE AND SCOPE
The purpose of this policy is to affirm the authority of the members of the Jackson County Sheriff's Office to perform their functions based on established legal authority.

100.1.1 DUTIES AND POWERS OF THE SHERIFF
The Sheriff's duties and responsibilities are defined by ORS 206.040 - 206.210.

The sheriff is the chief executive officer and conservator of the peace of the county. In the execution of the office of sheriff, it is the sheriff's duty to:

(a) Arrest and commit to jail or prison all persons who break the peace or attempt to break it and all persons guilty of public offenses.

(b) Defend his county from those, who by riot or otherwise, endanger the public peace or safety.

(c) Execute the process and orders of the courts of justice or of judicial officers when delivered to him for that purpose according to law.

(d) Execute all warrants delivered to him for that purpose by other public officers according to law.

(e) Attend, upon call, the Supreme Court, Court of Appeals, Oregon Tax Court, circuit court, justice court or county court held within the county, and to obey its lawful orders or directions.

100.2 PEACE OFFICER POWERS
Peace officers are granted authority by Oregon Revised Statutes to prevent and deter crime; arrest offenders; issue citations in lieu of custody; take custody of evidence of a crime, contraband or recovered stolen property; control the flow of traffic and preserve the peace and safety of the public.

Sworn members of this Department are peace officers pursuant to ORS 161.015. Peace officer authority extends to any place in the State of Oregon.

100.2.1 AUTHORITY TO ARREST
Pursuant to ORS 133.235:

(a) A peace officer may arrest a person for a crime at any hour of any day or night.

(b) A peace officer may arrest a person for a crime, pursuant to ORS 133.310(1), whether or not such crime was committed within the geographical area of such peace officer's employment, and the peace officer may make such arrest within the state, regardless of the situs of the offense.
Law Enforcement Authority

(c) The peace officer shall inform the person to be arrested of the peace officer’s authority and reason for the arrest, and, if the arrest is under a warrant, shall show the warrant, unless the peace officer encounters physical resistance, flight or other factors rendering this procedure impracticable, in which case the arresting peace officer shall inform the arrested person and show the warrant, if any, as soon as practicable.

(d) In order to make an arrest, a peace officer may use physical force as justifiable under ORS 161.235, ORS 161.239 and ORS 161.245.

(e) In order to make an arrest, a peace officer may enter premises in which the peace officer has probable cause to believe the person to be arrested to be present.

(f) If after giving notice of the peace officer’s identity, authority and purpose, the peace officer is not admitted, the peace officer may enter the premises, and by a breaking, if necessary.

(g) A person may not be arrested for a violation except as provided by ORS 153.039 and ORS 810.410.

100.3 CONSTITUTIONAL REQUIREMENTS
All employees shall observe and comply with every person’s clearly established rights under the United States and Oregon Constitutions.

100.4 INTERSTATE PEACE OFFICER POWERS
Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

(b) When a deputy enters California, Idaho or Nevada in fresh pursuit of a person who the deputy has probable cause to believe has committed a felony (Penal Code § 852.2 (California); Idaho Code 19-701 (Idaho); NRS 171.158 (Nevada)).

(c) When a deputy enters Washington while in pursuit of a person the pursuing deputy has probable cause to believe has committed a felony; or violation related to driving while intoxicated, driving while under the influence of drugs or alcohol, driving while impaired or reckless driving (RCW 10.89.010).

Whenever a deputy makes an arrest in California, Idaho, Nevada or Washington, the deputy shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (Penal Code § 852.3; Idaho Code 19-702; NRS 171.158; RCW 10.89.020).
Public Safety Certification

101.1 PURPOSE AND SCOPE
This policy outlines certain state certification and training requirements for Office members.

101.2 BASIC CERTIFICATION
The Department of Public Safety Standards and Training requires that all sworn law enforcement officers and dispatchers employed within the State of Oregon receive certification within 18 months of appointment. Corrections officers are required to receive certification within 12 months of appointment (OAR 259-008-0060).

101.2.1 CHIEF EXECUTIVE OFFICER
In addition to the basic certification, executive officers should obtain a Department of Public Safety Standards and Training (DPSST) Executive certificate within two years of hire as a condition of employment (OAR 259-008-0060).

101.3 SUPERVISORS AND MANAGERS
In addition to basic certification, supervisors and mid-level managers are required to complete the supervision course or middle management course, respectively, within 24 months of appointment unless a time extension is granted by DPSST (OAR 259-008-0025). Supervisors and managers should also seek the appropriate level of certification (OAR 259-008-0060).

101.4 MAINTENANCE OF CERTIFICATION
In order to maintain certification, all active law enforcement officers are required to meet on-going training requirements as specified in OAR 259-008-0065.

Active police officers who hold Supervisory, Management or Executive certification must complete at least 24 hours of office-approved Leadership/Professional training every three years, as part of the on-going training required for all peace officers (OAR 259-008-0065).
Oath of Office

102.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 OATH OF OFFICE
All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. The form of oath should be as follows:

"I, (state name), do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and the laws therefore and rules and regulations of the Jackson County Sheriff's Office, and I will faithfully, honestly and impartially discharge the duties of (position about to assume) during my continuance therein, to the best of my ability, so help me God."

If a member is opposed to taking an oath, he/she shall be permitted to substitute the word “affirm” for the word “swear,” and the words "so help me God" may be omitted.

102.2.1 CRIMINAL JUSTICE CODE OF ETHICS
All members of the Jackson County Sheriff's Office are required to subscribe and adhere to the Criminal Justice Code of Ethics as presented in the introduction to this Policy Manual.

102.2.2 MAINTENANCE OF RECORDS
The oath of office shall be filed in accordance with the established records retention schedule.

102.3 POLICY
It is the policy of the Jackson County Sheriff's Office that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.
Policy Manual

103.1 PURPOSE AND SCOPE
The manual of the Jackson County Sheriff's Office is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

103.1.1 DISCLAIMER
The provisions contained in this Policy Manual are not intended to create an employment contract, nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Jackson County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials or employees. Violations of any provision of any policy contained within this manual shall only form the basis for departmental administrative action, training or discipline. The Jackson County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

103.2 POLICY
Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 COMMAND STAFF
Command staff shall consist of the following:

- Sheriff
- Undersheriff
- Bureau Captains

The Command staff shall review all recommendations regarding proposed changes to the manual at staff meetings.
103.2.2 OTHER PERSONNEL
All Department employees suggesting revision of the contents of the Policy Manual shall forward their suggestion, in writing, to their Division Commander who will consider the recommendation and forward to staff.

103.3 AUTHORITY
The Sheriff shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Sheriff or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.3.1 ACCEPTABLE ABBREVIATIONS
The following abbreviations are acceptable substitutions in the manual:

- Departmental Directive may be abbreviated as "DD."
- Policy Manual sections may be abbreviated as "Section 106.X" or "§ 106.X."

103.3.2 DISTRIBUTION OF MANUAL
Copies of the Policy Manual shall be distributed to the following:

- Sheriff
- Undersheriff
- Captains
- Commanders
- Administrative Sergeant

An electronic version of the Policy Manual will be made available to all employees on the department network. The electronic version will be limited to the viewing and printing of specific sections. No changes shall be made to the electronic version without authorization.

103.4 DEFINITIONS
The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

- **Adult** - Any person 18 years of age or older.
- **County** - The County of Jackson.
- **Non-sworn** - Employees and volunteers who are not sworn peace officers.
- **Department/JCSO** - The Jackson County Sheriff's Office.
- **DHS** - Department of Human Services.
DMV - The Department of Motor Vehicles.

Employee/personnel - Any person employed by the Department.


May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Jackson County Sheriff's Office, including:
- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary deputies
- Non-sworn employees
- Volunteers - unpaid/uncompensated members

OAR - Oregon Administrative Rules (Example: OAR 259-008-0060).

ORS - Oregon Revised Statutes (Example: ORS 153.039).

OSP - The Oregon State Police.

Deputy/sworn - Those employees, regardless of rank, who are sworn peace officers employees of the Jackson County Sheriff's Office.

On-duty - A member’s status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by a deputy.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., deputy-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member’s off-duty supervisor or an on-call supervisor.
103.4.1 REVISIONS TO POLICIES
The policy manual shall be reviewed at least every twenty-four (24) months by a committee appointed by the Sheriff. All employees are responsible for keeping abreast of all Policy Manual revisions. All changes to the Policy Manual will be posted on the Department Intranet Home Page under the title Recent Policy Manual Revisions. The Training Officer will forward revisions to Policy Manual as needed to all personnel via electronic mail. Each employee shall acknowledge receipt by return email, review the revisions and seek clarification as needed.

Each unit commander/manager will ensure that employees under his/her command are aware of any Policy Manual revisions.

103.5 ISSUING THE POLICY MANUAL
An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Sheriff or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL
The Sheriff will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES
All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Division Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE
The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 BUREAUS
The Sheriff is responsible for administering and managing the Jackson County Sheriff's Office. There are two bureaus divided into three (3) separate bureaus in the Sheriff's Department as follows:

• Operations Bureau - The Operations Bureau is commanded by a Captain whose primary responsibility is to provide general management direction and control for that bureau. The Operations Bureau consists of Criminal Services, Contract Cities and Special Operations.
  • Criminal Services - Criminal Services is commanded by the Captain. It consists of Patrol Teams, Traffic Teams, Community Services Officers, Traffic Education and Contract Cities.
  • Special Operations - This division is commanded by a Sergeant. It consists of SWAT and the Crisis Response Team.

• Support Services Bureau - The Support Services Bureau is commanded by a Captain whose primary responsibility is to provide general management direction and control for that bureau. The Support Services Bureau consists of Investigations, Field Services and Criminal & Civil Records.
  • Investigations - Investigations is commanded by a Sergeant. It consists of Detectives and support staff for both Criminal and Narcotics investigations, forensic investigation of electronic data devices and cold case investigators, in addition to the Deputy Medical Examiner Program and Property /Evidence.
  • Field Services - Field Services is commanded by a Sergeant. It consists of Marine and Search and Rescue.
  • Criminal Records – Criminal records are supervised by a non-sworn civilian supervisor.
  • Civil – Civil is commanded by a Sergeant.
  • Jail – The Jail is commanded by the Captain.
  • Corrections Records – Corrections Records is supervised by a non-sworn civilian.
  • Court Services – Court Services is commanded by a Sergeant.
200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND
The Sheriff exercises command over all personnel in the Department. During planned absences the Sheriff will designate the Undersheriff to serve as the acting Sheriff.

Except when designated as above, the order of command authority in the absence or unavailability of the Sheriff is as follows:

(a) Undersheriff
(b) Operations Captain
(c) Support Captain
(d) Shift Sergeant

200.3.2 UNITY OF COMMAND
The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g. K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS
Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

200.3.4 UNLAWFUL AND CONFLICTING ORDERS
No member is required to obey any order which outwardly appears to be in direct conflict with any federal or state law, or local ordinance. If the legality of an order is in doubt the affected member shall ask the issuing supervisor to clarify the order or confer with a higher authority. Responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with an order that is in conflict with a previous order, department policy, or other directive, shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the order is intended to countermand the previous order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting order after having given the issuing supervisor the opportunity to correct the conflict are not held accountable for disobedience of the order or directive that was initially issued.

The person issuing the countermanded order shall be notified in writing by the person issuing the second command of the action taken and the reason therefore.
Organizational Structure and Responsibility

200.4 ACCOUNTABILITY
Supervisors and managers shall be accountable for the performance of the members under their immediate control.
Departmental Directives

201.1 PURPOSE AND SCOPE
Departmental Directives establish an interdepartmental communication that may be used by the Sheriff to make immediate changes to policy and procedure. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 DEPARTMENTAL DIRECTIVES PROTOCOL
Departmental Directives will be incorporated into the manual as required upon approval of Staff. Departmental Directives will modify existing policies or create a new policy as appropriate. A Departmental Directive will be rescinded once it has been incorporated into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of the below revision date.

Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year. For example, 08-01 signifies the first Departmental Directive for the year 2008.

201.2 RESPONSIBILITIES

201.2.1 STAFF
The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Departmental Directive.

201.2.2 SHERIFF
The Sheriff or the authorized designee shall issue all Departmental Directives.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVES
All employees are required to read and obtain any necessary clarification of all departmental directives. All employees are required to acknowledge in writing the receipt and review of any new departmental directives. Signed acknowledgement forms and/or e-mail receipts showing an employee’s acknowledgement will be maintained by the Training Officer.
Emergency Operations Plan

202.1 PURPOSE AND SCOPE
The County has prepared an Emergency Operations Plan for use by all employees in the event of a major disaster or other emergency event. The plan provides for a policy level response and assigns specific responsibilities in the event the plan is activated (ORS 401.305).

All employees shall receive annual refresher training on the details of the Jackson County Emergency Operations Plan.

202.2 ACTIVATING THE EMERGENCY PLAN
The Emergency Operations Plan can be activated in a number of ways. For this department, the Emergency Manager or designee may activate the Emergency Operations Plan in response to a major emergency. When applicable the National Incident Management System's (NIMS) Incident Command System (ICS) procedures shall be initiated and followed.

202.2.1 RECALL OF PERSONNEL
In the event that the Emergency Operations Plan is activated, all employees of the Jackson County Sheriff's Office are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Sheriff or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

202.2.2 EMERGENCY MOBILIZATION PLAN
Establishing Incident Command
The first officer on a scene shall assume command and initiate the necessary elements to effectively manage the incident. Command shall be transferred as higher ranking officers arrive on scene. When command has been transferred, the new incident commander shall be responsible to effectively manage the incident.

Emergency Mobilization Schedule
During the first week following a shift rotation, the day shift patrol supervisor and the day shift corrections supervisor shall each post an unusual occurrence schedule for their respective bureaus. The schedule shall allow each deputy knowledge of his hours of work during a critical incident. The schedule shall assign each patrol deputy and corrections deputy to one of two 12 hours shifts. Regular days off and comp time may be canceled.

Day shift shall be scheduled from 0600 1800 hours.

Night shift shall be scheduled from 1800 0600 hours.

Personnel assigned to regular day shift will continue on day shift and personnel assigned to graveyard shall remain on the night shift.
Personnel assigned to regular swing shift shall be divided as equally as possible between day shift and night shift during an unusual occurrence.

**Emergency Mobilization Activation**

The schedule shall be implemented as soon as possible following an unusual occurrence. Supervisors trained as incident commanders may implement the schedule.

The on duty patrol shift supervisor shall cause a logistics section chief to be appointed. The logistics section chief shall cause the unusual occurrence schedule to be implemented and employees to be notified.

If an employee cannot immediately be contacted, additional attempts shall be made to contact the employee.

Employees shall be required to report according to the schedule.

Employees are required to contact the department upon learning of the incident from any source.

The logistics section chief has authority to assign all department members as necessary to manage the incident.

**Demobilization**

Shall occur by order of the Incident Commander.

Regular shifts shall resume.

All personnel shall be notified of demobilization.

An after action review of the incident shall follow as soon as possible.

### 202.3 LOCATION OF EMERGENCY OPERATIONS PLAN

The plan for the employees is available in Support Services and the Patrol Sergeant's office. All supervisors should familiarize themselves with the Emergency Operations Plan and what roles sheriff's personnel will play when the plan is implemented.

### 202.4 BUILDING EVACUATION PLAN

In the event of a disaster or emergency which requires evacuation of the sheriff's building, all employees shall follow implemented evacuation plans and posted exit routes (OAR 437-002-0041). The posted exit routes shall include any special directions for physically impaired employees.

### 202.5 UPDATING OF MANUALS

The Emergency Manager or the authorized designee shall review the Emergency Operations Plan annually to ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS), and appropriately address any needed revisions. The EOP will be be updated every 5 years, at a minimum.
Department Cash Funds

203.1 PURPOSE AND SCOPE
It shall be the policy of the department to maintain fund integrity by keeping an accurate accounting of the contents and transactions of department cash funds in accordance with the following guidelines.

203.1.1 ADMINISTRATION CASH REGISTER(S)
The Fiscal Administrative Manager or designee shall count and balance the cash drawer(s) at which time all monies in excess of the beginning cash balance (as determined by the Fiscal Manager) shall be entered into the county financial accounting system and deposited with the County Treasurer.

Only checks or money orders for the exact amount of the fee shall be accepted. Post or pre-date checks, two-party checks or illegibly written checks shall not be accepted. Only checks issued by the Jackson County Treasurer may be cashed.

203.1.2 CORRECTIONS DIVISION TRUST FUND
A trust account shall be created for each prisoner in the commissary computer program at the time of lodging in the Jackson County Jail. The amount of the cash in the prisoner's possession shall be entered into the commissary computer program designed for tracking such funds.

Checks and/or money orders in the prisoner's possession at the time of lodging shall be considered property and, as such, shall be listed on the prisoner's property card. Prisoner funds transferred via check from another correctional institution shall be deposited to the prisoner's trust account. The prisoner may release funds in his trust account to another party within the first 48 hours of lodging only. These funds shall be released in the form of a check made payable to the person authorized by the prisoner.

Only cash and/or money orders made payable to Jackson County Jail for (prisoner's name) may be accepted to be deposited in a prisoner's trust account. Personal checks will not be accepted. Prisoner Trust funds shall be used for prisoner and county reimbursement only. Direct payments to vendors are prohibited. If a prisoner is transferred from the Jackson County Jail to Community Justice Transition Center (CJTC), the remaining balance shall be transferred to the CJTC. Prisoners who are cited and released shall not be entered into the commissary computer program and shall have the cash in possession at the time of booking returned upon completion of the process.

All prisoner trust funds received in the Jackson County Jail shall be balanced to the commissary computer program and secured in a locked cash drawer each night. The Corrections Record Supervisor or designee shall prepare the deposit and deliver the funds to the county finance department on normal county business days. Upon the prisoners' release from custody of the jail: The remaining balance on the prisoner's trust account shall be returned to the prisoner in a
financial form as determined by the jail commander. The prisoner shall sign the computer printout acknowledging receipt of the remaining balance and indicating the account is closed.

203.1.3 EMERGENCY TRAVEL/PETTY CASH FUNDS
Emergency travel/petty cash funds are to be used only in those instances when it is not possible to obtain funds timely through the normal county’s procedures for unexpected expenses. Beginning cash balances (as determined by the Captain) shall be maintained in locked locations. It shall be the responsibility of the designated administrative staff to authorize use of emergency travel/petty cash funds and maintain adequate documentation of the dispersed funds.

203.1.4 SPECIAL INVESTIGATIONS FUND (BUY MONEY)
A cash fund may be maintained to purchase illegal drugs, stolen property, contraband, payment to informants whose information is considered valuable, and for reimbursement of authorized expenses incurred by investigators and informants during undercover operations. These funds shall not be utilized for travel or other activities in which budgeted line items exist. Beginning cash balances (as determined by the Captain) shall be maintained in locked locations. It shall be the responsibility of the designated supervisor to authorize use of buy money and oversee the adequate documentation and tracking of the dispersed funds.

Funds to be disbursed in excess of $5000 must have the prior approval of the Sheriff.
Training

204.1 PURPOSE AND SCOPE
It is the policy of this office to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Office will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

204.2 PHILOSOPHY
The Office seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels and legal mandates. Whenever possible, the Office will use courses certified by the Oregon Department of Public Safety Standards and Training (DPSST).

204.3 OBJECTIVES
The objectives of the Training Program are to:

(a) Enhance the level of law enforcement service to the public
(b) Increase the technical expertise and overall effectiveness of our personnel
(c) Provide for continued professional development of department personnel
(d) Enhance the safety of deputies and the community
(e) Provide training documentation to DPSST

204.4 TRAINING PLAN
A training plan will be developed and maintained by the Training Officer. It is the responsibility of the Training Officer to maintain, review and update the training plan on an annual basis. The plan will address the following areas:

• Legislative changes and changes in case law
• State-mandated training
• Prison Rape Elimination Act (PREA)
• High-liability issues training
• Training on office policies and procedures

204.5 TRAINING NEEDS ASSESSMENT
The Training Division will conduct an annual training-needs assessment of the Office. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.
204.6 TRAINING PROCEDURES

(a) All employees assigned to attend training shall attend unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to:

1. Court appearances.
2. First choice vacation.
4. Physical limitations preventing the employee’s participation.
5. Emergency situations.

(b) When an employee is unable to attend mandatory training, that employee shall:

1. Notify his/her supervisor as soon as possible, but no later than at least one hour prior to the start of training.
2. Document his/her absence in a memorandum to his/her supervisor.
3. Make arrangements through his/her supervisor and the Training Officer to attend an alternate date.

204.7 TRAINING COSTS

It is the responsibility of the Training Officer to determine when the Jackson County Sheriff’s Office may be entitled for training reimbursements when a deputy has completed any portion of basic training in the last 36 months and voluntarily leaves employment and is subsequently employed by a different law enforcement agency in a position that requires the same training. If it is determined to seek reimbursement for qualifying expenses, the requests shall comply with the provisions of ORS 181A.620.

204.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Jackson County Sheriff’s Office policy manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the assigned sergeant.

Personnel assigned to participate in DTBs shall only use login credentials assigned to them by the assigned sergeant. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should logoff the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of this agency.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed
During extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

204.9 TRAINING RECORDS

An individual training file shall be maintained by the Administrative Sergeant or the authorized designee for each employee. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas and other documentation) for all employees.

The maintenance of the training records shall be in sufficient detail as to comply with any outside audit requirements (28 CFR 115.34).

Whenever an employee obtains training that is not provided by this office, it shall be the responsibility of the employee to provide his/her immediate supervisor or the Administrative Sergeant evidence of completed training or education in a timely manner.

The Administrative Sergeant or supervisor shall ensure that copies of such training records are placed in the employee’s training file.

Training records shall contain the following information:

- Name of the employee
- Date of hire
- Education and training background (education and training received prior to hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
PERSONAL MAIL

205.1 PURPOSE AND SCOPE
It is the policy of this office that employees will have all personal mail sent directly to their residence or post office box, with the exception of DMV records as per ORS 802.250, outlined below.

GENERAL INFORMATION:
Personal mail is defined as anything that is addressed to the employee directly and cannot be determined to be associated to any type of case and/or work-related matters.

EXCEPTIONS FOR RECEIVING PERSONAL MAIL:
Per ORS 802.250, a police officer or eligible public employee may request that any driver or vehicle record kept by the Department of Transportation that contains or is required to contain the officer's or eligible employee's residence address contain instead the address of the public agency employing the officer or eligible employee. Therefore, the one exception to the receiving of personal mail by department personnel will be any item from, or related to DMV records for reasons described in the above statute.

PROCESSING OF MAIL:
Mail is processed each day of mail delivery by Civil or Administrative personnel, and is sorted by name and/or department accordingly. There are two exceptions to the opening of mail by Civil or Administration personnel: mail addressed to the Sheriff's Office with no associated names or departments, and mail sent from the Oregon State Crime Lab & I.D. Bureau (due to enclosed criminal case information). Mail being sent to prisoners of the Jackson County Jail will be sent to the jail, where it will be opened and processed per policy. All other mail sent to the appropriate department, where it will be placed in the employee's corresponding mailbox/work area. If a situation does arise where personal mail is opened unintentionally, the item will be resealed and a note attached explaining the reason for the mistake, as well as the name of the person who opened it. All unofficial personal mail not included in the above categories will be photocopied in the unopened envelope, distributed, and a note with the photocopy sent to the employee's immediate supervisor to have the employee redirect the mail to an appropriate address. Because junk mail is unavoidable and difficult to control, it will not be considered "unofficial mail" for the purposes of directive violations.
Administrative Communications

206.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members with the protocols and forms to be used for internal administrative communications. Administrative communications of this department are governed by the following policies.

206.2 PERSONNEL ORDERS
Personnel Orders may be issued periodically by the Sheriff to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

206.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Sheriff. Personnel should use Department letterhead only for official business and with approval of their supervisor.

206.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Sheriff or a Division Commander.

206.5 INFORMATIONAL MEMOS
The Sheriff may issue memoranda to department personnel from time to time for the purpose of disseminating information to the members.
Contractual Law Enforcement Services

207.1 PURPOSE AND SCOPE
To establish policy regulating agreements for law enforcement services. It is the policy of this department to adhere to the county contract review policy and the conditions as outlined in the procedure.

207.1.1 PROCEDURE
1. Any contracted law enforcement is based on an assessment for the recipient government's needs.

2. The elements of contract law enforcement services should be clearly identified as well as the costs and other considerations. The department shall assess administrative fees for most contracts. The contract must be reviewed regularly to assure that the services received are being provided and to accommodate any changes that may be necessary in the service area.

3. The contract must contain clear and precise statements to identify the nature and extent of the services to be provided. Among the points that should be included are:
   - Equipment and facilities to be used
   - Functions and activities to be performed
   - Planning, organizing, and scheduling of services
   - Guidelines for local ordinance enforcement by provider agency personnel
   - The guidelines concerning authority of provider personnel to cite an offender into appropriate courts.

4. Precise accounting of the various elements included in the service contracts shall be made to avoid confusion and misunderstanding once the contract becomes effective. Among the specific details which must be included are salary and fringe benefits, payment for support services and overhead costs, maintenance of cost accounting records and the issuance of financial reports, formula for the escalation of costs, time and manner of payment for service, and the procedures for the disposition of revenues generated by law enforcement activities of the provider agency personnel. Equipment costs, depreciation, other direct and indirect costs and administrative costs must also be included.

5. The Jackson County Sheriff's Office, as the provider, must maintain records concerning the nature and degree of services that are provided. Statistical data must be maintained. Data shall include number of calls for service, classification of calls for service, number of arrests, number of persons arrested by sex and age, number of non-criminal calls for service, and any assistance that may be rendered. Records Section should note the geographical location of reported incidents, the time of day the call was received, the time required for our unit to respond, and the time on the scene.
Contractual Law Enforcement Services

6. Parties to the contract should have a clear understanding of the basic parameters of the agreement dealing with its beginning, duration, modification, and ending. Among those points that should be specifically addressed are: the beginning and termination dates or conditions of the contract, procedures for termination, renewal, or amendments, procedures for withdrawal, and procedures for legal action in the event of default.

7. The agreement must include coverage of a variety of contingencies having obvious legal implications. These contingencies shall include a determination of which party shall defend the provider agency in the event of a law suit, provisions for payment of compensation should the provider agency be found liable in a law suit, identification of persons who represent parties to the contract, procedures to be followed where a tort action is taken against provider agency personnel.

8. The contract shall ensure that the provider agency be responsible for hiring, training, assignment, discipline, and dismissal of personnel so as to retain authority over its personnel and to maintain effective accountability and supervision.

9. Stipulations in the contract must include provisions for property and facility ownership, leasing, purchasing, and disposition following termination of the contract and provisions stating responsibility for maintenance of the equipment and facilities to be used. The contract must develop clear lines of responsibility and accountability.

10. Contractual agreement for law enforcement services shall not be discriminatory toward any employee. Assignments must not be punitive and employees rights, promotional opportunities, training advantages, and fringe benefits must be safeguarded.

11. All contracts for law enforcement services must have the Sheriff’s approval, be reviewed by County Counsel for content, and approved by the Board of Commissioners and County Administrative Officer.

12. County policies regarding contract review shall be followed.
Physical Security

208.1 PURPOSE AND SCOPE
It shall be the policy of this agency that any person not currently employed with the Sheriff's Office may be subject to fingerprinting and a criminal history check prior to being allowed into any secure area of the building.

208.2 DEFINITIONS
Visitor: A visitor is defined as a person who visits the Sheriff’s Office facility on a temporary basis who is not employed by our agency and has no unescorted access to the physically secure areas where confidential and associated information systems are located.

Authorized Personnel: Authorized personnel are those persons employed by the Sheriff’s office or have received authorization to be in the secure area of the facility without an escort, in accordance with this policy.

208.3 VISITORS
Visitors shall present a valid form of photo identification prior to being allowed into the facility. Visitors shall be checked in on the visitor’s log to include their name, agency/company, purpose of visit, date of visit, time of arrival and time of departure. All visitors must be escorted at all times within the secure area of the facility. The person hosting the visitor is responsible for ensuring these requirements are met.

208.4 AUTHORIZED PERSONNEL
In order to receive authorization for unescorted access to the facility, contractors and/or vendors must submit to an Application for Special Admission, see attached. The person will be subject to fingerprinting and a Criminal History check. The results of the Criminal History shall be reviewed by the Sheriff or his designee. Applicants who have a criminal record consisting of felony conviction(s) shall be denied. Additionally, applicants found to have confirmed outstanding arrest warrants shall be denied.

Once an applicant is approved, their information shall be added to the Approved Vendor Log, see 209.4. Depending on the duration of assignment in the building, some vendor/contractors may be issued an identification card and keyless entry fob. Their identification shall be worn and visible at all times while in the building. Vendors/contractors with limited or short duration of work will be issued a temporary keyless entry fob once their identity if verified by checking the Approved Vendor Log and their valid photo identification.

Per CJIS, all authorized personnel must sign Security Addendum, see attached.

See attachment: Security Addendum.pdf
See attachment: Security Addendum Certification.pdf
See attachment: Admission application.pdf
208.5 APPROVED VENDOR LOG
Once an applicant has been approved, their information will be added to the Approved Vendor Log which will be maintained in the Sheriff’s Office General folder on the computer. The log will contain, at a minimum, the applicant’s name, company represented, date of approval and the name of the person making the entry.
OREGON CIVIL PROCEDURES

209.1 PURPOSE AND SCOPE
To establish guidelines for conducting business applying to civil processes.

It is the policy of the department to conduct civil business according to the Oregon Rules of Civil Procedure and Oregon Revised Statutes. The manual of Oregon Rules of Civil Procedure is the guideline for this policy.

209.1.1 CIVIL PROCESS-SERVICE AND REQUIREMENTS
The service of civil processes is a high priority within the department. Every reasonable attempt must be initiated to serve these processes in a timely manner. Each officer is held accountable to attempt service of the civil processes assigned.

GENERAL INFORMATION:

(a) Oregon Revised Statute mandates the Sheriff to execute and serve judicial process delivered for that purpose.

(b) Oregon Revised Statute implies that a reasonable attempt must be initiated to serve civil processes accepted by the Sheriff within 10 days.

(c) The department is exposed to civil liability if a reasonable attempt to serve these processes is not initiated.

(d) Processing of civil documents by the Civil Bureau is based on the following statutes prior to service:
   1. 21.410, Collection of Fees.
   2. 21.660, Fees paid in advance of service.
   3. 206.030, Service was performed in a timely manner and proof of service has been completed.
   5. 206.020, Required to maintain a record keeping system.

PROCEDURE:

(a) Intake of Civil Process for Service
   (a) All civil process directed to this department for service shall be processed by the Civil Section prior to any service.
   
   (b) Employees receiving requests from citizens to serve process shall direct the citizen to contact the Civil Section for processing the documents prior to service.
   
   (c) Employees should make all reasonable efforts to verify the respondent’s identity prior to entering the respondent into LEDS/NCIC. If the respondent’s identity is in question, a supervisor should be notified prior to entry into LEDS/NCIC.
(b) Service

(a) Officers assigned civil processes shall initiate every reasonable effort to serve the process. Additional attempts to serve the process shall be initiated by the officer if necessary.

(b) All attempts of service shall be documented on the civil envelope with the date, time, information obtained, and officers’ initials and department identification number. All jackets issued but not attempted shall be documented with the words "Unable to Try" or the acronym "UTT", followed by officer’s initials and department identification number.

(c) If the service is not initiated on the first attempt, the officer shall leave a civil business card at the location. The civil section shall cause a card to be placed in each civil envelope assigned for service. Officers shall write the person’s name and civil envelop number on the civil business card at the time the officer leaves the card.

(d) Discretion must be used in releasing the names of individuals or the nature of the civil document to unaffected persons.

(e) Officer assigned civil process to be served on inmates of the Jackson County Jail shall do so by presenting the document envelope to Corrections Bureau employees. The Corrections Bureau shall cause service and return documents to the Civil Section.

(f) Officers assigned to rural areas, i.e. Prospect, Butte Falls, Rogue River, Applegate, Dead Indian, etc., may be responsible for service in those areas, when work load allows.

(g) When the citation is served, the deputy should attempt to verify the identity of the respondent being served by verbally confirming the subject’s name and date of birth and/or by examining proper identification.

(c) Return of Document

(a) All civil envelopes assigned to officers must be returned to the location designated by the civil section prior to the end of the officer’s shift. In the case of officers assigned to rural areas, the civil envelopes must be returned at the end of their work week. Exceptions must be approved by the Civil Section.

   (a) Served envelopes shall be placed in the served basket located on the Civil Section’s check out/in desk.

   (b) Non served envelopes shall be placed in the patrol basket located on the Civil Section’s check out/in desk.
(c) If the officer has reason to believe that further efforts to serve a particular paper shall be futile, the reason shall be documented on the envelope and the envelope returned to the served basket for review by the civil section.

(b) Restraining Orders that have been served must be presented to records for automation as soon as possible after service. The Civil or Police Records Section must be advised of service immediately after service by radio or phone contact.

(c) Any special instructions shall be typed on the envelope by the civil section prior to service.

(d) Civil service is a court mandate and required by ORS. It is incumbent upon all of us to ensure prompt service and a productive return.
Concealed Handgun License

210.1 PURPOSE AND SCOPE
The Sheriff of a county shall issue Oregon concealed handgun licenses to qualified applicants upon receipt of the appropriate fees and after compliance with the procedures set out in ORS 166.291 through ORS 166.295. Police Departments should refer inquiries related to concealed handgun licenses to the Sheriff's Office.

210.1.1 LICENSING PROCEDURE
All concealed handgun license applicants shall be accepted and processed by the Civil Bureau. Upon receipt of an application:

(a) The completed Application to Carry a Concealed Handgun will be reviewed by the Civil Supervisor or his/her designee. If not complete, it should be immediately returned to the applicant for completion.

(b) The Civil Bureau will process the application in a timely manner and complete all the procedures as required by law.

(c) The completed background review should be forwarded to the Sheriff for approval or denial. Any disqualifying information should be highlighted for the Sheriff's review.

210.2 QUALIFIED APPLICANTS
To qualify for an Oregon concealed handgun license, an applicant must meet the criteria set forth in ORS 166.291 et seq.

210.3 APPLICATION PROCESS
Applicants for Oregon concealed handgun licenses must complete a written application, must submit to fingerprinting and photographing by the Sheriff, and the Sheriff shall conduct any investigation necessary to ensure that applicants meet the qualifications.

Immediately upon acceptance of an application for a concealed handgun license, the Sheriff shall enter the applicant's name into the Law Enforcement Data System (ORS 166.291).

210.3.1 WRITTEN APPLICATION
The Sheriff will provide, and the applicant must complete, a uniform application for a concealed handgun license (ORS 166.291).

210.3.2 FINGERPRINTING, PHOTOGRAPHING AND INVESTIGATION
The applicant must submit to fingerprinting and photographing by the Sheriff. The Sheriff shall fingerprint and photograph the applicant and shall conduct any investigation necessary to corroborate the qualification requirements. If a nationwide criminal check is necessary, the Sheriff shall request the Department of State Police to conduct the check, including fingerprint identification, through the Federal Bureau of Investigations (ORS 166.291).
Concealed Handgun License

210.4 DENIAL OF CONCEALED HANDGUN APPLICATIONS
If the application for the concealed handgun license is denied, the Sheriff shall set forth in writing the reasons for the denial. The denial shall be sent to the applicant by certified mail, restricted delivery, within 45 days after the application was made. If no decision is issued within 45 days, the person may seek review through the procedures set out in ORS 166.293(5).

A Sheriff may deny a concealed handgun license if the Sheriff has reasonable grounds to believe that the applicant has been or is reasonably likely to be a danger to self or others, or to the community at large, as a result of the applicant's mental or psychological state, as demonstrated by past pattern of behavior or participation in incidents involving unlawful violence or threats of unlawful violence (ORS 166.293).

210.5 ISSUED CONCEALED HANDGUN LICENSES
If the application for the license is approved, the Sheriff shall issue and mail or otherwise deliver to the applicant at the address shown on the application, within 45 days of the application, a wallet sized license bearing the photograph of the licensee. The license must be signed by the licensee and carried whenever the licensee carries a concealed handgun. Failure of a person who carries a concealed handgun also to carry a concealed handgun license is prima facie evidence that the person does not have such a license (ORS 166.292).

The Sheriff shall keep a record of all the licenses that are issued or renewed.

Unless revoked, an Oregon concealed handgun license is valid for a period of four years from the date on which it is issued.

210.5.1 LICENSE RESTRICTIONS
When a Sheriff issues a concealed handgun license, the Sheriff shall provide the licensee with a list of those places where carrying concealed handguns is prohibited or restricted by state or federal law (ORS 166.292).

210.5.2 CHANGE OF LICENSEE’S ADDRESS
If a licensee changes residence, the licensee shall report the change of address and the Sheriff shall issue a new license as a duplicate for a change of address. The license shall expire upon the same date as would the original (ORS 166.295).

210.5.3 REVOCATION OF LICENSES
Any act or condition that would prevent the issuance of a license under ORS 166.291 as set out above, is cause for revoking a concealed handgun license.

A Sheriff may revoke a license by serving upon the licensee a notice of revocation. The notice must contain the grounds for the revocation and must be served either personally or by certified mail, restricted delivery. The notice and return of service shall be included in the file of the licensee. The revocation is effective upon the licensee's receipt of the notice.

Any peace officer or corrections officer may seize a concealed handgun license and return it to the issuing Sheriff when the license is held by a person who has been arrested or cited for a crime that
**Concealed Handgun License**

can, or would otherwise disqualify the person from being issued a concealed handgun license. The issuing Sheriff shall hold the license for 30 days. If, after 30 days, the person is not charged with a crime the Sheriff shall return the license unless it is revoked.

A person whose license is revoked may seek review by following the procedure set forth in **ORS 166.293**.

### 210.5.4 LICENSE RENEWAL

A concealed handgun license is renewable by repeating the application process, except for the requirement to submit fingerprints and provide character references. An otherwise expired concealed handgun license continues to be valid for up to 45 days after the licensee applies for renewal if: the licensee applies for renewal before the original license expires; the licensee has proof of the application for renewal; and the application for renewal has not been denied (ORS 166.295).

### 210.6 ANNUAL REPORT OF LICENSE REVOCATIONS

The Sheriff shall submit an annual report to the Department of State Police containing the number of concealed handgun licenses revoked during the reporting period and the reasons for the revocations (ORS 166.297).
Retiree Concealed Firearms

211.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Jackson County Sheriff's Office identification cards under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

211.2 POLICY
It is the policy of the Jackson County Sheriff's Office to provide identification cards to qualified former or retired deputies as provided in this policy.

211.3 LEOSA
The Sheriff may issue an identification card for LEOSA purposes to any qualified former deputy of this department who (18 USC § 926C(c)):

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

211.3.1 IDENTIFICATION CARD FORMAT
The LEOSA identification card should contain a photograph of the former deputy and identify him/her as having been employed as a deputy.

If the Jackson County Sheriff's Office qualifies the former deputy, the LEOSA identification card or separate certification should indicate the date the former deputy was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

211.3.2 AUTHORIZATION
Any qualified former law enforcement officer, including a former deputy of this department, may carry a concealed firearm under 18 USC § 926C when:

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
   1. An indication from the person’s former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement
agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by Oregon law or by a private person or entity on his/her property if such prohibition is permitted by Oregon law.

211.4 FORMER DEPUTY RESPONSIBILITIES

A former deputy with a card issued under this policy shall immediately notify the Patrol Sergeant of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

211.4.1 RESPONSIBILITIES UNDER LEOSA

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

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

(b) Remain subject to all applicable department policies and federal, state and local laws.

(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

(d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

211.5 DENIAL, SUSPENSION OR REVOCATION

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

211.6 FIREARM QUALIFICATIONS

The Rangemaster may provide former deputies from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.
Conduct of Employees - Generally

212.1 PURPOSE AND SCOPE
To establish guidelines for employees that engage in activities affecting the Sheriff's Office.

212.2 POLICY
Employees shall conduct their private and professional lives in a manner that exemplifies high standards of integrity and trust.

212.3 FUNCTIONS AND RESPONSIBILITIES
Essential Job Functions

(a) Essential job functions have been identified for each position.

(b) Employees are responsible to meet all essential job functions established for their position.

212.3.1 ON DUTY RESPONSIBILITIES

(a) Employees are always subject to duty although periodically relieved of its performance.

(b) Employees shall obey all laws, ordinances, and policies of the department.

(c) Employees shall obey all lawful orders of their supervisors. An order is a specific rule or authoritative direction or instruction by a supervisor.

1. No supervisor shall knowingly issue any order that is unlawful or in violation of policy.

2. The totality of the circumstances may dictate and justify deviation, however, the burden of proof rests with the individual initiating the order.

3. Obedience to an unlawful order is never a defense for an unlawful action. Employees are not required to obey any order that is contrary to law. The responsibility to refuse rests with the employee.

4. Employees receiving orders they believe to be unjust or contrary to policy must first obey the order then, when practical, process an appeal.

   (a) Report the incident to the Sheriff in writing via the chain of command.

   (b) The report shall contain the facts of the incident and the action taken.

   (c) A request for release from the order may be initiated at the same time.

   (d) The Sheriff shall respond as soon as possible but within 10 days unless unusual circumstances exist.

5. Employees who receive conflicting orders must advise the person initiating the second order of the conflict.
Conduct of Employees - Generally

(a) The responsibility of countermanding the original order rests with the supervisor initiating the second order. The supervisor countermanding the first order is responsible to notify the supervisor who initiated the first order.

6. Failure of any employee to obey a lawful order shall be considered insubordination.

(a) Ridiculing a supervisor in or out of his presence may be considered insubordination.

(b) Employees who receive sustained charges of insubordination may receive serious discipline up to and or including termination.

(d) Employees assigned unique duties are not relieved from taking proper action outside the scope of their assignment when it becomes necessary.

(e) Employees shall follow and adhere to principals of integrity, fairness, and impartiality in connection with their duties. Employees shall maintain an impartial and objective demeanor during official contacts.

(f) Employees are responsible for maintaining a high spirit of cooperation within and without the organization. Employees shall treat each other with respect and display courteous behavior at all times.

(g) Employees are responsible to establish and maintain a good working knowledge of laws, policy, and department practice.

(h) Employees shall refuse to offer, provide or receive gifts, favors, or gratuities, large or small, which may be reasonably interpreted as capable of influencing official acts or judgments.

i. This policy is not intended to isolate employees from normal social practices or to preclude gifts among friends, associates, or civic groups.

ii. Employees shall not consider their position as a means to obtain special favors or consideration.

iii. Gifts such as a keychain following a Rotary presentation or a box of surplus pears for the entire office from a local orchard are examples of acceptable gifts that are not intended for special favors.

(i) Employees shall at all times be cognizant of confidential matters.

i. Release of records only as authorized.

ii. Treat as confidential information shared with the employee in confidence.

iii. Treat all matters relating to investigations, internal affairs, and personnel as confidential.

212.3.2 OFF DUTY RESPONSIBILITIES

(a) Off duty employees are not on standby, however, upon official notice, may be needed to report for duty immediately in compliance with the directions provided. The supervisor may excuse an employee from reporting to duty if necessary.
Conduct of Employees - Generally

(b) If a crime occurs in the presence of an off duty police officer which that officer believes is of such seriousness that appropriate action cannot wait the arrival of an on duty officer or other law enforcement officer, the officer shall take action as outlined in SOP 356 – Off-Duty Law Enforcement Actions.

(c) Employees shall avoid regular or continuous associations or dealings with persons whom the employee knows or should have known to be part of organized crime, felons or suspected felons, sexual offenders, persons under criminal indictment or investigation; or with persons known to law enforcement to be involved in felonious criminal behavior. Exceptions shall be allowed to perform official duties or where such contacts are unavoidable due to personal family relationships of the employee.

(d) Employees shall notify their supervisor promptly and fully report activities on his/her part or the part of any other employee where such activities resulted in contact with any law enforcement agency.
Department Decorum

213.1 PURPOSE AND SCOPE
It shall be the policy of this department to display and maintain a professional attitude towards the public and office personnel. Effective communications is a vital link to achieve this goal.

213.2 GENERAL INFORMATION
Public contact by employees is vital to the accomplishment of the department's mission to serve the public.

Communications is the process by which people attempt to share meanings through symbolic messages. It is through effective communications that we achieve our mission.

The key elements in the communications process are:

- Seek to clarify your ideas before communicating. The more systematically we analyze the problem or idea to be communicated, the clearer it becomes.

- Examine the true purpose of each communication. Before you communicate, ask yourself what you really want to accomplish with your message - obtain information, initiate action, and change another person's attitude. Identify your most important goal and then adapt your language, tone, and total approach to serve that specific objective.

- Consider the total physical and human setting whenever you communicate. Meaning and intent are conveyed by more than words alone. Consider, for example, your sense of timing, i.e., the circumstances under which you make an announcement or render a decision; the physical setting - whether you communicate in private, for example, or otherwise; the social climate that pervades work relationships within the company or a department and sets the tone of its communications.

- Consult with others, where appropriate, in planning communication. Such consultation often helps to lend additional insight and objectivity to your message. Moreover, those who have helped you plan your communication shall give it their active support.

- Be mindful, while you communicate, of the overtones as well as the basic content of your message. Your tone of voice, your expression, your apparent receptiveness to the responses of others - all have tremendous impact on those you wish to reach.

- Take the opportunity, when it arises, to convey something of help or value to the receiver. Consideration of the other person's interests and needs - the habit of trying to look at things from his or her point of view - shall frequently point up opportunities to convey something of immediate benefit or long range value to him or her.

- Follow up your communication. This you can do by asking questions, by encouraging the receiver to express his reactions, by follow up contacts, by subsequent review of performance. Make certain that every important communication has a "feedback" so that complete understanding and appropriate action result.

- Be sure your actions support your communications. In the final analysis, the most persuasive kind of communication is not what you say but what you do.
Department Decorum

- Seek not only to be understood but to understand - BE A GOOD LISTENER. When we start talking we often cease to listen - in that larger sense of being attuned to the other person's unspoken reactions and attitudes. Listening demands that we concentrate not only on the explicit meanings another person is expressing, but on the implicit meanings, unspoken words, and undertones that may be far more significant.

A professional office demeanor is vital to promoting credibility and integrity with the public and other governmental agencies. Credibility and integrity can be achieved by using simple, direct language, attempting to empathize with the receiver, avoiding distractions, being aware of one's own emotionality, and by being honest. The use of supportive behavior is vital to reduce defensive reactions.

213.3 PUBLIC CONTACT

A. Employees shall remain cognizant of the public's presence in work areas and conduct themselves in a professional manner. Comments regarding confidential matters and personal conversations shall not be discussed in front of the public.

B. Citizens making inquiries regarding criminal law shall be referred to a Deputy Sheriff or other appropriate agency.

C. Citizens making inquiries regarding civil law or processes shall be referred to the Civil Section. The Civil Section shall provide information to the extent of department responsibilities and refer other inquiries to an attorney or other appropriate source of information.

D. Follow the 9 key elements to effective communications.

213.4 TELEPHONE CALLS

A. Telephone calls shall be answered in a professional manner, keeping in mind that tone of voice and a willingness to listen is essential to projecting a positive department image.

B. All telephone calls shall be placed on "HOLD" when researching information, making inquiries of others, or attempting to locate department members.

C. Department members responsible for directing telephone calls shall determine if the intended receiver of the call is in his office and is available for a call at that time.

   (a) Calls shall be placed on "HOLD" and determine if the individual the call is intended for is available.

   (b) If the individual is currently speaking on the telephone, do not interrupt the phone conversation unless an emergency exists.

   (c) Calls shall not be transferred without the approval of the receiving party.

D. Supervisors in the Police & Civil Services Division and Administration shall be located by telephone intercom only. If that employee is not in his office, messages shall be taken.
Department Decorum

1. Phone messages shall include complete information, i.e. date and time of call, name and phone number of caller (obtain correct spelling of caller), brief nature of the call, and name or initials of the individual taking the message.

2. Phone messages shall be relayed as soon as practical after the message is taken.

213.5 APPROVAL OF DOCUMENTS
Documents requiring executive approval (i.e., explosive permits, OLCC permits), shall be signed at the convenience of the executive employee. If executive employees are unavailable, the individual may return at a later time to pick up the signed permit. Executive employees involved in meetings or conferences shall not be interrupted to sign documents.
TRAINING PLAN

214.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a training plan that will provide for the professional growth and continued development of facility personnel and to forecast annual funding needs for future training. By doing so, the Office will ensure its personnel possess the knowledge and skills necessary to professionally perform their duties.

214.2 POLICY

The Training Coordinator shall conduct an annual training needs assessment to determine the training needs of all employees based upon state laws, regulations, certification requirements and continued professional training requirements.

A training plan shall be based on the assessment. It is the responsibility of the Training Coordinator to develop, maintain, review and update the training plan on an annual basis.

The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast by the Training Coordinator. The Training Coordinator shall coordinate with the budgeting office to develop a funding source for all mandatory training.

The Sheriff or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Office.

The Training Coordinator will execute the training plan on behalf of the Sheriff.

214.3 TRAINING COORDINATOR

A qualified individual shall be appointed by the Sheriff or the authorized designee to serve as the Training Coordinator, who shall report to the Sheriff or the authorized designee.

Full-time employees who are assigned to be trainers shall receive specialized instruction, which at a minimum shall include a 40-hour train-the-trainers course.

The Training Coordinator is responsible for developing an annual training plan. The plan should ensure that employees meet all state law and certification requirements, any specialty training required for specialty assignments, and all continued professional training requirements. The plan should include a process to review course content and quality, typically by way of attendee feedback and/or a course audit by the training staff.
214.4 TRAINING RECORDS

An individual training file shall be maintained by the Training Coordinator or the authorized
designee for each employee. Training files shall contain records of all training and education
(original or photocopies of available certificates, transcripts, diplomas and other documentation)
for all employees.

The maintenance of the training records shall be in sufficient detail as to comply with any outside
audit requirements (28 CFR 115.34).

Whenever an employee obtains training that is not provided by this office, it shall be the
responsibility of the employee to provide his/her immediate supervisor or the Training Coordinator
evidence of completed training or education in a timely manner.

The Training Coordinator or supervisor shall ensure that copies of such training records are placed
in the employee’s training file.

Training records shall contain the following information:

- Name of the employee
- Date of hire
- Education and training background (education and training received prior to hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks

The Training Coordinator shall also be responsible for documenting the waivers of the training
requirements based upon equivalent training received before employment or demonstrated
competency through proficiency testing.

214.5 COURSE CERTIFICATION/QUALITY ASSURANCE

Training courses should be subject to a quality assurance process that, at minimum, provides:

- A complete description of the course, including the number of certified training hours
  achieved.
- A curriculum including job-related topics, and content and performance objectives.
Training should not be comprised only of the minimum number of hours required annually but also of instruction specific to tasks performed by employees in the facility. Courses should include a testing component that shows a measurable transfer of knowledge and a mastery of topics.

214.6 TRAINING COMMITTEE

The Training Coordinator shall establish a training committee, which will serve to assist with identifying training needs for the Office. The training committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs.

The Training Coordinator may remove or replace members of the committee at his/her discretion. The training committee should review certain incidents, as detailed below, to determine whether training would likely improve future outcomes, or would reduce or prevent the recurrence of an incident. Specific incidents the training committee should review include, but are not limited to:

- Any incident involving the death or serious injury of an employee.
- Incidents involving a high-risk of death, serious injury or civil liability.
- Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The training committee should convene on a regular basis, as determined by the Training Coordinator, to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit a written recommendation to the Training Coordinator. The recommendation should not identify specific facts of any incident, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Training Coordinator will consider the recommendation of the committee and determine what training should be addressed, taking into consideration the mission of the Office and available resources.

214.7 TRAINING PROCEDURES

All employees assigned to attend training shall attend as scheduled, unless previously excused by their immediate supervisors or the Training Coordinator. Excused absences from mandatory training should be limited to the following:

(a) Court appearances
(b) Authorized vacation
(c) Sick leave
(d) Physical limitations preventing the employee's participation
(e) Emergency situations

When an employee is unable to attend mandatory training, that employee shall:

(a) Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.

(b) Document his/her absence in a memorandum to the supervisor.

(c) Make arrangements through the supervisor and the Training Coordinator to attend the required training on an alternate date.
Chapter 3 - General Operations
Use of Force

300.1 PURPOSE AND SCOPE
This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

See attachment: DT-1.pdf

300.1.1 DEFINITIONS
Definitions related to this policy include:

Deadly force - Physical force that under the circumstances in which it is used is readily capable of causing death or serious physical injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

300.2 POLICY
The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Deputies are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Deputies must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting deputies with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE
Any deputy present and observing another deputy using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. A deputy who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE
Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.
Use of Force

The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST
A deputy is justified in using force upon another person only when and to the extent that the deputy reasonably believes it necessary (ORS 161.235):

(a) To make an arrest or to prevent the escape from custody of an arrested person unless the deputy knows that the arrest is unlawful; or

(b) For self-defense or to defend a third person from what the deputy reasonably believes to be the use or imminent use of force while making or attempting to make an arrest or while preventing or attempting to prevent an escape.

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE
When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

(a) Immediacy and severity of the threat to deputies or others.

(b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.

(c) Deputy/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).

(d) The effects of drugs or alcohol.

(e) Subject’s mental state or capacity.
Use of Force

(f) Proximity of weapons or dangerous improvised devices.

(g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

(h) The availability of other options and their possible effectiveness.

(i) Seriousness of the suspected offense or reason for contact with the individual.

(j) Training and experience of the deputy.

(k) Potential for injury to deputies, suspects and others.

(l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the deputy.

(m) The risk and reasonably foreseeable consequences of escape.

(n) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.

(p) Prior contacts with the subject or awareness of any propensity for violence.

(q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Deputies may only apply those pain compliance techniques for which they have successfully completed department-approved training. Deputies utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the deputy.

(c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the deputy determines that compliance has been achieved.

300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, deputies may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, deputies are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, deputies should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be
restricted. Deputies are encouraged to use techniques and methods taught by the Jackson County Sheriff's Office for this specific purpose.

300.4 REVIEW BOARD
The Use of Force Review Board may be convened at the discretion of the Sheriff. The Sheriff may request the Use of Force Review Board to review the circumstances surrounding any use of force incident.

The Support Services Division Commander will convene the Use of Force Review Board as necessary. It will be the responsibility of the Division Commander or supervisor of the involved employee to notify the Support Services Division Commander of any incidents requiring board review. The involved employee's Division Commander or supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

300.4.1 COMPOSITION OF THE BOARD
A Division Commander outside the effected employee's chain of command may select five Use of Force Review Board members from the following, as appropriate:

- Representatives of each bureau
- Commanding officer in the involved member's chain of command
- Training Officer
- Non-administrative supervisor
- A peer deputy
- A sworn peace officer from an outside law enforcement agency
- Department instructor for the type of weapon, device or technique used

The senior ranking command representative who is not in the same bureau as the involved employee will serve as chairperson.

300.4.2 RESPONSIBILITIES OF THE BOARD
The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, and call persons to present information. The involved employee will be notified of the meeting of the board.

The board does not have the authority to recommend discipline.

The Sheriff will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The board should be provided all relevant available material from these proceedings for its consideration.
Use of Force

The review shall be based upon those facts which were reasonably believed or known by the deputy at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the deputy at the time shall neither justify nor call into question a deputy's decision regarding the use of force.

The board shall recommend additional investigations or reviews, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Sheriff. A recommended finding requires a majority vote of the board.

The Sheriff shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Sheriff's final findings will be forwarded to the involved employee's Division Commander for review and appropriate action. If the Sheriff concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Sheriff.

300.5 DEADLY FORCE APPLICATIONS
Use of deadly force is justified in the following circumstances:

(a) A deputy may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.

(b) A deputy may use deadly force to stop a fleeing subject when the deputy has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the deputy reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if a deputy reasonably believes any of the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the deputy or another.

2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.
Use of Force

300.5.1 SHOOTING AT OR FROM MOVING VEHICLES
Deputies should, when practicable, move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. A deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others. The deputy should only discharge a firearm from a moving vehicle when the deputy reasonably believes there are no other reasonable means available to avert the threat.

Deputies should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.6 REPORTING THE USE OF FORCE
Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The deputy should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis and related purposes, the Department also requires the completion of additional report forms, as specified in department policy, procedure or law.

300.6.1 NOTIFICATION TO SUPERVISORS
Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.
(b) The application would lead a reasonable deputy to conclude that the individual may have experienced more than momentary discomfort.
(c) The individual subjected to the force complained of injury or continuing pain.
(d) The individual indicates intent to pursue litigation.
(e) Any application of the or control device.
(f) Any application of a restraint device other than handcuffs, shackles or belly chains.
(g) The individual subjected to the force was rendered unconscious.
(h) An individual was struck or kicked.
(i) An individual alleges any of the above has occurred.

300.7 MEDICAL CONSIDERATION
Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.
Use of Force

Based upon the deputy’s initial assessment of the nature and extent of the subject’s injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another deputy and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling deputy shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the deputy reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Deputies who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.8 SUPERVISOR RESPONSIBILITY
When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(a) Obtain the basic facts from the involved deputies. In the event of the application of deadly force, a supervisor shall obtain information to ensure public safety and preserve the crime scene. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her Miranda rights, the following shall apply:

1. The content of the interview should not be summarized or included in any related criminal charges.

2. The fact that a recorded interview was conducted should be documented in a property or other report.

3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
Use of Force

(d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

(e) Identify any witnesses not already included in related reports.

(f) Review and approve all related reports.

(g) Determine if there is any indication that the subject may pursue civil litigation.

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.8.1 PATROL SERGEANT RESPONSIBILITY
The Patrol Sergeant shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.9 TRAINING
Deputies will receive periodic training on this policy and demonstrate their knowledge and understanding.

300.10 USE OF FORCE ANALYSIS
At least annually, the Operations Division Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Sheriff. The report should not contain the names of deputies, suspects or case numbers, and should include:

(a) The identification of any trends in the use of force by members.

(b) Training needs recommendations.

(c) Equipment needs recommendations.

(d) Policy revision recommendations.
Deadly Force Review

301.1 PURPOSE AND SCOPE
This policy establishes a process for the Jackson County Sheriff's Office to review the use of force by its employees. The implementation of this policy may be delayed by an investigation by MADIU. This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY
The Jackson County Sheriff's Office will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT
Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. In situations where policy 305.5.5 applies, the employee shall not be returned to a duty assignment that might place him/her in a situation in which he/she has to use deadly force until the District Attorney has made a final decision concerning criminal liability, or has presented the case to the Grand Jury.
Handcuffing and Restraints

302.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY
The Jackson County Sheriff's Office authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS
Only members who have successfully completed Jackson County Sheriff's Office-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, deputies should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES
Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS
Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by the use of leg irons, waist chains or handcuffs behind the body.

No person who is in labor shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary to prevent escape or injury.
302.3.3 RESTRAINT OF JUVENILES
A juvenile under 12 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the deputy or damage property.

302.3.4 NOTIFICATIONS
Whenever a deputy transports a person with the use of restraints other than handcuffs, the deputy shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the deputy reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS
Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person’s hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Deputies should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, deputies should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person’s back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person’s size, deputies should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS
Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the deputy reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Deputies utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Deputies should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Deputies should avoid comingling individuals wearing spit hoods with other detainees.
Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES
Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES
Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the department shall be used.

In determining whether to use the leg restraint, deputies should consider:

(a) Whether the deputy or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.

(b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting deputy while handcuffed, kicking at objects or deputies).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
When applying leg restraints the following guidelines should be followed:

(a) If practicable, deputies should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

(b) Once applied, absent a medical or other emergency, restraints should remain in place until the deputy arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person’s ability to breathe.

(d) The restrained person should be continually monitored by a deputy while in the leg restraint. The deputy should ensure that the person does not roll onto and remain on his/her stomach.

(e) The deputy should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by a deputy when requested by medical personnel. The transporting deputy should describe to medical personnel any unusual behaviors or other circumstances the deputy reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).
Control Devices and Techniques

303.1 PURPOSE AND SCOPE
This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY
In order to control subjects who are violent or who demonstrate the intent to be violent, the Jackson County Sheriff's Office authorizes deputies to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES
Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Sheriff or the authorized designee.

Only deputies who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, deputies should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 PATROL SERGEANT RESPONSIBILITIES
The Patrol Sergeant may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

303.4.2 RANGEMASTER RESPONSIBILITIES
The Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES
All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.
Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to County property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES
The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

303.6 TEAR GAS GUIDELINES
Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Patrol Sergeant, Incident Commander or Crisis Response Unit Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

303.7 OLEORESIN CAPSICUM (OC) GUIDELINES
As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.7.1 OC SPRAY
Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.7.2 PEPPER PROJECTILE SYSTEMS
Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.
Deputies encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

303.7.3 TREATMENT FOR OC SPRAY EXPOSURE
Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.8 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, deputies should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner’s expense. Information regarding the method of notice and the individuals notified should be included in related reports.

303.9 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.9.1 DEPLOYMENT AND USE
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Deputies are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved deputy determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and deputies takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.

(b) The suspect has made credible threats to harm him/herself or others.
Control Devices and Techniques

(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or deputies.

(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.9.2 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the deputy should consider such factors as:

(a) Distance and angle to target.

(b) Type of munitions employed.

(c) Type and thickness of subject’s clothing.

(d) The subject’s proximity to others.

(e) The location of the subject.

(f) Whether the subject’s actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other deputies and individuals that the device is being deployed.

Deputies should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, deputies are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

303.9.3 SAFETY PROCEDURES
Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Deputies will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not in use, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the deputy shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.
Absent compelling circumstances, deputies who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second deputy watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

303.10 TRAINING FOR CONTROL DEVICES
The Training Officer shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the deputy's training file.

(c) Deputies who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If a deputy cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the deputy will be restricted from carrying the control device.

303.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.
Conducted Energy Device

304.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of Taser ® devices.

304.2 POLICY
The TASER device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to deputies and suspects.

304.3 ISSUANCE AND CARRYING TASER DEVICES
Only members who have successfully completed department-approved training may be issued and carry the TASER device.

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

Deputies shall only use the TASER device and cartridges that have been issued by the Department. Uniformed deputies who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed deputies may secure the TASER device in the driver's compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform, deputies should carry the TASER device in a weak-side holster on the side opposite the duty weapon.

(a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

(b) Deputies shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.

(c) Deputies should not hold both a firearm and the TASER device at the same time.

304.4 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.

(b) Provide other deputies and individuals with a warning that the TASER device may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with a deputy’s lawful orders and it appears both reasonable and feasible under the circumstances, the deputy may, but
is not required to, display the electrical arc (provided that a cartridge has not been loaded into the
device), or the laser in a further attempt to gain compliance prior to the application of the TASER
device. The aiming laser should never be intentionally directed into the eyes of another as it may
permanently impair his/her vision.

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

### 304.5 USE OF THE TASER DEVICE
The TASER device has limitations and restrictions requiring consideration before its use. The
TASER device should only be used when its operator can safely approach the subject within the
operational range of the device. Although the TASER device is generally effective in controlling
most individuals, deputies should be aware that the device may not achieve the intended results
and be prepared with other options.

#### 304.5.1 APPLICATION OF THE TASER DEVICE
The TASER device may be used in any of the following circumstances, when the circumstances
perceived by the deputy at the time indicate that such application is reasonably necessary to
control a person:

(a) The subject is violent or is physically resisting.

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

Mere flight from a pursuing deputy, without other known circumstances or factors, may not be
good cause for the use of the TASER device to apprehend an individual.

#### 304.5.2 TARGETING CONSIDERATIONS
Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest
and groin. If the dynamics of a situation or officer safety do not permit the deputy to limit the
application of the TASER device probes to a precise target area, deputies should monitor the
condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject
is examined by paramedics or other medical personnel.

#### 304.5.3 MULTIPLE APPLICATIONS OF THE TASER DEVICE
Deputies should apply the TASER device for only one standard cycle and then evaluate the
situation before applying any subsequent cycles. Multiple applications of the TASER device
against a single individual are generally not recommended and should be avoided unless the
deputy reasonably believes that the need to control the individual outweighs the potentially
increased risk posed by multiple applications.
Conducted Energy Device

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the deputy should consider certain factors before additional applications of the TASER device, including:

(a) Whether the probes are making proper contact.
(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
(c) Whether verbal commands, other options or tactics may be more effective.

Deputies should generally not intentionally apply more than one TASER device at a time against a single subject. The Taser shall not be used on one person more than three time (three standard 5 second cycles) during one incident without reevaluating the application.

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

304.5.5 OFF-DUTY CONSIDERATIONS
Deputies are not authorized to carry department TASER devices while off-duty.

Deputies 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.

304.6 DOCUMENTATION
Deputies shall document all TASER device discharges in the related arrest/crime report and the DT-1 report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Deputies shall notify their supervisor of any unintentional discharge.

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

304.6.1 REPORTS
The deputy should include the following in the arrest/crime report:

(a) Identification of all personnel firing TASER devices
(b) Identification of all witnesses
(c) Medical care provided to the subject
(d) Observations of the subject's physical and physiological actions
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(e) Any known or suspected drug use, intoxication or other medical problems
(f) Photos of injuries and expended dart cartridge(s)

304.7 MEDICAL TREATMENT
Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel, or trained personnel, should remove TASER device probes from a person’s body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

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

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

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

The transporting deputy shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

304.8 TRAINING
Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of a deputy’s knowledge and/or practical skill may be required at any time if
Conducted Energy Device

deemed appropriate by the Training Officer. All training and proficiency for TASER devices will be documented in the deputy’s training file.

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

Deputies who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with deputies who use the device.

The Training Officer is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Officer should ensure that all training includes:

(a) A review of this policy.

(b) A review of the Use of Force Policy.

(c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.

(d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.

(e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.

(f) De-escalation techniques.

(g) Restraint techniques that do not impair respiration following the application of the TASER device.
Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE
The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured as the result of an officer-involved shooting. The intent of this policy is to ensure that such incidents be investigated in a fair and impartial manner.

We will follow the Jackson County Deadly Physical Force Plan

305.2 POLICY
The policy of the Jackson County Sheriff's Office is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS
Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

(a) A criminal investigation of the suspect's actions.
(b) A criminal investigation of the involved officer's actions.
(c) An administrative investigation as to policy compliance by involved deputies.
(d) A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS
Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS
The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Jackson County Sheriff's Office would control the investigation if the suspect's crime occurred in Jackson.

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

305.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS
The control of the criminal investigation into the involved deputy’s conduct during the incident will be determined by the employing agency’s protocol. When a deputy from this department is involved, the criminal investigation will include at least one investigator from another law enforcement agency (ORS 181A.790).

Requests made of this department to investigate a shooting or death involving an outside agency’s officer shall be referred to the Sheriff or the authorized designee for approval.

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

305.5 THE INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting. Officer involved shooting and deaths will be handled using the Major Assault Death Investigation Unit protocol.

305.5.1 UNINVOLVED DEPUTY RESPONSIBILITIES
Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved JCSO deputy will be the deputy-in-charge and will assume the responsibilities of a supervisor until properly relieved. This deputy should, as appropriate:

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

305.5.2 SUPERVISOR RESPONSIBILITIES
Upon arrival at the scene, the first uninvolved JCSO supervisor should ensure completion of the duties as outlined above, plus:

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

1. Public safety information shall be limited to such things as outstanding suspect information, direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.

2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.

(c) Provide all available information to the Patrol Sergeant and Dispatch. If feasible, sensitive information should be communicated over secure networks.

(d) Take command of and secure the incident scene with additional JCSO members until properly relieved by another supervisor or other assigned personnel or investigator.

(e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.

1. Each involved JCSO deputy should be given an administrative order not to discuss the incident with other involved officers or JCSO members pending further direction from a supervisor.

2. When an involved officer’s weapon is taken, ensure that he/she is provided with a comparable replacement weapon.

305.5.3 PATROL SERGEANT RESPONSIBILITIES
Upon learning of an officer-involved shooting or death, the Patrol Sergeant shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Sheriff or a Division Commander.

All outside inquiries about the incident shall be directed to the Patrol Sergeant.

305.5.4 NOTIFICATIONS
The following persons shall be notified as soon as practicable:

- Sheriff
- Field Services Division Commander
- Major Assault Death Investigation Unit (MADIU) rollout team
- Outside agency investigators (if appropriate)
- Professional Standards Unit supervisor
- HR/Risk and County Counsel
- Psychological/peer support personnel
- Chaplain
- Medical Examiner (if necessary)
- Involved officer’s agency representative
- Public Information Officer
305.5.5 INVOLVED OFFICERS
The following shall be considered for the involved officer:

(a) Any request for legal representation will be accommodated.
   1. Involved deputies are encouraged not to discuss the event with any other involved parties prior to providing a formal interview or report.
   2. Requests from involved non-JCSO officers should be referred to their employing agency.

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.

(d) A mental health professional shall be provided by the Department to each involved deputy (ORS 181.789). An involved deputy shall attend at least one session within six months of the event. A mental health professional may also be provided to any other affected members, upon request.
   1. Interviews with a mental health professional will be considered privileged.
   2. An interview or session with a mental health professional may take place prior to the member providing a formal interview or report.
   3. The Department shall pay the costs of at least two sessions with a mental health professional and the sessions must take place within six months after the incident. Applicable family members may access the Employee Assistance Program (EAP) as needed.

(e) Communications with peer counselors are confidential (except threats of suicide or admissions of criminal conduct) and may not be disclosed by any person participating in the peer support counseling session (ORS 181.860). To be considered confidential communications under the statute, the peer counselor must:
   1. Have been designated by Jackson County Sheriff's Office or employee assistance program to act as a peer counselor, and;
   2. Have received training in counseling and in providing emotional and moral support to public safety personnel or emergency services personnel who have been involved in emotionally traumatic incidents by reason of their employment.

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

Each involved deputy shall be given reasonable paid administrative leave following an officer-involved shooting. A deputy who uses deadly force that results in the death of a person shall not be returned to a duty assignment that might place him/her in a situation in which he/she has to use deadly force until the District Attorney has made a final decision concerning criminal liability, or has presented the case to the Grand Jury. It shall be the responsibility of the Patrol Sergeant to make schedule adjustments to accommodate such leave.
305.6 CRIMINAL INVESTIGATION
The District Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

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

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

(a) JCSO supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of JCSO deputies. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. Involved deputies are encouraged not to discuss the event with any other involved parties prior to providing a formal interview or report.

(c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

(d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.6.1 REPORTS BY INVOLVED JCSO DEPUTIES
In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved JCSO deputies to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

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

Nothing in this section shall be construed to deprive an involved JCSO deputy of the right to consult with legal counsel prior to completing any such criminal report.
Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

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

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

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Promptly contacting the suspect’s known family and associates to obtain any available and untainted background information about the suspect’s activities and state of mind prior to the incident.

305.6.3 INVESTIGATIVE PERSONNEL
Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Criminal Investigations Division supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the District Attorney’s Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney’s Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Criminal Investigations Division supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.
Officer-Involved Shootings and Deaths

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

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

305.8 AUDIO AND VIDEO RECORDINGS
Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

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

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

305.9 DEBRIEFING
Following a formal statement in an officer-involved shooting or death, the Jackson County Sheriff’s Office should conduct both a critical incident/stress debriefing and a tactical debriefing.

305.9.1 CRITICAL INCIDENT/STRESS DEBRIEFING
A critical incident/stress debriefing should occur as soon as practicable. The Support Services Division Commander is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

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

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatcher, other non-sworn). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards Unit personnel.
Officer-Involved Shootings and Deaths

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

305.10 MEDIA RELATIONS
Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Patrol Sergeant, Field Services Division Commander and Public Information Officer in the event of inquiries from the media.

No involved deputy shall make any comment to the media unless he/she is authorized by the Sheriff or a Division Commander.

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

305.11 REPORTING
If the death of an individual resulted from an officer use of deadly force and occurred in the Jackson County Sheriff's Office jurisdiction, the Operations Division Commander will ensure that the Records Supervisor is provided with enough information to meet the reporting requirements to the Department of Justice (ORS 181A.790).
**Firearms**

**306.1 PURPOSE AND SCOPE**  
This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

**306.2 POLICY**  
The Jackson County Sheriff's Office will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

**306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS**  
Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member’s Division Commander. This exclusion does not apply to the carrying of no more than two knives that are not otherwise prohibited by law.

**306.3.1 HANDGUNS**  
The authorized department-issued handguns are the Glock full and mid-size models of handguns in 9mm, .40SW and .45 acp.

**306.3.2 SHOTGUNS**  
The authorized department-issued shotgun is the Remington 870.

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

**306.3.3 PATROL RIFLES**  
The authorized department-issued patrol rifle is the AR-15/AR-10 variant.
Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

(a) Situations where the member reasonably anticipates an armed encounter.
(b) When a member is faced with a situation that may require accurate and effective fire at long range.
(c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
(d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
(e) When a member reasonably believes that a suspect may be wearing body armor.
(f) When requested by a supervisor.
(g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

306.3.4 PERSONALLY OWNED DUTY FIREARMS
Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Sheriff or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

(a) The firearm shall be in good working order and approved by the Sheriff or his designee.
(b) The firearm shall be inspected by a member of the Lethal Threat Management team prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
(c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
(d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

306.3.5 AUTHORIZED SECONDARY HANDGUN
Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

(a) The handgun shall be in good working order and approved by the Sheriff or his designee.
(b) Only one secondary handgun may be carried at a time.
(c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
Firearms

(d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Sheriff or the authorized designee shall approve the ammunition.

(g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

(h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

306.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Sheriff but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

(a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.

   1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.

(b) The firearm shall be carried in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(c) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.

(d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.

(e) The member will successfully qualify with the firearm prior to it being carried.

(f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

(g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.

(h) Members shall only carry department-authorized ammunition.
Firearms

(i) When armed, deputies shall carry their badges and Jackson County Sheriff's Office identification cards under circumstances requiring possession of such identification.

306.3.7 AMMUNITION
Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms annually during the member’s firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the LTM staff when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

306.4 EQUIPMENT
Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member, but subject to inspection by the LTM staff.

306.4.1 REPAIRS OR MODIFICATIONS
Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Sheriff or his designee.

Any repairs or modifications to the member’s personally owned firearm shall be done at his/her expense and must be approved by the Sheriff or his designee.

306.4.2 HOLSTERS
Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

306.4.3 TACTICAL LIGHTS
Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the LTM staff. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS OR LASER SIGHTS
Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the LTM staff. Any approved sight shall only be installed in strict
accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it. Department issued firearms may not have permanent alterations made without prior approval from the Sheriff or his designee.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

306.5 SAFE HANDLING, INSPECTION AND STORAGE
Members shall maintain the highest level of safety when handling firearms and shall consider the following:

(a) Members shall not unnecessarily display or handle any firearm.

(b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws at department training except as instructed by the Rangemaster or other firearms training staff.

(c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.

(d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.

(e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the secure jail area or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail to persons from outside agencies are responsible for ensuring firearms are not brought into the secure jail area.

(f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.

(g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a member of the LTM staff approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the LTM staff will be immediately removed from service. If the firearm is the member’s primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.5.1 INSPECTION AND STORAGE
Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.
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Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

306.5.2 STORAGE AT HOME
Members shall ensure that all firearms and ammunition are secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

306.5.3 ALCOHOL AND DRUGS
 Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member’s senses or judgment.

306.6 FIREARMS TRAINING AND QUALIFICATIONS
All members who carry a firearm while on-duty are required to successfully complete training semi-annually with their duty firearms. In addition to semi-annual training, all members will also qualify at least semi-annually with their duty firearms. Members will qualify with off-duty and secondary firearms at least twice a year. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION
If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

(a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.

(b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

(c) No range credit will be given for the following:
   1. Unauthorized range make-up
   2. Failure to meet minimum standards or qualify after remedial training
Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

306.7 FIREARM DISCHARGE
Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

(b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS
Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.7.2 INJURED ANIMALS
A member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

306.7.3 WARNING AND OTHER SHOTS
Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

306.8 RANGEMASTER DUTIES
The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Officer after each range date. Failure
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of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until it has been inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Training Officer documentation of the training courses provided. Documentation shall include a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Officer.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to deputies who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Deputies wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

(b) Deputies must carry their Jackson County Sheriff's Office identification card, bearing the deputy's name, a full-face photograph, identification number, the deputy's signature and the signature of the Sheriff or the official seal of the Department and must present this identification to airline officials when requested. The deputy should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) The Jackson County Sheriff's Office must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the Deputy's travel. If approved, TSA will send the Jackson County Sheriff's Office an NLETS message containing a unique alphanumeric identifier. The deputy must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) An official letter signed by the Sheriff authorizing armed travel may also accompany the deputy. The letter should outline the deputy's need to fly armed, detail his/her
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itinerary, and include that the deputy has completed the mandatory TSA training for a law enforcement officer flying while armed.

(e) Deputies must have completed the mandated TSA security training covering deputies flying while armed. The training shall be given by the department-appointed instructor.

(f) It is the deputy’s responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier’s check-in counter.

(g) Any deputy flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

(h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The deputy must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(i) Deputies should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.

(j) Deputies shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time deputies of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The deputy shall carry his/her Jackson County Sheriff's Office identification card whenever carrying such firearm.

(b) The deputy is not the subject of any current disciplinary action.

(c) The deputy may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(d) The deputy will remain subject to this and all other department policies (including qualifying and training).

Deputies are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield a deputy from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.
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307.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide deputies with guidance in balancing the safety of the public and themselves against law enforcement’s duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicular pursuits require deputies to exhibit a high degree of common sense and sound judgment. Deputies must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing deputies.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no deputy or supervisor shall be criticized or disciplined for deciding not to engage in or terminate a vehicular pursuit because of the risk involved. This includes circumstances where Department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuit situations are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Deputies must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Deputies’ conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable deputy would do under the circumstances. An unreasonable individual’s desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

307.1.1 POLICE PURSUIT DEFINED

A vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect who is attempting to avoid arrest while operating a motor vehicle by using high speed driving or other evasive tactics such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to an officer’s signal to stop.

307.2 DEPUTY RESPONSIBILITIES

While engaging in a vehicle pursuit Deputies must drive with due regard for the safety of all other persons. However, while engaging in a vehicle pursuit, deputies are generally not required to follow the rules of the road (Oregon Revised Statutes 820.300). This exemption only applies to emergency vehicles using emergency lights, and sirens (Oregon Revised Statutes 820.300; Oregon Revised Statutes 820.320). This following policy is established to provide Deputies with guidelines for driving with due regard and caution for the safety of all persons, as required by Oregon Revised Statutes 820.300(2).

307.2.1 WHEN TO INITIATE A PURSUIT
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The decision to initiate a pursuit must be based on the pursuing deputy’s conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large. Any deputy in an authorized, properly equipped emergency vehicle may initiate pursuit when all of the following criteria are met: The suspect operating the vehicle refused to stop at the direction of the deputy. The suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension for one or more of the following alleged, attempted or actual felonious crimes:

- Murder/Manslaughter
- Armed Robbery
- Rape/Felony Sexual Offenses
- Felonious Aggravate Assault
- Kidnapping
- Felony Hit and Run
- First Degree Burglary
- Arson
- The pursuing deputy’s supervisor authorized continuance of a pursuit

Deputies may initiate pursuits for other offenses in those cases where the violator is demonstrating driving or other behavior imminently dangerous that the necessity of apprehension outweighs the danger of continuing the pursuit. If a Deputy initiates a pursuit under these conditions they shall at the first appropriate time follow the guidelines under Primary Unit Responsibilities listed in the policy under 307.3.3.

Supervisors may also authorize pursuits for any offense in those cases where a violator generally maintains a lawful speed but refused to stop in response to a deputy’s signal. The deputy is authorized to follow the violator and call for additional assistance as necessary to effect a stop.

Deputies are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.

The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

(a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.

(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to deputies, innocent motorists and others.

(c) Apparent nature of the fleeing suspects (e.g., whether the suspects represent a serious threat to public safety).
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(d) The identity of the suspects has been verified and there is comparatively minimal risk in allowing the suspects to be apprehended at a later time.

(e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.

(f) Pursuing deputy's familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing deputies under the conditions of the pursuit.

(g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.

(h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.

(i) The emergency equipment present on the vehicles used in the pursuit.

(j) Vehicle speeds.

(k) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(l) Availability of other resources such as helicopter assistance.

(m) The sheriff's unit is carrying passengers other than sheriff's deputies. Pursuits should not be undertaken with a prisoners in the police vehicle.

307.2.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the deputy or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s)' escape.

The factors listed in Policy Manual § 307.2.1 are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Deputies and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term terminate shall be construed to mean discontinue or to stop chasing the fleeing vehicle(s).

In addition to the factors listed in Policy Manual § 307.2.1 the following factors should also be considered in deciding whether to terminate a pursuit:

(a) Distance between the pursuing deputies and the fleeing vehicle(s) is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.

(b) Pursued vehicle's location is no longer definitely known.
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(c) Deputy's pursuit vehicle sustains any type of damage that renders it unsafe to drive.

(d) Extended pursuits of violators for misdemeanors not involving violence or risk of serious harm (independent of the pursuit) are discouraged.

(e) Hazards to uninvolved bystanders or motorists.

(f) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, deputies shall discontinue the pursuit and apprehend the offender at a later time.

(g) Directed by a supervisor.

(h) Deputies should strongly consider discontinuing the pursuit if it goes into another jurisdiction or out of state and is recommended by the agency of jurisdiction. Deputies should also strongly consider discontinuing pursuit if there is a loss of communication.

307.2.3 SPEED LIMITS
The speed of a pursuit is a factor that should be evaluated on a continuing basis by the deputy and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, deputies and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

(a) Whether the pursuit speeds are unsafe for the surrounding conditions.

(b) Whether the speeds being reached are beyond the driving ability of the deputy.

(c) Whether the speeds are beyond the capabilities of the police vehicle thus making its operation unsafe.

307.3 PURSUIT UNITS
Pursuit units should be limited to two vehicles; however, the number of units involved will vary with the circumstances. A Supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of deputies involved would be insufficient to safely arrest the suspects. All other deputies should stay out of the pursuit, but should remain alert to its progress and location. Any deputy who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

307.3.1 MOTORCYCLE OFFICERS
A distinctively marked patrol vehicle equipped with emergency lighting should replace a sheriff's motorcycle as primary and/or secondary pursuit unit as soon as practical.

307.3.2 VEHICLES WITHOUT OVERHEAD LIGHT BARS
Absent a reasonable alternative, and then only when human life is in immediate danger, department vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Deputies driving units without an overhead light bar should terminate
their involvement in any pursuit immediately upon arrival of a sufficient number of emergency police vehicles or any police helicopter. The exemptions provided by ORS 820.300 do not apply to deputies using vehicles which do not qualify as emergency vehicles under ORS 801.260.

307.3.3 PRIMARY UNIT RESPONSIBILITIES
The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator’s vehicle. The primary responsibility of the deputy initiating the pursuit is the apprehension of the suspects without unreasonable danger to themselves or other persons.

Notify Dispatch that a vehicle pursuit has been initiated and as soon as practical provide information including, but not limited to:

(a) Reason for the pursuit.
(b) Location and direction of travel.
(c) Speed of the fleeing vehicle.
(d) Description of the fleeing vehicle and license number, if known.
(e) Number of known occupants.
(f) The identity or description of the known occupants.
(g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

In order to concentrate on pursuit driving the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit as soon as practical to a secondary unit or aircraft joining the pursuit, unless practical circumstances indicate otherwise.

307.3.4 SECONDARY UNITS RESPONSIBILITIES
The second deputy in the pursuit is responsible for the following:

(a) The deputy in the secondary unit should immediately notify the dispatcher of entry into the pursuit
(b) Remain a safe distance behind the primary unit unless directed to assume the role of primary deputy, or if the primary unit is unable to continue the pursuit
(c) The secondary deputy should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise

307.3.5 PURSUIT DRIVING TACTICS
The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:
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(a) Deputies, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles so they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:
   1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
   2. Pursuing units should exercise due caution when proceeding through controlled intersections.

(c) As a general rule, deputies should not pursue a vehicle driving left of center (wrong way) on a freeway. In the event that the pursued vehicle does so, the following tactics should be considered:
   1. Requesting assistance from an air unit.
   2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
   3. Requesting other units to observe exits available to the suspects.
   4. Notifying the Oregon State Police and/or other jurisdictional agency when it appears the pursuit may enter that jurisdiction.

(d) Deputies involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.
   1. Deputies operating a vehicle equipped with "StarChase" vehicle pursuit technology and who are trained in its use are encouraged to deploy this technology in appropriate circumstances in order to reduce the need for pursuit. See attachment: Starchase Procedure1.pdf

307.3.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT
Deputies are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Deputies should remain in their assigned area and should not become involved, during or at the termination of the pursuit, unless directed by a supervisor. Deputies are also authorized to use emergency equipment when attempting to position themselves in areas where spike strips may be deployed.

Non-pursuing personnel assigned to assist at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road, unless directed otherwise by a supervisor.

The primary and secondary units should be the only units operating under emergency conditions (emergency lights and siren) unless other units are assigned to the pursuit.

307.3.7 PURSUIT TRAILING
In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of supervisor, trail the pursuit to the
termination point in order to provide necessary information and assistance for the arrest of the suspects.

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

307.3.8 AIRCRAFT ASSISTANCE
When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assist with giving direction and location information regarding the pursuit. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether to continue the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide deputies and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit.

307.4 SUPERVISORY CONTROL AND RESPONSIBILITY
It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving deputies from this department.

The field supervisor of the deputy initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

(a) Upon becoming aware of a pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

(d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that aircraft are requested if available.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.

(i) Control and manage JCSO units when a pursuit enters another jurisdiction.

(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.
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307.4.1 PATROL SERGEANT RESPONSIBILITY
Upon becoming aware that a pursuit has been initiated, the Patrol Sergeant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Patrol Sergeant has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Patrol Sergeant shall review all pertinent reports for content and forward to the Division Commander.

307.5 COMMUNICATIONS
If the pursuit is confined within the County limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

307.5.1 LOSS OF PURSUED VEHICLE
When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.6 INTER-JURISDICTIONAL CONSIDERATIONS
When a pursuit enters another agency's jurisdiction, the primary deputy or supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether or not 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 deputy or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether or not such jurisdiction is expected to assist.

307.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY
Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and the assistance of this agency is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of deputies at the termination of a pursuit initiated by this agency shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific.

307.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION
The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose deputies are in pursuit. The exception to this is when a single unit from the initiating agency is in
pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider the following additional factors:

(a) Ability to maintain the pursuit.
(b) Circumstances serious enough to continue the pursuit.
(c) Adequate staffing to continue the pursuit.
(d) The public’s safety within this jurisdiction.
(e) Safety of the pursuing deputies.

As soon as practical, a supervisor or the Patrol Sergeant should review a request for assistance from another agency. The Patrol Sergeant or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency’s pursuit.

Assistance to a pursuing allied agency by deputies of this department will terminate at the County limits provided that the pursuing deputies have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, deputies shall provide appropriate assistance to peace officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

307.7 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, PIT (Pursuit Intervention Technique), ramming or roadblock procedures. In this context, ramming shall be construed to mean maneuvering the police unit into contact with the pursued vehicle to mechanically disable it or forcibly position it such that further flight is not possible or practical.

307.7.1 WHEN USE AUTHORIZED

Use of pursuit intervention tactics should be employed, when possible, after approval of a supervisor. In deciding whether to use intervention tactics, deputies/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the deputies and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the deputy at the time of the decision. If justified, a deputy may use PIT prior to approval of a supervisor if waiting for authorization would jeopardize those involved further.

It is imperative that deputies act within the bounds of legality, good judgment and accepted practices.
307.7.2 DEFINITIONS

**Blocking or Vehicle Intercept** - A very low speed coordinated maneuver where two or more patrol vehicles simultaneously intercept and block the movement of a slow moving or stopped suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

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

**Roadblocks** - A tactic designed to stop a violator's vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the violator's vehicle. This tactic is also often referred to as a roadblock, barricade or blockade.

**Pursuit Intervention Technique (PIT)** - is a low speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit. It is recommended that any PIT maneuver over 35 mph be approved by a supervisor when possible.

**Spikes or Tack Strips** - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

307.7.3 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. Deputies should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any deputy from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.7.4 INTERVENTION STANDARDS

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the deputies, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of deadly force and subject to the requirements for such use. Deputies who have not received certified departmental training in the application and use of any intervention tactic or equipment shall consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed. Deputies that have not been trained in the PIT maneuver should not attempt it.

(a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when deputies reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved this technique should only be employed by deputies who have received training in such tactics after giving consideration to the following:
Vehicle Pursuits

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, deputies, or other members of the public.

2. All other reasonable intervention techniques have failed or reasonably appear ineffective.

3. Employing the blocking maneuver does not unreasonably increase the risk to officer safety.

4. The target vehicle is stopped or traveling at a low speed.

5. At no time should civilian vehicles be used to deploy this technique.

(b) Only those deputies trained in the use of the Pursuit Intervention Technique (PIT) will be authorized to use this procedure and only then, when possible, with approval of a supervisor upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to deputies, the public and occupants of the pursued vehicle.

(c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the deputy's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct deputies in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:

1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.

2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.

If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

(d) The use of spike strips should be approved in advance, when possible, by a supervisor and deployed only when it is reasonably certain that only the pursued vehicle will be affected by their use. Deputies should carefully consider the limitations of such devices as well as the potential risks to deputies, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children deputies and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

(e) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor and only then under extraordinary
conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, deputies or other members of the public. Any roadblock implemented should include reasonable line-of-sight distance permitting the suspect to recognize, react to and stop before striking the roadblock.

307.7.5 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. Deputies shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Unless relieved by a supervisor the primary deputy should coordinate efforts to apprehend the suspect(s) following the pursuit. Deputies should consider safety of the public and the involved officers when formulating plans to contain and capture the suspect.

307.8 REPORTING REQUIREMENTS
The following reports should be completed to comply with appropriate local and state regulations:

(a) The primary deputy shall complete appropriate crime/arrest reports and the Police Pursuit Incident Reporting form (EVOC-1). Copies of all reports are to be routed to the shift supervisor.

307.8.1 REGULAR AND PERIODIC PURSUIT TRAINING
In addition to initial and supplementary training on pursuits, all criminal deputies of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to deputies and others.

307.8.2 POLICY REVIEW
Each member of this department shall certify in writing that they have received, read and understand this policy initially and upon any amendments.

307.8.3 ANNUAL REVIEW
During the first calendar quarter of each year, Operations Division Commander will ensure that an annual review of all vehicle pursuit incidents for the previous calendar year is conducted. The analysis will focus on the effectiveness and trends in the use of vehicle pursuits that might suggest training or equipment needs, or policy modification. Specific detail including items such as officer names, case numbers, location of occurrence are not needed for this purpose and therefore will not be part of this process.
Vehicle Pursuits

307.9 SECTION TITLE
Deputy Response to Calls

308.1 PURPOSE AND SCOPE
This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

308.2 RESPONSE TO CALLS
Deputies shall proceed immediately to calls that are of an emergency nature. A code 3 response should be considered when available information reasonably indicates that a person is threatened with injury or death, a felony property crime is in progress, or serious property damage is imminent and a more immediate law enforcement response is needed to mitigate injury, property loss, or to apprehend the suspect(s).

Deputies responding Code 3 shall operate emergency lights and siren as is reasonably necessary pursuant to ORS 820.300 and ORS 820.320. Deputies shall only use the wail and yelp function of the siren as an emergency sound. The hi-lo function of the siren is not considered an emergency sound pursuant to OAR 735-110-0000(8) and OAR 735-110-0010(1-3).

Responding with emergency light(s) and siren does not relieve the deputy of the duty to continue to drive with due regard for the safety of all persons.

ORS 820.320(2) allows deputies to omit the use of emergency lights and siren if it reasonably appears that the use of either or both would prevent or hamper the apprehension or detection of a violator. Except as stated in the previous sentence, Deputies who fail to use appropriate warning equipment, are not exempt from following the rules of the road (ORS 820.300).

Deputies responding to non-emergency calls shall observe all traffic laws and proceed without the use of emergency lights and siren.

308.3 REQUESTING EMERGENCY ASSISTANCE
Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of deputies, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting deputy shall immediately notify Dispatch.

If circumstances permit, the requesting deputy should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required
308.4 RESPONSE CODES

Code 1 response is a prompt, safe response to routine calls (e.g., cold crimes, non-injury accidents, missing persons, administrative calls, etc.) without the use of emergency lights or siren while obeying all traffic laws and ordinances. Responses to requests for service will be Code 1, unless the situation dictates otherwise.

Code 2 response is used for situations requiring immediate attention (e.g., silent or audible alarms, crimes just occurred, sick or injured persons, prowlers, incomplete calls, etc.), and requires the use of emergency lights and may be augmented by the use of horn or siren to facilitate the safe passage of the police vehicle through traffic. Code 2 requires a complete stop at all stop signs and red lights before proceeding. State statute requires an audible signal while proceeding through a red light.

Code 3 responses require the continuous use of emergency lights and siren and is used for critical situations demanding emergency response (e.g., person's life in danger, crime in progress, crime with suspects present, etc.).

308.5 RESPONSIBILITIES OF RESPONDING DEPUTY(S)

Deputies shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Deputies shall reduce speed at all street intersections as may be necessary for safe operation.

The decision to continue a Code-3 response is at the discretion of the deputy. If, in the deputy's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the deputy may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the deputy should immediately notify Dispatch. A deputy shall also discontinue the Code-3 response when directed by a supervisor.

Upon determining a Code-3 response is appropriate, a deputy shall immediately give the location from which he/she is responding.

308.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall assign a Code-3 response when a deputy requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance
(b) Immediately notify the Patrol Sergeant
(c) Confirm the location from which the unit is responding
(d) Notify and coordinate allied emergency services (e.g., fire and ambulance)
Deputy Response to Calls

(e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated

(f) Control all radio communications during the emergency and coordinate assistance under the direction of the Patrol Sergeant or field supervisor

308.7 SUPERVISORY RESPONSIBILITIES
Upon being notified that a Code-3 response has been initiated, the Patrol Sergeant or the field supervisor shall verify the following:

(a) The proper response has been initiated

(b) No more than those units reasonably necessary under the circumstances are involved in the response

(c) Affected outside jurisdictions are being notified as practical

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Patrol Sergeant or the field supervisor should consider the following:

• The type of call
• The necessity of a timely response
• Traffic and roadway conditions
• The location of the responding units

308.8 FAILURE OF EMERGENCY EQUIPMENT
If the emergency equipment on the vehicle should fail to operate, the deputy must terminate the Code-3 response and respond accordingly. In all cases, the deputy shall notify the Patrol Sergeant, field supervisor, or Dispatch of the equipment failure so that another unit may be assigned to the emergency response.
Canines

309.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of canines to augment law enforcement services to the community including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

309.2 POLICY
It is the policy of the Jackson County Sheriff's Office that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 ASSIGNMENT
Canine teams should be assigned to assist and supplement the Operations Bureau to function primarily in assist or cover assignments. However, they may be assigned by the Patrol Sergeant to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time and then only with the approval of the Patrol Sergeant.

309.4 CANINE COORDINATOR
The canine coordinator shall be appointed by and directly responsible to the Operations Division Commander or the authorized designee.

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

(a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
(b) Maintaining a liaison with the vendor kennel.
(c) Maintaining a liaison with command staff and functional supervisors.
(d) Maintaining a liaison with other agency canine coordinators.
(e) Maintaining accurate records to document canine activities.
(f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
(g) Scheduling all canine-related activities.
(h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.
309.5 REQUESTS FOR CANINE TEAMS
Operations Bureau members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Operations Bureau shall be reviewed by the Patrol Sergeant.

309.5.1 OUTSIDE AGENCY REQUEST
All requests for canine assistance from outside agencies must be approved by the Patrol Sergeant and are subject to the following:

(a) Canine teams shall not be used for any assignment that is not consistent with this policy.
(b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
(c) Calling out off-duty canine teams is discouraged.
(d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
(e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.5.2 PUBLIC DEMONSTRATIONS
All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator 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 coordinator.

309.6 APPREHENSION GUIDELINES
A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed, is committing or threatening to commit any serious offense and if any of the following conditions exist:

(a) There is a reasonable belief the suspect poses a significant injury risk to the public, any deputy or the handler.
(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
(c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of deputies or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.
Absent a reasonable belief that a suspect has committed, is committing or is threatening to commit a serious offense, mere flight from a pursuing deputy, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Patrol Sergeant. Absent a change in circumstances that present a significant injury risk to deputies, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.6.1 PREPARATION FOR DEPLOYMENT
Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to:

(a) The nature and seriousness of the suspected offense.
(b) Whether violence or weapons were used or are anticipated.
(c) The degree of resistance or threatened resistance, if any, the suspect has shown.
(d) The suspect’s known or perceived age.
(e) The potential for injury to deputies or the public caused by the suspect if the canine is not utilized.
(f) Any potential danger to the public and/or other deputies at the scene if the canine is released.
(g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler’s responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
Canines

309.6.2 WARNINGS AND ANNOUNCEMENTS
Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.6.3 REPORTING DEPLOYMENTS, BITES AND INJURIES
Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in a canine use report. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual’s injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

If the local public health administrator has exempted this department from the requirement to hold the canine after a bite, the canine handler shall notify the local public health administrator immediately should the canine develop any abnormal behavior within 10 days of biting a person (OAR 333-019-0024).

309.7 NON-APPREHENSION GUIDELINES
Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine’s suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply.

(a) Absent a change in circumstances that present an immediate threat to deputies, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
Canines

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

(d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

309.7.1 ARTICLE DETECTION
A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.7.2 NARCOTICS DETECTION
A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags and other articles.
(b) Assisting in the search for narcotics during a search warrant service.
(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

309.7.3 BOMB/EXPLOSIVE DETECTION
Because of the high risk of danger to the public and deputies when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

(a) Assisting in the search of a building, structure, area, vehicle or article where an actual or suspected explosive device has been reported or located.
(b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
(c) Preventive searches at special events, VIP visits, official buildings and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
(d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.
309.8 HANDLER SELECTION
The minimum qualifications for the assignment of canine handler include:

(a) A deputy who is currently off probation.
(b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
(c) A garage that can be secured and accommodate a canine vehicle is preferred.
(d) Agreeing to be assigned to the position for a minimum of three years.

309.9 HANDLER RESPONSIBILITIES
The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

(a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
(b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
(c) When not in service, the handler shall maintain the canine vehicle away from public view.
(d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Jackson County Sheriff's Office facility.
(e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
(f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
(g) When off-duty, the canine shall be in a kennel provided by the County at the home of the handler. When a canine is kenneled at the handler’s home, the gate shall be secured. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
(h) The canine should be permitted to socialize in the home with the handler’s family for short periods of time and under the direct supervision of the handler.
(i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Patrol Sergeant.
(j) 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 coordinator or Patrol Sergeant.
Canines

(k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

(l) Handlers should not tether a canine in a manner that would violate ORS 167.325(1), ORS 167.330(1) and/or ORS 167.343.

309.9.1 CANINE IN PUBLIC AREAS
The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

(a) A canine shall not be left unattended in any area to which the public may have access.

(b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure that the unattended vehicle remains habitable for the canine.

309.10 CANINE INJURY AND MEDICAL CARE
In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Patrol Sergeant as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler’s personnel file.

309.11 TRAINING
Before assignment in the field, each canine team shall be trained and certified to meet current Oregon Police Canine Association (OPCA) standards or other accredited and recognized animal handling organization standards (ORS 167.310). Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines.

All canine training should be conducted while on-duty unless otherwise approved by the canine coordinator or Patrol Sergeant.

309.11.1 CONTINUED TRAINING
Each canine team shall thereafter be recertified to OPCA or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

(a) Canine teams should receive training as defined in the current contract with the Jackson County Sheriff's Office canine training provider.
(b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.

(c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

(d) All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or the Patrol Sergeant.

309.11.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING
Any canine team failing OPCA canine certification standards, or other accredited or recognized animal handling organization standards, shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

309.11.3 TRAINING RECORDS
All canine training records shall be maintained in the canine handler’s and the canine’s training file.

309.11.4 TRAINING AIDS
Training aids are required to effectively train and maintain the skills of canines. Deputies possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements regarding the same. Alternatively, the Jackson County Sheriff's Office may work with outside trainers with the applicable licenses or permits.

309.11.5 CONTROLLED SUBSTANCE TRAINING AIDS
Deputies acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 823(f); ORS 475.135).

The Sheriff or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Jackson County Sheriff's Office to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Sheriff or the authorized designee may request narcotics training aids from the Drug Enforcement Agency (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

309.11.6 CONTROLLED SUBSTANCE PROCEDURES
Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine’s accidental ingestion of these controlled substances, the following procedures shall be strictly followed:
Canines

(a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.

(b) The weight and test results shall be recorded and maintained by this department.

(c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

(d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.

(e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler’s assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

(f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Section or to the dispensing agency.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

309.11.7 EXPLOSIVE TRAINING AIDS
Deputies may possess, transport, store or use explosives or destructive devices in compliance with state and federal laws (18 USC § 842; 27 CFR 555.41; ORS 480.205).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

(a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.

(b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.

(c) The canine coordinator shall be responsible to verify the explosive training aids on hand against the inventory ledger once each quarter.

(d) Only members of the canine team shall have access to the explosive training aids storage facility.

(e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
Canines

(f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
Domestic Violence

310.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide deputies in the investigation of domestic violence.

310.1.1 DEFINITIONS
Definitions related to this policy include:

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

310.2 POLICY
The Jackson County Sheriff's Office's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. If a child is involved in an incident of domestic violence, either as a victim or witness, the case shall be referred to the Children's Advocacy Center (CAC). It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

310.3 OFFICER SAFETY
The investigation of domestic violence cases often places deputies in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all deputies to exercise due caution and reasonable care in providing for the safety of any deputies and parties involved.

310.4 INVESTIGATIONS
The following guidelines should be followed by deputies when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent or ongoing domestic violence, and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, deputies should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.

(c) Deputies should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other
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children who may not have been in the house at that particular time should also be obtained for follow-up.

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim’s personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Patrol Bureau in the event that the injuries later become visible.

(f) Deputies should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, deputies should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.

(h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.

(i) When completing an incident or arrest report for violation of a court order, deputies should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting deputy should attach a copy of the order to the incident or arrest report.

(j) Deputies should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Marital status of suspect and victim.
2. Whether the suspect lives on the premises with the victim.
3. Claims by the suspect that the victim provoked or perpetuated the violence.
4. The potential financial or child custody consequences of arrest.
5. The physical or emotional state of either party.
6. Use of drugs or alcohol by either party.
7. Denial that the abuse occurred where evidence indicates otherwise.
8. A request by the victim not to arrest the suspect.
9. Location of the incident (public/private).
10. Speculation that the complainant may not follow through with the prosecution.
11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect.

310.4.1 IF A SUSPECT IS ARRESTED
If a suspect is arrested, deputies should:

(a) Advise the victim that there is no guarantee the suspect will remain in custody.
(b) Provide the victim’s contact information to the jail staff to enable notification of the victim upon the suspect’s release from jail.
(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

310.4.2 IF NO ARREST IS MADE
If no arrest is made, the deputy should:

(a) Advise the parties of any options, including but not limited to:
   1. Voluntary separation of the parties.
   2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
(b) Document the resolution in a C.A.D. entry or written report, in conjunction the policy 320.

310.5 VICTIM ASSISTANCE
Victims may be traumatized or confused. Deputies should:

(a) Recognize that a victim’s behavior and actions may be affected.
(b) Provide the victim with the department’s domestic violence information handout, even if the incident may not rise to the level of a crime.
(c) Alert the victim to any available victim advocates, shelters and community resources.
(d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
(e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the deputy determines that a need exists.
(g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
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(h) Seek or assist the victim in obtaining an emergency order if appropriate.

A deputy who has probable cause to believe there are circumstances for a mandatory arrest or that a victim is in immediate danger of abuse may apply for an emergency protective order with the consent or permission of the victim (ORS 133.035).

310.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Deputies should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

310.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by deputies as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

310.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, deputies should carefully review the actual order when available, and, where appropriate and practicable:

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.

(b) Check available records or databases that may show the status or conditions of the order.

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Deputies should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Deputies should contact a supervisor for clarification when needed.
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310.8.1 SERVICE OF COURT ORDERS
Deputies should, if requested and practicable, serve any unserved restraining order when called to the scene of a disturbance. Any deputy serving such a restraining order shall ensure that a copy of proof of service is returned to the Sheriff for entry into the Law Enforcement Data System (LEDS) and the National Crime Information Center (NCIC) system (ORS 107.720).

310.8.2 SERVICE OF EMERGENCY PROTECTIVE ORDERS
A deputy who obtains an emergency protective order for a victim shall provide the victim with a certified copy and ensure that a certified copy of the order and the supporting declaration for the order is filed with the court (ORS 133.035).

The deputy who obtained the emergency protective order shall serve the respondent personally. Upon completion of the service, the deputy shall file a proof of service with the court and ensure that the order is entered into LEDS. If service cannot be completed within one day of the order’s entry, the deputy shall notify the court (ORS 133.035).

If a deputy receives a termination order from the court, the deputy shall ensure that the order is promptly removed from LEDS (ORS 133.035).

310.9 STANDARDS FOR ARREST

(a) Deputies who respond to an incident of domestic disturbance and have probable cause to believe an assault has occurred between family or household members as defined in ORS 107.705, or who believe that one such person has created in the other a fear of imminent serious physical injury, shall arrest and take into custody the alleged assailant or potential assailant (ORS 133.055).

(b) Dual arrests are not required (ORS 133.055). Deputies shall make reasonable efforts to identify and arrest the primary assailant in any incident. In identifying the primary assailant, a deputy shall consider:
   1. The comparative extent of the injuries inflicted or the seriousness of threats creating a fear of physical injury.
   2. If reasonably ascertainable, the history of domestic violence between the persons involved.
   3. Whether any alleged crime was committed in self-defense.
   4. The potential for future assaults.

(c) Once a suspect has been arrested under the provisions of ORS 133.055, the suspect shall be taken to jail. Deputies have no authority to release the arrested person.

(d) Deputies shall arrest and take a suspect into custody when the deputy has probable cause to believe that a restraining order or emergency protective order has been issued, a copy of the order and proof of service on the suspect have been filed, and the suspect has violated the terms of the order (ORS 133.310).
310.10 REPORTS AND NOTIFICATIONS
Deputies should document in their report that they provided each domestic violence victim with a copy of the department’s domestic violence victim information handout (Oregon Revised Statutes 133.055).

Reporting deputies should also provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout. If the case number is not immediately available, an explanation should be given about how the victim can obtain the information at a later time.

310.10.1 EMERGENCY PROTECTIVE ORDERS
The Records Supervisor shall ensure that a system is in place that provides deputies at the scene of an alleged violation of an emergency protective order of the terms and existence of the protective order (ORS 133.035).
Search and Seizure

311.1 PURPOSE AND SCOPE
Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Jackson County Sheriff's Office personnel to consider when dealing with search and seizure issues.

311.2 POLICY
It is the policy of the Jackson County Sheriff's Office to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to deputies as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

311.3 SEARCHES
The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, deputies are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.
311.4 SEARCH PROTOCOL
Although conditions will vary and officer safety and other exigencies must be considered in every search situation; the following guidelines should be followed whenever circumstances permit:

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Deputies should explain to the person being searched the reason for the search and how the search will be conducted.

(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching deputy, a reasonable effort should be made to summon a deputy of the same sex as the subject to conduct the search. When it is not practicable to summon a deputy of the same sex as the subject, the following guidelines should be followed:

1. Another deputy or a supervisor should witness the search.

2. The deputy should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

311.5 DOCUMENTATION
Deputies are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

• Reason for the search
• Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
• What, if any, injuries or damage occurred
• All steps taken to secure property
• The results of the search, including a description of any property or contraband seized
• If the person searched is the opposite sex, any efforts to summon a deputy of the same sex as the person being searched and the identification of any witness deputy

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.
Marine Safety & Enforcement Unit

312.1 PURPOSE AND SCOPE
To establish the general operational guidelines of the Sheriff's Department Marine Safety & Enforcement Unit. Marine Safety & Enforcement Unit has three primary functions:

• Law Enforcement
• Search and Rescue
• Boating Safety and Education

The primary responsibilities for Marine Units Deputies are enforcement and safety patrols on the various waterways in Jackson County.

312.2 PROCEDURES
The Marine Unit is responsible for enforcement of laws and regulations as they relate to the use of watercraft upon all waterways in the County.

Responsibilities

• The Unit is required to investigate and complete reports on all fatal, serious injury, and major property damage boating accidents occurring within the County. The Unit may also investigate other activities in which boats are primarily involved such as vessel theft, narcotic trafficking, fish and game violations, and waterborne environmental crimes.

• Marine Unit Deputies conduct inspections of vessels for compliance with required safety equipment, registrations requirements, and sanitation and pollution control that satisfy the intent of State law.

• Deputies in the Unit are equipped and trained to conduct searches for lost/overdue boaters, assist stranded boaters, BUI (boating under the influence) evaluations, boating related investigations, and assist in most water related rescue activity or other related emergencies.

• Promoting boating safety is also a primary function. Deputies within the Unit do this during routine boater contacts, during their daily activities, and by participating in organized events and functions. The Unit regularly conducts boating safety education programs within schools, safety fairs and other organized groups. The Deputies develop partnerships with citizens, communities, user groups, other governmental agencies and organizations, water safety councils and the media in an effort to educate the public on boating safety issues and maximize the Units’ efforts in accomplishing its mission.

• The Marine Unit provides supervision of organized on-the-water boating or water events that allows for the protection and safety of the boating public during such
Marine Safety & Enforcement Unit

activities and events. Marine Unit personnel work cooperatively with other local Marine Safety & Enforcement Units throughout the state.

- Marine Unit Deputies function as role models to the boating public for the safe and responsible operation of vessels.

312.2.1 CALLOUTS

Deputies assigned to the Marine Unit are available for after hour calls, on an overtime basis. Attempts to call out Marine Unit Deputies should be made in the event of a boating accident involving serious injury or death, or whenever an incident requires access by a boat, such as a lost or overdue boater, or a reported in progress crime at a location where access can only be made by a boat.

1. After hour call-outs must have the Patrol Sergeant's approval.

2. After-hour response times may vary, however in most situations a Marine Unit Deputy should be able to be on the water within 60 minutes of a call-out.

(a) After Hours Investigators: If a Deputy assigned to the Marine Unit cannot be located for an after hours call to a boating accident or incident that may require enforcement action, the Sergeant in charge of the unit should be notified immediately. If no Deputy can be located with boating accident investigation training, and no enforcement action needs to be taken immediately, the patrol Deputy shall respond and collect the basic identification information, and write an "Incident Report." A copy of the report shall be sent to the Sergeant in charge of the unit and the incident assigned to a Marine Unit Deputy for proper documentation and follow up investigation. If enforcement action is required immediately, such as an operator that is under the influence of alcohol and/or drugs, the patrol Deputy shall take the appropriate enforcement action.

(b) Intoxicated Boater

1. Non-accident: Patrol Deputies who respond to calls of intoxicated boaters on waterways shall take the appropriate enforcement action for the situation.

2. Accidents: When no Marine Deputy is available for an after hour's investigation, and the boat operator involved in a boating accident or incident appears to be under the influence of alcohol and/or drugs, the patrol Deputy will conduct a thorough investigation. If the boat operator is determined to be in violation, the patrol Deputy shall take the appropriate enforcement action. Evidence to determine the blood alcohol/drug level of the arrested operator is critical and shall be collected pursuant to statutory and case law. The patrol Deputy will not be responsible for writing the accident portion of the enforcement report.

3. The report shall be forwarded to the Marine Unit Sergeant for assignment to a Deputy assigned to the Marine Unit for proper documentation and investigation of the accident.

312.3 TRAINING

Deputies assigned to the Marine Unit receive specialized training for this assignment. Training includes enforcement of boating related laws, intoxicated boat operator enforcement, vessel theft
Marine Safety & Enforcement Unit

investigation, accident investigation, navigation, rescue boat operations, and marine fire fighting. The Unit members train in water search and rescue techniques. The Marine Unit also works and trains with allied agencies affiliated with the waterways within this County and adjoining Counties to develop rapid and efficient responses to mutual aid requests.

312.4 EQUIPMENT
1. Patrol Vessels: These boats are equipped to handle search and rescue, law enforcement type operations and assist with medical transports in water related emergencies. The larger boats are equipped with radar, GPS, marine band radios, and equipment necessary for night operation.

2. Personal Watercraft: The Marine Unit operates personal watercraft. These are available for response in waterways that prohibit the use of the larger boats for selective patrol in the rivers and/or congested waterways and for high profile enforcement situations on holidays and during organized on water events.

3. Patrol Vehicles: The Marine Unit maintains four-wheel drive vehicles specially equipped for towing, launching, and fueling Unit vessels, carrying necessary tools equipment and personnel. These vehicles are not to be used for other departmental functions unless some form of exigent circumstances exists. In such cases, permission from the on-duty shift sergeant, or Marine Unit Supervisor is required. The Marine Unit Sergeant will be notified in the event of such use.

4. Authorization to Operate: No person shall be allowed to operate a Marine Unit vessel without vessel-specific training, sign-off by the Marine Unit Deputy assigned responsibility for that vessel, and authorization by the Marine Unit.
Temporary Custody of Juveniles

313.1 PURPOSE AND SCOPE
This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Jackson County Sheriff's Office (42 USC § 5633).

Guidance regarding contacting juveniles at schools or those who may be victims is provided in the Child Abuse Policy.

313.1.1 DEFINITIONS
Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This includes a juvenile taken into protective custody when conditions or surroundings reasonably appear to jeopardize the juvenile’s welfare or when it reasonably appears that the child has run away from home (ORS 419B.150). This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

Juvenile offender - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense). It also includes a juvenile who possesses a handgun in violation of ORS 166.250 (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of a deputy or other custody employee at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

(b) A juvenile handcuffed to a rail.

(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

(d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
Temporary Custody of Juveniles

(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

Sight and sound separation - Located or arranged to prevent physical, visual or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

313.2 POLICY
The Jackson County Sheriff's Office is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Jackson County Sheriff's Office. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

313.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Jackson County Sheriff's Office:

(a) Unconscious
(b) Seriously injured
(c) A known suicide risk or obviously severely emotionally disturbed
(d) Significantly intoxicated
(e) Extremely violent or continuously violent

Deputies taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Jackson County Sheriff's Office unless they have been evaluated by a qualified medical and/or mental health professional.

If the deputy taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

313.4 CUSTODY OF JUVENILES
Deputies should take custody of a juvenile and temporarily hold the juvenile at the Jackson County Sheriff's Office when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.
**Temporary Custody of Juveniles**

No juvenile should be held in temporary custody at the Jackson County Sheriff's Office without authorization of the arresting deputy's supervisor or the Patrol Sergeant.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond five hours from the time of his/her entry into the Jackson County Sheriff's Office (ORS 419B.160; ORS 419C.130).

### 313.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Jackson County Sheriff's Office. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

### 313.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, deputies may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

### 313.4.3 CUSTODY OF JUVENILE OFFENDERS

Generally, a juvenile offender may be taken into custody:

- **(a)** When it reasonably appears that the juvenile is a fugitive from another state (ORS 419C.145).
- **(b)** When there is a court order endorsed as provided in ORS 419C.306 and directing that the juvenile be taken into custody (ORS 419C.080).
- **(c)** When, if the juvenile were an adult, he/she could be arrested without a warrant (ORS 419C.080).

A deputy shall take a juvenile into custody when the deputy has probable cause to believe the juvenile, while in a public building or court facility within the last 120 days, unlawfully possessed a firearm or a destructive device (ORS 419C.080).

Generally, a deputy may issue a citation in lieu of taking the juvenile into custody if a citation may be issued for the same offense and under the same circumstances to an adult. If a citation in lieu of custody is issued, a copy of the citation shall be sent to the District Attorney (ORS 419C.085).

Juvenile offenders should be held in non-secure custody while at the Jackson County Sheriff's Office unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.
Temporary Custody of Juveniles

313.4.4 EXCEPTIONS TO RELEASE OF JUVENILE OFFENDERS
A juvenile offender shall be released to the custody of the juvenile's parent, guardian or other responsible person, except in any of the following circumstances (ORS 419C.100):

(a) The court has issued a warrant of arrest for the juvenile.
(b) The deputy has probable cause to believe that release of the juvenile may endanger the welfare of the juvenile, the victim or others.
(c) When the deputy has probable cause to believe that the juvenile, while in a public building or court facility within the last 120 days, unlawfully possessed a firearm or destructive device.

If a juvenile offender is not released to the parent, guardian or other responsible person, or to a person identified by the juvenile court, the deputy shall take the juvenile to the county juvenile detention facility or appropriate shelter (ORS 419C.103).

313.5 NOTIFICATION TO PARENT OR GUARDIAN
As soon as practicable after a juvenile is taken into custody, the deputy taking the juvenile into custody shall notify the juvenile's parent, guardian or other person responsible for the juvenile of the following (ORS 419B.160; ORS 419C.097):

(a) Reason the juvenile was taken into custody
(b) Location where the juvenile is being temporarily detained
(c) Intended disposition
(d) Time and place of any hearing

313.6 JUVENILE CUSTODY LOGS
Any time a juvenile is held in custody at the Office, the custody shall be promptly and properly documented in the juvenile custody log, including:

(a) Identifying information about the juvenile being held.
(b) Date and time of arrival and release from the Jackson County Sheriff's Office.
(c) Patrol Sergeant notification and approval to temporarily hold the juvenile.
(d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
(e) Any changes in status.
(f) Time of all welfare checks.
(g) Any medical and other screening requested and completed.
(h) Circumstances that justify any secure custody.
(i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.
Temporary Custody of Juveniles

The Patrol Sergeant shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

See attachment: Juvenile Custody Log.pdf

313.7 NO-CONTACT REQUIREMENTS
Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Office (34 USC § 11133). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Jackson County Sheriff's Office shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

313.8 TEMPORARY CUSTODY REQUIREMENTS
Members and supervisors assigned to monitor or process any juvenile at the Jackson County Sheriff's Office shall ensure the following:

(a) The Patrol Sergeant should be notified if it is anticipated that a juvenile may need to remain at the Jackson County Sheriff's Office more than four hours. This will enable the Patrol Sergeant to ensure no juvenile is held at the Jackson County Sheriff's Office more than five hours.

(b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(c) Personal visual checks and significant incidents/activities shall be noted on the log.

(d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.

(e) Juveniles shall have reasonable access to toilets and wash basins.

(f) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.

(g) Juveniles shall have reasonable access to a drinking fountain or water.

(h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(i) Juveniles should have privacy during family, guardian and/or lawyer visits.
Temporary Custody of Juveniles

(j) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(k) Blankets should be provided as reasonably necessary.

(l) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.

(m) Juveniles shall have adequate furnishings, including suitable chairs or benches.

(n) Juveniles shall have the right to the same number of telephone calls as an adult in custody.

(o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

313.9 USE OF RESTRAINT DEVICES
Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Jackson County Sheriff's Office when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Patrol Sergeant. Restraints shall only be used so long as it reasonably appears necessary for the juvenile’s protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

313.10 PERSONAL PROPERTY
The deputy taking custody of a juvenile offender or status offender at the Jackson County Sheriff's Office shall ensure a thorough search of the juvenile’s property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile’s presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Jackson County Sheriff's Office.

313.11 SECURE CUSTODY
Only juvenile offenders 14 years or older may be placed in secure custody. Patrol Sergeant approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.
Temporary Custody of Juveniles

Members of this office should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile’s safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

313.12 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE
The Patrol Sergeant will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Jackson County Sheriff's Office. The procedures will address:

   (a) Immediate notification of the on-duty supervisor, Sheriff and Criminal Investigations Division supervisor.

   (b) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.

   (c) Notification of the appropriate prosecutor.

   (d) Notification of the County Counsel.

   (e) Evidence preservation.

313.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS
No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

313.14 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING
A juvenile taken into custody under ORS 419C.080 shall be photographed and fingerprinted (ORS 419A.250(2)).

Other juveniles taken into custody may only be fingerprinted or photographed (ORS 419A.250(1)):

   (a) Pursuant to a search warrant.

   (b) According to laws concerning adults if the juvenile has been transferred to criminal court for prosecution.

   (c) Upon consent of both the juvenile and the juvenile’s parent after being advised that they are not required to give such consent.

   (d) By order of the juvenile court.
Temporary Custody of Juveniles

Fingerprints and photographs of juveniles must be kept separate from those of adults. Fingerprints and photographs of juvenile offenders shall be sent to the central state depository in the same manner as fingerprint and photograph files or records of adults. Fingerprints and photographs of other juveniles should not be sent to any central state or federal depository (ORS 419A.250).
Adult Abuse

314.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Jackson County Sheriff's Office members as required by law.

314.1.1 DEFINITIONS
Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult’s care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

314.2 POLICY
The Jackson County Sheriff's Office will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

314.3 MANDATORY NOTIFICATION
Members of the Jackson County Sheriff's Office shall notify the Department of Human Services (DHS) when there is reasonable cause to believe that an elderly adult (age 65 years or older), dependent adult or resident of a long-term care facility with whom the member comes in contact has suffered abuse, or when a person with whom the member comes in contact has abused an elderly adult, dependent adult or resident of a long-term care facility (ORS 124.060; ORS 430.743; ORS 441.640).

For purposes of notification, abuse includes physical injury, neglect, abandonment, verbal abuse, financial exploitation, sexual abuse, sexual offenses, involuntary seclusion and wrongful use of physical or chemical restraints as provided in ORS 124.050, ORS 430.735 and ORS 441.630.

Dependent adult means a person 18 years or older with (ORS 430.735):

(a) A developmental disability who is currently receiving services from a community program or facility or was previously determined eligible to receive such services as an adult.

(b) A mental illness who is receiving services from a community program or facility.

314.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (ORS 124.065; ORS 430.743; ORS 441.645):

(a) All notifications to DHS shall be made as soon as practicable by telephone.

(b) Information provided to DHS shall include, if known:

1. Name, age and address of the person abused
2. Present location of the adult
3. Name and address of the person responsible for the adult
4. Identity of the perpetrator
5. Nature and extent of the abuse and any evidence of previous abuse
6. Any explanation given for the abuse
7. Date of the incident
8. Any other information that may be helpful in establishing the cause of the abuse

(c) In cases where DHS has notified the Department of a possible crime relating to elder or dependent adult abuse, confirmation of receipt of notification shall be made to DHS.

(d) DHS shall also be notified whether (ORS 124.070(3); ORS 430.745(7)):
   1. There will be no criminal investigation and the explanation of why there will be no such investigation.
   2. The investigative findings have been forwarded to the District Attorney for review.
   3. A criminal investigation will take place.

(e) In investigations that substantiate elderly abuse or abuse of a resident in a long-term care facility, DHS shall be notified in writing (ORS 124.070(2); ORS 441.650(2)).

(f) Upon completion of investigations for dependent adult abuse, DHS shall be provided a written report of the findings and supporting evidence (ORS 430.745(4)).

314.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.
(b) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
(c) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

314.5 INVESTIGATIONS AND REPORTING
All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected adult abuse victim is contacted.
(b) Any relevant statements the victim may have made and to whom he/she made the statements.
Adult Abuse

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

All investigations into suspected cases of adult abuse shall include a personal visit to the elderly person suspected of being abused (ORS 124.070).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

The Department must begin investigations of abuse in a long-term care facility (ORS 441.650):

- Within two hours where a resident’s health or safety is in imminent danger or the resident recently died, was hospitalized or was treated in an emergency room.
- Prior to the end of the next working day if circumstances exist that could result in abuse and place the resident’s health or safety in imminent danger.

314.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the deputy should make reasonable attempts to contact DHS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the deputy should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the deputy shall ensure that the adult is delivered to DHS.
Adult Abuse

Whenever practicable, the deputy should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, deputies should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian, or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

314.6.1 DHS ASSISTANCE
A deputy shall cooperate with DHS when assistance is requested by written notice to gain access to an abused person and the deputy believes that there is reasonable cause that a crime has been committed and an emergency exists which requires access to the person to ensure his/her safety (ORS 124.065; ORS 430.743; OAR 411-020-0085).

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, deputies should audio record the preliminary interview with a suspected adult abuse victim. Deputies should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation.

314.7.2 DETAINING VICTIMS FOR INTERVIEWS
A deputy should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
   1. A reasonable belief that medical issues of the adult need to be addressed immediately.
   2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS
When an adult abuse investigation requires a medical examination, the investigating deputy should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The deputy should also arrange for the adult’s transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, deputies should notify a
supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

314.9 DRUG-ENDANGERED VICTIMS
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES
The Criminal Investigations Division supervisor should:

(a) Work with professionals from the appropriate agencies, including DHS, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when a deputy notifies the Criminal Investigations Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

(c) Develop a report format or checklist for use when deputies respond to drug labs or other narcotics crime scenes. The checklist will help deputies document the environmental, medical, social and other conditions that may affect the adult.

314.9.2 DEPUTY RESPONSIBILITIES
Deputies responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

(a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate.

(b) Notify the Criminal Investigations Division supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS
Oregon requires or permits the following:

314.10.1 RECORDS DIVISION RESPONSIBILITIES
The Records Division is responsible for:

(a) Providing a copy of the adult abuse report to DHS as required by law.

(b) Retaining the original adult abuse report with the initial case file.
314.10.2 RELEASE OF REPORTS
Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (ORS 124.090; ORS 430.763; ORS 441.671).

314.11 TRAINING
The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.
(b) Conducting interviews.
(c) Availability of therapy services for adults and families.
(d) Availability of specialized forensic medical exams.
(e) Cultural competence (including interpretive services) related to adult abuse investigations.
(f) Availability of victim advocates or other support.
Child Abuse

315.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Jackson County Sheriff's Office members are required to notify the Department of Human Services (DHS) of suspected child abuse.

315.1.1 DEFINITIONS
Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense as defined in ORS 419B.010.

315.2 POLICY
The Jackson County Sheriff's Office will investigate all reported incidents of alleged criminal child abuse and ensure that DHS is notified as required by law.

315.3 MANDATORY NOTIFICATION
Members of the Jackson County Sheriff's Office shall notify DHS when a report of child abuse is received or when there is reasonable cause to believe that a child has suffered abuse (ORS 419B.010).

For purposes of notification, a child is an unmarried person under 18 years of age (ORS 419B.005(2)).

For purposes of notification, abuse of a child includes, but is not limited to, assault or physical injury of a non-accidental nature, rape, sexual abuse or sexual exploitation including contributing to the sexual delinquency of a minor, threatened harm, negligent treatment or maltreatment, buying or selling a child, unlawful exposure to a controlled substance, permitting a child to enter or remain in or upon premises where methamphetamines are manufactured, or any other act described in ORS 419B.005(1)(a).

315.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (OAR 413-015-0305):

(a) Verbal notification to DHS shall be made immediately when the deputy determines that the report of alleged abuse or neglect requires an immediate joint response.

(b) Verbal, electronic transmission or hand-delivered notification to DHS of all other reports of child abuse or neglect shall be made by the end of the next business day.

(c) Notification, when possible, should include:

1. The name and contact information of the confidential reporter.
2. The name, address and age of the child.
3. The name and address of the child's parents or other person who is responsible for care of the child.

4. The nature and extent of the abuse or neglect, including any evidence of previous abuse or neglect.

5. The explanation given for the abuse or neglect.

6. Where the abuse or neglect occurred.

7. Identity and whereabouts of the alleged perpetrator.

8. Any other information that the person making the report believes might be helpful in establishing the cause of the abuse or neglect and the identity and whereabouts of the perpetrator.

9. The name and contact information for the assigned DHS worker and deputy.

When the abuse occurs at a facility or by a person from a facility that requires a state license from the Oregon Employment Department, Child Care Division (e.g., child care facility), notification shall also be made to that agency (ORS 419B.020).

315.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (ORS 418.747).

315.5 INVESTIGATIONS AND REPORTING
In all reported or suspected cases of child abuse, a report will be written. Deputies shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected child abuse victim was contacted.
Child Abuse

(b) The exigent circumstances that existed if deputies interviewed the child victim without the presence of a parent or guardian.

(c) Any relevant statements the child may have made and to whom he/she made the statements.

(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

315.5.1 KARLY’S LAW

In all cases of suspicious physical injury to a child, the investigating deputy shall, in accordance with any relevant county multidisciplinary team protocols, (ORS 419B.023):

(a) Immediately photograph or caused to be photographed any visible injuries or any injuries identified by the child if practicable, and in the manner described in ORS 419B.028.

(b) Ensure that photographs of the injuries are distributed to the designated medical professional and placed in any relevant files by the end of the next regular business day or within 48 hours, whichever occurs later (ORS 419B.028(2)).

(c) Ensure that a designated medical professional conducts a medical assessment of the child within 48 hours or sooner, according to the child’s medical needs. If a designated medical professional is unavailable for the assessment, the investigating deputy must ensure that the child is evaluated by an available physician.

315.5.2 INVESTIGATIONS ON PUBLIC SCHOOL PREMISES

When an investigation of child abuse is conducted on public school premises, the investigating deputy shall first notify the school administrator of the investigation, unless the school administrator
Child Abuse

is a subject of the investigation. At the investigator's discretion, the school administrator or a school staff member designated by the school administrator may be present to facilitate the investigation. Prior to any interview with the affected child, the investigating deputy shall be advised of the child's disabling conditions, if any (ORS 419B.045).

315.6 PROTECTIVE CUSTODY
Before taking any child into protective custody, the deputy should make reasonable attempts to contact DHS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the deputy should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the deputy shall ensure that the child is delivered to DHS.

Whenever practicable, the deputy should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, deputies should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (ORS 419B.150):

(a) When the child's condition or surroundings reasonably appear to jeopardize the child's welfare.
(b) When the juvenile court has issued a valid order that the child is to be taken into protective custody.
(c) When it reasonably appears that the child has run away from home.

315.6.1 NOTICE TO PARENTS
When a deputy takes a child into protective custody, if possible, the deputy shall:

(a) Make reasonable efforts to immediately notify the child's parents or guardian, regardless of the time of day.
(b) Advise the reason the child has been taken into custody.
(c) Provide general information about the child's placement and the telephone number of the local DHS office, including any after-hours telephone numbers (ORS 419B.020).

315.6.2 SAFE HAVEN PROVISION
A parent may leave an infant who is not more than 30 days old at an authorized facility, including this department, as long as the child has no evidence of abuse (ORS 418.017).
Child Abuse

When an infant is surrendered to this department, members of Jackson County Sheriff's Office shall follow the provisions set forth in ORS 418.017.

315.7 INTERVIEWS

315.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, deputies should record the preliminary interview with suspected child abuse victims. Deputies should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating deputies should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

315.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW
A deputy should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
   1. A reasonable belief that medical issues of the child need to be addressed immediately.
   2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

315.8 MEDICAL EXAMINATIONS
If the child has been the victim of abuse that requires a medical examination, the investigating deputy should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The deputy should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, deputies should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

315.8.1 COURT ORDERS FOR PRESERVATION OF EVIDENCE
When a deputy is taking a child into protective custody and has reasonable cause to believe that the child has been affected by sexual abuse and rape, and that physical evidence of the abuse
exists and is likely to disappear, the court may authorize a physical examination for the purpose of preserving evidence, if such examination is in the best interest of the child (ORS 419B.020).

315.9 DRUG-ENDANGERED CHILDREN
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics. Deputies shall notify DHS when there is a concern that a child may have been endangered as a result of exposure to the manufacturing, trafficking or use of narcotics.

315.10 STATE MANDATES AND OTHER RELEVANT LAWS
Oregon requires or permits the following:

315.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (ORS 419B.035).

315.10.2 COUNTY MULTIDISCIPLINARY CHILD ABUSE TEAM AND PROTOCOL
The Criminal Investigations Division Supervisor should ensure that current written protocols and procedures for child abuse investigations developed by the multidisciplinary child abuse team are available to all department members (ORS 418.747).

315.10.3 CHILD FATALITY REVIEW TEAMS
This department should cooperate with any child fatality review team and investigation (ORS 418.785).

315.11 TRAINING
The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.
(b) Conducting forensic interviews.
(c) Availability of therapy services for children and families.
(d) Availability of specialized forensic medical exams.
(e) Cultural competence (including interpretive services) related to child abuse investigations.
(f) Availability of victim advocate or guardian ad litem support.
Missing Persons

316.1 PURPOSE AND SCOPE
This policy provides guidance for handling missing person investigations.

316.1.1 DEFINITIONS
Definitions related to this policy include:

At risk - This includes persons who:

(a) Are 13 years of age or younger.

(b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
   1. Out of the zone of safety for his/her chronological age and developmental stage.
   2. Mentally or behaviorally disabled.
   3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
   4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
   5. In a life-threatening situation.
   6. In the company of others who could endanger his/her welfare.
   7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
   8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
   9. Intellectual or developmental disability, or an impaired mental condition such as dementia or brain injury (ORS 181A.320).
   10. A victim of first- or second-degree custodial interference or kidnapping (ORS 181A.310).

Missing person - Any person who is reported missing to law enforcement when that person’s location is unknown.

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Oregon Law Enforcement Data System (LEDS) and the Oregon State Police Missing Children Clearinghouse.
316.2 POLICY
The Jackson County Sheriff's Office does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Jackson County Sheriff's Office gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

316.2.1 INITIAL INVESTIGATION
The employee accepting the missing person report should request from the reporting party information or material likely to be useful in identifying the missing person including but not limited to:

(a) The relationship to the reporting party and why the reporting party believes the person is missing.
(b) Information on the missing person including alternate names the person uses, the person's date of birth, physical appearance, clothing, identifying marks, physical anomalies, surgical implants and any prosthesis used by the missing person.
(c) The blood type of the missing person.
(d) The driver license number and Social Security number of the missing person.
(e) A description of items believed to be in the possession of the missing person and the description of any vehicle the missing person may have been driving or riding in at the time of disappearance.
(f) Time and place of last known location and the identity of anyone believed to be in the company of the missing person.
(g) History of prior missing incidents and the extent to which this incident is a departure from established behavior patterns, habits, or plans.
(h) The physical and mental condition of the missing person and whether he or she is taking, and currently have with him or her, any medications.
(i) The name and address of the missing person's doctor and dentist.
(j) Any personal, family history or relationship issues that may be a factor in the person's absence, including the names and addresses of any people the missing person might visit.
(k) Any circumstances that indicate that the missing person may be at risk of injury or death.
(l) Any circumstances that may indicate that the disappearance is not voluntary.
(m) Obtain recent photographs, fingerprints and/or DNA samples (such as hair) that might be available.
(n) Attempt to identify the types and account numbers of any credit cards the missing person might have access to, and the location of any bank accounts or other financial resources.

(o) The name and addresses of the place of employment, schools and other places frequented by the missing person.

(p) Whether information regarding the missing person has been entered into the Law Enforcement Data System (LEDS) Medical Database (ORS 181.735).

316.2.2 CHILD UNDER TWELVE OR "AT RISK"
In cases where this agency has jurisdiction for the missing person investigation and the missing person is a person at risk, or a child less than twelve years of age, the following steps will be taken:

(a) A supervisor will be notified.

(b) Detectives will be notified immediately, including after hours, and will begin an investigation after an initial search by patrol personnel.

(c) The name, physical description, clothing and any suspected vehicle that may be involved shall be broadcast to other deputies on duty. The locate information may also be disseminated to other agencies as appropriate.

(d) A preliminary search for the missing person should be initiated based on the circumstances present. If the missing person is a child, obtain consent and conduct a complete search of the residence, curtilage, outbuildings, vehicles and other likely places of concealment.

If such a case is within the investigative responsibility of another jurisdiction and is reported to this agency, the employee receiving the report shall ensure that the appropriate law enforcement agency is immediately notified and shall coordinate with that agency as is reasonably necessary to promptly transfer the case.

316.2.3 CONTINUING INVESTIGATION
If the Jackson County Sheriff's Office has jurisdiction for the missing person investigation, it will be assigned for follow up. On-going investigations of missing persons should include, but not be limited to, the following actions:

(a) Obtain releases for dental and medical records, and subpoenas for credit card transactions, bank records or other financial records as necessary. Copies of dental records and skeletal x-rays, if available, should be obtained and filed.

(b) Check hospitals and the State Medical Examiners Office for information on deceased persons matching the description of the missing person.

(c) Consider the need for more extensive area searches and obtain sufficient resources to assist in that effort.
Missing Persons

(d) Conduct interviews with friends, relatives, co-workers and persons in the vicinity of the location where the missing person was last seen.

(e) If the missing person is a child, comply with the reporting guidelines for the National Center for Missing and Exploited Children.

(f) Maintain regular contact with the relatives of the missing person and/or reporting party. Request immediate notification if they should have any contact with the missing person.

(g) Consider the need for additional locate notices to be sent to other jurisdictions.

(h) Consider using the local media to locate the missing person with approval of the Sheriff or his designee, and consultation with the family.

(i) When a person reported missing to this department has not been located within 30 days after the missing person report is made, the assigned investigator shall attempt to obtain a DNA sample of the missing person or from family members of the missing person, and prepare any documentation necessary for use of the samples in conducting searches of DNA databases.

316.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS
The Criminal Investigations Division Supervisor shall ensure the following forms and kits are developed and available:

• Missing person report form
• Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
• Missing person school notification form
• Medical records release form
• Biological sample collection kits

316.3.1 TRANSMITTING REPORTS TO OTHER JURISDICTIONS
When the Jackson County Sheriff's Office takes a missing person report on a person who lives outside of this jurisdiction, the Records Division shall promptly notify and forward a copy of the report to the agencies having jurisdiction over the missing person's residence and where the missing person was last seen. If the missing person is under 16 or there is evidence that the person may be at-risk, the reports must also be forwarded within no more than 24 hours to the jurisdiction of the agency where the missing person was last seen.

316.3.2 STATE AND FEDERAL NOTIFICATION
If a missing person is under the age of 21, Records Division personnel shall enter the missing person into the Law Enforcement Data System (LEDS) and the National Crime Information Center.
(NCIC) Missing Person Files within two hours after accepting the report (42 USC 5779(a) and 42 USC 5780(3)).

316.4 ACCEPTANCE OF REPORTS
Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

316.5 INITIAL INVESTIGATION
Deputies or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 16 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 years of age or may be at risk.

(e) Ensure that entries are made into the appropriate missing person networks, as follows:
   1. Immediately, when the missing person is at risk.
   2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review:
   1. A photograph and fingerprint card of the missing person, if available.
   2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
   3. Any documents that may assist in the investigation, such as court orders regarding custody.
4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person’s location through his/her telecommunications carrier.

(i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

316.6 REPORT PROCEDURES AND ROUTING
Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

316.6.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of the supervisor shall include, but are not limited to:

(a) Reviewing and approving missing person reports upon receipt.
   1. The reports should be promptly sent to the Records Division.

(b) Ensuring resources are deployed as appropriate.

(c) Initiating a command post as needed.

(d) Ensuring applicable notifications and public alerts are made and documented.

(e) Ensuring that records have been entered into the appropriate missing persons networks.

(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
   1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

316.6.2 RECORDS DIVISION RESPONSIBILITIES
The responsibilities of the Records Division receiving member shall include, but are not limited to:

(a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person’s residence in cases where the missing person is a resident of another jurisdiction.

(b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.

(c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person’s intended or possible destination, if known.
(d) Forwarding a copy of the report to the Criminal Investigations Division.

(e) Coordinating with the NCIC Terminal Contractor for Oregon to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (42 USC § 5780).

316.7 CRIMINAL INVESTIGATIONS DIVISION FOLLOW-UP
In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Should ensure that the missing person’s school is notified within 10 days if the missing person is a juvenile.

1. The notice shall be in writing and should also include a photograph.

2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the juvenile’s student file, along with the investigator’s contact information, if the school receives a call requesting the transfer of the missing child’s files to another school.

(b) Should re-contact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.

(c) Shall, if the person has not been located within 30 days, ensure that a biological sample, if available, is forwarded to the Oregon State Police (ORS 146.187).

(d) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(e) Shall verify and update the Oregon LEDS, the Oregon State Police Missing Children Clearinghouse, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (42 USC § 5780).

(f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(g) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (42 USC § 5780).

(h) Should make appropriate inquiry with the Medical Examiner.

(i) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
**Missing Persons**

(j) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to Oregon State Police and enter the photograph into applicable missing person networks (42 USC § 5780).

(k) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(l) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

### 316.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Records Supervisor shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

(a) Notification is made to the Oregon State Police.

(b) A missing child’s school is notified.

(c) Entries are made in the applicable missing person networks.

(d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to the Oregon State Police.

(e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

(f) All information and materials obtained for the purpose of identifying the missing person are destroyed if the person is found, or sealed if the person is found to be no longer living (ORS 146.189(2)).

### 316.8.1 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.

(b) Enter the unidentified person’s description into the NCIC Unidentified Person File.

(c) Use available resources, such as those related to missing persons, to identify the person.

### 316.9 CASE CLOSURE

The Criminal Investigations Division Supervisor may authorize the closure of a missing person case after considering the following:
(a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.

(b) If the missing person is a resident of Jackson or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.

(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

316.10 TRAINING
Subject to available resources, the Training Officer should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

(a) The initial investigation:
   1. Assessments and interviews
   2. Use of current resources, such as Mobile Audio Video (MAV)
   3. Confirming missing status and custody status of minors
   4. Evaluating the need for a heightened response
   5. Identifying the zone of safety based on chronological age and developmental stage

(b) Briefing of department members at the scene.

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(d) Verifying the accuracy of all descriptive information.

(e) Initiating a neighborhood investigation.

(f) Investigating any relevant recent family dynamics.

(g) Addressing conflicting information.

(h) Key investigative and coordination steps.

(i) Managing a missing person case.

(j) Additional resources and specialized services.

(k) Update procedures for case information and descriptions.
Missing Persons

(l) Preserving scenes.
(m) Internet and technology issues (e.g., Internet use, cell phone use).
(n) Media relations.
(o) Interacting with individuals with cognitive impairment, including dementia, intellectual and developmental disabilities, and brain injuries (ORS 181A.320).
Public Alerts

317.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

317.2 POLICY
Public alerts may be employed using the Emergency Alert System (EAS), Everbridge Citizen Alert, local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria.

317.3 RESPONSIBILITIES

317.3.1 EMPLOYEE RESPONSIBILITIES
Employees of the Jackson County Sheriff's Office should notify their supervisor, Patrol Sergeant or Criminal Investigations Division Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

317.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Sheriff, the appropriate Division Commander and the Public Information Officer when any public alert is generated. The Emergency Manager or designee is the only one who can activate the EAS in the county.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts
(b) Cancelling alerts
(c) Ensuring all appropriate reports are completed
(d) Preparing an after-action review of the investigation to be forwarded to the Division Commander

317.4 AMBER ALERTS
The Oregon AMBER Alert is a voluntary partnership between law enforcement agencies and local broadcasters to rapidly disseminate an emergency alert to the public when a child is abducted under emergency circumstances and the child may be in danger of serious bodily harm or death.
317.4.1 CRITERIA
All of the following criteria must exist before an AMBER Alert will be issued:

(a) There is confirmation that a child abduction has occurred.
(b) The child is under 18 years of age.
(c) The child may be in danger of serious bodily harm or death.
(d) There is sufficient descriptive information about the child, abductor and/or the suspect’s vehicle to believe that an immediate broadcast alert will help.
(e) The child’s name and other critical data elements, including the child abduction (CA) and AMBER Alert (AA) flags, either have been or will be entered into the National Crime Information Center (NCIC) system.

An AMBER Alert should not be used if the child is a runaway or has been abducted as a result of a child custody situation, unless the child may be in danger of serious bodily harm or death.

317.4.2 PROCEDURE
The AMBER Alert Web Portal is used to post the appropriate alert information.

Prior to posting the AMBER Alert message, consideration should be given to ensuring adequate staffing for the tip line, 9-1-1 lines and any media line. AMBER Alerts generate significant public and media interest. It is likely that a high volume of calls from the public and media will be received. Reassigning personnel from other units or requesting mutual aid from other agencies should be considered.

(a) The Public Information Officer, Patrol Sergeant or Field Services Supervisor should consider whether to prepare a press release that includes all available information that might aid in locating the child, such as:

1. The child’s identity, age, physical and clothing description, including any distinguishing characteristics.
2. Photograph, if available.
3. The location where the abduction occurred or where the child was last seen.
4. The suspect’s identity, age, physical and clothing description, if known.
5. Pertinent vehicle license number and description, if known.
6. Detail regarding direction of travel and potential destinations, if known.
7. Contact information for the Public Information Officer or other authorized individual to handle media liaison.
8. A telephone number for the public to call with leads or information.

(b) Information on the abducted child, suspect vehicle and suspect should be entered into the Law Enforcement Data System (LEDS) and NCIC as soon as feasible. The
suspect’s name, if known, should be entered in the “AKA” moniker field. The child’s name and other critical data elements, including the child abduction (CA) and AMBER Alert (AA) flags, must be entered into the NCIC system in order to trigger the resources of the National Center for Missing and Exploited Children (NCMEC) and the FBI.

(c) The Records Division will send a statewide Administrative Message (AM) via LEDS with the information. The text of the message will begin with the words, “Oregon AMBER Alert.”

(d) The information in the press release should also be forwarded to the dispatch center so that general broadcasts can be made to local law enforcement agencies.

(e) Consideration should be given to whether to utilize the following resources:

1. Federal Bureau of Investigation (FBI Local Office)
2. National Center for Missing and Exploited Children 800-843-5678

The FBI and NCMEC will have received notification of the AMBER Alert via the NCIC computer entries. If needed, the Oregon State Police Missing Children Clearinghouse is available to assist agencies with any additional notifications or to serve as the liaison with NCMEC.
 Victim and Witness Assistance

318.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

318.2 POLICY
The Jackson County Sheriff's Office is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Jackson County Sheriff's Office will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

318.3 CRIME VICTIM LIAISON
The Sheriff may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Jackson County Sheriff's Office regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

318.3.1 CRIME VICTIM LIAISON DUTIES
The crime victim liaison is specifically tasked with the following:

(a) Sexual assault investigations (2016 Oregon Laws, c.89, § 4):
1. Receiving and responding to all inquiries concerning sexual assault kits.
2. Providing any information the victim requests concerning sexual assault kits in a manner of communication designated by the victim, as soon as possible and within 30 days of the inquiry unless doing so would interfere with the investigation. This information includes the location, testing date and testing results of a kit, whether a DNA sample was obtained from the kit, whether or not there are matches to DNA profiles in state or federal databases and the estimated destruction date for the kit.
3. Acting as liaison with the Oregon State Police (OSP) regarding submitted kits.
4. Allowing a sexual assault victim to provide written authorization for a designee to access information on the victim’s behalf.
5. Upon request of the victim, an untested nonanonymous kit may be reclassified as an anonymous kit or an untested anonymous kit be reclassified as a nonanonymous kit.

(a) Notifying the OSP if a sexual assault kit is reclassified.

318.4 CRIME VICTIMS
Deputies should provide all victims with the applicable victim information handouts.
Deputies should never guarantee a victim’s safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Deputies should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

### 318.5 VICTIM INFORMATION

The Support Services Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims of domestic violence.

(b) Community resources for victims of sexual assault.

(c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams (42 USC § 3796gg).

(d) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.

(e) A clear explanation of relevant court orders and how they can be obtained.

(f) Information regarding available compensation for qualifying victims of crime.

(g) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender’s custody status and to register for automatic notification when a person is released from jail.

(h) Notice regarding U-Visa and T-Visa application processes.

(i) Resources available for victims of identity theft.

(j) A place for the deputy’s name, badge number and any applicable case or incident number.

(k) A statement of legal rights and remedies available to victims of abuse, as required by ORS 133.055.

(l) Information about the Address Confidentiality Program. This program is from the Oregon Department of Justice, Crime Victims’ Services Division for victims of domestic violence, sexual offenses, stalking or human trafficking (ORS 192.826).

(m) Oregon Crime Victim Bill of Rights (ORS 147.417).

(n) Information for victims of sexual assault that includes, but is not limited to (2016 Oregon Laws, c.89, § 4).

1. Contact information for the crime victim liaison for victims of sexual assault.

2. Notice that victims may request and receive information concerning sexual assault kits if providing the information would not interfere with the investigation.
318.6 WITNESSES
Deputies should never guarantee a witness’ safety from future harm or that his/her identity will always remain confidential. Deputies may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Deputies should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.
Hate Crimes

319.1 PURPOSE AND SCOPE
This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

319.2 DEFINITIONS
Hate Crimes - consist of any act of intimidation, harassment, physical force or threat of physical force directed against any person, group, family, community organization or property motivated in whole or in part by hostility toward real or perceived race, ethnic background, national origin, religious belief, gender, age, disability, sexual orientation or political affiliation with the intent of causing fear, injury, intimidation or to deter the free exercise and enjoyment of any right secured by the Constitution or the law.

319.3 CRIMINAL STATUTES
For the purpose of this policy, the following statutes may apply:

(a) Harassment (ORS 166.065)
(b) Intimidation in the Second Degree (ORS 166.155)
(c) Intimidation in the First Degree (ORS 166.165)
(d) Menacing (ORS 163.190)
(e) Any degree of Assault (ORS 163.160 to ORS 163.185)
(f) Recklessly Endangering (ORS 163.195)
(g) Hazing (ORS 163.197)
(h) Unlawful use of a stun gun, tear gas or mace (ORS 163.212 and ORS 163.213)
(i) Kidnapping (ORS 163.215 to ORS 163.235)
(j) Coercion (ORS 163.275)
(k) Any sex offense (ORS 163.355 to ORS 163.427)
(l) Stalking (ORS 163.732)
(m) Any degree of Robbery (ORS 164.395 to ORS 164.415)

Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on circumstances (18 USC § 245).
319.4 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES
While it is recognized that not all crime can be prevented, this department is committed to taking
a proactive approach to preventing and preparing for likely hate crimes by among other things:

(a) Deputies should make an affirmative effort to establish contact with persons and
groups within the community who are likely targets of hate crimes to form and
cooperate with prevention and response networks

(b) Providing victim assistance and follow-up as outlined below, including community
follow-up

319.5 PROCEDURE FOR INVESTIGATING HATE CRIMES
Whenever any member of this department receives a report of a suspected hate crime or other
activity that reasonably appears to involve a potential hate crime, the following should occur:

(a) Deputy(s) will be promptly assigned to contact the victim, witness, or reporting party
to investigate the matter further as circumstances may dictate

(b) A supervisor should be notified of the circumstances as soon as practical

(c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment
of victims, apprehension of present suspects, etc.), the assigned deputy(s) will take
all reasonable steps to preserve available evidence that may tend to establish that a
hate crime was involved

(d) The assigned deputy(s) will interview available witnesses, victims and others to
determine what circumstances, if any, indicate that the situation may involve a hate
crime

(e) Depending on the situation, the assigned deputy(s) or supervisor may request
additional assistance from detectives or other resources to further the investigation

(f) The assigned deputy(s) will include all available evidence indicating the likelihood of a
hate crime in the relevant report(s). All related reports will be clearly marked as "Hate
Crimes" and, absent prior approval of a supervisor, will be completed and submitted
by the assigned deputy(s) before the end of the shift

(g) The assigned deputy(s) will provide the victim(s) of any suspected hate crime with
a brochure on hate crimes. Such brochures will also be available to members of the
general public upon request. The assigned deputy(s) should also make reasonable
efforts to assist the victim(s) by providing available information on local assistance
programs and organizations

(h) The assigned deputy(s) and supervisor should take reasonable steps to ensure that
any such situation does not escalate further
319.5.1 CRIMINAL INVESTIGATIONS DIVISION RESPONSIBILITY
If a case is assigned to the Criminal Investigations Division, the assigned detective will be responsible for following up on the reported hate crime as follows:

(a) Coordinate further investigation with the District Attorney and other law enforcement agencies, as appropriate

(b) Maintain contact with the victim(s) and other involved individuals as needed

(c) Maintain statistical data on suspected hate crimes and tracking as indicated

319.6 TRAINING
All members of this Department will receive periodic training on hate crime recognition and investigation.
Report Preparation

320.1 PURPOSE AND SCOPE
Report preparation is a major part of each deputy’s job. The purpose of reports is to document sufficient information to refresh the deputy’s memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

320.1.1 REPORT PREPARATION
Employees shall ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all in-custody reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. The employee shall make reasonable attempts to have the in-custody report reviewed by a supervisor prior to going off-duty. Reports requiring L.E.D.S. and/or NCIC entries must also be completed prior to going off-duty, unless a supervisor approved otherwise.

Employees shall complete all outstanding reports prior to ending their scheduled work week unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads and matters involving high profile issues shall be completed prior to going off-duty for the weekend.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee’s opinions should not be included in reports unless specifically identified as such.

320.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

320.2.1 CRIMINAL ACTIVITY REPORTING
When an employee responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documenting a report. The following are examples of required documentation:
(a) In every instance where a felony has occurred, the documentation shall take the form of a written crime report.

(b) In every instance where a misdemeanor crime has occurred and the victim desires a report, the documentation shall take the form of a written crime report, or in some instances, a disposition entry in the CAD log of the call. If the victim does not desire a report, the incident will be recorded on the dispatcher’s log.

(c) In every case where any force is used against any person by sheriff's personnel.

(d) All arrests.

320.2.2 NON-CRIMINAL ACTIVITY
The following incidents shall be documented using the appropriate approved report:

(a) Any use of force against any person by a member of this department (see the Use of Force Policy)

(b) Any firearm discharge (see the Firearms and Qualification Policy)

(c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Reporting Policy)

(d) Any found property or found evidence

(e) Any traffic collisions above the minimum reporting level (see the Traffic Collision Reporting Policy)

(f) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy

(g) All protective custody detentions

(h) Suspicious incidents that may place the public or others at risk

(i) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

320.2.3 DEATH CASES
Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with Policy § 360. The following cases shall be appropriately investigated and documented using the approved report:

(a) Sudden or accidental deaths.

(b) Suicides

(c) Homicide or suspected homicide.

(d) Unattended deaths (No physician or qualified hospice care during the period immediately preceding death).
Report Preparation

(e) Found dead bodies or body parts.

320.2.4 INJURY OR DAMAGE BY COUNTY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a County employee. Additionally, reports shall be taken involving damage to County property or County equipment.

320.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose.

(b) Attempted suicide.

(c) The injury is major/serious, whereas death could result.

(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

320.2.6 ALTERNATE REPORTING FOR VICTIMS
Reports that may be submitted by the public via online or other self-completed reporting processes include:

(a) Lost property.

(b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information, serial number or ability to trace the item.
   1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.

(c) Misdemeanor vandalism with no suspect information and no hate crime implications.

(d) Vehicle burglaries with no suspect information or evidence.

(e) Stolen vehicle attempts with no suspect information or evidence.

(f) Annoying telephone calls with no suspect information.

(g) Identity theft without an identifiable suspect.

(h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.

(i) Hit-and-run vehicle collisions with no suspect or suspect vehicle.

(j) Supplemental property lists.

Members at the scene of one of the above incidents should not refer the reporting party to an alternate means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).
320.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all deputies and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

320.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS
Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.

320.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
Forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

320.4 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, other than typo’s or grammar changes which can be done by the reviewing supervisor, the reviewing supervisor should “Unapprove” the report in the ARS system and attach a note of needed correction(s). It shall be the responsibility of the originating deputy to ensure that any report returned for correction is processed in a timely manner.

320.5 REPORT CHANGES OR ALTERATIONS
Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Division may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor.
Media Relations

321.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

321.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff, however, in situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, Division Commanders, Patrol Sergeants and designated Public Information Officer(s) and OIC’s and Deputies with the approval of an on call shift sergeant, may prepare and release information to the media in accordance with this policy and the applicable law.

321.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative.

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

(c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Sheriff.

321.3 MEDIA ACCESS
Authorized members of the media should be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should
be coordinated through the department Public Information Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for TFRs should be routed through the Patrol Sergeant. The TFR should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

(c) No member of this department who is under investigation should be subjected to media visits or interviews without the consent of the involved employee.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Sheriff and the express consent of the person in custody.

(e) Media representatives will not be allowed to enter the inner perimeter of a tactical situation or a crime scene while an incident or investigation is in progress.

A tactical operation should be handled in the same manner as a crime scene, except that the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as set forth by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

321.3.1 PROVIDING ADVANCE INFORMATION
To protect the safety and rights of deputies and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Sheriff will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

321.3.2 TEMPORARY FLIGHT RESTRICTIONS
Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Patrol Sergeant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident. It should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137). All requests for TFR should be routed through the Patrol Sergeant.
321.4 INFORMATION SUBJECT TO RELEASE
The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Patrol Sergeant. This log will generally contain the following information:

(a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Medical Examiner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Patrol Sergeant. Such requests will generally be processed in accordance with the provisions of this policy.

321.4.1 RESTRICTED INFORMATION
It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be obtained.
Subpoenas and Court Appearances

322.1 PURPOSE AND SCOPE
This policy establishes the guidelines for department members who must appear in court. It will allow the Jackson County Sheriff's Office to cover any related work absences and keep the Department informed about relevant legal matters.

322.2 POLICY
Jackson County Sheriff's Office members will respond appropriately to all subpoenas and any other court-ordered appearances.

322.3 SUBPOENAS
Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

A subpoena may be served upon a member by one of the following (ORS 136.595; ORCP 55):

(a) Personal service.

(b) Accepted by an authorized member on behalf of a currently employed deputy who is within the state at the time of service and is delivered at least 10 days prior to the hearing date specified on the subpoena.

1. Attendance at trial is related to the deputy’s work performed in the course of employment as a peace officer.

2. The subpoena clerk shall make a good faith effort to notify the subpoenaed deputy of the date, time and location of the court appearance. If the deputy cannot be notified, the subpoena clerk will promptly notify the court of the inability to contact the deputy.

(c) By mail (civil subpoena only), if the service conditions of ORCP 55(D)(3) are met.

A civil subpoena being served upon a member as an expert witness may be personally served upon the member or member’s immediate supervisor (ORS 44.552).

Subpoenas shall not be accepted unless accompanied by the appropriate witness fees as allowed by law (ORS 44.415; ORS 44.554; ORCP 55 (D)(1)).

322.3.1 SPECIAL NOTIFICATION REQUIREMENTS
Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the County Counsel or the prosecutor shall notify his/her immediate supervisor without delay regarding:

(a) Any civil case where the County or one of its members, as a result of his/her official capacity, is a party.
Subpoenas and Court Appearances

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member’s on-duty activity or because of his/her association with the Jackson County Sheriff’s Office.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Jackson County Sheriff's Office.

The supervisor will then notify the Sheriff and the appropriate prosecuting attorney as may be indicated by the case. The Sheriff should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

322.3.2 CIVIL SUBPOENA
The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member’s compensation through the civil attorney of record who subpoenaed the member.

322.3.3 OFF-DUTY RELATED SUBPOENAS
Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

322.4 OVERTIME APPEARANCES
If the deputy appeared on his/her off-duty time, he/she will be compensated in accordance with the current employee Collective Bargaining Agreement.

322.5 STANDBY
To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

322.6 COURTROOM PROTOCOL
When appearing in court, members shall:

(a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
Subpoenas and Court Appearances

(b) Dress in the department uniform or business attire.
(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

322.6.1 TESTIMONY
Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

322.7 OVERTIME APPEARANCES
When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.
Outside Agency Assistance

323.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

323.2 POLICY
It is the policy of the Jackson County Sheriff's Office to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

323.3 ASSISTING OUTSIDE AGENCIES
Generally, requests for any type of assistance from another agency should be routed to the Patrol Sergeant’s office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Patrol Sergeant may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Deputies may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

323.3.1 INITIATED ACTIVITY
Any on-duty deputy who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Jackson County Sheriff's Office shall notify his/her supervisor or the Patrol Sergeant and Dispatch as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

323.4 REQUESTING OUTSIDE ASSISTANCE
If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.
Outside Agency Assistance

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

323.5 REPORTING REQUIREMENTS
Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Patrol Sergeant.

323.6 MANDATORY SHARING
Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Support Services Division Commander or the authorized designee.

The documentation should include:

(a) The conditions relative to sharing.
(b) The training requirements for:
   1. The use of the supplies and equipment.
   2. The members trained in the use of the supplies and equipment.
(c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to Dispatch and the Patrol Sergeant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Officer should maintain documentation that the appropriate members have received the required training.
Registered Offender Information

324.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Jackson County Sheriff's Office will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

324.2 POLICY
It is the policy of the Jackson County Sheriff's Office to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

324.2.1 SEX OFFENDERS REQUIRED TO REGISTER
Sex Offenders who have been convicted of committing or attempting to commit, or been found guilty except for insanity, of a sex crime as defined in Oregon Revised Statutes 181.594(2) are required to report and be registered as a sex offender under Oregon Revised Statutes 181.595 to 181.597 (Oregon Administrative Rules 257-070-0015(2)).

324.2.2 PREDATORY SEX OFFENDERS
Predatory sex offenders are those persons who have been convicted of committing or attempting to commit, or been found guilty except for insanity, of a sex crime as defined in Oregon Revised Statutes 181.594(2)(a) to (d), and exhibit characteristics showing a tendency to victimize or injure others. In determining whether a person is a predatory sex offender an agency shall use a sex offender risk assessment scale approved by the Department of Corrections. Predatory sex offenders are also required to register.

324.2.3 JUVENILE SEX OFFENDERS
Juvenile sex offenders are those persons who are under the supervision of the Oregon Youth Authority or a county juvenile department for having committed an act that if committed by an adult would constitute a sex crime, and who are required to report and register under Oregon Revised Statutes 181.595, 181.596 or 181.597.

324.3 REGISTRATION
The Criminal Investigations Division Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process (OAR 257-070-0100).
Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Oregon State Police in accordance with ORS 163A.035 and OAR 257-070-0100.

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to report.

324.3.1 CONTENTS OF REGISTRATION
Registrants shall (ORS 163A.010; OAR 257-070-0110):

(a) Provide the information to complete the sex offender registration form and sign it.
(b) Submit to photographs, including photographs of scars, marks or tattoos, when initially reporting and each time the registrant reports annually.
(c) Submit to fingerprinting, if required.

324.3.2 REGISTRATION INSTRUCTIONS
The Oregon State Police (OSP) provides registration forms which are to be used to register sex offenders. Instructions are printed on the packet. The procedure includes the following elements:

(a) Satisfactorily identify registrant.
(b) Ask for proof of physical address.
(c) Obtain photocopy of ID.
(d) Check for LEDS and and National Crime Information Center (NCIC) wants and obtain the system identification (SID) number.
(e) If no SID number, fingerprint registrant and submit prints with registration.
(f) Complete the registration form and attach a photo of the offender to the OSP copy.
(g) The offender and a witness must sign the form.
(h) Send a LEDS administrative message teletype to the OSP Sex Offender (SOR) Registration Unit as soon as possible.
(i) Mail the completed packet to OSP within 3 working days.

324.3.3 FAILURE TO REGISTER
Failure to register as required by Oregon Revised Statutes 181.595 to .597 is a Class A Misdemeanor unless one of the following exists, in which case the offense is a Class C Felony:

(a) The offender fails to make the initial report with the appropriate law enforcement agency or official, or
(b) The crime for which the offender is required to register was a felony and the offender fails to report a change of address, employment or school enrollment
Registered Offender Information

In order to arrest for Failure to Register as a Sex Offender you must prove the offender knew registration was required and failed to do so within the prescribed time limits. The LEDS ESX record may reflect knowledge by virtue of the offender having signed an SOR contract (Signed Form/Y), or the offender may admit knowledge of the registration requirement. Failure to Register also includes failure to fully complete the form, refusal to sign the form, or failure to allow a photograph to be taken within the prescribed time.

324.3.4 VICTIM’S ACCESS TO INFORMATION
Victims of crimes for which offenders are required to register will be issued a victim’s identification number and also provided with the offender’s SID number. The Oregon State Police has established a tollfree number (1-800-551-2934) which victim’s can call and obtain up to date information about the location and status of the offender. The information is available during normal work hours.

324.4 MONITORING OF REGISTERED OFFENDERS
The Criminal Investigations Division supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

(a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.

(b) Review of information on the State of Oregon Sex Offender Inquiry System.

(c) Contact with a registrant’s parole or probation officer.

Any discrepancies should be reported to Oregon State Police.

The Criminal Investigations Division supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Jackson County Sheriff’s Office personnel, including timely updates regarding new or relocated registrants.

324.5 DISSEMINATION OF PUBLIC INFORMATION
Employees will not unilaterally make a public notification advising the community of a particular registrant’s presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Sheriff if warranted. A determination will be made by the Sheriff, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be provided the Sex Offender Inquiry System (http://sexoffenders.oregon.gov/), or the Jackson County Sheriff’s Office’s website.

The Records Supervisor shall release local registered offender information to residents in accordance with state law and in compliance with Oregon Public Records Law requests (ORS 163A.215; ORS 163A.225; ORS 192.410 to ORS 192.505).
324.5.1 RELEASE NOTIFICATIONS
Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register, who are in compliance with the offender registration laws and who the law permits to be included.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The information on this website may not reflect the entire criminal history of a registered offender.

(e) Anyone who uses information contained in the registry to harass or discriminate against registrants or commit any crime may be subject to criminal prosecution and/or civil action.
Major Incident Notification

325.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

325.2 POLICY
The Jackson County Sheriff's Office recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

325.3 MINIMUM CRITERIA FOR NOTIFICATION
Most situations where the media show a strong interest are also of interest to the Sheriff and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting on- or off-duty (see the Officer-Involved Shooting Policy for special notifications)
- Significant injury or death to an employee on- or off-duty
- Death of a prominent official
- Arrest of department employee or prominent official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths
- Any other event likely to attract media attention

325.4 SERGEANT RESPONSIBILITY
The on duty Sergeant or OIC is responsible for making the appropriate notifications. The Sergeant shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Sergeant shall attempt to make the notifications as soon as practicable.

325.4.1 STAFF NOTIFICATION
In the event an incident occurs as described in the Policy section of this policy, the Sheriff shall be notified along with the affected Division Commander and the Detective Sergeant if that bureau is affected.
325.4.2 DETECTIVE NOTIFICATION
If the incident requires that a detective respond from home, the immediate supervisor of the
appropriate detail shall be contacted who will then contact the appropriate detective.

325.4.3 TRAFFIC DIVISION NOTIFICATION
In the event of a traffic fatality or major injury, the Traffic Sergeant should be notified.

325.4.4 PUBLIC INFORMATION OFFICER (PIO)
The Public Information Officer shall be called after members of staff have been notified that it
appears the media may have a significant interest in the incident.
Death Investigation

326.1 PURPOSE AND SCOPE
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

326.2 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). A supervisor shall be notified in all death investigations.

326.2.1 MEDICAL EXAMINER NOTIFICATION
Oregon Revised Statutes 146.090 requires that a medical examiner must be notified in the following circumstances. Any death:

- (a) Apparently homicidal, suicidal or occurring under suspicious or unknown circumstances
- (b) Resulting from the unlawful use of controlled substances or the use or abuse of chemicals or toxic agents
- (c) Occurring while incarcerated in any jail, correction facility, or in police custody
- (d) Apparently accidental or following an injury
- (e) By disease, injury or toxic agent during or arising from employment
- (f) While not under the care of a physician during the period immediately previous to death
- (g) Related to disease which might constitute a threat to the public health
- (h) In which a human body apparently has been disposed of in a manner that is offensive to the generally accepted standards of the community

The body, effects of the deceased, and any instruments or weapons related to the death shall not be disturbed or moved from the position or place of death without permission of the Medical Examiner or Deputy Medical Examiner, and the District Attorney.

A Medical Examiner, Deputy Medical Examiner, or District Attorney, in conjunction with the Jackson County Sheriff's Office and/or the county Major Crime Team, shall take custody of, or exercise control over the body, the effects of the deceased and any weapons, instruments, vehicles, buildings or premises which the medical examiner has reason to believe were involved in the death, in order to preserve evidence related to the cause and manner of death.

The members of the Jackson County Sheriff's Office will work cooperatively with both the Medical Examiner's Office and the District Attorney in all death investigations.
Death Investigation

326.2.2 Searching Dead Bodies
Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the deputy pending the arrival of the Medical Examiner or the Deputy Medical Examiner. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are taken as evidence or safekeeping from the body of the deceased, a receipt shall be obtained. This receipt shall be attached to the death report.

326.2.3 Death Notification
When practical, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the deputy assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Deputy Medical Examiner may be requested to make the notification. The Deputy Medical Examiner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.

Upon identifying the body, investigators shall attempt to locate the next of kin or responsible friends to obtain the designation of a funeral home to which the deceased is to be taken.

326.2.4 Unidentified Dead Bodies
If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner's office will issue a "John Doe" or "Jane Doe" number for the report.

326.2.5 Death Investigation Reporting
All incidents involving a death shall be documented on the appropriate form.

326.2.6 Suspected Homicide
If the initially assigned deputy suspects that the death involves a homicide or other suspicious circumstances, the Investigations Bureau shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.
Identity Theft

327.1 PURPOSE AND SCOPE
Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. A person commits the crime of identity theft if the person, with the intent to deceive or to defraud, obtains, possesses, transfers, creates, utters or converts to the person own use the personal identification of another person (Oregon Revised Statutes 165.800). This policy is intended to provide guidelines for the reporting and investigation of such crimes.

327.2 REPORTING
(a) In an effort to maintain uniformity in reporting, deputies presented with the crime of "identity theft" shall initiate a report for victims residing within the jurisdiction of this department. For incidents of identity theft occurring outside this jurisdiction, deputies should observe the following:

1. For any victim not residing within this jurisdiction, the deputy may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, deputies of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Deputies should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).

(d) Deputies should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

(e) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.
Private Persons Arrests

328.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the handling of private person’s arrests made pursuant to ORS 133.220(5).

328.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS
Deputies should use sound discretion in determining whether or not to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person’s arrest, deputies should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person’s arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

328.3 ARRESTS BY PRIVATE PERSONS
A private person may arrest another person for any crime committed in the presence of the private person if the private person has probable cause to believe the arrested person committed the crime. A person making such an arrest shall, without unnecessary delay, take the arrested person before a magistrate or deliver the arrested person to a peace officer (Oregon Revised Statutes 133.225).

In making an arrest, a private person may use the amount of force they reasonable believe is necessary to make the arrest or to prevent the arrested person’s escape.

328.4 DEPUTY RESPONSIBILITIES
Any deputy presented with a private person wishing to make an arrest must determine whether or not there is probable cause to believe that such an arrest would be lawful.

(a) Should any deputy determine that there is no probable cause to believe that a private person’s arrest is lawful, the deputy should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

1. Any deputy who determines that a private person’s arrest appears to be unlawful should promptly release the arrested individual. The deputy must include the basis of such a determination in a related report.

2. Absent probable cause to support a private person’s arrest or other lawful grounds to support an independent arrest by the deputy, the deputy should
advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever a deputy determines that there is probable cause to believe that a private person’s arrest is lawful, the deputy may exercise any of the following options:

1. Take the individual into physical custody for booking.
2. Release the individual subsequent to the issuance of a citation for the individual to appear in the appropriate court.
Limited English Proficiency Services

329.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with citizens with limited English proficiency (LEP) (42 USC § 2000d).

329.1.1 DEFINITIONS
Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Jackson County Sheriff's Office, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another. Incentive pay for members of the bargaining unit will be applied in accordance with the CBA.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

329.2 POLICY
It is the policy of the Jackson County Sheriff's Office to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

329.3 LEP COORDINATOR
The Sheriff shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Operations Division Commander or the authorized designee.
Limited English Proficiency Services

The responsibilities of the LEP Coordinator include, but are not limited to:

(a) Coordinating and implementing all aspects of the Jackson County Sheriff's Office's LEP services to LEP individuals.
(b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
(c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Patrol Sergeant and Communications Supervisor. The list should include information regarding the following:
   1. Languages spoken
   2. Contact information
   3. Availability
(d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
(e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
(f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
(g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.
(h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.
(i) Receiving and responding to complaints regarding department LEP services.
(j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

329.4 FOUR-FACTOR ANALYSIS
Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law
enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.

(b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

329.5 TYPES OF LEP ASSISTANCE AVAILABLE
Jackson County Sheriff's Office members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

329.6 WRITTEN FORMS AND GUIDELINES
Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

329.7 AUDIO RECORDINGS
The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

329.8 AUTHORIZED INTERPRETERS
Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be
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required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

(a) The competence and ability to communicate information accurately in both English and in the target language.

(b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.

(c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(d) Knowledge of the ethical issues involved when acting as a language conduit.

329.8.1 SOURCES OF AUTHORIZED INTERPRETERS
The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other County departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

329.8.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE
Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.
Limited English Proficiency Services

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

329.9 CONTACT AND REPORTING
While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

329.10 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE
The Jackson County Sheriff’s Office will take reasonable steps and will work with the Department of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

329.10.1 EMERGENCY CALLS TO 9-1-1
Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in Dispatch, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller’s language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

329.11 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary.
Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the deputy is unable to effectively communicate with an LEP individual.

If available, deputies should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

329.12 INVESTIGATIVE FIELD INTERVIEWS
In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, deputies should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual’s bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

329.13 CUSTODIAL INTERROGATIONS
Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.
Limited English Proficiency Services

329.13.1 INTERPRETER REQUIRED IN ARRESTS
A deputy who arrests a person who cannot readily understand or communicate the English language shall, prior to any interrogation or the taking of a statement, make available a qualified interpreter to assist throughout the interrogation or taking of the statement. Fees and expenses of the interpreter will be paid as specified by Oregon law (ORS 133.515).

329.14 BOOKINGS
When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee’s health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

329.15 COMPLAINTS
The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

329.16 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

329.17 TRAINING
To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures; including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Training Officer shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Officer shall maintain records of all LEP training provided, and will retain a copy in each member’s training file in accordance with established records retention schedules.
Limited English Proficiency Services

329.17.1 TRAINING FOR AUTHORIZED INTERPRETERS
All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Officer shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.
Communications with Persons with Disabilities

330.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

330.1.1 DEFINITIONS
Definitions related to this policy include:

**Auxiliary aids** - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers or a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters.

330.2 POLICY
It is the policy of the Jackson County Sheriff's Office to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

330.3 FACTORS TO CONSIDER
Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members
should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

330.4 INITIAL AND IMMEDIATE CONSIDERATIONS
Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.

(b) The nature, length and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Jackson County Sheriff's Office, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.
330.5 TYPES OF ASSISTANCE AVAILABLE
Jackson County Sheriff's Office members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

330.6 TRAINING
To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms and available resources.
(b) Procedures for accessing qualified interpreters and other available resources.
(c) Working with in-person and telephone interpreters and related equipment.

The Training Officer shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Officer shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

330.6.1 CALL-TAKER TRAINING
Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

(a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
(b) ASL syntax and accepted abbreviations.
(c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
(d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.
Communications with Persons with Disabilities

Training should be mandatory for all Dispatch members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

330.7 AUDIO RECORDINGS AND ENLARGED PRINT
The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

330.8 QUALIFIED INTERPRETERS
A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.
(b) Experienced in providing interpretation services related to law enforcement matters.
(c) Familiar with the use of VRS and/or video remote interpreting services.
(d) Certified in either American Sign Language (ASL) or Signed English (SE).
(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

330.9 TTY AND RELAY SERVICES
In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.
Communications with Persons with Disabilities

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

330.10 COMMUNITY VOLUNTEERS
Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

330.11 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

330.12 REPORTING
Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual’s express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.
Communications with Persons with Disabilities

330.13 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual’s preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the deputy is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, deputies should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

330.13.1 FIELD RESOURCES
Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.

(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

330.14 CUSTODIAL INTERROGATIONS
In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual
Communications with Persons with Disabilities

has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written Miranda warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

330.14.1 INTERPRETER REQUIRED IN ARRESTS
A deputy who arrests a person who is deaf, has a physical hearing impairment or physical speaking impairment shall, prior to any interrogation or the taking of a statement, make available a qualified interpreter to assist throughout the interrogation or taking of the statement. Fees and expenses of the interpreter will be paid as specified by Oregon law (ORS 133.515).

330.15 ARRESTS AND BOOKINGS
If an individual with speech or hearing disabilities is arrested, the arresting deputy shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the deputy reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee’s health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

330.16 COMPLAINTS
The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.
330.17 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.
Stalking

331.1 PURPOSE AND SCOPE
This policy establishes procedures for the investigation and enforcement of stalking complaints (Oregon Revised Statutes 163.730 to 163.755).

331.1.1 POLICY
Stalking behavior frequently results in serious injury and emotional trauma to victims and it is the policy of the Jackson County Sheriff's Office to ensure that complaints of stalking will be given high priority and that every formal stalking complaint will be thoroughly investigated and forwarded to the District Attorney's Office.

Employees should make all reasonable efforts to verify the respondent’s identity prior to entering the respondent into LEDS/NCIC. If the respondent’s identity is in question, a supervisor should be notified prior to entry into LEDS/NCIC.

When the citation is served, the deputy should attempt to verify the identity of the respondent being served by verbally confirming the subject’s name and date of birth and/or by examining proper identification.

331.2 UNIFORM STALKING COMPLAINT
The Department will make available an Oregon Uniform Stalking Complaint form to any person desiring to file a stalking complaint regardless of where the violation is alleged to have occurred. Deputies will provide reasonable assistance as necessary to petitioners to properly complete and sign the form.

Upon receipt of a Uniform Stalking Complaint, deputies will review and sign the form and complete a thorough investigation. All stalking incident reports shall be forwarded to the District Attorney's Office, regardless of whether any civil or criminal action was taken, within three days (ORS 163.738(7)).

331.3 UNIFORM STALKING CITATION
The bottom half of the Uniform Stalking Complaint is a Uniform Stalking Citation. The citation is a civil summons for the respondent to appear at a hearing to determine if a Stalking Protective Order will be issued against the respondent. Deputies will complete and attempt to serve a Uniform Stalking Citation, with a court date set for three judicial days (business days excluding holidays) from the date the citation was served, on the respondent in every case where:

(a) The deputy has received a completed Uniform Stalking Complaint, and

(b) The deputy has probable cause to believe that the elements of Oregon Revised Statutes 163.732(1), (Stalking) have occurred.
331.3.1 SERVICE OF STALKING CITATIONS

(a) If the citation is served, the deputy is required to advise the respondent of the court date and time and location of appearance. Deputies should advise the respondent of the following:

1. Engaging in behavior that alarms or coerces the petitioner may result in their arrest; and

2. The contents of the citation and the state and federal law restrictions contained on the front and back of the respondent's copy of the citation; and

3. If they fail to appear at the hearing a warrant will be issued for their arrest, as well as a Stalking Protective Order.

(b) If a Uniform Stalking Citation is issued, attach the top three copies to the case report. Provide the pink copy to the petitioner (pink) and goldenrod copy to the respondent.

(c) If there is probable cause to issue a citation, but the citation is not served, deputies should document attempts to serve the respondent.

(d) If the citation is served on the respondent, the DA's office will initiate the hearing process.

(e) If the citation is served on the respondent, the petitioner should be advised that they must also appear at the hearing or the complaint will be dismissed and the Stalking Protective Order will not be issued.

331.4 ARREST

Deputies may arrest or cite a suspect for any criminal offense committed (including stalking) if the statutory elements have been met, as well as issue a (civil) Uniform Stalking Citation; the two actions are not mutually exclusive.

331.4.1 STALKING PROTECTIVE ORDERS

Once the court issues a Stalking Protective Order and it is served on the Respondent, deputies may arrest the respondent for violating the terms of the order (Oregon Revised Statutes 163.750).

331.5 RESTRAINING ORDERS

Court stalking orders and restraining orders are different and are not mutually exclusive. Stalking reports may be appropriate even if a valid restraining order is in place.
Chaplains

332.1 PURPOSE AND SCOPE
This policy establishes the guidelines for Jackson County Sheriff's Office chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

332.2 POLICY
The Jackson County Sheriff's Office shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

332.3 ELIGIBILITY
Members of the Chaplain Program shall fulfill the program's purpose in the following manner:

(a) By serving as a resource for department personnel when dealing with the public in such incidents as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse, and other such situations that may arise.

(b) By providing an additional link between the community, other chaplain programs and the Department.

(c) By providing counseling, spiritual guidance and insight for department personnel and their families.

(d) By being alert to the spiritual and emotional needs of department personnel and their families.

(e) By familiarizing themselves with the role of law enforcement in the community.

332.4 RECRUITMENT, SELECTION AND APPOINTMENT
The Jackson County Sheriff's Office shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

All applicants shall complete the Volunteer paperwork packet.

332.4.1 REQUIREMENTS
Candidates for the Chaplain Program shall meet the following requirements:

(a) Must be above reproach, temperate, prudent, respectable, hospitable, able to teach, not be addicted to alcohol or other drugs, not contentious, and free from excessive debt. Must manage their household, family, and personal affairs well. Must have a good reputation with those outside the church.

(b) Must be ecclesiastically certified and/or endorsed, ordained, licensed, or commissioned by a recognized religious body.
Chaplains

(c) Must successfully complete an appropriate level background investigation.
(d) Must have at least five years of successful ministry experience within a recognized church or religious denomination and in good standing.
(e) Have completed, at minimum, basic training provided by the International Conference of Police Chaplains (ICPC), and additional training as offered by the Jackson County Sheriff's Office Chaplain Program.
(f) Possess a valid Oregon Driver License.

332.4.2 SELECTION AND APPOINTMENT
Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

(a) Submit the appropriate written application.
(b) Include a recommendation from employers or volunteer programs.
(c) Interview with the Sheriff and/or the chaplain coordinator.
(d) Successfully complete an appropriate-level background investigation.
(e) Complete an appropriate probationary period as designated by the Sheriff.

Chaplains are volunteers and serve at the discretion of the Sheriff. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Sheriff or the authorized designee.

332.5 IDENTIFICATION AND UNIFORMS
As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols, such as crosses, worn by chaplains shall be different and distinct from those worn by deputies through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Jackson County Sheriff's Office identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Jackson County Sheriff's Office identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.
332.6 CHAPLAIN COORDINATOR
The Sheriff shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Support Services Division Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the Rogue Valley Chaplains Association and the Sheriff. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Sheriff or the authorized designee, chaplains shall report to the chaplain coordinator and/or Patrol Sergeant.

The chaplain coordinator will be the liaison to Rogue Valley Chaplains Association whose responsibility will be to coordinate the activities of the Chaplains.

332.7 DUTIES AND RESPONSIBILITIES
The duties of a chaplain include, but are not limited to, the following:

(a) Assisting in making notification to families of department members who have been seriously injured or killed.

(b) After notification, responding to the hospital or home of the department member.

(c) Visiting sick or injured law enforcement personnel in the hospital or at home.

(d) Attending and participating, when requested, in funerals of active or retired members of the Department.

(e) Assisting sworn personnel in the diffusion of a conflict or incident when requested.

(f) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Patrol Sergeant or supervisor aids in accomplishing the Department's mission.

(g) Being on call and if at all possible, on duty during major demonstrations or any public function that requires the presence of a large number of department personnel.

(h) Counseling with deputies and other personnel with personal problems when requested.

(i) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

(j) Being responsible for the organization and development of spiritual organizations in the Department.

(k) Responding to all major disasters such as earthquakes, bombings and similar critical incidents.

(l) Providing liaison with various religious leaders of the community.

(m) Assisting public safety personnel and the community in any other function of the clergy profession as requested.

(n) Participating in in-service training classes.
Chaplains

(o) Willing to train to enhance effectiveness.

(p) Promptly facilitating requests for representatives or ministers of other various denominations.

(q) Making referrals in cases where specialized attention is needed, or in those cases that are beyond the chaplain's ability to assist.

Chaplains may not proselytize or attempt to recruit members of the department or the public into a religious affiliation while on-duty unless the receiving person has solicited spiritual guidance or teaching. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion. Chaplains may not accept gratuities for any service or follow-up contact that was provided while functioning as a chaplain for the Jackson County Sheriff's Office.

332.7.1 COMPLIANCE
Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

332.7.2 OPERATIONAL GUIDELINES

(a) Generally, each chaplain will serve with Jackson County Sheriff's Office personnel a minimum of eight hours per month.

(b) When called out, the chaplain will submit written documentation to the Sheriff or the authorized designee detailing who called them out, time they spent on-duty, the nature of their services and the case number.

(c) Chaplains shall be permitted to ride with deputies during any shift and observe Jackson County Sheriff's Office operations, provided the Patrol Sergeant has been notified and has approved the activity.

(d) Chaplains shall not be evaluators of members of the Department.

(e) In responding to incidents, a chaplain shall never function as a deputy.

(f) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

(g) Chaplains shall serve only within the jurisdiction of the Jackson County Sheriff's Office unless otherwise authorized by the Sheriff or the authorized designee.

(h) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

332.7.3 ASSISTING DEPARTMENT MEMBERS
The responsibilities of a chaplain related to department members include, but are not limited to:

(a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
Chaplains

(b) Visiting sick or injured members in the hospital or at home, when requested.
(c) Attending and participating, when requested, in funerals of active or retired members.
(d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
(e) Providing counseling and support for members and their families.
(f) Being alert to the needs of members and their families.

332.7.4 ASSISTING THE DEPARTMENT
The responsibilities of a chaplain related to this department include, but are not limited to:

(a) Assisting members in the diffusion of a conflict or incident, when requested.
(b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Patrol Sergeant or supervisor aids in accomplishing the mission of the Department.
(c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
(d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
(e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
(f) Participating in in-service training classes.
(g) Willingness to train others to enhance the effectiveness of the Department.

332.7.5 ASSISTING THE COMMUNITY
The duties of a chaplain related to the community include, but are not limited to:

(a) Fostering familiarity with the role of law enforcement in the community.
(b) Providing an additional link between the community, other chaplain coordinators and the Department.
(c) Providing liaison with various civic, business and religious organizations.
(d) Promptly facilitating requests for representatives or leaders of various denominations.
(e) Assisting the community in any other function as needed or requested.
(f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain’s ability to assist.

332.7.6 CHAPLAIN MEETINGS
All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.


**Chaplains**

332.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Jackson County Sheriff's Office in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Jackson County Sheriff's Office member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

332.9 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Officer, may include:

- The International Conference of Police Chaplains
- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Deputy injury or death
- Sensitivity and diversity

332.10 REIMBURSEMENT

The department will pay membership dues for each Chaplain (up to three Chaplains), once a year, to a recognized association of Police Chaplains, as determined by the Sheriff. The Sheriff will have sole discretion in determining the reasonableness of the dues.

Mileage will be reimbursed when a Chaplain is called out and there are no department vehicles available for their immediate use.
Child and Dependent Adult Safety

333.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse Policy and the Adult Abuse Policy.

333.2 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Jackson County Sheriff's Office will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

333.3 PROCEDURES DURING AN ARREST
When encountering an arrest or prolonged detention situation deputies should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, deputies should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Deputies should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, deputies should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, deputies should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the deputy at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.
333.3.1 AFTER AN ARREST
Whenever an arrest is made, the deputy should take all reasonable steps to ensure the safety of the arrestee’s disclosed or discovered children or dependent adults.

Deputies should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.

1. Deputies should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), deputies should respect the parent or caregiver’s judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.

1. Except when a court order exists limiting contact, the deputy should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify Child Protective Services, if appropriate.

(e) Notify the field supervisor or Patrol Sergeant of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting deputy should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver’s arrest and of the arrangements being made for the care of the arrestee’s dependent. The result of such actions should be documented in the associated report.

333.3.2 DURING THE BOOKING PROCESS
During the booking process, the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.
If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

### 333.3.3 REPORTING

(a) For all arrests where children are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

### 333.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling deputies, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

### 333.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling deputy should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the sheriff's facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.
333.5 TRAINING
The Training Officer is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.
Service Animals

334.1 PURPOSE AND SCOPE
Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Jackson County Sheriff's Office recognizes this need and is committed to making reasonable modifications to its policies, practices and procedures in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

334.2 SERVICE ANIMALS
The ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner’s disability (28 CFR 35.104).

334.2.1 STATE LAW
Oregon law expands the definition of a service or assistance animal to include a dog or other animal designated by administrative rule that is individually trained to do work or perform tasks for the benefit of an individual (OAR 839-006-0345).

334.2.2 USE OF SERVICE ANIMALS
Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

The following examples are some of the ways service animals may be used to provide assistance:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting people with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.
Service Animals

334.3 MEMBER RESPONSIBILITIES
Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Jackson County Sheriff's Office affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations a deputy may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability.

If it is apparent or if a deputy is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the deputy should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task the animal meets the definition of a service animal and no further question as to the animal’s status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals arenot pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, deputies should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as the result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.
Off-Duty Law Enforcement Actions

335.1 PURPOSE AND SCOPE
The decision to become involved in a law enforcement action when off-duty can place a deputy as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for deputies of the Jackson County Sheriff's Office with respect to taking law enforcement action while off-duty.

335.2 POLICY
Initiating law enforcement action while off-duty is generally discouraged. Deputies should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Deputies are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, deputies should first consider reporting and monitoring the activity and only take direct action as a last resort.

335.3 FIREARMS
Deputies of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty deputies shall also carry their department-issued badge and identification.

Deputies should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any deputy who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the deputy’s senses or judgment.

335.4 DECISION TO INTERVENE
There is no legal requirement for off-duty deputies to take law enforcement action. However, should deputies decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.

(c) The lack of equipment, such as handcuffs, OC or baton.
(d) The lack of cover.
(e) The potential for increased risk to bystanders if the off-duty deputy were to intervene.
(f) Unfamiliarity with the surroundings.
(g) The potential for the off-duty deputy to be misidentified by other peace officers or members of the public.

Deputies should consider waiting for on-duty uniformed deputies to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

335.4.1 INTERVENTION PROCEDURE
If involvement is reasonably necessary the deputy should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty deputy is on-scene and should be provided a description of the deputy if possible.

Whenever practicable, the deputy should loudly and repeatedly identify him/herself as a Jackson County Sheriff's Office deputy until acknowledged. Official identification should also be displayed.

335.4.2 INCIDENTS OF PERSONAL INTEREST
Deputies should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances deputies should call the responsible agency to handle the matter.

335.4.3 NON-SWORN RESPONSIBILITIES
Non-sworn "sworn" personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

335.4.4 OTHER CONSIDERATIONS
When encountering a non-uniformed deputy in public, uniformed deputies should wait for acknowledgement by the non-uniformed deputy in case he/she needs to maintain an undercover capability.

335.5 REPORTING
Any off-duty deputy who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Patrol Sergeant as soon as practicable. The Patrol Sergeant shall determine whether a report should be filed by the employee.

Deputies should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.
Sexual Assault Response

336.1 PURPOSE AND SCOPE
The purpose of this policy is to provide law enforcement officers with guidelines for the proper response to reports of sexual assault.

The Jackson County Sheriff’s Office is a participating member of the You Have Options Program. As such, we recognize the need for a victim-centered and offender-focused response to sexual violence.

Utilizing the victim-centered and offender-focused strategies of the You Have Options Program allows law enforcement to work collaboratively and gather the information necessary to identify and successfully investigate serial sexual predators.

In accordance with the You Have Options Program Memorandum of Understanding Jackson County Sheriff’s Office personnel agree that reasonable efforts will be made to address barriers victims face when reporting a sexual assault to law enforcement and when working with law enforcement during an investigation. Jackson County Sheriff’s Office personnel understand a sexual assault victim's wants and needs may at times be in conflict with the criminal justice process and agree to place the victim’s preference first when legally possible to do so.

Each victim reporting a sexual assault will have unique needs and circumstances that influence the decision to report. Often law enforcement has means of addressing the reasons why a victim may be hesitant to report. Working in coordination with the sexual assault victim, and his/her advocate if applicable, to identify and address these barriers is a core component of the You Have Options Program.

Understanding that each victim’s individual situation is unique, investigating officers shall attempt to view the reporting process from the victim’s perspective and not assume what barriers a victim faces when reporting sexual assault. Many barriers such as fear of reporting to a certain gender, lack of transportation to the interview location or hesitancy to enter a law enforcement facility may be readily remedied by law enforcement if known. By addressing the barriers victims face when reporting sexual assault, and thereby increasing the number of sexual assault reports, investigators receive information they would otherwise never have access to.

Personnel shall offer options and not advice or directives. For example, it is never appropriate for any officer to tell a victim that they should cooperate with an investigation in order to prevent the sexual offender from assaulting others. The responsibility to not harm is the offender’s, not the victim’s.

336.2 POLICY

It is the policy of the Jackson County Sheriff’s Office to take a victim-centered and offender-focused approach when responding to victims who are reporting a sexual assault and conducting sexual
assault investigations. This includes, but is not limited to, providing victims of sexual assault with as much control over their report and any subsequent criminal investigation as the law allows.

Unless legally mandated (e.g., certain instances of domestic violence; when the victim is under 18; when a victim is in continuing physical danger) or in other rare circumstances such as a significant threat to public safety, the following 20 Elements of a Victim-Centered and Offender-Focused You Have Options Law Enforcement Response, at a minimum, shall be offered during every sexual assault report and/or investigation:

(a) A victim of sexual assault is offered three options for reporting: Information Only, Partial Investigation or Complete Investigation.

1. An Information Only Report includes any report of sexual assault where, at the reporting party’s request, no investigative process beyond a victim interview and/or a complete or partial Inquiry into Serial Sexual Assault (ISSA) is completed.

2. A Partial Investigation includes any report of sexual assault where some investigative processes beyond the victim interview and a complete or partial Inquiry into Serial Sexual Assault (ISSA), have been initiated by law enforcement. This may include, but is not limited to, interviewing of witnesses and collection of evidence such as a sexual assault forensic examination (SAFE) kit.

3. A Complete Investigation includes any report of sexual assault where all investigative procedures necessary to determine if probable cause exists for a criminal sexual assault offense have been initiated and completed.

4. A sexual assault victim may change from an Information Only report to a Partial or Complete Investigation at any time.

5. A sexual assault victim may initially request a Complete Investigation and change to a Partial Investigation at any time prior to the conclusion of all investigative processes.

6. Victims of sexual assault are encouraged to report even if they never intend to pursue criminal charges against the person who assaulted them.

(b) A victim or other reporting party may remain anonymous and still have the information they provide documented by a You Have Options Program Law Enforcement Agency.

1. Sexual assault information received from any of the reporting options shall be documented in written form and retained in a way that best preserves a victim’s options and supports retrieval at a later date to aid in identifying serial sexual perpetration.

2. All information received on a reported sexual assault shall be documented regardless of the apparent credibility of the reporter or apparent veracity of the information being provided. Failure to document all available information inhibits the ability of investigators to identify serial sexual perpetration.

3. Investigating officers shall respect the decision of the reporter and not initiate in-person contact.
Sexual Assault Response

(c) A victim or other reporting party may have questions answered regarding their options for reporting and/or a criminal investigation prior to providing any identifying or incident information to law enforcement.

(d) A clear explanation of the reporting process and/or investigative procedures will be provided by a law enforcement officer if requested by the victim.

(e) When making a report there is no requirement to meet in person with a law enforcement officer. For example, a victim or other reporting party may report using an online form or a victim may choose to have a sexual assault advocate report on their behalf.

1. Victims who choose to report through a third-party, such as a sexual assault advocate, maintain their chosen level of confidentiality while still providing to law enforcement important information on serial sexual perpetration. With a victim’s permission, law enforcement has the ability to contact the victim through the third-party.

(f) Reasonable efforts will be made to allow the victim or other reporting party control over the location, time and date where their initial report is made to law enforcement.

1. If accommodations are unable to be made as requested by a victim or reporting party, a clear explanation as to why shall be provided by the law enforcement officer.

(g) A victim or other reporting party may provide as much, or as little, information as they choose with no time limitations or restrictions on when the information is given to law enforcement.

1. Information obtained on an incident outside the current statute of limitations shall be documented to assist in identifying serial sexual perpetration and/or in other investigations.

(h) Law enforcement officers will offer assistance in locating sexual assault advocacy services to every person reporting.

1. The physical and mental health and welfare of every victim of sexual assault shall be the priority at all times.

2. Not all victims of sexual assault request or want the services of a sexual assault advocate, and care should be taken to respect each victim’s individual decision.

3. Additional confidentiality and victim safety concerns should be considered when contacting sexual assault advocacy, particularly in rural communities and/or in communities where the victim may personally know the advocate.

(i) A victim may be accompanied by a sexual assault advocate or other appropriate support person during all phases of the reporting process and criminal investigation.

1. If necessary, a clear explanation will be provided to a victim if his/her selected support person is not appropriate, such as a person who was a witness to the assault.

(j) A victim, or other reporting party, may end an interview with law enforcement at any time without having to provide a reason.
(k) After making a report, a victim or other reporting party will not be pressured to participate in a criminal investigation.

(l) Reasonable efforts will be made to meet the needs of the victim and address any barriers the victim faces in providing information to law enforcement during the reporting process.

(m) Law enforcement officers will conduct victim interviews in a trauma-informed manner.
   1. Reasonable efforts shall be made to limit the number of times a victim is interviewed regarding the assault.
   2. The victim’s safety, cognitive impairment and mental health shall be taken into consideration prior to any interview.
   3. Victim statements shall be documented in a manner best allowing for an accurate record of the victim’s exact statements, not a synopsis of the interviewer’s perception of what was said. Paraphrasing can impart a different meaning. It is strongly recommended that, with a victim’s consent, all victim interviews be audio and/or video recorded. This method of documentation allows the written record to most accurately reflect the actual words spoken by a victim or reporting party, and removes the chance for inconsistencies between the victim’s and interviewer’s recall of the interview.

(n) Reasonable efforts will be made to meet the needs of the victim and address any barriers the victim faces when participating in a sexual assault investigation.

(o) A victim’s right to keep the assault confidential shall be respected. When legally permissible, no person (outside of a law enforcement agency) shall be notified that the victim has reported without the victim’s consent. This includes the interviewing of identified witnesses and perpetrators.
   1. Investigators shall make reasonable efforts to only initiate processes that will maintain the victim’s requested level of confidentiality.
   2. Personnel shall be careful to restrict information-sharing with any institution with Title IX mandated reporting requirements for sexual assault, unless the victim consents to the information dissemination after being informed of how the institution’s Title IX policy may limit the victim’s ability to remain confidential.
   3. Participating law enforcement agencies shall take reasonable steps to inform sexual assault victims prior to a report being made when their requested level of confidentiality may not be legally permissible.
   4. Personnel are encouraged to share information with appropriate campus personnel regarding reported sexual violence related to that campus when the sharing of that information does not impact the victim’s requested level of confidentiality.

(p) Investigators will utilize strategies to identify and document serial sexual perpetration, such as the Inquiry into Serial Sexual Assault (ISSA).
   1. Serial perpetration strategies include, but are not limited to: focusing on how a suspect made the victim vulnerable, accessible and appear to lack credibility
and identifying those who can corroborate that behavior; identifying witnesses to the victim’s and suspect’s behavior prior to and after the assault; and identifying opportunities for corroborative intelligence that can reveal motive, premeditation and/or information that may lead an investigator to additional victims.

2. If reasonably possible, investigative strategies conducted by the investigating officer shall be discussed with the victim prior to their execution.

3. Investigators shall make reasonable efforts to only initiate processes that will maintain the victim’s requested level of confidentiality.

(q) Investigators will collaborate with victims during the investigative process and respect a victim’s right to request certain investigative steps not be conducted. Criminal investigations will be conducted at a pace set by the victim, not the law enforcement officer.

1. At a victim’s request, reasonable efforts will be made to collect and store evidence regardless of the victim’s decision on whether to proceed with charges or participate in a Complete Investigation.

2. Investigating officers will keep victims of sexual assault informed regarding the status of the investigation.

3. Victims will be informed that no case can proceed to arrest or referral to an office of prosecution until the investigative process is complete.

(r) A victim may disengage from a criminal investigation at any time prior to an arrest being made or the case being referred to an office of prosecution. There is no requirement that an explanation be given by the victim to law enforcement.

(s) If legally permissible and probable cause exists for a crime, no arrest or referral to an office of prosecution will occur without the consent of the victim. All You Have Options Law Enforcement Agencies respect the choice of every victim who reports a sexual assault, and understand that justice is not the same for every person who is victimized.

(t) Criminal investigations that do not result in arrest or referral to an office of prosecution will be classified as “inactive”, or the individual agency’s equivalent, unless found baseless or false, allowing for the investigation to be re-opened in the future at a victim’s request and/or if additional information is discovered.

In addition to the 20 Elements of a Victim-Centered and Offender-Focused You Have Options Law Enforcement Response all Jackson County Sheriff’s Office personnel:

- Prioritize medical and advocacy resources for every victim who reports a sexual assault, regardless of their decision to prosecute the offender and/or choice to assist law enforcement with an investigation.
- Promote an environment within their agency in which victims of sexual assault are not judged or blamed for their assault and instead are treated with dignity, sensitivity and courtesy.
Sexual Assault Response

- Not polygraph victims reporting a sexual assault. A polygraph examination of a victim shall not be requested, required, or conducted as a condition for proceeding with the investigation of the crime.

- Not arrest any person for filing a false report of sexual assault without evidence beyond a recantation to support the false report charge. Additionally, Participating Law Enforcement Agencies agree that if corroboration does exist, careful consideration will be given prior to initiating an arrest for false report. The Participating Agency understands that often evidence-supported false reports are the result of emotional problems and false report arrests deter other victims of sexual assault from reporting. Consideration of these factors should be made in cases where no reported perpetrator was named and/or impacted by the false report.

- Identifying alternative options other than an immediate arrest of a victim for criminal activity he/she engaged in related to the assault.

- Not require any victim of sexual assault to sign a waiver stating they do not want to participate in an investigation.

- Not list any victim who chooses to disengage from the reporting and/or investigative process as “uncooperative.”

Nothing in this practice should prevent officers from responding to acute or in progress situations that may need immediate enforcement action.
Native American Graves Protection and Repatriation

337.1 PURPOSE AND SCOPE
This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

337.1.1 DEFINITIONS
Definitions related to this policy include (43 CFR 10.2):

**Funerary objects and associated funerary objects** - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

**Native American human remains** - The physical remains of the body of a person of Native American ancestry.

**Objects of cultural patrimony** - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

**Sacred objects** - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

337.2 POLICY
It is the policy of the Jackson County Sheriff's Office that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

337.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT
Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.
Native American Graves Protection and Repatriation

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land/Private land - Oregon State Police, State Historical Preservation Officer, appropriate Indian tribe and the Commission on Indian Services (ORS 97.745)
- Tribal land - Responsible Indian tribal official

337.4 EVIDENCE AND PROPERTY
If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).
Excited Delirium/Agitated Chaotic Event

338.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance and direction in the handling of individuals who may appear to deputies and others to be in a state of excited delirium. Procedures identified herein are designed to enhance the response to incidents involving excited delirium.

338.1.1 DEFINITIONS
Excited Delirium Syndrome (ExDS): A medical disorder generally characterized by observable behaviors including extreme mental and physiological excitement, intense agitation and hyperthermia. ExDs often results in nudity, hostility, exceptional strength, endurance without apparent fatigue and unusual calmness after restraint accompanied by a risk of sudden death.

Medical Syndrome: A collection of behavioral and physiological signs and symptoms of a medical disorder known to frequently appear together but without a full understanding of their underlying cause or causes.

338.2 POLICY
Rapid control of the subject and transfer to the care of emergency medical providers should be the primary objectives of deputies unless other action is necessary in order to protect deputies or protect the community. The underlying causes of ExDS are not fully understood, although its common symptoms have been documented and witnessed by law enforcement. Persons exhibiting symptomatic behavior should be suspected of being the subject of a medical emergency that could result in sudden death.

338.3 PROCEDURES
338.3.1 INITIAL CALL
(a) Calls associated with ExDS often include descriptions by complainants of wild, uncontrollable physical action, and hostility that comes on rapidly.
(b) Where there is suspicion from the complainant that ExDS might be involved, call takers shall request the following types of information:
   1. Specific behaviors of the subject.
   2. Whether the subject has been or is using PCP, methamphetamine, cocaine, alcohol, or other mind-altering substances separately or in combination.
   3. Whether the subject has a history of mental or physical illness or substance use.
(c) When information suggests ExDs, a sufficient number of deputies to physically control the subject should be dispatched together with Advanced Life Support EMS personnel, all of whom shall be alerted to the possibility that the call may involve ExDs. If the primary responding agency does not have a sufficient number of officers able to respond, a request for assistance should be made from nearby departments in Jackson County whenever possible.
Excited Delirium/Agitated Chaotic Event

(d) A supervisor should be dispatched to all such calls for service, when reasonably possible.

(e) The caller should be kept on the line, unless it is unsafe or impractical so he or she can provide updated information about the subject that can be relayed to responding deputies and emergency medical providers.

338.3.2 SUPERVISOR RESPONSIBILITIES

(a) The shift supervisor shall respond to and assume command of all Excited Delirium calls as soon as practical.

(b) The shift supervisor shall consider the support and assistance of Investigative Division personnel in conducting the investigation into the incident when the shift supervisor will be unable to adequately investigate and document the incident without assistance. Factors to be considered should include but not be limited to:

1. The complexity of the incident.
2. Injuries or medical condition of anyone involved.
3. Type, amount and duration of force used in the incident.

(c) The shift supervisor and/or investigators shall ensure that all reports are completed as required, to include as much of the following information as possible:

1. Description and duration of subject's behavior prior to and after law enforcement contact. To include subject utterances and actions, i.e., running, shouting, pacing furiously, etc.
2. Struggle against restraints after control and during transport
3. Presence or absence of profuse sweating by subject
4. The shift supervisor and/or investigators should encourage ask EMS or other medical personnel to note the subject's body temperature at scene, note the subject's temperature at medical facility and upon death, if applicable, and preserve any EKG strips that are run in the field.
5. The time of the transfer of the subject to the care of EMS personnel should be documented following the incident.

338.3.3 ASSESSMENT

While deputies cannot diagnose ExDS, they should be aware of characteristic symptoms. Indicators of ExDS may also be associated with other medical conditions, mental illness, or with drug consumption. No one indicator conclusively establishes whether an individual as suffered from ExDS and such a determination can only be made by medical professionals after the incident. Individuals suffering from ExDS may exhibit one or more of the following indicators:

(a) Constant or near constant physical activity

(b) Unresponsiveness to police presence

(c) Nakedness/inadequate clothing that may indicate "self-cooling" attempts.
Excited Delirium/Agitated Chaotic Event

(d) Elevated body temperature/Hot to touch
(e) Rapid breathing
(f) Profuse sweating
(g) Extreme aggression or violence
(h) Making unintelligible, animal-like noises
(i) Insensitivity to/extreme tolerance of pain
(j) Excessive strength (out of proportion)
(k) Lack of fatigue despite heavy exertion
(l) Screaming and incoherent talk
(m) Paranoid or panicked demeanor
(n) Attraction to bright lights/loud sounds/glass or shiny objects

338.3.4 CONTROL
Physical control must be affected quickly to minimize the intensity and duration of resistance and struggle, which often are direct contributors to sudden death.

(a) When responding to a call involving possible ExDS, deputies and on scene supervisors should do the following:

1. Eliminate unnecessary emergency lights and sirens.
2. When feasible, ensure that an adequate number of backup deputies have been dispatched to affect rapid control of the suspect given the totality of the circumstances.
3. Ensure that EMS is on the scene or en-route. Where possible, EMS should be onsite when subject control is initiated.

(b) When the individual is responsive to verbal commands, one deputy should approach the subject after assessing scene security and employ verbal techniques to help reduce his or her agitation before resorting to the use of force. The deputy should:

1. Attempt to "talk the person down". Ideally, only one deputy should engage the person in conversation. However, if the person is unresponsive or non-compliant with the first deputy, attempts to communicate should be made by other deputies present. The deputies should project calmness and confidence and speak in a conversational and non-confrontational manner. The statements should include reassurance and that the deputy is trying to help the person. Whenever possible, determine if the person can answer simple questions; this will give the deputies at the scene an idea of the level of coherence of the person. Deputies should also turn down their radios to the extent that doing so does not interfere with their ability to safely communicate with dispatch or with other law enforcement personnel.
2. Unless the safety of the individual, the deputy, or others warrants immediate intervention, deputies should not rush toward, become confrontational, verbally
Excited Delirium/Agitated Chaotic Event

challenge, or attempt to intimidate the subject, as he or she may not comprehend or respond positively to these actions and may become even more agitated or combative;

3. Remember that the person's mind may be racing, or he/she may be delusional and/or suffering from hallucinations, so statements and questions may need to be repeated several times. The person may also be fearful and extremely confused based on their psychological state so deputies should be patient. If the subject is contained and does not appear to pose an immediate threat, there is no need for immediate physical custody. It may take some time for the subject to calm down.

4. Attempt to have the individual sit down, which may have a calming effect.

5. Refrain from maintaining constant eye contact, as this may be interpreted as threatening.

(c) Pepper spray, impact weapons, and Conducted Energy Device (CED aka Taser) used in drive stun contact mode are normally ineffective due to the subject's elevated threshold of pain. If those control devices are used and prove ineffective, other control methods should be considered.

(d) If a Taser is used in probe mode, the deputy shall energize the suspect no longer than necessary to overcome resistance. The subject should be restrained as soon as practical while affected by the Taser.

(e) Alternately, a physical take down is an effective means of obtaining compliance as long as an adequate number of deputies are available. When possible, a coordinated restraint plan should be devised quickly before implementing a physical take down.

(f) Deputies should use only those restraints that appear necessary to control the situation and only for the period of time required.

(g) When restrained, deputies should position the subject in a manner that will assist breathing, such as placement on his or her side, and avoid pressure to the chest, neck, or head.

(h) After the subject has been restrained and prior to the arrival of EMS, reasonable steps should be considered to avoid injury, such as moving the subject from asphalt to a grassy area to reduce abrasions and contusions.

(i) Deputies should not attempt to control continued resistance or exertion by pinning the subject to the ground or against a solid object, using their body weight, unless the subject cannot otherwise safely be controlled.

(j) Once the subject is restrained, deputies should check the subject's pulse and respiration, ensure the airway is unrestricted, and be prepared to administer CPR or an automated external defibrillator (AED) if the subject becomes unconscious and loses a heartbeat prior to the arrival of medical personnel. Once EMS or other medical personnel have arrived, all medical decisions should be made by such personnel.

(k) If the subject becomes calm and breathing is not labored shortly during or after the application of restraints while deputies are still gasping for air, it may be an indication
that the subject is in jeopardy and requires immediate medical attention to avoid cardiac arrest.

(l) Individual deputies and supervisors who encounter persons exhibiting symptoms of ExDS should adhere to the following guidelines:

1. When there is no apparent threat of immediate injury to the subject or others, the deputy should not attempt to take physical control of the subject. This would likely precipitate a struggle and exacerbate the subject’s physical and emotional distress. The deputy should wait for backup and EMS assistance before attempting to control the subject.

2. If the subject poses a threat of death or serious bodily injury to the deputy, others, or to him or herself, apart from the dangers inherent in ExDS alone, intervention should be taken using that level of force reasonably necessary to control the individual.

3. If it can be determined that the subject has been under duress for an extended period of time, the symptoms of ExDS appear acute, and EMS is not readily available, the deputy should consider affecting control and transporting the subject to the nearest emergency medical facility. This decision should be based largely on whether backup and/or EMS assistance is forthcoming, and the deputy’s judgment as to his or her ability to gain control through the use of ECWs or similar means without undue personal risk of bodily harm.

338.3.5 EMERGENCY MEDICAL RESPONSE

(a) As soon as control is obtained, pre-staged EMS personnel should examine the subject and provide emergency medical aid as necessary, to include sedation and cooling as indicated.

(b) If sedation is authorized, deputies should work with EMS to control the subject for purposes of drug administration.

(c) Whenever possible, a deputy should accompany the subject to the hospital for security purposes and to provide assistance as necessary.

338.3.6 DOCUMENTATION

Documentation of ExDS incidents is critical for purposes of post-incident personnel review and debriefing, training, creation of a historical record, and to respond effectively to inquiries concerning the incident from the community and the media. The on-scene supervisor shall be responsible for documentation following most incidents. In the event that the subject has died, any involved deputies or supervisors should cease any involvement in the investigation once the scene has been secured. Thereafter, any investigation should be conducted in accordance with SOPs 301 and 305 and an initial investigation may be conducted by MADIU. Regardless of who investigates an incident, documentation should include to the extent feasible:

(a) Conditions at the incident scene

(b) Description of the subject's behavior and its duration

(c) Description of what the subject said during the event
Excited Delirium/Agitated Chaotic Event

(d) Type of and duration of resistance
(e) Identity of all law enforcement officers at the scene
(f) Actions taken to control the subject
(g) Restraints used on the subject and the length of time applied
(h) Location of the restraints on the subject
(i) Response time and actions taken by EMS, including a list of drugs given to the patient
(j) Means of transport and total elapsed time of transport
(k) Behavior of the subject during transport
(l) Means of resuscitation, if appropriate
(m) Vital signs; especially body temperature (if such information can be lawfully gathered)
(n) Ambient temperature at the time of the incident (warm temperatures are associated with increased frequency of ExDS)
(o) Results of tests and medical assessments taken by EMS personnel and emergency medical staff
(p) Results of autopsy, if appropriate
(q) Information from relatives and friends of the subject that can provide insight to the potential causation of the incident
(r) Measures taken by ECSO during initial receipt of the call for service, dispatch, and follow up
(s) Analysis of incident and arrest reports and any other information from involved police personnel concerning the department’s response to ExDS
(t) Where in-car video cameras and related video recordings are available, they should be used to document the actions of the subject and deputies during the incident
Naloxone

339.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines and regulations governing utilization of naloxone used by The Jackson County Sheriff’s Office. The objective is to treat and reduce the injury and fatality from opiate overdoses. It is the policy of the Jackson County Sheriff’s Office that all deputies are required to be initially trained in the use of naloxone prior to carrying or using it. It is understood that in a life and death emergency, this policy may be violated.

339.2 TRAINING AND CONTINUING EDUCATION
See attachment: 339 Naloxone.pdf All participating deputies shall receive initial training that will include, at minimum, an overview of ORS 689.681 that permits law enforcement use of naloxone, patient assessment (e.g., signs/symptoms of overdose), universal precautions, rescue breathing, seeking medical attention, and the use of intra-nasal naloxone. Upon completion of training, deputies will have their training documented Jackson County Sheriff’s Office training records.

Deputies shall be notified of any changes in use of naloxone on an annual basis or when new information becomes available.

339.3 NALOXONE DEPLOYMENT
The Jackson County Sheriff’s Office will deploy its naloxone kits in the following primary locations:

- Patrol Sergeants Office
- In each assigned patrol vehicle/K9/Civil
- Jackson County Jail Booking Area
- Corrections Sergeants Office
- Corrections Transport Unit

339.4 NALOXONE USE

339.4.1 CRIMINAL DIVISION
When deploying the naloxone kit deputies should follow the protocol as outlined in naloxone training:

(a) Maintain universal precautions;
(b) perform patient assessment; and
(c) determine unresponsiveness, absence of breathing and/or lack of pulse; and
(d) notify ESCO to have emergency medical service to respond for continued life-saving efforts and transport to the hospital Emergency Room for treatment.
Naloxone

339.4.2 CORRECTIONS DIVISION
When deploying the naloxone kit Deputies should follow the protocol as outlined in the naloxone training:

(a) maintain universal precautions;
(b) perform patient assessment; and
(c) determine unresponsiveness, absence of breathing and/or lack of pulse and
(d) update CIC that the patient is in potential overdose state.
(e) CIC will then notify ECSO for emergency medical response to continue life-saving efforts and transport a hospital Emergency Room for treatment.

339.5 MAINTENANCE AND REPLACEMENT
First line maintenance:

(a) An inspection of the naloxone kit shall be the responsibility of the personnel assigned the equipment and will be done each shift.
(b) Missing or damaged naloxone kits will be reported to the department naloxone coordinator.
(c) Where any condition necessitates the naloxone kit shall be taken off line and be submitted for replacement to the department naloxone coordinator.
(d) Upon administering naloxone

339.6 DOCUMENTATION
Upon completing the medical assist, the deputy will submit a report detailing the nature of the incident, the care the patient received and the fact that the naloxone was deployed. The report will be forwarded to the department naloxone coordinator.
Chapter 4 - Patrol Operations
Patrol Function

400.1 PURPOSE AND SCOPE
The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION
Deputies will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Jackson County Sheriff's Office, respond to citizen calls for assistance, act as a deterrent to crime, enforce local ordinances as well as state laws, and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions

(b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc.

(c) Calls for service, both routine and emergency in nature

(d) Investigation of both criminal and non-criminal acts

(e) The apprehension of criminal offenders

(f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature

(g) The sharing of information between the Patrol and other bureaus within the Department, as well as other outside governmental agencies

(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies

(i) Traffic direction and control

400.1.2 TERRORISM
It is the goal of the Jackson County Sheriff's Office to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Deputies should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Criminal Investigations Division Supervisor in a timely fashion.
400.2 PATROL INFORMATION SHARING PROCEDURES
The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various bureaus of the Jackson County Sheriff's Office.

400.2.1 CRIME ANALYSIS UNIT
The Crime Analysis Unit (CAU) will be the central unit for information exchange. Criminal information and intelligence reports can be submitted to the Records Division for distribution to all bureaus within the Department through daily and special bulletins.

400.2.2 CRIME REPORTS
A crime report may be completed by any patrol deputy who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL BRIEFINGS
Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or deputies will be provided an opportunity to share information at the daily patrol briefings as time permits.

400.2.4 INFORMATION CLIPBOARDS
Several information clipboards will be maintained in the Briefing room and will be available for review by deputies from all bureaus within the Department.

400.2.5 BULLETIN BOARDS
A bulletin board will be kept in the Briefing room and the Criminal Investigations Division for display of suspect information, intelligence reports and photographs. New Departmental Directive will be made available for patrol supervisors and will be discussed at Briefings and shift meetings. A copy of the Departmental Directive will be placed on the Briefing room clipboard.

400.3 CROWDS, EVENTS AND GATHERINGS
Deputies may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Deputies should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Deputies responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Deputies are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Deputies should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.
Patrol Function
Bias-Based Policing

401.1 PURPOSE AND SCOPE
This policy provides guidance to office members that affirms the Jackson County Sheriff's Office's commitment to policing that is fair and objective (ORS 131.920).

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the office’s relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

See the Personnel Complaints Policy regarding acceptance of complaints alleging profiling and investigation of such complaints.

401.1.1 DEFINITIONS
Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on characteristics such as race, ethnicity, color, national origin, language, religion, sex, sexual orientation, gender identity or expression, economic status, homelessness, age, cultural group, disability, political affiliation or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement. This includes profiling as defined by ORS 131.915.

401.2 POLICY
The Jackson County Sheriff's Office is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this office to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED
Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit a deputy from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES
Every member of this office shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.
401.4.1 REASON FOR CONTACT
Deputies contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved deputy should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any deputy to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC AND PEDESTRIAN STOPS
Each time a deputy makes a deputy-initiated traffic or pedestrian stop, the deputy shall record the required stop data in the method and manner prescribed by the Oregon Criminal Justice Commission (OCJC) (2017 Oregon Laws, c. 706 § 2).

401.5 SUPERVISOR RESPONSIBILITIES
Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved deputy and his/her supervisor in a timely manner.

1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, portable audio/video recordings, Mobile Digital Computer (MDC) data and any other available resource used to document contact between deputies and the public to ensure compliance with this policy.

1. Supervisors should document these periodic reviews.

2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this office who discloses information concerning bias-based policing.

401.6 STATE REPORTING

401.6.1 STATE REPORTING TO LAW ENFORCEMENT CONTACTS POLICY AND DATA REVIEW COMMITTEE
The Sheriff shall annually provide Law Enforcement Contacts Policy and Data Review Committee (LECC) the following (ORS 131.925):
Bias-Based Policing

(a) LEA Annual Profiling Complaint Certification Form
   1. This form is to be submitted by the Sheriff, even if no profiling complaints were
      received by the department.

(b) LEA Profiling Complaint Summary Form
   1. Copies of profiling complaints received by the department
   2. If no profiling complaints have been received, this form does not need to be
      submitted.

The Administrative Sergeant will be responsible for providing the Sheriff with all complaints
of alleged profiling for the Law Enforcement Contacts Policy and Data Review Committee
established per HB2002. Summaries of complaints and copies of complaints provided to LECC
will be redacted of personal information.

The Jackson County Sheriff’s Office should provide LECC, upon request, date regarding stops or
contacts as identified in ORS 131.906(5). Data provided may not identify an officer or an individual
whose demographic data is collected. (ORS 131.906).

401.6.2 STATE REPORTING TO OREGON CRIMINAL JUSTICE COMMISSION
The Jackson County Sheriff’s Office shall provide the OCJC with traffic and pedestrian stop data
annually as prescribed by 2017 Oregon Laws, c. 706 § 2. Data may not include information that
reveals the identity of any stopped individual or of any deputy (2017 Oregon Laws, c. 706 § 2).

401.7 ADMINISTRATION
The Operations Division Commander should review the efforts of the office to provide fair and
objective policing and submit an annual report, including public concerns and complaints, to
the Sheriff. The annual report should not contain any identifying information about any specific
complaint, citizen or deputies. It should be reviewed by the Sheriff to identify any changes in
training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned
to supervise.

401.8 TRAINING
Training on fair and objective policing and review of this policy should be conducted as directed
by the Training Officer.

401.8.1 DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING
The Training Officer should ensure that deputies receive training implemented by the Department
of Public Safety Standards and Training regarding procedures to facilitate the collection of deputy-
initiated traffic and pedestrian stop data (2017 Oregon Laws, c. 706 § 2).
Briefing Training

402.1 PURPOSE AND SCOPE
Briefing training is generally conducted before a patrol deputy’s assigned shift. Briefing training provides an opportunity for important exchange between employees and supervisors. A supervisor generally conducts Briefing training; however deputies may conduct Briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

(a) Briefing deputies with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations

(b) Notifying deputies of changes in schedules and assignments

(c) Notifying deputies of new Departmental Directive or changes in Departmental Directive

(d) Reviewing recent incidents for training purposes

(e) Providing training on a variety of subjects

402.2 PREPARATION OF MATERIALS
The supervisor conducting Briefing training is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate deputy in his or her absence or for training purposes.

402.3 RETENTION OF BRIEFING TRAINING RECORDS
Briefing training materials and a curriculum or summary shall be forwarded to the Training Officer for inclusion in training records, as appropriate.
Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY
It is the policy of the Jackson County Sheriff's Office to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY
The first deputy at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Deputies shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once a deputy has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the deputy shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS
The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.
(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
(d) Provide first aid to injured parties if it can be done safely.
(e) Evacuate the location safely as required or appropriate.
(f) Secure the inner perimeter.
(g) Protect items of apparent evidentiary value.
(h) Secure an outer perimeter.
(i) Identify potential witnesses.
(j) Start a chronological log noting critical times and personnel allowed access.
403.5  SEARCHES
Deputies arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once deputies are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Deputies should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1  CONSENT
When possible, deputies should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6  SUPPORT SERVICES RESPONSIBILITIES
The Support Services Commander is responsible for:

(a) Ensuring reasonable access to qualified personnel, equipment and supplies for processing crime scenes.
(b) Establishing procedures for collecting, processing and preserving physical evidence in the field.
(c) Establishing procedures for photographing, video-recording and other imaging used to collect and preserve evidence.
(d) Establishing procedures for processing, developing, lifting and labeling fingerprints.
(e) Establishing procedures for the safe collection, storage, transportation and submission of biological and other evidence for DNA testing and evaluation.

403.7  EXECUTION OF HEALTH ORDERS
Any sworn member of this department is authorized to execute and enforce lawful orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (ORS 433.156).
SWAT/Crisis Response Unit

404.1 PURPOSE AND SCOPE
The Crisis Response Unit (CRU) is comprised of two specialized teams: the Crisis Negotiation Team (CNT) and the Special Weapons and Tactics Team (SWAT). The unit has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary.

404.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY
The Policy Manual sections pertaining to the Crisis Response Unit are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a police response vary greatly from incident to incident and such events often demand on-the-scene evaluation, the Operational Policy outlined in this manual section serves as a guideline to Department personnel allowing for appropriate on-the-scene decision-making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

404.1.2 SWAT TEAM DEFINED
A SWAT team is a designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of agency policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 AGENCY POLICY
It shall be the policy of this agency to maintain a SWAT team and to provide the equipment, manpower, and training necessary to maintain a SWAT team. The SWAT team should develop sufficient resources to perform three basic operational functions:

(a) Command and Control
(b) Containment
(c) Entry/Apprehension/Rescue

It is understood that it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators, and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceed their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.
404.2.1 POLICY CONSIDERATIONS
A needs assessment should be conducted to determine the type and extent of SWAT missions and operations appropriate to this agency. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SWAT Commander or his/her designee.

404.2.2 ORGANIZATIONAL PROCEDURES
This department shall develop a separate written set of organizational procedures which should address, at minimum:

(a) Locally identified specific missions the team is capable of performing
(b) Team organization and function
(c) Personnel selection and retention criteria
(d) Training and required competencies
(e) Procedures for activation and deployment
(f) Command and control issues, including a clearly defined command structure
(g) Multi-agency response
(h) Out-of-jurisdiction response
(i) Specialized functions and supporting resources

404.2.3 OPERATIONAL PROCEDURES
(a) This department shall develop a separate written set of operational procedures in accordance with the determination of their level of capability, using sound risk reduction practices. The operational procedures should be patterned after the "National Tactical Officers Association" Suggested SWAT Best Practices. However, because such procedures are specific to CRU members and will outline tactical and officer safety issues, they are not included within this policy. The operational procedures should include, at minimum:

(b) Operational plan for responding to each incident (time permitting);
   1. Designated personnel should be responsible for developing an operational or tactical plan prior to, and during, SWAT operations.
   2. Mission briefings should be conducted prior to an operation, unless circumstances require immediate deployment.
      (a) When possible, briefings should include the specialized units and supporting resources.
   3. All SWAT team members should have an understanding of operational planning.
   4. SWAT team training should consider planning for both spontaneous and planned events.
5. SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.

6. Protocols for a sustained operation should be developed which may include relief, rotation of personnel, and augmentation of resources.

   (c) A generic checklist to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.

   (d) The appropriate role for a trained negotiator.

   (e) A standard method of determining whether or not a warrant should be regarded as high-risk.

   (f) A method for deciding how best to serve a high-risk warrant with all alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.

   (g) Post incident scene management including:

       (a) Documentation of the incident.

       (b) Transition to investigations and/or other units.

       (c) Debriefing after every deployment of the SWAT team

           (a) After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments, helps to identify training needs, and reinforces sound risk management practices.

           (b) When appropriate, debriefing should include specialized units and resources.

       (h) Sound risk management analysis.

       (i) Standardization of equipment deployed.

404.3 TRAINING NEEDS ASSESSMENT
The SWAT/CRU Commander shall conduct an annual SWAT Training needs assessment to ensure that training is conducted within team capabilities and agency policy.

404.3.1 INITIAL TRAINING
SWAT team operators and SWAT supervisors/team leaders should not be deployed until successful completion of a Basic SWAT Course or its equivalent.

   (a) To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content (topics) meet or exceed
404.3.2 UPDATED TRAINING
Appropriate team training for the specialized SWAT functions and other supporting resources should be completed prior to full deployment of the team.

SWAT team operators and SWAT supervisors/team leaders should complete a certified update or refresher training, or its equivalent, every 24 months.

404.3.3 SUPERVISION AND MANAGEMENT TRAINING
To ensure command and executive personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the teams; command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level.

Command personnel who may assume incident command responsibilities should attend a SWAT or critical incident commander course or its equivalent. SWAT command personnel should attend a SWAT commander or tactical commander course, or its equivalent.

404.3.4 SWAT ONGOING TRAINING
Training shall be coordinated by the CRU Commander. In addition to specialized training, the CRU Commander may conduct monthly training exercises to include a review and critique of personnel and their performance in the exercise. Training shall consist of the following:

(a) Each SWAT member shall perform a physical fitness test biannually. A minimum qualifying score must be attained by each team member.

(b) Any SWAT team member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest and attain a qualifying score. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt will result in dismissal from the team.

(c) Those team members who are on vacation, ill, or are on light duty status with a doctor's note of approval on the test date, shall be responsible for reporting to a team supervisor and taking the test within thirty (30) days of their return to regular duty. Any member who fails to arrange for and perform the physical fitness test within the 30 day period shall be considered as having failed to attain a qualifying score for that test period.

(d) Quarterly, each SWAT team member shall perform the mandatory SWAT handgun qualification course. The qualification course shall consist of the SWAT Basic Drill for the handgun. Failure to qualify will require that member to seek remedial training from a team Rangemaster approved by the CRU Commander. Team members who fail to qualify will not be used in SWAT operations until qualified. Team members who fail
to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training will result in dismissal from the team.

(e) Each SWAT team member shall complete the quarterly SWAT qualification course for any specialty weapon issued to, or used by, the team member during SWAT operations. Failure to qualify will require the team member to seek remedial training from the Rangemaster who has been approved by the CRU Commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

404.3.5 TRAINING SAFETY
Use of a designated safety officer should be considered for all tactical training.

404.3.6 SCENARIO BASED TRAINING
SWAT teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

404.3.7 TRAINING DOCUMENTATION
Individual and team training shall be documented and records maintained by the Training Bureau. Such documentation shall be maintained in each deputy’s individual training file. A separate agency SWAT training file shall be maintained with documentation and records of all team training.

404.4 UNIFORMS, EQUIPMENT, AND FIREARMS

404.4.1 ON-SCENE DETERMINATION
SWAT teams from this agency should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.

404.4.2 EQUIPMENT
SWAT teams from this agency should be adequately equipped to meet the specific mission(s) identified by the agency:

404.4.3 FIREARMS
Weapons and equipment used by SWAT, the specialized units, and the supporting resources should be agency-issued or approved, including any modifications, additions, or attachments.

404.4.4 OPERATIONAL READINESS INSPECTIONS
The CRU Commander shall appoint a CRU supervisor to perform operational readiness inspections of all unit equipment at least quarterly. The result of the inspection will be forwarded to the CRU Commander in writing. The inspection will include personal equipment issued to
members of the unit, operational equipment maintained in the CRU facility and equipment maintained or used in CRU vehicles.

404.5 MANAGEMENT/SUPERVISION OF CRISIS RESPONSE UNIT
The Commander of the SWAT/CRU shall be selected by the Sheriff upon recommendation of staff.

404.5.1 PRIMARY UNIT MANAGER
Under the direction of the Sheriff, the Crisis Response Unit shall be managed by the Operations Captain or his/her designee.

404.5.2 TEAM SUPERVISORS
The Negotiation Team and each Special Weapons and Tactics Team will be supervised by a Sergeant, or the designee of the SWAT/CRU commander or the Sheriff.

The team supervisors shall be selected by the Sheriff upon specific recommendation by staff and the SWAT/CRU Commander.

The following represent the supervisor responsibilities for the Crisis Response Unit:

(a) The Negotiation Team supervisor's primary responsibility is to supervise the operations of the Negotiation Team which will include deployment, training, first line participation, and other duties as directed by the SWAT/CRU Commander.

(b) The Special Weapons and Tactics Team supervisor's primary responsibility is to supervise the operations of the SWAT Team, which will include deployment, training, first line participation, and other duties as directed by the SWAT/CRU Commander.

404.6 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES
The Crisis Negotiation Team has been established to provide skilled verbal communicators who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves, or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the Crisis Negotiation Team.

404.6.1 SELECTION OF PERSONNEL
Interested sworn personnel, who are off probation, shall submit a change of assignment request to their appropriate Division Commander. A copy will be forwarded to the SWAT/CRU Commander and the Crisis Negotiation Team supervisor. Qualified applicants will then be invited to an oral interview. The oral board will consist of the SWAT/CRU Commander, the Crisis Negotiation Team supervisor, and a third person to be selected by the two. Interested personnel shall be evaluated by the following criteria:

(a) Recognized competence and ability as evidenced by performance.
SWAT/Crisis Response Unit

(b) Demonstrated good judgment and understanding of critical role of negotiator and negotiation process.

(c) Effective communication skills to ensure success as a negotiator.

(d) Special skills, training, or appropriate education as it pertains to the assignment.

(e) Commitment to the unit, realizing that the assignment may necessitate unusual working hours, conditions, and training obligations.

The oral board shall submit a list of successful applicants to staff for final selection.

404.6.2 TRAINING OF NEGOTIATORS
Those officers selected as members of the Negotiation Team should attend the Basic Negotiators Course as approved by the Oregon Department of Public Safety Standards and Training (DPSST) prior to primary use in an actual crisis situation. Untrained officers may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

A minimum of one training day per quarter will be required to provide the opportunity for role playing and situational training necessary to maintain proper skills. This will be coordinated by the team supervisor.

Continual evaluation of a team member’s performance and efficiency as it relates to the positive operation of the unit shall be conducted by the team supervisor. Performance and efficiency levels, established by the team supervisor, will be met and maintained by all team members. Any member of the Negotiation Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the unit.

404.7 SWAT TEAM ADMINISTRATIVE PROCEDURES
The SWAT Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics; for example, in such situations as cases where suspects have taken hostages and/or have barricaded themselves. Also included are prolonged or predictable situations in which persons armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of the Special Weapons and Tactics Team.

404.7.1 SELECTION OF PERSONNEL
Interested sworn personnel who are off probation shall submit a change of assignment request to their appropriate Bureau Sergeant, a copy of which will be forwarded to the SWAT/CRU commander and other SWAT supervisors. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the SWAT/CRU commander or his designee. The testing process will consist of an oral board, physical agility, SWAT basic handgun, and team evaluation.
(a) Oral board: The oral board will consist of personnel selected by the SWAT/CRU commander. Applicants will be evaluated by the following criteria:

1. Recognized competence and ability as evidenced by performance.
2. Demonstrated good judgment and understanding of critical role of SWAT member.
3. Special skills, training, or appropriate education as it pertains to this assignment; and
4. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.

(b) Physical agility: The physical agility test is designed to determine the physical capabilities of the applicant as it relates to performance of SWAT-related duties. The test and scoring procedure will be established by the SWAT/CRU commander. A minimum qualifying score shall be attained by the applicant to be considered for the position.

(c) SWAT basic handgun: Candidates will be invited to shoot the SWAT Basic Drill for the handgun. A minimum qualifying score of 90 out of a possible score of 100 must be attained to qualify.

(d) Team evaluation: Current team members will evaluate each candidate on his or her field tactical skills, teamwork, ability to work under stress, communication skills, judgment, and any special skills that could benefit the team.

(e) A list of successful applicants shall be submitted to staff, by the SWAT team leader, for final selection.

404.7.2 TEAM EVALUATION
Continual evaluation of a team member’s performance and efficiency as it relates to the positive operation of the unit shall be conducted by the SWAT/CRU Commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT Team members. Any member of the SWAT Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

404.8 OPERATION GUIDELINES FOR CRISIS RESPONSE UNIT
The following procedures serve as guidelines for the operational deployment of the Crisis Response Unit. Generally, the Special Weapons and Tactics Team and the Crisis Negotiation Team will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the Crisis Negotiation Team such as warrant service operations. This shall be at the discretion of the SWAT/CRU Commander.
SWAT/Crisis Response Unit

404.8.1 ON-SCENE DETERMINATION
The supervisor in charge on the scene of a particular event will assess whether the Crisis Response Unit is to respond to the scene. Upon final determination by the Patrol Sergeant, he/she will notify the SWAT/CRU Commander.

404.8.2 APPROPRIATE SITUATIONS FOR USE OF CRISIS RESPONSE UNIT
The following are examples of incidents which may result in the activation of the Crisis Response Unit:

(a) Barricaded suspects who refuse an order to surrender.
(b) Incidents where hostages are taken.
(c) Cases of suicide threats.
(d) Arrests of dangerous persons.
(e) Any situation that could enhance the ability to preserve life, maintain social order, and ensure the protection of property.

404.8.3 OUTSIDE AGENCY REQUESTS
Requests by field personnel for assistance from outside agency crisis units must be approved by the Patrol Sergeant. Deployment of the Jackson County Sheriff's Office Crisis Response Unit in response to requests by other agencies must be authorized by a Division Commander.

404.8.4 MULTI-JURISDICTIONAL SWAT OPERATIONS
The SWAT team, including relevant specialized units and supporting resources, should develop protocols, agreements, MOU's, or working relationships to support multi-jurisdictional or regional responses.

(a) If it is anticipated that multi-jurisdictional SWAT operations will regularly be conducted; SWAT multi-agency and multi-disciplinary joint training exercises are encouraged.
(b) Members of the Jackson County Sheriff's Office SWAT team shall operate under the policies, procedures and command of the Jackson County Sheriff's Office when working in a multi-agency situation.

404.8.5 MOBILIZATION OF CRISIS RESPONSE UNIT
The On-Scene supervisor shall make a request to the Patrol Sergeant for the Crisis Response Unit. The Patrol Sergeant shall then notify the SWAT/CRU Commander. If unavailable, a team supervisor shall be notified. A current mobilization list shall be maintained in the Patrol Sergeant's office by the SWAT/CRU Commander. The Patrol Sergeant will then notify the Operations Division Commander as soon as practical.

The Patrol Sergeant should advise the SWAT/CRU Commander with as much of the following information which is available at the time:

(a) The number of suspects, known weapons and resources.
(b) If the suspect is in control of hostages.
(c) If the suspect is barricaded.
(d) The type of crime involved.
(e) If the suspect has threatened or attempted suicide.
(f) The location of the command post and a safe approach to it.
(g) The extent of any perimeter and the number of officers involved.
(h) Any other important facts critical to the immediate situation, and whether the suspect has refused an order to surrender.

The CRU Commander or supervisor shall then call selected officers to respond.

404.8.6 FIELD UNIT RESPONSIBILITIES
While waiting for the SWAT/CRU, field personnel should, if safe, practicable and sufficient resources exist:

(a) Establish an inner and outer perimeter.
(b) Establish a command post outside of the inner perimeter.
(c) Establish an arrest/response team. The team actions may include:
   1. Securing any subject or suspect who may surrender.
   2. Taking action to mitigate a deadly threat or behavior.
(d) Evacuate any injured persons or citizens in the zone of danger.
(e) Attempt to establish preliminary communication with the suspect. Once the SWAT/CRU has arrived, all negotiations should generally be halted to allow the negotiators and SWAT time to set up.
(f) Be prepared to brief the SWAT/CRU Commander on the situation.
(g) Plan for and stage anticipated resources.

404.8.7 ON-SCENE COMMAND RESPONSIBILITIES
Upon arrival of the Crisis Response Unit at the scene, the Incident Commander shall brief the SWAT/CRU Commander and team supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the SWAT/CRU Commander, whether to deploy the Crisis Response Unit. Once the Incident Commander authorizes deployment, the SWAT/CRU Commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security, and support for the Crisis Response Unit. The Incident Commander and the SWAT/CRU Commander (or his or her designee) shall maintain communications at all times.
404.8.8 COMMUNICATION WITH CRISIS RESPONSE UNIT PERSONNEL
All of those persons who are not part of Crisis Response Unit personnel should refrain from any non-emergency contact or interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with Crisis Team personnel directly. All non-emergency communications shall be channeled through the Negotiation Team Sergeant or his or her designee.
Ride-along & Jail Tour Policy

405.1 PURPOSE AND SCOPE
The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function firsthand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program. It is the policy of this Office to enhance community relations by providing an opportunity for citizens to experience the Patrol Bureau's function firsthand by participating in patrol ride alongs, and the Jail Bureau's function by providing tours of the jail.

405.1.1 ELIGIBILITY
The Jackson County Sheriff's Office Ride-Along Program is offered to residents, students and those employed within the County. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

• Being under the age of 18-years
• Prior criminal history
• Pending criminal action
• Pending lawsuit against the Department
• Denial by any supervisor

405.1.2 AVAILABILITY
The Ride-Along Program is available on most days of the week, with certain exceptions established by the Patrol Bureau. The ride-along times are based upon the current shift schedule (Patrol or Corrections). Exceptions to this schedule may be made as approved by the Sheriff or Shift Sergeant.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG
See attachment: 405 2 Ride along 082416 Spanish.pdf  See attachment: 405.2 Ride along 082416 English.pdf  Generally, ride-along requests will be scheduled by the Administrative Sergeant. The participant will complete a ride-along waiver form. Information requested will include a valid ID or Oregon driver's license, address, and telephone number. If the participant is under 18-years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Administrative Sergeant will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Shift Sergeant as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

JAIL TOUR PROCEDURE
Ride-along & Jail Tour Policy

A person interested in a jail tour will contact the Jail Lieutenant to request a tour. If the Jail Lieutenant determines the person meets the criteria, they will schedule a tour. If the person requesting a tour is under 18 years of age they must have their parent or guardian sign a parental consent form. No one under 18 years is allowed in the secure portion of the jail.

The tour guide will inquire if the applicant has a relative, significant other, or friend currently in custody. If the applicant does have a relative, significant other, or friend in the jail, the tour may be canceled, rescheduled or modified to avoid exposure to the incarcerated individual.

405.2.1 PROGRAM REQUIREMENTS
Once approved, civilian ride-alongs will be allowed to ride no more than once every 12 months. An exception would apply to the following: Citizens Academy Students, Chaplains, Sheriff's applicants, and all others with approval of the Professional Standards/Training Sergeant.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. No more than one ride-along will be allowed in the deputy's vehicle at a given time.

405.2.2 SUITABLE ATTIRE
Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the sheriff's vehicle. The Shift Sergeant or OIC will refuse a ride along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty deputies without the express consent of the Division Captain. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

405.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK
All Ride-along applicants are subject to a criminal history check. The criminal history check will include a local records check, and inquiries to the National Crime Information Center (NCIC), Computerized Criminal History (CCH), and a Department of Motor Vehicles (DMV) records checks via the Law Enforcement Data System (LEDS) prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Jackson County Sheriff's Office). The printed inquiry responses will be attached to the request and forwarded to the on-duty Patrol Sergeant who will approve or disapprove the ride-along and schedule the appointment.

405.3 DEPUTY'S RESPONSIBILITY
The deputy shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Deputies shall consider the safety of the ride-along at all times. Deputies should
Ride-along & Jail Tour Policy

use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another sheriff's unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Professional Standards/Training Sergeant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the form shall be returned to the Professional Standards/Training Sergeant with any comments which may be offered by the deputy.

405.4 CONTROL OF RIDE-ALONG
The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the deputy

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any sheriff's equipment

(c) The ride-along may terminate the ride at any time and the deputy may return the observer to their home or to the station if the ride-along interferes with the performance of the deputy's duties

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety

(e) Deputies will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with a deputy without the expressed consent of the resident or other authorized person

(g) Under no circumstances will a civilian ride along be permitted to carry a concealed firearm, whether authorized by statute or not. Ride along law enforcement may carry concealed provided their carry and qualification status is current.
Hazardous Material Response

406.1 PURPOSE AND SCOPE
Hazardous materials present a potential harm to employees resulting from their exposure. The following is to be the policy of this department.

406.1.1 HAZARDOUS MATERIAL DEFINED
A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizers and thereby posing a threat to health when improperly managed. See Oregon Revised Statutes 453.005(7) for a complete list.

406.2 HAZARDOUS MATERIAL RESPONSE
Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Attempt to identify type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from person transporting).
(b) Notify Fire Department.
(c) Provide first-aid for injured parties if it can be done safely and without contamination.
(d) Begin evacuation of immediate area and surrounding areas dependent on substance.

Employees who have not completed Blood Borne Pathogens (BBP) training in the last year, should not intentionally come into contact with BBP materials.

406.3 REPORTING EXPOSURE(S)
Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor and shall complete a County Incident Report. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Commanding Officer. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.
Hazardous Material Response

406.3.1 SUPERVISOR RESPONSIBILITY
When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel.

The employee or employees supervisor if the employee is unable, will complete a Workers Compensation form if an injury is diagnosed Oregon Revised Statutes656.265. If an injury is not apparent but exposure to a hazardous substance is possible, the employee will complete an incident report indicating the circumstances of the event and the potential of an exposure.
Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for situations where deputies have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the deputies by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that deputies encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS
Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

407.2 POLICY
It is the policy of the Jackson County Sheriff's Office to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

407.2.1 INTERNAL PROCEDURES
When internal hostages are taken in an attempt to affect an escape or to secure certain objectives, officers shall secure the facility in effort to isolate the impacted area. ECSO shall be notified of the situation, and the department's tactical negotiation team shall be requested. The Sheriff and the Bureau Captain(s) shall be notified as soon as possible.

The patrol supervisor shall be asked to provide staff for exterior security as available and necessary. Only the assigned negotiator shall have direct communications to hostage holders or barricaded prisoners. Departmental personnel and other law enforcement members shall not interfere with the duties of the negotiator.

If brought to the main jail facility by captors and directed to, the hostage shall press the call button. When queried by the CIC officer, the hostage shall respond with name and personnel identification number. This combination is intended to alert the CIC officer to hostage situation. Once alerted the CIC officer shall immediately notify the shift supervisor.

407.2.2 EXTERNAL PROCEDURES
The suspect shall not be allowed to escape with or without a hostage. The department does not grant immunity or pay ransom to neutralize a hostage situation. No consideration shall be given in
allowing an inmate holding a department employee hostage to escape under any circumstances from a custody facility, detention area or prisoner transportation vehicle.

The department shall not authorize hostage exchanges. When a suspect has barricaded himself and does not hold a hostage, officers shall attempt all methods to affect his capture by use of non-lethal means consistent with the offense and the safety of others.

407.3 COMMUNICATION
When circumstances permit, initial responding deputies should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Deputies should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 PATROL SUPERVISOR OR INCIDENT COMMANDER RESPONSIBILITIES
- Respond to the scene and establish a command post location.
- Establish an incident command structure incident and assign personnel to staff its principle positions.
- Call for additional personnel, equipment and specialized units as needed.
- Notify the Patrol Captain.
- The patrol supervisor shall be in command of the inner perimeter and become the incident commander until relieved.
- Coordinate radio frequencies to be used.

Ensure the evacuation of the inner perimeter area and continue with the evacuation between inner and outer perimeters. Traffic, citizens and media personnel shall be detoured from the area and not allowed to re-enter until it is deemed safe. It is important at the outer perimeter, (also known as the traffic perimeter) is completely blocked off.

Immediately request ECSO initiate phone isolation procedures with the assistance of the applicable phone company.

Cause collection of intelligence information as to the mental state of the suspect and/or hostage, the physical condition of the hostage, the suspect's stated objective and motivation(s) in addition to the involvement and proximity of bystanders, type of location and other information.
Ensure that the responding officers understand that direct, hasty action against the suspect is potentially dangerous. Restraint with firearms is absolutely necessary.

As soon as possible request assistance from SWAT. The SWAT team shall replace the initial patrol officer force at the inner perimeter, allowing the patrol supervisor to use those relieved officers to establish a secondary perimeter.

407.3.2 EMERGENCY COMMUNICATIONS
A supervisor who has probable cause to believe that a hostage is being held may order a telephone company to cut, reroute or divert telephone lines to prevent a suspect from communicating with anyone other than deputies or other designated individuals (ORS 165.549).

407.4 FIRST RESPONDER CONSIDERATIONS
First responding deputies should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding deputy should immediately request a supervisor’s response as soon as it is determined that a hostage or barricade situation exists. The first responding deputy shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The deputy shall continually evaluate the situation, including the level of risk to deputies, to the persons involved and to bystanders, and the resources currently available.

The handling deputy should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION
Unless circumstances require otherwise, deputies handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(d) Provide responding emergency personnel with a safe arrival route to the location.

(e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
Hostage and Barricade Incidents

(f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.

(g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

(h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

(j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

(k) Establish a command post.

407.4.2 HOSTAGE SITUATION
Deputies presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that deputies react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).

(d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.

(e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(f) Provide responding emergency personnel with a safe arrival route to the location.

(g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.

(h) Coordinate pursuit or surveillance vehicles and control of travel routes.
Hostage and Barricade Incidents

(i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.

(j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

(k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

(m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a Crisis Response Unit (CRU) response if appropriate and apprising the CRU Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

(a) Ensure injured persons are evacuated and treated by medical personnel.

(b) Ensure the completion of necessary first responder responsibilities or assignments.

(c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.

(d) Establish a command post location as resources and circumstances permit.

(e) Designate assistants who can help with intelligence information and documentation of the incident.

(f) If it is practicable to do so, arrange for video documentation of the operation.

(g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).

(h) Ensure adequate law enforcement coverage for the remainder of the County during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Dispatch.

(i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
Hostage and Barricade Incidents

(j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.

(k) Debrief personnel and review documentation as appropriate.

407.6 CRISIS RESPONSE UNIT RESPONSIBILITIES
It will be the Incident Commander's decision, with input from the CRU Commander, whether to deploy the CRU during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the CRU Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the CRU. The Incident Commander and the CRU Commander or the authorized designee shall maintain communications at all times.

407.7 REPORTING
Unless otherwise relieved by a supervisor or Incident Commander, the handling deputy at the scene is responsible for completion and/or coordination of incident reports.
Response to Bomb Calls

408.1 PURPOSE AND SCOPE
These guidelines have been prepared to assist deputies in their initial response to incidents involving explosives, explosive devices, or explosion/bombing incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

408.2 FOUND EXPLOSIVES/SUSPECT DEVICES
When handling an incident involving a suspected explosive device, the following guidelines should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging. The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.

(b) A minimum perimeter of 500 feet should be established around the location of the device. An access point should be provided for support personnel.

(c) As much information as is available should be promptly relayed to the Patrol Sergeant or OIC including:
   1. The stated threat.
   2. Exact comments.
   3. Time of discovery.
   4. Exact location of the device.
   5. Full description (e.g., size, shape, markings, construction) of the device.

(d) The device should not be touched or moved except by qualified bomb squad personnel.

(e) All equipment within 500 feet of the suspected device capable of producing radio frequency energy should be turned off. This includes two-way radios, cell phones and other personal communication devices.

(f) Consideration should be given to evacuating any buildings near the device.

(g) A search of the area should be conducted for secondary devices or other objects that are either hazardous or foreign to the area and a perimeter should be established around any additional suspicious device found.

Explosive or military ordnance of any type should be handled only by the bomb squad or military ordnance disposal team.
408.3 EXPLOSION/BOMBING INCIDENTS
When an explosion has occurred, there are multitudes of considerations which may confront the responding deputies. As in other catastrophic incidents, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds or additional damage by resulting fires or unstable structures. Whether the explosion was the result of an accident or a criminal act, the responding deputies should consider the following actions:

- Assess the scope of the incident, including the number of victims and extent of injuries.
- Assist with first aid (Fire Department has primary responsibility).
- Assist with evacuation of victims (Fire Department has primary responsibility).
- Identify and take appropriate actions to mitigate scene hazards such as collapsed structures, blood borne pathogens, hazardous materials and secondary explosive devices.
- Request additional resources as needed.
- Identify witnesses.
- Preserve evidence.

408.3.1 NOTIFICATIONS
When an explosion has occurred, the following people shall be notified as soon as practicable if their assistance is needed:

(a) Fire Department
(b) Emergency Medical assistance
(c) Explosive Disposal Unit
(d) Additional deputies
(e) Field supervisor or OIC
(f) Patrol Sergeant
(g) Detectives
(h) Forensic Science Services

408.3.2 CROWD CONTROL
Only authorized personnel with a legitimate need shall be permitted access to the scene. Spectators and other unauthorized individuals shall be excluded to a safe distance as is reasonably practicable given the available resources and personnel.

408.3.3 SCENE OF INCIDENT
As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could extend over a long distance. Evidence may be imbedded in nearby structures or hanging in trees and bushes.
Response to Bomb Calls

408.4 BOMB THREATS RECEIVED AT SHERIFF’S FACILITY
This procedure shall be followed should a bomb threat call be received at the Sheriff’s Office facility.

408.4.1 BOMB THREATS RECEIVED BY TELEPHONE
The following questions should be asked if a bomb threat call is received at the Sheriff’s Office:

• When is the bomb going to explode?
• Where is the bomb?
• What kind of bomb is it?
• What does it look like?
• Why did you place the bomb?
• Who are you? (to avoid possible termination of the call this should be the last question asked)

Attempt to keep the caller on the line as long as possible and obtain expanded answers to these five basic questions.

During this time, document the following:

• Time of the call.
• Exact words of the person as accurately as possible.
• Estimated age and gender of the caller.
• Speech patterns and/or accents.
• Background noises.

If the incoming call is received at the sheriff’s facility on a recorded line, steps shall be taken to ensure that the recording is preserved in accordance with current department evidence procedures.

408.4.2 RESPONSIBILITIES
The employee handling the call shall ensure that the Patrol Sergeant or OIC is immediately advised and fully informed of the details. The Patrol Sergeant or OIC will then direct and assign deputies as required for coordinating a general building search or evacuation as he/she deems appropriate.
Civil Commitments

409.1 PURPOSE AND SCOPE
This policy provides guidelines for when deputies may place an individual under protective custody for civil commitment (ORS 426.228).

409.2 POLICY
It is the policy of the Jackson County Sheriff's Office to protect the public and individuals through legal and appropriate use of the civil commitment process.

409.3 AUTHORITY
A deputy may take a person into custody when the deputy has probable cause to believe the person is dangerous to him/herself or to any other person and is in need of immediate care, custody or treatment for mental illness (ORS 426.228(1)).

A deputy shall also take a person into custody at the direction of the community mental health program director when the director has probable cause to believe the person is imminently dangerous to him/herself or to another person. The director is mandated to prepare a report for the deputy to deliver to the treating licensed independent practitioner (ORS 426.228(2)).

The deputy shall transport the person in custody to the nearest facility approved by the Oregon Health Authority (OHA) or will transfer custody of the person to a mental health representative authorized under ORS 426.233(3).

If, upon delivery of the person to the facility, the licensed independent practitioner finds the person is not in need of emergency care or treatment for mental illness, the person is to be released from custody. The deputy or the program director shall return the person to the place where he/she was taken into custody, unless the person declines that service.

409.3.1 VOLUNTARY EVALUATION
If a deputy encounters an individual who may qualify for a civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the deputies should:

(a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a civil commitment.

(b) If at any point the individual changes his/her mind regarding voluntary evaluation, deputies should proceed with the civil commitment, if appropriate.

(c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.
Civil Commitments

409.3.2 RESTRAINTS
If the patient is violent or potentially violent, the deputy will notify the staff of this concern. The staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints are desired, the deputy will wait while they are being applied to help provide physical control of the patient, if needed.

409.3.3 MENTAL HEALTH DOCUMENTATION
The deputy shall also provide a verbal summary to an emergency department staff member regarding the circumstances leading to the involuntary detention.

409.3.4 SECURING OF WEAPONS
If a receiving and secured facility prohibits weapons or if an extraordinary event occurs in the treatment facility and deputies determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the sheriff's patrol unit.

409.3.5 EXTREMELY DANGEROUS PERSONS
A deputy may take into custody an individual on conditional release from a state hospital pursuant to an order of revocation. The written order does not have to be in the possession of the deputy, and may be confirmed through the Law Enforcement Data System (LEDS) (OAR 859-200-0310).

A person may be taken into custody if all of the following conditions apply (OAR 859-200-0305):

(a) A deputy has reasonable cause to believe the individual is an extremely dangerous person with a mental illness (as defined by OAR 859-200-0020)
(b) The person presents a serious danger to others because of a mental disorder
(c) The person is in need of immediate care, custody or treatment
(d) The person has been civilly committed to the jurisdiction of the Psychiatric Security Review Board by a court

409.4 CONSIDERATIONS AND RESPONSIBILITIES
Any deputy handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the individual’s action or stated intentions (e.g., information from LEDS).
(b) Community or neighborhood mediation services.
(c) Conflict resolution and de-escalation techniques.
(d) Available community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade deputies from taking reasonable action to ensure the safety of the deputies and others.
Civil Commitments

Civil commitments should be preferred over arrest for individuals with mental health issues, who are suspected of committing minor crimes or creating other public safety issues.

409.4.1 FOREIGN NATIONALS
If a deputy takes a person into custody for a civil commitment and reasonably suspects that the person is a foreign national, the deputy shall inform the person of his/her right to communicate with an official from the consulate of the person’s country (ORS 426.228(9)).

409.5 TRANSPORTATION
When transporting any individual for a civil commitment, the transporting deputy should have Dispatch notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Deputies may transport individuals in a patrol vehicle and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of a deputy during the transport, Patrol Sergeant approval is required before transport commences.

409.5.1 CLEARANCE REQUIRED
If transportation to an appropriate facility will require more than one hour to accomplish, the transporting deputy must obtain, if possible, medical clearance from a licensed independent practitioner who has examined the person within the last 24 hours who certifies that the person is in need of immediate care or treatment for mental illness and that travel will not be detrimental to the person’s physical health (ORS 426.228(3)).

409.6 TRANSFER TO APPROPRIATE FACILITY
Upon arrival at the facility, the deputy will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking voluntary treatment, the deputy should provide the staff member with the written application for a civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting deputy should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the deputy may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, deputies will not apply facility-ordered restraints.

409.7 DOCUMENTATION
The deputy should complete an application for emergency admission, provide it to the facility staff member assigned to the individual and retain a copy of the application for emergency admission for inclusion in the case report.

The deputy should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.
Civil Commitments

409.7.1 REQUIREMENTS
Deputies shall use OHA form MHD 426.228 or otherwise ensure that the report states (ORS 426.228):

(a) The reason for custody.
(b) The date, time and place the person was taken into custody.
(c) The name and telephone number of the community mental health director.

409.8 CRIMINAL OFFENSES
Deputies investigating an individual who is suspected of committing a minor criminal offense and who is being taken for a civil commitment should resolve the criminal matter by issuing a citation, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the deputy should:

(a) Arrest the individual when there is probable cause to do so.
(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.
(c) Facilitate the individual’s transfer to the jail facility.
(d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor’s judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

409.9 FIREARMS AND OTHER WEAPONS
Whenever an individual is taken into custody for a civil commitment, the handling deputies should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Deputies should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g. safekeeping, evidence, consent).

Deputies are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling deputies should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.
Civil Commitments

409.10 TRAINING
This department will endeavor to provide department-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.
Citation Releases

410.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members of the Jackson County Sheriff's Office with guidance on when to release adults who are suspected offenders on a citation for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

410.2 RELEASE
A suspected offender may be released on issuance of a criminal citation if the deputy has probable cause to believe that the person has committed a misdemeanor or has committed any felony that is subject to misdemeanor treatment under ORS 161.705 (reduction of certain felonies to misdemeanors) (ORS 133.055).

410.2.1 CITATION RELEASES ON WARRANTS
If the offense is not excluded under ORS 133.055, the court may authorize a deputy to issue and serve a criminal citation in lieu of arrest (ORS 133.110).

410.3 PROHIBITIONS
The release of a suspected offender on a citation is not permitted when:

(a) The deputy has probable cause to believe that the person has been served a valid restraining order as described in ORS 133.310 (orders relating to stalking, elder and disability abuse, sexual abuse) and the person has violated the terms of the order (ORS 133.310).

(b) The deputy has probable cause to believe that the person has been charged with an offense under ORS 135.230 through ORS 135.290 (sexual offenses, domestic violence, methamphetamine crimes), and is presently released and has failed to comply with a no contact condition to the release agreement (ORS 133.310).

(c) The person arrested is so intoxicated that he/she could be a danger to himself/herself or to others (release may occur as soon as this condition no longer exists).

1. Any deputy encountering a person who is intoxicated or under the influence of controlled substances in a public place and who is incapacitated, whose health appears to be in immediate danger, or there is reasonable cause to believe the person is dangerous to him/herself or to any other person, shall transport the individual to the nearest appropriate treatment facility or sobering facility (ORS 430.399).

See the Domestic Violence Policy for release restrictions related to those investigations.

410.4 CONSIDERATIONS
In determining whether to cite and release a person when discretion is permitted, deputies should consider:

(a) The type of offense committed.
Citation Releases

(b) The known criminal history of the suspected offender.
(c) The ability to identify the suspected offender with reasonable certainty.
(d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
(e) The individual’s ties to the area, such as residence, employment or family.
(f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

410.5 POLICY
The Jackson County Sheriff's Office will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation, when authorized to do so.
Arrest or Detention of Foreign Nationals

411.1 PURPOSE AND SCOPE

Article 36 of the Vienna Convention on Consular Relations, sets forth certain rights of foreign nationals from member countries when arrested, detained or imprisoned by law enforcement officials in this country. This section provides direction to deputies when considering a physical arrest or detention of a foreign national. All foreign service personnel shall be treated with respect and courtesy, regardless of the level of established immunity. As noted herein, the United States is a party to several bilateral agreements that obligate our authorities to notify the consulate upon the person’s detention, regardless of whether the detained person(s) request that his or her consulate be notified. The list of specific countries that the United States is obligated to notify is listed on the US Department of State Website.

411.1.1 DEFINITIONS

**Foreign National** - Anyone who is not a citizen of the United States (U.S.). A person with dual-citizenship, U.S. and foreign, is not a foreign national.

**Immunity** - Refers to various protections and privileges extended to the employees of foreign governments who are present in the U.S. as official representatives of their home governments. These privileges are embodied in international law and are intended to ensure the efficient and effective performance of their official “missions” (i.e., embassies, consulates, etc.) in foreign countries. Proper respect for the immunity to which an individual is entitled is necessary to ensure that U.S. diplomatic relations are not jeopardized and to maintain reciprocal treatment of U.S. personnel abroad. Although immunity may preclude U.S. courts from exercising jurisdiction, it is not intended to excuse unlawful activity. It is the policy of the U.S. Department of State's Office of Foreign Missions (OFM) that illegal acts by Foreign Service personnel should always be pursued through proper channels. Additionally, the host country’s right to protect its citizens supersedes immunity privileges. Peace officers may intervene to the extent necessary to prevent the endangerment of public safety or the commission of a serious crime, regardless of immunity claims.

411.2 ARREST OR DETENTION OF FOREIGN NATIONALS

Deputies should take appropriate enforcement action for all violations observed, regardless of claims of diplomatic or consular immunity received from violators. A person shall not, however, be subjected to in-custody arrest when diplomatic or consular immunity is claimed by the individual or suspected by the deputy, and the deputy has verified or reasonably suspects that the claim of immunity is valid.

411.3 LEVELS OF IMMUNITY

The specific degree of immunity afforded to foreign service personnel within the U.S. is directly related to their function and position in this country.
Jackson County Sheriff's Office
LE Policies

Arrest or Detention of Foreign Nationals

411.3.1 DIPLOMATIC AGENTS
Diplomatic agents (e.g., ambassadors and United Nations representatives) are afforded the highest levels of immunity. They are exempt from arrest or detention and are immune from all criminal (and most civil) prosecution by the host state. The family members of diplomatic agents enjoy these same immunities.

411.3.2 CONSULAR OFFICERS
Consular officers are the ranking members of consular posts who perform various formal functions on behalf of their own governments. Typical titles include consul general, consul, and vice consul. These officials are immune from arrest or detention, except pursuant to a felony warrant. They are only immune from criminal and civil prosecution arising from official acts. Official acts immunity must be raised as an affirmative defense in the court jurisdiction, and its validity is determined by the court. Under this defense, the prohibited act itself must have been performed as an official function. It is not sufficient that the consular agent was on-duty or in an official capacity at the time of the violation. The family members of consular officers generally enjoy no immunity, however, any family member who enjoys a higher level of immunity is issued an identification card by Department of State (DOS) enumerating any privileges or immunities on the back of the card. Examples are consular officers and family members from Russia or China.

411.3.3 HONORARY CONSULS
Honorary consuls are part-time employees of the country they represent and are either permanent residents of the U.S. or U.S. nationals (unlike career consular officers, who are foreign nationals on temporary assignment to the U.S.). Honorary consuls may be arrested and detained; limited immunity for official acts may be available as a subsequent defense. Family members have no immunity.

411.4 IDENTIFICATION
All diplomatic and consular personnel who are entitled to immunity are registered with the Department of State and are issued distinctive identification cards by the Department of State Protocol Office. These cards are the best means of identifying Foreign Service personnel. They include a photograph, identifying information, and, on the reverse side, a brief description of the bearer's immunity status. Unfortunately, these identification cards are not always promptly issued by the Department of State. In addition to the Department of State identification card, Foreign Service personnel should also have a driver license issued by the Department of State Diplomatic Motor Vehicle Office (DMVO), which in most circumstances replaces the operator’s license issued by the state.

411.4.1 VEHICLE REGISTRATION
Vehicles that are owned by foreign missions or Foreign Service personnel and their dependents are registered with the Department of State OFM and display distinctive red, white, and blue license plates. Vehicles assigned to diplomatic or consular officers will generally have license plates labels with the words "diplomat" or "consul." Vehicles owned by honorary consuls are not issued OFM license plates; but may have Oregon license plates with an "honorary consul"
label. Driver's identity or immunity status should not be presumed from the type of license plates displayed on the vehicle. The status of an OFM license plate should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state, if the deputy has reason to question the legitimate possession of the license plate.

411.5   ENFORCEMENT PROCEDURES
The following procedures provide a guideline for handling enforcement of foreign nationals:

411.5.1   CITABLE OFFENSES
An enforcement document shall be issued at the scene for all violations warranting such action, regardless of the violator's immunity status. The issuance of a citation is not considered an arrest or detention under current Department of State guidelines. Whenever the equivalent of a notice to appear is issued to an immunity claimant, the following additional procedures shall be followed by the arresting deputy:

(a) Identification documents are to be requested of the claimant
(b) The title and country represented by the claimant are to be recorded on the back of the deputy's copy of the Notice to Appear for later reference. Do not include on the face of the notice to appear
(c) The violator shall be provided with the appropriate copy of the notice to appear

411.5.2   IN-CUSTODY ARRESTS
Diplomatic agents and consular officers are immune from arrest or detention (unless they have no identification and the detention is to verify their diplomatic status). Proper identification of immunity claimants is imperative in potential in-custody situations. Claimants who are not entitled to immunity shall be placed in custody in accordance with the provisions outlined in Policy Manual § 422.2 of this policy.

A subject who is placed under arrest and claims diplomatic or consular immunity shall not be physically restrained before verification of the claim (unless restraint is necessary for the protection of the deputy or others.)

A supervisor shall be promptly notified and should respond to the scene when possible.

Field verification of the claimant's identity is to be attempted as follows:

(a) Identification cards issued by the Department of State, Protocol Office, are the only valid evidence of diplomatic or consular immunity. The following types of identification cards are issued: Diplomatic (blue bordered), Consular (red bordered), and Official (green bordered), The Department of State identification cards are 3-3/4 inch by 1-1/2 inch and contain a photograph of the bearer.
(b) Initiate telephone verification with the Department of State. Newly arrived members of diplomatic or consular missions may not yet have official Department of State identity documents. Verify immunity by telephone with the Department of State any time an
individual claims immunity and cannot present satisfactory identification, the deputy has reason to doubt the claim of immunity, or there is a possibility of physical arrest. Law enforcement personnel should use the following numbers in order of preference:

<table>
<thead>
<tr>
<th>Office of Foreign Missions</th>
<th>Diplomatic Security Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Francisco, CA</td>
<td>915 Second Avenue, Room</td>
</tr>
<tr>
<td>(415) 744-2910, Ext.. 22 or 23</td>
<td>3410 Washington D.C.</td>
</tr>
<tr>
<td>(415) 744-2913 FAX</td>
<td>(206) 220-7721</td>
</tr>
<tr>
<td>(0800-1700 PST)</td>
<td>(206) 220-7723 FAX</td>
</tr>
<tr>
<td>Office of Foreign Missions</td>
<td>Department of State</td>
</tr>
<tr>
<td>Diplomatic Motor Vehicle Office</td>
<td>Diplomatic Security Service</td>
</tr>
<tr>
<td>Washington D.C.</td>
<td>Command Center</td>
</tr>
<tr>
<td>(202) 895-3521 (Driver License Verification) or (202) 895-3532 (Registration Verification)</td>
<td>(202) 647-7277 (202) 647-1512 (Available 24 hours)</td>
</tr>
<tr>
<td>(202) 895-3533 FAX</td>
<td>(202) 647-0122 FAX</td>
</tr>
<tr>
<td>(0815-1700 EST)</td>
<td></td>
</tr>
</tbody>
</table>

Members of diplomatic or consular missions also may have other forms of identification. These include identification cards issued by Office of Emergency Services, local law enforcement agencies, the foreign embassy, or consulate; driver licenses issued by Department of State; and, Department of State license indicia on the vehicle. All these items are only an indication that the bearer may have some form of immunity.

Subjects verified through the above procedures as being officials entitled to immunity (diplomatic agent, consular officers and consular staff and family members from countries with which the U.S. has special agreements) may not be arrested. The procedures below shall be followed. These procedures should also be used in the event immunity cannot be verified, but another form of identification indicates that immunity is probable.

If the release of the violator will not create an additional hazard, adequate information to properly identify the violator shall be obtained then the official shall be released. A supervisor's approval for the release shall be obtained whenever possible. The necessary release documents and/or a Certificate of Release form should only be issued under the proper conditions.

If the violator appears to have been driving while under the influence, field sobriety tests, including Preliminary Alcohol Screening (PAS) device tests and chemical tests should be offered and
obtained whenever possible, however, these tests cannot be compelled. The subject shall not be permitted to drive. A supervisor's approval for release shall be obtained whenever possible and alternative transportation should be arranged.

All facts of the incident shall be documented in accordance with this policy in a Driving Under the Influence (DUI) Arrest-Investigation Report, Arrest-Investigation Report and/or any other relevant Report form. Notwithstanding the field release of the subject, prosecution is still appropriate and should be pursued by the command concerned. The Department of State will take appropriate sanctions against errant foreign service personnel, even where prosecution is not undertaken by the agency.

411.6 TRAFFIC COLLISIONS
Persons involved in traffic collisions who possess a Department of State OFM Diplomatic Driver License, issued by the DMVO, shall have “D” coded in the license “class” box of the Traffic Collision Report. If subsequent prosecution of the claimant is anticipated, the claimant's title, country, and type of identification presented should be recorded for future reference. Issuance of a citation to, or arrest of, an immunity claimant at the accident scene should be handled in accordance with the procedures specified in Policy Manual § 422.2 of this chapter.

411.6.1 VEHICLES
Vehicles, which are owned by subjects with full immunity, may not be searched, stored, or impounded without the owner's permission. (Such permission may be assumed if the vehicle has been stolen.) These vehicles may, however, be towed the necessary distance to remove them from obstructing traffic or creating any other hazard.

411.6.2 REPORTS
A photocopy of each traffic collision report involving an identified diplomat and/or immunity claimant shall be forwarded to the office of the Sheriff within 48 hours whether or not the claim is verified. The words "Immunity Claim" shall be marked on the photocopy, together with a notation of the claimant's title, country, and type of identification presented (if applicable). In addition to the report, a follow-up cover memorandum should be submitted if the violation was flagrant, if the claimant was uncooperative, or if there were any other unusual aspects of the enforcement contact that should be reported to the Department of State for further action. The Patrol Sergeant/ Supervisor apprised of the incident/accident shall also send a copy of all documents and reports submitted by the investigating deputy along with any supervisor's notes, materials and/or logs to the Sheriff's office within 48 hours of the incident. The Sheriff's office will check to ensure that notification of Department of State and all necessary follow-up occur.

411.7 FOREIGN NATIONALS WHO DO NOT CLAIM IMMUNITY
Deputies may only arrest foreign nationals not claiming diplomatic or consular immunity under the following circumstances:

(a) There is a valid warrant issued for the person's arrest
Arrest or Detention of Foreign Nationals

(b) There is probable cause to believe that the foreign national has violated a federal criminal law, a state law, or a local ordinance

(c) Deputies shall not arrest foreign nationals solely for alleged undocumented entry into the United States.

Because undocumented presence is strictly a federal civil violation, it is only enforceable by federal officers therefore deputies of this department shall not arrest foreign nationals solely for undocumented presence. Deputies shall not stop or detain persons solely for determining immigration status.

411.7.1 ARREST PROCEDURE
Whenever a deputy physically arrests or detains an individual for criminal investigation and the deputy reasonably believes the person to be a foreign national, the deputy shall inquire to determine the person's citizenship.

This procedure applies to detentions of more than two hours. An inquiry is not required if the individual is detained less than two hours for criminal investigation.

If the individual indicates that he/she is other than a U.S. citizen, the deputy shall advise the individual that he/she has a right to have the nearest appropriate embassy or consulate notified of the arrest/detention (Vienna Convention on Consular Relations, Art. 36, (1969)).

If the individual requests such notification, the deputy shall contact Dispatch as soon as practical and request the appropriate embassy/consulate be notified. Deputies shall provide Dispatch with the following information concerning the individual:

- Country of citizenship
- Full name of individual, including paternal and maternal surname, if used
- Date of birth or age
- Current residence
- Time, date, place, location of incarceration/detention and the 24-hour telephone number of the place of detention if different from the Department itself

If the foreign national claims citizenship of one of the countries listed by the US Department of State as requiring mandatory consular notification, see 909.2.2, deputies shall provide Dispatch with the information above as soon as practical whether or not the individual desires the embassy/consulate to be notified. This procedure is critical because of treaty obligations with the particular countries. The list of mandatory notification countries and jurisdictions can be found on the US Department of State website.

411.7.2 DOCUMENTATION
Deputies shall document on the face page and in the narrative of the appropriate Arrest-Investigation Report the date and time Dispatch was notified of the foreign national's arrest/detention and his/her claimed nationality.
Rapid Response & Deployment (ACTIVE SHOOTER)

412.1 PURPOSE AND SCOPE
Violence in schools, workplaces and other locations by any individual or group of individuals presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding deputies as they make decisions in these rapidly unfolding and tense situations.

412.1.1 DEFINITIONS
Active Shooter
1. An "Active Shooter" is defined as one or more subjects who participate in a random or systematic shooting spree demonstrating an intent to continuously harm others. Their overriding objective appears to be mass murder rather than some other criminal conduct (i.e., robbery, hostage taking, etc.).

2. Consider the suspect(s) an "active shooter" if, after law enforcement arrives, the suspect is still actively shooting, has access to additional potential victims, injured victims require life saving medical attention or an immediate, active response would be required to save lives.

3. "Active Shooters" may be heavily armed (i.e., explosives, booby traps and body armor).

4. "Active Shooters" may have a planned attack and be prepared for a sustained confrontation with law enforcement.

Immediate, Active Response
1. An immediate, active response is defined as, "The swift and immediate deployment of law enforcement resources to ongoing, life threatening situations where delayed deployment could otherwise result in death or great bodily injury to innocent persons." This is not to be confused with, or substituted for, conventional response tactics to a barricaded or hostage situation.

412.2 POLICY
The policy of this department in dealing with the crisis situation shall be:

(a) To obtain and maintain complete operative control of the incident.

(b) To explore every reasonably available source of intelligence regarding the circumstances, location, and suspect(s) in the incident.

(c) To attempt, by every means available, to attain any tactical advantage over the responsible individual(s).

(d) To attempt, whenever feasible, a negotiated surrender of the suspect(s) and release of the hostages through the expertise of the members of this department and others.
(e) When an emergency situation exists, neutralize the threat as rapidly as reasonably possible to minimize injury and loss of life.

Nothing in this policy shall preclude the use of necessary force, deadly or otherwise, by members of this department in protecting themselves or others from death or serious injury.

412.2.1 AGENCY RESPONSE TO AN ACTIVE SHOOTER

INITIAL OFFICER

The "initial officer" is the first law enforcement officer on scene. The initial officer, taking into consideration the necessity for an immediate response to save lives, should enter immediately and move towards the suspect to neutralize them.

If time allows, the following information should be determined/broadcast by the Initial Officer:

1. Location and number of suspects.
2. Type(s) of weapons involved.
3. Type of location involved.
4. Safe approach routes.

When time allows, assemble a Contact Team to respond immediately to the "active shooter." Someone should be assigned as the Team Leader of the Contact Team, preferable a SWAT Team member or a senior officer. It may be necessary to assemble several Contact Teams. Form some type of perimeter to contain suspects. Assemble a Rescue Team when enough personnel become available.

Assign a deputy to secure a safe, secure location for those civilians who are evacuated and a casualty collection point. (NOTE: Suspects may attempt to pose as evacuated civilians).

412.2.2 CONTACT TEAM

The priority of the Contact Team or initial officer is to locate and stop the deadly behavior of the "active shooter." The Contact Team(s) or initial officer should attempt to limit the suspect(s)'s movement and prevent escape. Move directly toward the threat. The Contact Team(s) or initial officer must continue past victims. Maintain communications with dispatch to indicate direction of travel, victim locations, and suspect(s) location.

The Contact Team should be made up of the following members:

1. Team Leader: Officer assigned to delegate team member responsibilities, formulates and implements plans.
2. Assistant Team Leader: Officer who communicates with dispatch. May be assigned the responsibility covering the team "six," that direction through which the team has already moved.
3. Breacher Officer: Officer who carries breaching tools.
Rapid Response & Deployment (ACTIVE SHOOTER)

4. Cover Officer: Officer who is responsible for covering the Breacher Officer. Provides cover during entry and egress if necessary.

Movement is made in a direction, in conjunction with other Contact Teams to "shrink the perimeter" and locate the suspect(s).

412.2.3 RESCUE TEAM
The objective of the Rescue Team is to recover victims. If multiple victims are present, the Rescue Team should ask the Command Post to increase the number of Rescue Teams.

The Rescue Team may be made up with the same number of personnel as the Contact Team dependent on the situation. Ideally it should also have a Team Leader and Assistant Team Leader.

The Rescue Team should enter and/or approach the location to locate victims.

The Rescue Team should extract victims to a casualty collection point, and notify the dispatch of that location.

412.3 PROCEDURE
If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding deputies should consider reasonable options to immediately eliminate the threat. Deputies must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect or take other actions to deal with the threat.

When deciding on a course of action deputies should consider the following:

(a) Whether individuals who are under imminent threat can be moved out of danger with reasonable safety.

(b) Whether the deputies have the ability to effectively communicate with others in the field.

(c) Whether planned tactics can be effectively deployed.

(d) The availability of rifles, shields, control devices and any other appropriate tools, and whether the deployment of these tools will provide tactical advantage.

(e) In a case of a barricaded suspect with no hostages and no immediate threat to others, deputies should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

(f) If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, the deputy should take immediate action, if reasonably possible, to stop the threat presented by the suspect while calling for additional assistance.

Deputies who are on duty but their distance from the event, when reported, would prevent them from providing a resource to eliminate the initial threat should consider if it is feasible to set up logistics to insure emergency personnel can get to the scene and that in coming parents, media, and other non-emergency personnel. The deputies should refer to their Active Shooter Response documents for reference.
Rapid Response & Deployment (ACTIVE SHOOTER)

412.3.1 DECISION TO ADVANCE ON SUSPECT
The decision to advance on the suspect(s) is a decision that the on scene first responders must make. The multitude of variables in such a circumstance requires a rapid assessment of the situation, a decision as to the best tactics to implement and the timely action necessary to resolve the incident. The following are some examples:

(a) Barricaded suspect: wait for additional assistance probable SWAT response unless timely resolved.

(b) Barricaded suspect with hostages and no harm done to the hostages: wait for additional assistance or SWAT response.

(c) Suspect actively shooting hostages or others in the area: take immediate action, if possible, to neutralize the threat presented by the suspect while calling for assistance.
Immigration Violations

414.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Jackson County Sheriff's Office for investigating and enforcing immigration laws.

414.2 POLICY
It is the policy of the Jackson County Sheriff's Office that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this office in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

414.3 VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or Oregon Constitutions.

414.4 ENFORCEMENT
The U.S. Immigration and Customs Enforcement (ICE) has primary jurisdiction for enforcement of the provisions of Title 8 of the United States Code dealing with illegal entry. This office does not participate in routine immigration investigation and enforcement activities. However, a deputy may arrest any person who is the subject of an arrest warrant issued by a federal magistrate for a criminal violation of federal immigration laws (ORS 181A.820).

414.4.1 BASIS FOR CONTACT
Unless immigration status is relevant to another criminal offense or investigation (e.g., harboring, smuggling, terrorism), the fact that an individual is suspected of an immigration violation shall not be the sole basis for contact, detention or arrest (ORS 181A.820).

414.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT
Generally, a deputy will not need to notify ICE when booking arrestees at the county jail. Immigration officials routinely interview suspected undocumented aliens who are booked into the county jail on criminal charges. Notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.
Immigration Violations

414.6 ICE REQUEST FOR ASSISTANCE
Requests by ICE, or any other federal agency, for assistance from this office should be directed to a supervisor. The Office may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies.

414.7 INFORMATION SHARING
No member of this office will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

(a) Sending information to, or requesting or receiving such information from ICE
(b) Maintaining such information in office records
(c) Exchanging such information with any other federal, state or local government entity

414.7.1 IMMIGRATION HOLDS
No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

414.7.2 NON-DISCLOSURE OF CERTAIN INFORMATION
Except as required by state or federal law, members should not disclose for the purpose of enforcement of federal immigration laws the following information about a person or his/her known relatives or associates, whether current or otherwise (2017 Oregon Laws, c. 724 § 1):

(a) The person’s address
(b) The person’s workplace or hours of work
(c) The person’s school or school hours
(d) The person’s contact information, including telephone number, email address or social media account information
(e) The identity of known associates or relatives of the person
(f) The date, time or location of a person’s hearings, proceedings or appointments with the Office that are not matters of public record

414.8 U VISA AND T VISA NON-IMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). A law enforcement certification for a U visa may be completed by a deputy in order for a U visa to be issued.

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). A law enforcement declaration for a T visa may be completed by a deputy in order for a T visa to be issued.
Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Criminal Investigations Division supervisor assigned to oversee the handling of any related case. The Criminal Investigations Division supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.
Patrol Rifles

415.1 PURPOSE AND SCOPE
In order to more effectively and accurately address the increasing level of fire power and body armor utilized by criminal suspects, the Jackson County Sheriff's Office will make patrol rifles available to qualified patrol deputies as an additional and more immediate tactical resource.

415.2 PATROL RIFLE

415.2.1 DEFINITION
A patrol rifle is an authorized weapon which is owned by the Department and which is made available to properly trained and qualified deputies as a supplemental resource to their duty handgun or shotgun. No personally owned rifles may be carried for patrol duty unless pre-approved in writing by the Sheriff and the department armorer.

415.3 SPECIFICATIONS
Only weapons and ammunition that meet agency authorized specifications, approved by the Sheriff, and issued by the Department may be used by deputies in their law enforcement responsibilities. The authorized patrol rifles issued by the Department are the AR 15 (.223 and 6.8 caliber) and AR 10 (.308) variants approved by the Sheriff (currently Noveske, Colt and Rock River Arms)

415.3.1 RIFLE AMMUNITION
The only ammunition authorized for the patrol rifle is that which has been issued by the Department. This will consist of a quality factory load in .223, 6.68 or 308 calibers.

415.4 RIFLE MAINTENANCE

(a) Primary responsibility for maintenance of issued patrol rifles shall fall on the assigned Deputy, who shall inspect and service their patrol rifle on a biannual basis.

(b) Each patrol deputy carrying a patrol rifle may be required to field strip and clean an assigned patrol rifle as needed.

(c) Each patrol deputy shall be responsible for promptly reporting any damage or malfunction of an assigned patrol rifle.

(d) Any patrol rifle found to be unserviceable shall be removed from service. The rifle shall be clearly labeled as "out of service" and details regarding the weapon's condition shall be included on the label.

(e) Each patrol rifle shall be subject to inspection by a supervisor or the Rangemaster at any time.

(f) No modification shall be made to any patrol rifle without prior written authorization from the Rangemaster.
415.5 TRAINING
Deputies shall not carry or utilize the patrol rifle unless they have successfully completed departmental training. This training shall consist of an initial 32-hour patrol rifle user's course and qualification score with a certified patrol rifle instructor. Deputies shall thereafter be required to successfully complete semi-annual training and qualification conducted by a certified patrol rifle instructor.

Any deputy who fails to qualify or who fails to successfully complete two or more department sanctioned training/qualification sessions within a calendar year will no longer be authorized to carry the patrol rifle without successfully retaking the initial patrol deputy user's course and qualification.

415.6 DEPLOYMENT OF THE PATROL RIFLE
Deputies may deploy the patrol rifle in any circumstance where the deputy can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

(a) Situations where the deputy reasonably anticipates an armed encounter.
(b) When a deputy is faced with a situation that may require the delivery of accurate and effective fire at long range.
(c) Situations where a deputy reasonably expects the need to meet or exceed a suspect's firepower.
(d) When a deputy reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage.
(e) When a deputy reasonably believes that a suspect may be wearing body armor.
(f) When authorized or requested by a supervisor.
(g) When needed to euthanize an animal.

415.7 DISCHARGE OF THE PATROL RIFLE
The discharge of the patrol rifle shall be governed by the Department's Deadly Force Policy, Policy Manual § 300.

415.8 PATROL READY
Any qualified deputy carrying a patrol rifle in the field shall maintain the weapon in a patrol ready condition until deployed. A rifle is considered in a patrol ready condition when it has been inspected by the assigned deputy, the fire selector switch is in the safe position, the chamber is empty and a fully loaded magazine is inserted into the magazine well.
415.9 RIFLE STORAGE

(a) When not in use, patrol rifles will be stored in the department armory in rifle racks or secured in the vehicle in a locked gun rack or locked in the trunk.

(b) When not deployed, in-service patrol rifles should be secured in the vehicle in a locked gun rack or locked in the trunk.
Aircraft Accidents

416.1 PURPOSE AND SCOPE
The purpose of this policy is to provide office members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Operations Plan and Hazardous Material Response policies.

416.1.1 DEFINITIONS
Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

416.2 POLICY
It is the policy of the Jackson County Sheriff's Office to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

416.3 ARRIVAL AT SCENE
Deputies or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.
(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
(c) Preserve ground scars and marks made by the aircraft.
(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
(e) Maintain a record of persons who enter the accident site.
(f) Consider implementation of an Incident Command System (ICS).

416.4 INJURIES AND CASUALTIES
Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.
416.5 NOTIFICATIONS
When an aircraft accident is reported to this office, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department
(b) Appropriate airport tower
(c) Emergency medical services (EMS)

416.6 CONTROLLING ACCESS AND SCENE AUTHORITY
Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.
(b) Fire department, EMS or other assisting law enforcement agencies.
(c) Medical Examiner.
(d) Air Carrier/Operators investigative teams with NTSB approval.
(e) Appropriate branch of the military, when applicable.
(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this office will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene office supervisor should ensure the accident is still appropriately investigated and documented.

416.7 DANGEROUS MATERIALS
Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
(b) Pressure vessels, compressed gas bottles, accumulators and tires.
Aircraft Accidents

(c) Fluids, batteries, flares and igniters.
(d) Evacuation chutes, ballistic parachute systems and composite materials.

416.8 DOCUMENTATION
All aircraft accidents occurring within the County of Jackson shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of JCSO members deployed to assist; other County resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

416.8.1 WRECKAGE
When reasonably safe, members should:
(a) Obtain the aircraft registration number (N number) and note the type of aircraft.
(b) Attempt to ascertain the number of casualties.
(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
   1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
(e) Acquire copies of any recordings from security cameras that may have captured the incident.

416.8.2 WITNESSES
Members tasked with contacting witnesses should obtain:
(a) The location of the witness at the time of his/her observation relative to the accident site.
(b) A detailed description of what was observed or heard.
(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
(d) The names of all persons reporting the accident, even if not yet interviewed.
(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

416.9 MEDIA RELATIONS
The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should
Aircraft Accidents

be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims’ names. The PIO should coordinate with other involved entities before the release of information.
Detentions and Photographing Detainees

417.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for conducting field interviews (FI) and pat-down searches and the taking and retention of photographs of persons detained in the field but not arrested. Due to a variety of situations confronting the deputy, the decision to FI or photograph a field detainee shall be left to the discretion of the involved deputy based on the totality of the circumstances available to them at the time of the detention.

417.2 DEFINITIONS
Detention - Occurs when a deputy intentionally, through words, actions or physical force causes an individual to reasonably believe he/she is being required to restrict his/her movement. Detentions also occur when a deputy actually restrains a person’s freedom of movement.

Consensual Encounter - Occurs when a deputy contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the deputy is voluntary.

Field Interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual’s identity and resolving the deputy’s suspicions.

Field Photographs - Field photographs are defined as posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system when persons are not posed for the purpose of photographing are not considered field photographs.

Frisk or Pat-Down Search - This is the normal type of search used by deputies in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the detainee or others (ORS 131.625).

Reasonable Suspicion - Occurs when, under the totality of the circumstances, a deputy has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Stop - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion that the person has committed, or is about to commit a crime (ORS 131.615).

417.3 FIELD INTERVIEWS
Deputies may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the deputy should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:
Detentions and Photographing Detainees

(a) The appearance or demeanor of an individual suggests that he/she is part of a criminal enterprise or is engaged in a criminal act.

(b) The actions of the suspect suggest that he/she is engaged in a criminal activity.

(c) The hour of day or night is inappropriate for the suspect's presence in the area.

(d) The suspect's presence in the particular area is suspicious.

(e) The suspect is carrying a suspicious object.

(f) The suspect's clothing bulges in a manner that suggests he/she is carrying a weapon.

(g) The suspect is located in proximate time and place to an alleged crime.

(h) The deputy has knowledge of the suspect's prior criminal record or involvement in criminal activity.

417.3.1 INITIATING A FIELD INTERVIEW
A deputy may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person, however, should not be detained longer than is reasonably necessary to resolve the deputy’s suspicions.

Nothing in this policy is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals are encouraged by the Jackson County Sheriff’s Office to strengthen our community involvement, community awareness and problem identification.

417.3.2 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an incident may be lost or the integrity of their statements compromised with the passage of time, deputies should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigators to utilize available personnel for the following:

(a) Identify all persons present at the scene and in the immediate area.

   1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

   2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, deputies should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department personnel.
Detentions and Photographing Detainees

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a department vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

417.4 FRISK OR PAT-DOWN SEARCHES
A frisk or pat-down search of a detained subject may be conducted whenever a deputy reasonably believes that the person may possess a dangerous or deadly weapon and presents a danger to the deputy or other persons present (Oregon Revised Statutes 131.625). Circumstances that may establish justification for performing a pat-down search include, but are not limited to the following:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
(b) Prior knowledge of the suspect’s use of force and/or propensity to carry deadly weapons.
(c) The appearance and demeanor of the suspect.
(d) Visual indications which suggest that the suspect is carrying a firearm or other weapon.
(e) Statements made by the suspect, witnesses or other persons.

417.5 FIELD PHOTOGRAPHS
Before photographing any field detainee, the deputy shall carefully consider, among other things, the factors listed below.

417.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT
Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent. When taking a consensual photograph, the deputy should have the individual read and sign the appropriate form accompanying the photograph.

417.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if they are taken during a detention that is based on reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. Mere knowledge or suspicion of gang membership or affiliation is not a sufficient justification for taking a photograph without consent. The deputy must be able to articulate facts that reasonably indicate that the subject was involved in, or was about to become involved in, criminal conduct.

If, prior to taking a photograph, the deputy’s reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.
Detentions and Photographing Detainees

417.6 SUPERVISOR RESPONSIBILITY
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph. Access to field photographs shall be strictly limited to law enforcement purposes.

417.7 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be adequately labeled and submitted to the Patrol Sergeant with either an associated FI card or other memorandum explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Patrol Sergeant shall review it and forward the photograph to one of the following locations:

(a) If the photo and associated FI or memorandum is relevant to criminal street gang enforcement, the Patrol Sergeant will forward the photo and documents to the Gang Unit Supervisor. The Gang Unit Supervisor will ensure the photograph and supporting documents are retained as prescribed by the Criminal Street Gangs Policy.

(b) Photographs that do not qualify for Criminal Street Gang file retention or which are not evidence in an investigation with an assigned case number should be forwarded to the Records Division. These photographs will be purged as described in this policy.

When a photograph is taken in association with a particular case, the detective may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs will be kept in the Records Division in a separate non-booking photograph file in alphabetical order.

417.7.1 PURGING THE FIELD PHOTO FILE
The Records Supervisor will be responsible for ensuring that photographs retained by the Records Division that are more than one year old and no longer serve a law enforcement purpose are periodically purged and destroyed. Photographs that continue to serve a legitimate law enforcement purpose may be retained longer than one year provided that a notation of that fact is added to the file for each additional year that they are retained. Access to the FI photo file shall be strictly limited to law enforcement purposes.

A photograph need not be purged but may be retained as an updated photograph in a prior booking file if the person depicted in the photograph has been booked at the Jackson County Sheriff’s Office and the booking file remains in the Records Division.

417.8 PHOTO REVIEW POLICY
Any person who has been the subject of a field photograph or an FI by this agency during any contact other than an arrest may file a written request within 30 days of the contact requesting a review of the status of the photograph/FI. The request shall be directed to the office of the Sheriff
Detentions and Photographing Detainees

who will ensure that the status of the photograph or FI is properly reviewed according to this policy. Upon a verbal request, the Department will send a request form to the requesting party along with a copy of this policy.

417.8.1 REVIEW PROCESS
Upon receipt of such a written request, the Sheriff or his or her designee will permit the individual to appear in person (any minor must be accompanied by their parent or legal guardian) for a review of the status of the photograph/FI.

Such a meeting will generally be scheduled during regular business hours within 30 days of the receipt of the written request. An extension of the 30-day limit may be made either upon the mutual convenience of the parties or if, at the discretion of the Sheriff, there appears to be an ongoing legitimate law enforcement interest which warrants a delay. If the delay could jeopardize an ongoing investigation, nothing in this policy shall require the Sheriff to disclose the reason(s) for the delay.

A meeting for the review of the status of any non-arrest photograph/FI is not intended to be a formal hearing, but simply an informal opportunity for the individual to meet with the Sheriff or his/her to discuss the matter.

After carefully considering the information available, the Sheriff or his/her designee will determine, generally within 30 days of the original meeting, whether the photograph/FI was obtained in accordance with existing law and Jackson County Sheriff’s Office policy and, even if properly obtained, then whether there is any ongoing legitimate law enforcement interest in retaining the photograph/FI.

If the Sheriff or his/her designee determines that the photograph/FI was obtained in accordance with existing law and department policy and that there is an ongoing legitimate law enforcement interest in retaining the non-arrest photograph, the photograph/FI shall be retained according to this policy and applicable law.

If the Sheriff or his/her designee determines that the original legitimate law enforcement interest in retaining a non-arrest photograph no longer exists or that it was obtained in violation of existing law or policy, the original photograph will be destroyed or returned to the person photographed, if requested. All other associated reports or documents, however, will be retained according to department policy and applicable law.

If the Sheriff or his/her designee determines that the original legitimate law enforcement interest in retaining a non-arrest FI no longer exists or that the original FI was not obtained in accordance with established law or department policy, the original FI may only be destroyed upon the execution of a full and complete waiver of liability by the individual (and guardian if a minor) arising out of that field contact.

If the Sheriff or his/her designee determines that any involved Jackson County Sheriff's Office personnel violated existing law or department policy, the Sheriff or designee shall initiate
Detentions and Photographing Detainees

a separate internal investigation which may result in additional training, discipline or other appropriate action for the involved employees.

Within 30 days of the Sheriff’s determination the person photographed/FI'd will be notified in writing whether or not the photograph/FI will be retained. This does not entitle any person to any discovery or access to any law enforcement records not otherwise authorized by law.
Criminal Street Gangs

418.1 PURPOSE AND SCOPE
The Jackson County Sheriff’s Office must ensure that organized criminal activity does not victimize our citizens or diminish the quality of life in our communities.

This policy establishes procedures to be used to identify criminal street gangs and gang members or associates, and to properly document gang related contacts and investigate gang related incidents.

418.1.1 POLICY
It is the express policy of the Department to actively seek out, aggressively investigate, and prosecute criminal activities that involve street gangs.

418.2 DEFINITIONS

418.2.1 CRIMINAL GANG
An ongoing organization, association, or group of three or more persons, whether formal or informal, who engage in criminal activity and who identify themselves with a color, number or other symbol.

In addition to the above definition, the members of the gang must meet one of the following sets of criteria:

(a) The members conspire to commit, or have committed, crimes meeting at least one of the following:

1. As part of a pattern of street crimes which advance the suspected criminal gang’s interest.
2. To attract attention to the suspected criminal gang or enhance its standing.
3. To benefit the suspected criminal gang.
4. To announce the existence of the suspected criminal gang, its members, or its territorial claim.
5. In response to the race, religion, sexual orientation, national origin, or gang association of the victim.

(b) The members of the suspected criminal gang meet at least three of the following criteria:

1. Admit or assert to the police that they are affiliated with a criminal gang.
2. Participate in a gang initiation ritual or ceremony.
3. Have been identified as participating in a criminal gang by an out of state law enforcement agency.
4. Have announced to the police that they are willing to commit assaults, crimes, or make other sacrifices for the suspected criminal gang.

5. Have criminal gang tattoos.

6. Wear clothing or jewelry unique to the suspected criminal gang or use a hand sign or language that, due to context, clearly indicates association as a criminal gang.

418.2.2 GANG MEMBER OR ASSOCIATE

A gang member or associate is an individual who qualifies in one of the following four categories:

(a) A person can be designated as a gang member if there is reasonable suspicion that the subject has conspired to commit, or has committed, a crime in accordance with any one of the following:

1. As a part of a pattern of street crimes facilitated by the efforts of other gang affiliates which advance their interest.

2. To attract the attention of, or enhance his/her standing with, the criminal gang.

3. To benefit the criminal gang.

4. To announce the existence of the suspected criminal gang, its membership or its territorial claim.

5. In response to the race, color, religion, sexual orientation, national origin or gang association of the victim.

(b) Designation as a gang member requires two of the following criteria:

1. Subject has admitted or asserted to the police that he/she is affiliated with a criminal gang.

2. Subject has participated in a criminal gang initiation ritual or ceremony.

3. Subject has been identified as a gang member by an out of state law enforcement agency.

4. Subject has displayed knowledge of the gang's history, leadership, activities, or rituals in a context that clearly indicates affiliation with the criminal gang.

5. Subject has announced to the police that he/she is willing to commit crimes or make other sacrifices for the criminal gang.

6. Subject has a criminal gang tattoo.

7. Subject repeatedly (twice or more) associates with known gang affiliates.

8. Subject wears clothes or jewelry unique to a gang or uses a hand sign or language that due to content or context clearly indicates affiliation with a criminal gang.
Criminal Street Gangs

(c) Designation as a gang associate requires one of the following:

1. Subject's name appears on a gang activity report or other gang-related police report.
2. Subject is in a photograph with other people who collectively display criminal gang signs or apparel to exhibit solidarity.

(d) A gang associate may be so designated if, based on the training and experience of the officer, there is documented reasonable suspicion to believe the suspect is involved in a criminal gang.

(e) Combined with any other element from the above categories, documented reasonable suspicion based on the training and experience of the officer can be used to designate a subject as a gang member.

418.2.3 GANG INFORMATION OFFICER
Person(s) responsible for gathering and compiling gang information for its submission to the Oregon Department of Justice (DOJ) criminal gang database using the Oregon Criminal Justice Intelligence Network (OCIN).

418.3 REPORTING CRITERIA
Deputies should complete a report, as indicated below, for any of the following:

(a) Any contact with a previously documented gang member or associate based on an Oregon DOJ hit as a gang affiliate.
(b) Any contact with a person who appears to meet the criteria above for documentation as a gang member or associate.
(c) Any criminal activity associated with persons either previously documented, or meeting the criteria for documentation, as a criminal gang member.
(d) Any incident of gang-related activities:
   1. Graffiti
   2. Fights
   3. Thefts, robberies, drug distribution, extortion
(e) Contact with any vehicles believed to be related to gang activity or gang members or associates.

418.3.1 SPECIFIC INFORMATION TO GATHER

(a) Information required to determine eligibility for documentation as indicated in the definitions section, above.
(b) Photograph all graffiti and attempt a rough sketch of graffiti on the report.
(c) Attempt to photograph new gang related persons contacted, including tattoos if possible.

418.3.2 CONTACT OR INCIDENT REPORTING

(a) For reportable incidents and crimes use normal department procedures utilizing Incident, Custody or other appropriate department forms.

(b) Person contact (no crime/incident): FI card, Information Report or DOJ gang-related Submission Form.

(c) Non criminal gang information: FI card, Information Report or DOJ gang-related Submission Form.

(d) Crime or Information Reports will be processed through normal procedures and copies of reports will be forwarded to the Gang Information Deputy. DOJ Gang Submission Forms may also be completed and forwarded to the Gang Information Deputy.

418.4 DOCUMENTATION PROCEDURE

Gang affiliates who fit the Oregon DOJ criteria will be documented in the Law Enforcement Data System (LEDS) for officer safety purposes.

(a) When deputies have contact with any person who fits DOJ criteria, the Gang Information Deputy will submit Gang Submission Forms to DOJ for the purpose of documentation in LEDS.

(b) Oregon Revised Statute 181.575 prohibits the retention of information except when that information directly relates to a criminal investigation and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct. Information that is not directly associated with the investigation of a crime will not be retained in the Gang Information Deputy’s files. Investigative reports may be stored in the normal department records system if the information otherwise meets normal department reporting and records retention criteria.

418.5 GANG INCIDENT INVESTIGATION

The Department will assign investigations in the most effective manner; utilizing the Gang Information Deputy(s) where needed to quickly and efficiently investigate gang incidents. Deputies who are investigating criminal activity and who have need of information regarding gang activity from the DOJ OCIN files should request the assistance of the Gang Information Deputy in retrieving the required information.

418.5.1 SHARING OF INFORMATION

Deputies who develop or learn information about documented criminal gangs or gang associates related to potential criminal activity should share the information with other deputies.
418.6 CRIMINAL GANG INTELLIGENCE DATABASES
While this policy does not establish a criminal gang intelligence database or permanent file, as described in OAR 137-090-0080, the Sheriff may approve one or more criminal gang intelligence databases, such as a statewide repository, for use by members of the gang unit. Any such database should be compliant with 28 CFR 23.20 and OAR 137-090-0000 et seq., regulating criminal intelligence systems. Employees must obtain the requisite training before accessing any such database.

It is the gang unit supervisor's responsibility to determine whether a report or Field Interview (FI) contains information that would qualify for entry into a department approved criminal gang intelligence database. The gang unit supervisor should forward any such reports or FIs to the Records Bureau after appropriate database entries are made. The submitting gang unit supervisor should clearly mark the report/FI as gang intelligence information.

It is the responsibility of the Records Bureau supervisor to retain reports and FIs in compliance with the procedures of the department-approved criminal gang intelligence database (28 CFR 23.20 and OAR 137-090-0000 et seq.). The Records Bureau supervisor may not purge these reports or FIs without the approval of the gang unit supervisor.

Validation and purging of the criminal gang intelligence database is the responsibility of the gang unit supervisor.

418.6.1 CRIMINAL STREET GANG TEMPORARY FILE
The gang unit supervisor may maintain a temporary file of reports and FIs that is separate from any criminal gang intelligence database when an individual or group has been identified as a suspected street gang participant or a suspected street gang but does not meet the criteria necessary for entry into a criminal gang intelligence database.

Inclusion in a temporary file may be done only if there is a reasonable likelihood that, within one year of the contact, the individual or group will meet the criteria for entry into a department-approved criminal gang intelligence database. Reports and FIs will only be included in a temporary gang file with the written authorization of the gang unit supervisor. A temporary file of street gang participants shall include the following:

- Names, aliases, monikers, addresses and other relevant identifying information
- Gang name
- Justification used to identify an individual as a criminal street gang participant
- Vehicles known to be used
- Cross references to other identified gangs or gang members

Individuals, groups, and organizations may be given temporary file status only in the following situations:

(a) The subject is unidentifiable because there are no physical descriptors, identification numbers or distinguishing characteristics available; and
(b) The subject's involvement in criminal or gang activities is questionable; and
(c) The subject has a history of criminal or gang conduct, and the circumstances afford him/her an opportunity to again become active; and/or
(d) The reliability of the information source and/or the validity of the information content cannot be determined at the time of receipt; and
(e) The information appears to be significant and merits temporary storage.

418.6.2 REVIEW AND PURGING OF TEMPORARY CRIMINAL GANG PARTICIPANT FILE
Temporary files shall not be retained longer than one year. At the end of one year, temporary files must be purged if the information does not qualify for entry into a department-approved criminal gang intelligence database.

The gang unit supervisor shall periodically review temporary files to verify that the information was properly obtained and meets the criteria for retention. Validation and purging of temporary criminal gang files is the responsibility of the gang unit supervisor. Retention and purging shall correspond to the department's established records retention guidelines.

The gang unit supervisor should otherwise ensure that temporary criminal gang participant files and “working files” are maintained under the model of OAR 137-090-0080.

418.7 FIELD CONTACTS
Deputies who contact individuals who are or may be participants in criminal street gang activity should complete an FI card and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant (e.g., subject states he/she is a member of XYZ gang, has XYZ tattoo on right hand near thumb, is wearing a ball cap with the gang name printed in blue or red ink).

Photographing known or suspected criminal street gang participants shall be done in accordance with the provisions of the Detentions, Contacts and Photographing Detainees Policy.

418.8 INQUIRY BY PARENT OR GUARDIAN
When an inquiry is made by a parent or guardian as to whether a juvenile's name is in the temporary criminal street gang participant's file, such information shall be provided by the unit supervisor unless there is good cause to believe that the release of such information may jeopardize an ongoing criminal investigation.

Employees must observe strict compliance with the rules of a department-approved gang intelligence database regarding release of information from that database.

418.9 DISSEMINATIONS OF THE FILE INFORMATION
Information from the temporary criminal street gang participant files may only be furnished to department personnel and other public law enforcement agencies on a need-to-know basis. This means information that may be of use in the prevention of gang-related criminal activity or
Criminal Street Gangs

Information concerning the investigation of gang-related crimes shall only be released to members of this department and other law enforcement agencies.

Information from any department-approved gang intelligence file must only be released in compliance with the rules for that particular database.
Patrol Sergeants

419.1 PURPOSE AND SCOPE
Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

419.2 DESIGNATION AS OFFICER IN CHARGE
When a Sergeant is unavailable for duty as Patrol Sergeant, in most instances the senior qualified deputy shall be designated as Officer in Charge (OIC). This policy does not preclude designating deputies with less seniority as OIC when operational needs require or training permits.
Mobile Audio Video

420.1 PURPOSE AND SCOPE
The Jackson County Sheriff's Office has equipped marked patrol cars with Mobile Audio Video (MAV) recording systems to provide records of events and assist deputies in the performance of their duties. This policy provides guidance on the use of these systems.

420.1.1 DEFINITIONS
Definitions related to this policy include:

**Activate** - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

**In-car camera system and Mobile Audio Video (MAV) system** - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

**MAV technician** - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

**Recorded media** - Audio-video signals recorded or digitally stored on a storage device or portable media.

420.2 POLICY
It is the policy of the Jackson County Sheriff's Office to use mobile audio and video technology to more effectively fulfill the department’s mission and to ensure these systems are used securely and efficiently.

420.3 OFFICER_DEPUTY RESPONSIBILITIES
Prior to going into service, each deputy will properly equip him/herself to record audio and video in the field. At the end of the shift, each deputy will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each deputy should have adequate recording media for the entire duty assignment. In the event a deputy works at a remote location and reports in only periodically, additional recording media may be issued. Only Jackson County Sheriff's Office identified and labeled media with tracking numbers is to be used.

At the start of each shift, deputies should test the MAV system’s operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the deputy recording his/her name, serial number, badge or PIN number and the current date and time at the start and again at the end of each shift. If the system is malfunctioning, the deputy shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.
420.4 ACTIVATION OF THE MAV
The MAV system is designed to turn on whenever the unit’s emergency lights are activated. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the deputy whenever appropriate. When audio is being recorded, the video will also record. Whenever the audio portion is activated, deputies should, whenever possible, advise all persons present that they are being recorded in accordance with ORS 165.540(5)(c).

420.4.1 REQUIRED ACTIVATION OF MAV
This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. A deputy may activate the system any time the deputy believes it would be appropriate or valuable to document an incident. In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

(a) All field contacts involving actual or potential criminal conduct within video or audio range:
   1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
   2. Priority responses
   3. Vehicle pursuits
   4. Suspicious vehicles
   5. Arrests
   6. Vehicle searches
   7. Physical or verbal confrontations or use of force
   8. Pedestrian checks
   9. DWI/DUI investigations including field sobriety tests
   10. Consensual encounters
   11. Crimes in progress
   12. Responding to an in-progress call

(b) All self-initiated activity in which a deputy would normally notify Dispatch.

(c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
   1. Domestic violence calls
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2. Disturbance of peace calls
3. Offenses involving violence or weapons
(d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
(e) Any other circumstance where the deputy believes that a recording of an incident would be appropriate

420.4.2 CESSION OF RECORDING
Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if a deputy is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

420.4.3 WHEN ACTIVATION IS NOT REQUIRED
Activation of the MAV system is not required when exchanging information with other deputies or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Sheriff or the authorized designee for the purpose of conducting a criminal or administrative investigation.

420.5 REVIEW OF MAV RECORDINGS
All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:
(a) For use when preparing reports or statements
(b) By a supervisor investigating a specific act of conduct
(c) By a supervisor to assess performance
(d) To assess proper functioning of MAV systems
(e) By a department investigator after approval of a supervisor who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
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(f) By department personnel who request to review recordings

(g) By who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment

(h) By court personnel through proper process or with permission of the or the authorized designee

(i) By the media through proper process or with permission of the or the authorized designee

(j) To assess possible training value

(k) Recordings may be shown for training purposes. If an involved objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the deputy's objection

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Patrol Sergeant. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

420.6 DOCUMENTING MAV USE
If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the deputy's report. If a citation is issued, the deputy shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

420.7 RECORDING MEDIA STORAGE AND INTEGRITY
Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of 180 days and disposed of in compliance with the established records retention schedule.

420.7.1 COPIES OF ORIGINAL RECORDING MEDIA
Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Sheriff or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

420.7.2 MAV RECORDINGS AS EVIDENCE
Deputies who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the deputy or against the Jackson County Sheriff's
Office should indicate this in an appropriate report. Deputies should ensure relevant recordings are preserved.

420.8  SYSTEM OPERATIONAL STANDARDS

(a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer’s recommendations.

(b) The MAV system should be configured to minimally record for 30 seconds prior to an event.

(c) The MAV system may not be configured to record audio data occurring prior to activation.

(d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating deputy’s transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.

(e) Deputies using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.

(f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.

(g) Deputies shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.

(h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

420.9  MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

(a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.

(b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:

1. Ensures it is stored in a secure location with authorized controlled access.

2. Makes the appropriate entries in the chain of custody log.

(c) Erasing of media:

1. Pursuant to a court order.
2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.

(d) Assigning all media an identification number prior to issuance to the field:

1. Maintaining a record of issued media.

(e) Ensuring that an adequate supply of recording media is available.

(f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

420.10 TRAINING
All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.
Mobile Digital Computer Use

421.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Dispatch.

421.2 POLICY
Jackson County Sheriff's Office members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

421.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

421.4 RESTRICTED ACCESS AND USE
MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Patrol Sergeants.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member’s name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

Any agency using a terminal to access the Law Enforcement Data System (LEDS), whether directly or through another agency, is responsible for adhering to all applicable LEDS rules and policies and must ensure that unauthorized persons are not given access or allowed to view LEDS information.
Mobile Digital Computer Use

421.4.1 USE WHILE DRIVING
Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

421.5 DOCUMENTATION OF ACTIVITY
Except as otherwise directed by the Patrol Sergeant or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the sheriff's radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

(a) All contacts or activity shall be documented at the time of the contact.

(b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.

(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

421.5.1 STATUS CHANGES
All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the sheriff's radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

421.5.2 EMERGENCY ACTIVATION
If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available deputy should respond in accordance with the Deputy Response to Calls Policy.

Members should ensure a field supervisor and the Patrol Sergeant are notified of the incident without delay.

Deputies not responding to the emergency shall refrain from transmitting on the sheriff's radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

421.6 EQUIPMENT CONSIDERATIONS

421.6.1 MALFUNCTIONING MDC
Whenever possible, patrol deputies will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify Dispatch. It shall
Mobile Digital Computer Use

be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the sheriff's radio.

421.6.2 BOMB CALLS
When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.
Portable Audio/Video Recorders

422.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

This policy does not apply to surreptitious audio/video recording interception of communications for authorized investigative purposes or to mobile audio video recordings (see the Investigation and Prosecution and Mobile Audio Video Policy).

422.1.1 MANDATORY USE
It shall be the policy of the Jackson County Sheriff’s Office to use audio/video recorders as directed by departmental policy and state and federal law. All personnel will be trained in the use of recorders. All personnel who are assigned to enforcement activity are expected to wear and use department issued recording devices.

422.2 POLICY
The Jackson County Sheriff's Office may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Sheriff’s Office by accurately capturing contacts between members of the Sheriff’s Office and the public.

422.3 MEMBER PRIVACY EXPECTATION
All recordings made by members acting in their official capacity shall remain the property of the Sheriff’s Office regardless of whether those recordings were made with department-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

422.4 MEMBER RESPONSIBILITIES
At the beginning of the patrol deputies work week, they will make every reasonable effort to pick up a body camera at the beginning of their shift and ensure the body camera is in good working order. If the recorder is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever possible. At the end of the patrol deputies work week, they will return the body camera to a docking station so that any video will be downloaded in accordance with this policy.

Given the logistics of having a take home car program and a body worn camera program, it is known patrol deputies may not have a body camera as they travel to the station at the beginning of the week and to home at the end of the week and this will be the standard practice of the Sheriff’s Office. This does not preclude deputies from responding to calls for service or engaging
Portable Audio/Video Recorders

in discretionary enforcement but deputies should obtain a body camera at their earliest opportunity and limit calls for service and discretionary activity to emergency situations.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever possible.

When using a portable recorder, the assigned member shall record his/her name, JCSO identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user’s unique identification and the date and time of each recording. Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

422.5 ACTIVATION OF THE AUDIO RECORDER
This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident. The portable recorder should be activated in any of the following situations:

(a) All enforcement and investigative contacts including stops and field interview (FI) situations.
(b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.
(c) Self-initiated activity in which a member would normally notify Dispatch.
(d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording Members shall notify all parties to the conversation that a recording is being made unless pursuant to a court order or the limited exceptions in ORS 165.540 subsections (2) through (7) and ORS 133.726 (prostitution offenses, felonies when exigency makes obtaining a warrant unreasonable, certain felony drug offenses, felonies that endangers human life (ORS 165.540)).

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording.

Requests by members of the public to stop recording should be considered using this same criteria. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described...
Portable Audio/Video Recorders

above as soon as practicable. Officers may exercise sound judgment in discontinuing recording if doing so is necessary to safeguard the identity of an informant or if failing to do so would reveal sensitive police tactics via a public records request.

Members shall make every reasonable effort to power down their body worn cameras upon entering any area not open to the public within any Jackson County Sheriff’s Office building. Deputies should also consider using their cameras/recorders when escorting a prisoner into or around the building(s) or when conducting an official investigation.

422.5.1 SURREPTITIOUS USE OF THE AUDIO RECORDER
Oregon law generally prohibits any individual from surreptitiously recording any conversation, except as provided in ORS 165.540 and ORS 165.543.

Members shall not surreptitiously record another department member without a court order or unless lawfully authorized by the Sheriff or the authorized designee.

422.5.2 PRIVACY/ACCIDENTAL RECORDINGS
It is understood that there is no expectation of privacy for any recording made by the officer while on-duty. However, if a recording taken on duty would violate the privacy or dignity of the involved deputy or another deputy and is not part of an official investigation or other interaction with the public, (ie locker room, bathroom videos), the involved parties should immediately notify their supervisor of the recording.

422.5.3 CESSATION OF RECORDING
Once activated, the portable recorder should remain on continuously until the member’s direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

422.5.4 EXPLOSIVE DEVICE
Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

422.6 PROHIBITED USE OF PORTABLE RECORDERS
Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Sheriff's Office.
Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Division Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment or ridicule.

422.7 RETENTION OF RECORDINGS
Any time a member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall record the related case number and transfer the file in accordance with the current procedure for storing digital files and document the existence of the recording in the related case report. Transfers should occur at the end of the member’s shift, or any time the storage capacity is nearing its limit.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

Recordings resulting from the operation of video camera worn by a Sheriff’s Office member that records interactions with members of the public shall be retained in accordance with retention guidelines.

422.7.1 RETENTION REQUIREMENTS
All recordings shall be retained for a period consistent with the requirements of the organization’s records retention schedule, this also in compliance with House Bill 2571, but in no event for a period less than 180 days. Recordings will be kept no longer than 30 months, unless the recording is related to a court proceeding or ongoing criminal investigation.

Accidental recordings, taken off duty, that have no evidentiary value, may be deleted by the Sheriff or his designee after confirming the recording was made inadvertently while off-duty. An entry into the log of why the recording was deleted and a brief summary of the contents will made by the administrator of the system.

422.8 REVIEW OF RECORDINGS
When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member’s performance.

Recorded files may also be reviewed:

(a) By any member of the Sheriff’s Office who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
Portable Audio/Video Recorders

(b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

(c) By media personnel with permission of the Sheriff or the authorized designee.

(d) In compliance with a public records request, if permitted, and in accordance with the Records Release and Security Policy and applicable state laws.

(e) When an employee advises of an accidental recording that would compromise the privacy or dignity of those subject of the recording, the recording shall be viewed by the Sheriff or his designee to ensure there is no evidentiary value. The viewing of the video will be done in a manner to cause the least amount of embarrassment to the employee or persons in the video.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Release and Security Policy). Recordings that unreasonably violate a person’s privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.
Automated License Plate Readers (ALPRs)

423.1 PURPOSE AND SCOPE
Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the Jackson County Sheriff's Office to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery, and identification of potentially suspended drivers. When used in the capacity to identify suspended drivers, deputies must complete additional investigation to develop probable cause.

423.2 ADMINISTRATION OF ALPR DATA
All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Division Commander. The Support Services Division Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data. The data administration assignment may also fall under the responsibility of another agency in accordance with an interagency agreement and by approval of the Sheriff.

423.3 ALPR OPERATION
Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

(a) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.

(b) An ALPR shall only be used for official and legitimate law enforcement business.

(c) An ALPR may be used in conjunction with any routine patrol operation or official department investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(d) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(e) If practicable, the deputy should verify an ALPR response through the Law Enforcement Data System (LEDS) before taking enforcement action that is based solely upon an ALPR alert.

(f) No ALPR operator may access LEDS data unless otherwise authorized to do so.
423.4 ALPR DATA COLLECTION AND RETENTION
All data and images gathered by ALPR are for the official use of the Jackson County Sheriff's Office and because such data may contain confidential LEDS information, it is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

The Support Services Division Commander is responsible to ensure proper collection and retention of ALPR data, and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server should be stored for the minimum period established by department records retention guidelines, and thereafter may be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action, or is subject to a lawful action to produce records. In such circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

If the data is stored off site by another host law enforcement agency, that agency will be subject to complying with storage and retention guidelines.

423.5 ACCOUNTABILITY AND SAFEGUARDS
All saved data will be closely safeguarded and protected by both procedural and technological means. The Jackson County Sheriff's Office will observe the following safeguards regarding access to and use of stored data:

(a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Supervisor and processed in accordance with applicable law.

(b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.

(c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

(e) ALPR system audits should be conducted on a regular basis.
Homeless Persons

424.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide deputies during all contacts with the homeless, whether consensual or for enforcement purposes. The Jackson County Sheriff's Office recognizes that members of the homeless community are often in need of special protection and services. The Jackson County Sheriff's Office will address these needs in balance with the overall missions of this department. Therefore, deputies will consider the following policy sections when serving the homeless community.

424.1.1 POLICY
It is the policy of the Jackson County Sheriff's Office to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

424.2 FIELD CONTACTS
Deputies are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade a deputy from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace deputies are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Deputies should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

424.2.1 OTHER CONSIDERATIONS
Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Deputies should consider the following when handling investigations involving homeless victims, witnesses or suspects:

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
(b) Document places the homeless person may frequent.
(c) Provide homeless victims with victim/witness resources when appropriate.
(d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
(e) Consider whether the person may be a dependent adult or elder and if so, proceed in accordance with the Adult Abuse Policy.

(f) Arrange for transportation for investigation related matters, such as medical exams and court appearances.

(g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

424.3 HOMELESS ENCAMPMENTS
Deputies who encounter encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not immediately remove or destroy such property. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the shift sergeant for the next scheduled clean up.

424.3.1 HOMELESS CAMPS ON PUBLIC PROPERTY
Prior to removing homeless individuals from an established campsite on public property, deputies shall:

(a) If individuals are present, advise violators that they are camping on public property and such encampments are illegal.

(b) Post the area with a notice in English and Spanish advising the violators to vacate within 24 hours. This same notice shall list a local agency that delivers social services to homeless individuals.

(c) Notify the agency listed on the posting of the campsite’s location.

(d) Obtain a case number and prepare a police report documenting the incident.

The 24-hour warning notice requirement is not necessary if deputies reasonably believe that illegal activity unrelated to the camping violation is occurring or in the event of an exceptional emergency such as a possible site contamination by hazardous materials, or when there is immediate danger to human life or safety (ORS 203.079).

424.3.2 CAMPING ON PRIVATE PROPERTY
Camping on private property without the owner’s permission should be handled as a trespass complaint. Owners of private property may allow individuals to camp, provided they do so in a manner consistent with provisions of the Jackson Camping Ordinance.

424.3.3 CAMPING IN COUNTY PARKS
Illegal campers found in County parks during hours the parks are closed may be cited or arrested for violation of park rules.

424.4 PERSONAL PROPERTY
The personal property of homeless persons must not be treated differently than the property of other members of the public. Deputies should use reasonable care when handling, collecting
and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested, or otherwise removed from a public place, deputies should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the deputy, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property. Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless individual(s) from the camp site (ORS 203.079(d)).

All property collected for safekeeping shall be stored for a minimum of 30 days. The evidence clerk shall ensure that reasonable efforts are made to inform the owner of status of the property and inform him/her of how and when such property may be claimed (ORS 203.079(d)).

Deputies should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the department Homeless Liaison Deputy.

424.5 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Deputies shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting deputy should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, deputies may provide transportation to a mental health specialist if the person consents and approved by a supervisor.

424.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Deputies are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.
Probable Cause Affidavits

425.1 PURPOSE AND SCOPE
To establish uniform procedures to ensure arresting/transport officers provide written probable
cause affidavits for warrant-less arrest and provide for review of the affidavits by a judge as
required.

425.1.1 WARRANT-LESS ARRESTS
It shall be the policy of this office to ensure that there shall be prompt determination that there is
probable cause to hold an arrestee in the Jackson County Jail.

PROCEDURE:

All officers who bring prisoners to the jail on a warrant-less arrest, shall fill out a Probable Cause
Affidavit. This includes arrests on violation of a restraining order or violation of a stalking order. The
arresting/transporting officer shall not be allowed to leave until the probable cause affidavit and jail
booking application have been completed and signed off by a corrections bureau staff member.

A records deputy shall review the affidavit only to be sure it is filled out completely and signed
by the arresting officer. They shall not be reviewing the affidavit for content. The arresting officer
shall sign the Probable Cause Affidavit. The original of the affidavit shall be kept by the jail and
the copies shall be given to the officer. The records deputy shall photocopy the affidavit and place
the copy in the prisoner's jail file.

The original affidavit shall be put into a separate file that contains only Probable Cause Affidavits.
Each day that court is in session, the original affidavits shall be sent to the courts. If a prisoner
cannot be brought before the court within 48 hours of their arrest, including weekends and
holidays, a Judge shall need to review each affidavit to assure there is probable cause to continue
to hold the prisoner. If the Judge does not find probable cause to hold the arrestee and this is the
only charge the prisoner is being held on, the prisoner shall be released on their own recognizance
and given a date to appear in court on that charge.

In order to assist in this process, the courts have established a schedule for the Judges to review
affidavits on weekends and holidays. Corrections Records staff shall be responsible for monitoring
the 48 hour time frame. If no Judge has contacted the jail to review the affidavits, the Records
Supervisor shall be contacted for further direction.
Search and Rescue

426.1 PURPOSE AND SCOPE
It is the policy of this office to maintain a Search and Rescue Division in accordance with ORS 404.110. A Search and Rescue Plan shall be maintained in accordance with ORS 404.120. Standard Operating Guidelines (S.O.G) will be maintained to address procedures in addition to addressing the requirements of ORS 404.115, 404.125 and 404.130.

See attachment: 16SAR PLAN OSSA - OEM 16-17.pdf

426.1.1 FUNCTION
It is the policy of this office to provide a measured response of trained personnel and available resources in an effort to prevent, minimize, respond to or recover from an emergency.

The Search and Rescue Division’s primary mission is to provide search and rescue and recovery services. At the discretion of the Sheriff or in the event of an emergency, the Search and Rescue Division may provide assistance to emergency service agencies. The Search and Rescue Division may also provide other community service as approved by the Search and Rescue supervisor and/or the Sheriff.
Public Recording of Law Enforcement Activity

427.1 PURPOSE AND SCOPE
This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

427.2 POLICY
The Jackson County Sheriff's Office recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Deputies should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

427.3 RECORDING LAW ENFORCEMENT ACTIVITY
Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (ORS 165.540).

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
   1. Tampering with a witness or suspect.
   2. Inciting others to violate the law.
   3. Being so close to the activity as to present a clear safety hazard to the deputies.
   4. Being so close to the activity as to interfere with a deputy’s effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the deputies, him/herself or others.

427.4 OFFICER/DEPUTY RESPONSE
Deputies should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, deputies should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, deputies or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or
behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, a deputy could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, deputies shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

427.5 SUPERVISOR RESPONSIBILITIES
A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the deputy and:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

427.6 SEIZING RECORDINGS AS EVIDENCE
Deputies should not seize recording devices or media unless ("First Amendment Privacy Protection, Unlawful Acts", 42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
   1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.

(c) The person consents.
   1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
   2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to
be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.
First Amendment Assemblies

428.1 PURPOSE AND SCOPE
This policy provides guidance for responding to public assemblies or demonstrations.

428.2 POLICY
The Jackson County Sheriff's Office respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

428.3 GENERAL CONSIDERATIONS
Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, deputies shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors deputies may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential.

The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Deputies should not:

(a) Engage in assembly or demonstration-related discussion with participants.
(b) Harass, confront or intimidate participants.
(c) Seize the cameras, cell phones or materials of participants or observers unless a deputy is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.
First Amendment Assemblies

428.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS
Photographs and video recordings, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

428.4 UNPLANNED EVENTS
When responding to an unplanned or spontaneous public gathering, the first responding deputy should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

428.5 PLANNED EVENT PREPARATION
For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

428.5.1 INFORMATION GATHERING AND ASSESSMENT
In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
First Amendment Assemblies

- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

428.5.2 OPERATIONAL PLANS
An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

(a) Command assignments, chain of command structure, roles and responsibilities.
(b) Staffing and resource allocation.
(c) Management of criminal investigations
(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
(e) Deployment of specialized resources.
(f) Event communications and interoperability in a multijurisdictional event.
(g) Liaison with demonstration leaders and external agencies.
(h) Liaison with County government and legal staff.
(i) Media relations.
(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
(k) Traffic management plans.
(l) First aid and emergency medical service provider availability.
(m) Prisoner transport and detention.
(n) Review of policies regarding public assemblies and use of force in crowd control.
(o) Parameters for declaring an unlawful assembly.
(p) Arrest protocol, including management of mass arrests.
(q) Protocol for recording information flow and decisions.
(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
(s) Protocol for handling complaints during the event.
(t) Parameters for the use of body-worn cameras and other portable recording devices.
428.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and
coordination. The assigned Incident Commander should ensure that any required memorandums
of understanding or other agreements are properly executed, and that any anticipated mutual aid
is requested and facilitated (see the Outside Agency Assistance Policy).

428.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS
If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably
imminent threat to persons or property, the Incident Commander should generally authorize
continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about
to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event
organizers or participants to disperse of their own accord. Warnings and advisements may be
communicated through established communications links with leaders and/or participants or to
the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the
authorized designee should make a clear standardized announcement to the gathering that
the event is an unlawful assembly, and should order the dispersal of the participants. The
announcement should be communicated by whatever methods are reasonably available to ensure
that the content of the message is clear and that it has been heard by the participants. The
announcement should be amplified, made in different languages as appropriate, made from
multiple locations in the affected area and documented by audio and video. The announcement
should provide information about what law enforcement actions will take place if illegal behavior
continues and should identify routes for egress. A reasonable time to disperse should be allowed
following a dispersal order.

428.7 USE OF FORCE
Use of force is governed by current department policy and applicable law (see the Use of Force,
Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device
policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be
given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to
comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt
a reasonable response in order to accomplish the law enforcement mission (such as dispersal
or arrest of those acting in violation of the law). Control devices and TASER devices should only
be used in accordance with policy (see the Control Devices and Techniques and the Conducted
Energy Device policies), when a subject is violent, physically resisting, or has demonstrated, by
words or action, an intention to be violent or to physically resist, and reasonably appears to present
the potential to harm deputies, him/herself, or others.
First Amendment Assemblies

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

428.8 ARRESTS
The Jackson County Sheriff's Office should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of deputies and arrestees.
(b) Dedicated arrest, booking and report writing teams.
(c) Timely access to medical care.
(d) Timely access to legal resources.
(e) Timely processing of arrestees.
(f) Full accountability for arrestees and evidence.
(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

428.9 MEDIA RELATIONS
The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

428.10 DEMOBILIZATION
When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.
First Amendment Assemblies

428.11 POST EVENT
The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan
(b) Any incident logs
(c) Any assignment logs
(d) Vehicle, fuel, equipment and supply records
(e) Incident, arrest, use of force, injury and property damage reports
(f) Photographs, audio/video recordings, Dispatch records/tapes
(g) Media accounts (print and broadcast media)

428.11.1 AFTER-ACTION REPORTING
The Incident Commander should work with County legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event
(b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
(c) Problems identified
(d) Significant events
(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

428.12 TRAINING
Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This office provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC DEPUTY DEPLOYMENT
Several factors are considered in the development of deployment schedules for deputies of the Jackson County Sheriff's Office. Information provided by the Department of Motor Vehicles and Oregon Department of Transportation is a valuable resource for traffic accident occurrences and therefore deputy deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All deputies assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All deputies will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All deputies shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This office does not establish ticket quotas and the number of arrests or citations issued by any deputy shall not be used as the sole criterion for evaluating a deputy's overall performance. The visibility and quality of a deputy’s work effort will be commensurate with the philosophy of this policy. Deputies attempting to enforce traffic laws shall be in Jackson County Sheriff's Office uniform or shall conspicuously display an official identification card showing the deputy's lawful authority (ORS 810.400). Several methods are effective in the reduction of collisions:
Traffic Function and Responsibility

500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when a deputy believes it is appropriate. It is essential that deputies fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Deputies should provide the following information at a minimum:

(a) Explanation of the violation or charge.
(b) Court appearance procedure including the optional or mandatory appearance by the motorist.
(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

Deputies at the scene of a traffic accident and, based upon the deputy’s personal investigation, having reasonable grounds to believe that a person involved in the accident has committed a traffic offense in connection with the accident, may issue the person a citation for that offense (ORS 810.410(4)).

500.3.3 PHYSICAL ARREST
Deputy may arrest or issue a citation to a person for a traffic crime at any place within the state. Generally, physical arrests are limited to major traffic offenses such as:

(a) Driving Under the Influence of Intoxicants.
(b) Hit-and-Run.
(c) Attempting to Elude.
(d) Reckless Driving with extenuating circumstances.
(e) Situations where a violator refuses or cannot satisfactorily identify him/herself and therefore cannot be issued a citation.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If a deputy contacts a traffic violator for driving on a suspended or revoked license, the deputy may issue a traffic citation pursuant to Oregon Revised Statutes 810.410.

Deputies should attempt to interview the violator to obtain evidence that the violator knew their license was suspended. Ask if the violator is still living at the address on file with DMV and if not, how long since they moved and why they haven’t notified DMV of their new address.

If a computer check of a traffic violator’s license status reveals a suspended or revoked drivers license and the traffic violator still has his or her license in possession, the license shall be seized by the deputy and the violator may also be cited for Failure to Return a Suspended License if evidence shows they knew they were suspended (Oregon Revised Statutes 809.500).
500.5 HIGH-VISIBILITY VESTS
The Jackson County Sheriff's Office has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of office members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; OAR 437-002-0134).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, deputies should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes deputy might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
A high-visibility vest shall be maintained in the trunk of each patrol and investigation unit and in the side box of each sheriff's motorcycle. Each vest should be stored inside the re-sealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored in the vehicle.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests.
Traffic Collision Reporting

501.1 PURPOSE AND SCOPE
The Jackson County Sheriff's Office prepares traffic collision reports in compliance with Oregon Revised Statutes relating to reports of traffic accidents to the Oregon Department of Transportation and, as a public service makes traffic collision reports available to the community with some exceptions.

501.2 RESPONSIBILITY
The Traffic Sergeant will be responsible for proper investigation and reporting of motor vehicle collisions. Traffic collisions will be documented using the Oregon Police Traffic Crash Report. The Patrol Bureau Captain will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORTING
All traffic collision reports taken by members of this department shall be forwarded to the employee's shift supervisor for approval and data entry into the Records Management System. The Records Section will be responsible for monthly reports on traffic collision statistics to be forwarded to the Patrol Bureau Captain and the Oregon Traffic Safety Commission.

501.4 REPORTING SITUATIONS

501.4.1 TRAFFIC COLLISIONS INVOLVING COUNTY VEHICLES
Traffic collision investigation reports shall be taken when a County-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. A general information report may be taken in lieu of a traffic collision report at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle. Whenever there is damage to a County vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Division Commander.

Photographs of the collision scene and vehicle damage shall be taken.

501.4.2 TRAFFIC COLLISIONS INVOLVING DEPARTMENT EMPLOYEES
When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the County limits of Jackson resulting in a serious injury or fatality, the Traffic Sergeant or the Patrol Sergeant may notify the Oregon State Police for assistance.

The term serious injury is defined as any injury that results in hospitalization.

501.4.3 TRAFFIC COLLISIONS INVOLVING OTHER COUNTY EMPLOYEES OR OFFICIALS
The Traffic Sergeant or Patrol Sergeant may request assistance from the Oregon State Police for the investigation of any traffic collision involving any Jackson official or employee where a serious injury or fatality has occurred.
Traffic Collision Reporting

501.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
Traffic collision reports shall not be taken for collisions occurring on private property unless there is a death or injury to any person involved, a hit-and-run violation, or a deputy issues a citation for a traffic violation. A Miscellaneous Report may be taken at the discretion of any supervisor.

501.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway within this jurisdiction in the following cases:

(a) There is a death, or injury to any person involved in the collision.
(b) A deputy issues a citation for a violation of the Vehicle Code.
(c) The accident is initially reported by a garage operator who has received a vehicle involved in a serious accident or exhibiting evidence of having been struck by a bullet (Oregon Revised Statutes 822.600).
(d) All hit-and-run violations as defined by Oregon Revised Statutes 811.700 and 811.705.
(e) The collision meets the criteria for operators to submit a State Accident Report to the Department of Motor Vehicles.
(f) An involved party requests a traffic collision report.

501.4.6 TOWING VEHICLES INVOLVED IN TRAFFIC COLLISIONS
A collision report will be required if a vehicle is damaged in a collision and a tow truck is necessary. Towing of a vehicle from a collision scene at the request of the driver when the vehicle would not otherwise be in need of towing, does not require a traffic collision report under this policy unless the incident meets the criteria in the Vehicle Towing policy.

501.5 NOTIFICATION OF TRAFFIC DIVISION SUPERVISION
If the crash results in the death, or likely death, of any person, the deputy will notify their immediate supervisor. The supervisor will make arrangements for any additional personnel needed at the crash scene. The supervisor will be in charge of the crash scene and coordinate the investigation. The supervisor will determine if the Serious Traffic Accident Reconstruction Team (STAR Team) should be called out to investigate the crash. The supervisor will make sure the District Attorney and Medical Examiner are notified.
Vehicle Towing

502.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Jackson County Sheriff's Office.

502.2 RESPONSIBILITIES
The responsibilities of those deputies impounding a vehicle are as follows.

502.2.1 VEHICLES CONSTITUTING A HAZARD OR OBSTRUCTION
Deputies may take custody of and tow a vehicle that is disabled, abandoned, parked or left standing unattended when it creates a hazard or obstruction. Hazards and obstructions may include vehicles that are (ORS 819.120):

(a) Parked so that any part of the vehicle extends into the paved portion of the travel lane.
(b) Parked so that any part of the vehicle extends into the highway shoulder or bicycle lane of any freeway ORS 819.120 (2)(b).

Deputies should use sound judgment in balancing the need to correct a hazardous situation with the potential hardship to a vehicle owner/operator before towing such a vehicle.

Deputies impounding a vehicle shall complete a vehicle impound report. A copy is to be given to the tow truck operator and the original is to be submitted along with the incident report to the Records Division as soon as practicable after the vehicle is stored.

Records Division personnel shall promptly enter pertinent data from the completed vehicle impound report into the state's Law Enforcement Data Systems (LEDS).

Once a vehicle impound report is approved and forwarded to the Records Division, it shall be placed into the auto-file at the front desk to be immediately available for release or for information should inquiries be made.

502.2.2 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION
When a vehicle has been involved in a traffic collision and must be removed from the scene, the deputy shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the no preference towing company list in Dispatch.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the deputy shall request the dispatcher to call a no preference towing company. The deputy will then have the vehicle towed to the tow company’s storage lot for safekeeping, and complete a Vehicle Impound form.
Vehicle Towing

502.2.3  DRIVING A NON-COUNTY VEHICLE
Vehicles which have been towed by or at the direction of the Sheriff's Office should not be driven by sheriff's personnel unless it is necessary to move the vehicle a short distance to eliminate a hazard, to prevent the obstruction of a fire hydrant, or to comply with posted signs.

502.2.4  DISPATCHER'S RESPONSIBILITIES
If the named tow company does not respond within the required 30 minute response time, the tow service is then in violation of the requirements to be on the rotation list. At the officer's request, the procedure can be initiated again. The original tow service should not be allowed to tow the vehicle/s if a second service has been requested and dispatched.

502.2.5  NOTICE TO OWNERS
Once the vehicle is impounded, records personnel shall mail a copy of the impound report along with information describing the location of the vehicle and the procedures for its release to the legal and registered owners of the stored vehicle within 48 hours after it has been stored, not including Saturdays, Sundays or holidays, unless the vehicle has been previously released (ORS 819.180). The notice shall include:

(a) That the vehicle has been taken into custody and towed; the identity of the appropriate towing authority and the statute, ordinance or rule under which the vehicle has been taken into custody and towed.

(b) The location of the vehicle, or the telephone number and address of the authority that will provide that information.

(c) That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of the notice and the daily storage charges.

(d) That the vehicle and its contents are subject to a lien for payment of the towing and storage charges and that the vehicle and its contents will be sold to cover the charges if the charges are not paid by a date specified by the appropriate authority.

(e) That the owner, possessor or person having an interest in the vehicle and its contents is entitled to a prompt hearing to contest the validity of taking the vehicle into custody and towing it, and to contest the reasonableness of the charges for towing and storage if a hearing is requested in a timely manner.

(f) The time within which a hearing must be requested and the method for requesting a hearing.

(g) That the vehicle and its contents may be immediately reclaimed by presentation to the appropriate authority of satisfactory proof of ownership or right to possession, and either payment of the towing and storage charges or the deposit of cash security or a bond equal to the charges with the appropriate authority.
Vehicle Towing

502.3 TOWING SERVICES
The County of Jackson periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When a vehicle is being held as evidence in connection with an investigation

(b) When it is otherwise necessary to impound a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations

Nothing in this policy shall require the Department to tow a vehicle.

502.3.1 NO PREFERENCE TOW SERVICES
Upon proper application, the department may approve qualified towing services to be called when a citizen needs towing but has no preference as to which service to call.

Any complaint alleging a violation of the agreement or other misconduct by a no preference operator shall be referred to the police department for investigation. The department may periodically review the performance of each authorized no preference operator.

The department will assist citizens by calling any towing company desired. If the citizen has no preference and requests towing service, one of the authorized firms shall be called in rotation.

All deputies are specifically prohibited from directly or indirectly soliciting for or recommending any garage or tow service.

502.4 IMPOUND AT ARREST SCENES
Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or storing the arrestee’s vehicle subject to the exceptions described below. However, the vehicle shall be stored, subject to applicable laws and warrant requirements, whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine, reasonably suggests that the vehicle should be stored (e.g., the vehicle would present a traffic hazard if not removed or, due to a high crime area, the vehicle would be in jeopardy of theft or damage if left at the scene).

While the Oregon Revised Statutes may authorize the impoundment of a vehicle for issues such as driving with a suspended or revoked license (ORS 809.720), impounds are only authorized if, in such cases, leaving the vehicle would create a hazard, obstruction or a risk of loss.

The following are examples of situations where the arrestee’s vehicle should not be stored, provided the vehicle can be legally parked, left in a reasonably secured and safe condition and the vehicle is not needed for the furtherance of an investigation:

• The vehicle is parked on private property on which the registered owner or operator is legally residing, or the property owner does not object to the vehicle being left parked at that location.
Vehicle Towing

- When the arrestee or a passenger is the registered or legal owner of the vehicle and requests that the vehicle be released to a person who is present, willing and able to legally take control of the vehicle.

- Whenever the vehicle is legally parked and otherwise does not need to be stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall inform the arrestee and note in the report that the Department will not be responsible for theft or damages.

502.5 IMPOUNDS RELATED TO CRIMINAL INVESTIGATIONS
Deputies should impound vehicles that are needed for the furtherance of an investigation or prosecution of a case or are otherwise appropriate for seizure under ORS 133.535. State law requires the impounding deputy to take reasonable steps to protect against loss or damage to impounded vehicles and any contents that may have been taken as evidence (ORS 133.537). Deputies should make reasonable efforts to return a recovered stolen vehicle to its owner rather than store it, so long as the vehicle is not needed for evidence.

502.6 VEHICLE INVENTORIES
The contents of all impounded vehicles shall be inventoried in accordance with the following procedure:

(a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, the glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.

(b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in the following locations:

1. Any other type of unlocked compartments that are a part of the vehicle including, but not limited to, unlocked glove compartments, unlocked vehicle trunks and unlocked car top containers; and

2. Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers, provided the keys are available and are to be released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.

(c) Closed containers located either within the vehicle or any of the vehicle’s compartments will not be opened for inventory purposes except for the following, which shall be opened for inventory: wallets, purses, coin purses, fanny packs, personal
organizers, briefcases or other closed containers designed for carrying money or small valuables, or closed containers which are designed for hazardous materials.

(d) Other closed containers shall be opened and inventoried if the owner acknowledges they contain cash in excess of $10, valuables or a hazardous material.

(e) Any valuables, to include cash in excess of $10 or property valued at more than $200, located during the inventory process will be listed on a property receipt and stored in this agency’s property/evidence room. A copy of the property receipt will either be left in the vehicle or tendered to the person in control of the vehicle if such person is present.

(f) The inventory is not a search for evidence of a crime, however, deputies shall seize evidence or contraband located during the inventory. Items should be scrutinized to the extent necessary to complete the inventory.

(g) Tow truck operators are to receive a copy of the tow report.

These inventory procedures are for the purpose of protecting an owner's property while in sheriff's custody, to provide for the safety of deputies, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

502.7 VEHICLE SEARCHES

Case law regarding search and seizure is ever changing and frequently subject to interpretation under the varying facts of each situation. Vehicle searches should be handled according to current training and a deputy’s familiarity with relevant case law. Generally, a search warrant should be sought prior to conducting a search of a vehicle.

Because circumstances under which a warrantless search of a vehicle might be permissible are very limited, and because vehicle searches are subject to many restrictions, deputies should, whenever possible, seek supervisory approval before conducting a warrantless search of a vehicle.

502.8 SECURITY OF VEHICLES AND PROPERTY

After a thorough inventory of the vehicle has been completed and all contraband, evidence and weapons have been removed the deputy should make reasonable accommodations to permit a driver or owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions).

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.
502.9 RELEASE CRITERIA

A vehicle impounded under this section shall be released to a person entitled to lawful possession of the vehicle upon compliance with the following:

(a) Proof that a person with valid driving privileges will be operating the vehicle.

(b) Proof of compliance with financial responsibility requirements for the vehicle.

(c) Payment of the Jackson County Sheriff's Office administrative fee and any towing and storage charges.

(d) A security interest holder in the vehicle is not required to comply with (a) and (b) and may obtain release by paying the administrative fee, towing and storage fees.
Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE
This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings.

503.2 IMPOUND HEARING
When a vehicle is impounded by any member of the Jackson County Sheriff's Office, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent.

503.2.1 HEARING PROCEDURES
When requested, a hearing to contest the validity of the impoundment and the reasonableness of the tow will be held as follows (ORS 819.190).

Requests for a hearing on an impounded vehicle shall be submitted in writing to the person designated by the Jackson County Sheriff's Office to receive such requests, within five days of the postmarked date on the notice of impound. The request shall state the grounds upon which the person requesting the hearing believes that the custody and towing of the vehicle was not justified.

An impound hearings officer, designated by this department, will set a time for the hearing within 72 hours of the receipt of the request, excluding Saturdays, Sundays and holidays. The hearings officer will provide notice of the hearing to the person requesting the hearing, to the impounding deputy and to any owner, lessor or security interest holder shown in the Oregon Department of Transportation (ODOT) records.

An impound hearings officer, designated by this department, shall consider all information provided and shall determine the validity of the impound based on substantial evidence on the record, according to applicable law and department policy. The hearings officer shall then render a decision. The deputy who caused the removal of the vehicle may submit an affidavit to the hearings officer in lieu of a personal appearance.

If the hearings officer decides that the impound was valid, he/she shall order the vehicle held in custody until the cost of the hearing and all reasonable towing and storage costs are paid by the party claiming the vehicle.

If the hearings officer decides that the impound was invalid, he/she shall order the immediate release of the vehicle to the owner or person with right of possession. Such person is not liable for towing or storage charges and shall be reimbursed for such charges if they have already been paid. New storage costs will not start to accrue until more than 24 hours after the time the vehicle is officially released (ORS 819.190).

If a decision is made that the impound was invalid and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded to the appropriate Bureau Captain for reimbursement by this department to the appropriate party.
Impaired Driving

504.1 PURPOSE AND SCOPE
This policy provides guidance to those office members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY
The Jackson County Sheriff's Office is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Oregon’s impaired driving laws.

504.3 INVESTIGATIONS
Deputies should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All deputies are expected to enforce these laws with due diligence.

The Operations Captain or his/her designee will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating deputies in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

(a) The field sobriety tests (FSTs) administered and the results.
(b) The deputy’s observations that indicate impairment on the part of the individual, and the deputy’s health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
(c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
(d) Information about any audio and/or video recording of the individual’s driving or subsequent actions.
(e) The location and time frame of the individual’s vehicle operation and how this was determined.
(f) Any prior related convictions in Oregon or another jurisdiction.

504.4 FIELD TESTS
The Operations Captain or his/her designee should identify standardized FSTs and any approved alternate tests for deputies to use when investigating violations of DUI laws.

504.5 CHEMICAL TESTS
A person implies consent under Oregon law to a chemical test or tests, and to providing the associated chemical sample, under any of the following (ORS 813.100):

(a) The arresting deputy has reasonable grounds to believe that the person was DUI.
Impaired Driving

(b) The person is arrested for DUI and takes a breath test that discloses a blood alcohol content of less than 0.08 percent (ORS 813.131).

(c) The person is arrested for DUI and was involved in an accident resulting in injury or property damage (ORS 813.131).

(d) The person is receiving medical care at a health care facility immediately after a motor vehicle accident and the arresting deputy has probable cause to believe that the person was DUI and that evidence of the offense will be found in the person's blood or urine and the person is unconscious or otherwise in a condition rendering the person incapable of expressly consenting to the test (ORS 813.140).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the deputy should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

504.5.1 BREATH SAMPLES
The Operation Captain or his/her designee should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Deputies obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

504.5.2 BLOOD SAMPLES
Only persons authorized by law to draw blood shall collect blood samples (ORS 813.160). The blood draw should be witnessed by the assigned deputy. No deputy, even if properly certified, should perform this task.

Deputies should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood test because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test against medical personnel advice. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

504.5.3 URINE SAMPLES
If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The deputy shall follow any directions accompanying the urine evidence collection kit.
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The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

504.5.4   STATUTORY NOTIFICATIONS
Prior to administering any tests, the person shall be informed of the rights and consequences for DUI and refusals of testing (ORS 813.100; ORS 813.130; ORS 813.135).

504.5.5   ADDITIONAL REQUIREMENTS FOR URINE SAMPLES
A deputy may not request that a person submit to a urine test unless the deputy is certified by the Department of Public Safety Standards and Training as having completed the required training in the recognition of drug impaired driving. The deputy must also have a reasonable suspicion to believe that the person arrested has been driving under the influence of cannabis, a controlled substance, an inhalant or any combination of cannabis, an inhalant, a controlled substance and intoxicating liquor (ORS 813.131).

The person providing the urine sample shall be given privacy and may not be observed by the deputy when providing the sample (ORS 813.131).

504.5.6   ADDITIONAL TESTING
A deputy requesting that a person submit to a chemical test shall also provide the person, upon request, with a reasonable opportunity to have a qualified medical professional of their choosing administer an additional chemical test. The test may be of the person’s breath or blood if alcohol concentration is an issue or of the person’s blood or urine if the presence of cannabis, a controlled substance or an inhalant in the person’s body is an issue (ORS 813.150).

504.6   REFUSALS
When an arrestee refuses to provide a chemical sample, deputies should:

(a) Advise the arrestee of the requirement to provide a sample (ORS 813.100; ORS 813.130; ORS 813.131; ORS 813.135).

(b) Audio- and/or video-record the admonishment and the response when it is legal and practicable.

(c) Document the refusal in the appropriate report.

504.6.1   STATUTORY NOTIFICATIONS UPON REFUSAL
Upon refusal to submit to a chemical test as required by law, deputies shall personally serve the written notice of intent to suspend upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person (ORS 813.100).

504.6.2   BLOOD SAMPLE WITHOUT CONSENT
A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

(a) A search warrant has been obtained (ORS 813.100).
Impaired Driving

(b) The deputy can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person’s bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

504.6.3 FORCED BLOOD SAMPLE
If an arrestee indicates by word or action that he/she will physically resist a blood draw, the deputy should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.

(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another deputy) and attempt to persuade the individual to submit to such a sample without physical resistance.
   1. This dialogue should be recorded on audio and/or video when legal and practicable.

(d) Ensure that the blood sample is taken in a medically approved manner.

(e) Ensure the forced blood draw is recorded on audio and/or video when practicable.

(f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
   1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
   2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
   3. In felony cases, force that reasonably appears necessary to overcome the resistance to the blood draw may be permitted.

(g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, deputies are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.7 ARREST AND INVESTIGATION
Impaired Driving

504.7.1 DEPUTY RESPONSIBILITIES
If a person refuses to submit to a chemical test or if a test discloses that the person had a prohibited alcohol concentration in his/her blood, the investigating deputy shall cause the following items to be forwarded to the Driver and Motor Vehicle Services Division of the Department of Transportation (DMV) within 10 days of the arrest (ORS 813.100; OAR 735-090-0040):

- The completed Implied Consent Form
- Any confiscated license or permit belonging to the person
- A copy of the written report that complies with ORS 813.120

A deputy confiscating a person’s license pursuant to state DUI laws shall provide the person with a temporary driving permit unless (ORS 813.100; ORS 813.110):

- The driving privileges of the person were suspended, revoked or canceled at the time the person was arrested.
- The person whose license was confiscated was operating on an invalid license.
- The person was not entitled to driving privileges at the time of the arrest for any other reason.
- The person holds a license or permit granting driving privileges that was issued by another state or jurisdiction and that is not confiscated.

504.7.2 OFFENSE FOR REFUSAL
If a person refuses to submit to a breath or urine test, the arresting deputy may charge the person with a separate offense (ORS 813.095).

504.8 RECORDS DIVISION RESPONSIBILITIES
The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney’s office.

504.9 ADMINISTRATIVE HEARINGS
The Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the DMV.

Any deputy who receives notice of required attendance to an administrative license suspension hearing should promptly notify their supervisor and the DA’s office in some circumstances.

A deputy called to testify at an administrative hearing should document the hearing date and the DMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

504.10 TRAINING
The Training Officer should ensure that deputies participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving,
**Impaired Driving**

investigative techniques and rules of evidence pertaining to DUI investigations. The Training Officer should confer with the prosecuting attorney’s office and update training topics as needed.
Traffic Citations

505.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES
The Traffic Sergeant shall be responsible for the ordering and distribution of all Department traffic citations in compliance with state law.

505.3 DISMISAL OF TRAFFIC CITATIONS
Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Traffic Bureau Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the Traffic Bureau Sergeant may request the Operations Bureau Captain to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should a deputy determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the deputy may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the deputy shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required.

505.4 VOIDING TRAFFIC CITATIONS
Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Traffic Division.

505.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation is issued and in need of correction, the deputy issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation and letter shall then be forwarded to the Traffic Division. The Traffic Division shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.

505.6 DISPOSITION OF TRAFFIC CITATIONS
The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Division.
Upon separation from employment with this department, all employees issued traffic citations books shall return any unused citations to the Records Division.

505.7 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile’s age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.
Disabled Vehicles

506.1 PURPOSE AND SCOPE
Public safety, and the Jackson County Sheriff's Office's commitment to service, requires that deputies place a high priority on assisting disabled motorists. This policy provides guidelines for achieving that objective.

506.2 DEPUTY RESPONSIBILITY
When an on-duty deputy observes a disabled vehicle on the roadway, the deputy should make a reasonable effort to provide assistance. If that deputy is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available deputy to respond for assistance as soon as practical.

506.3 EXTENT OF ASSISTANCE
In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

506.3.1 MECHANICAL REPAIRS
Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.
Chapter 6 - Investigation Operations
Investigation and Prosecution

600.1 PURPOSE AND SCOPE
The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.1.1 PRELIMINARY INVESTIGATIONS
1. Preliminary investigations begin when the officer arrives at the scene of an incident or first makes contact with the complainant or becomes aware that a crime may have been or is being committed. The investigation shall continue until such time as the postponement of the investigation or transfer of responsibility shall not jeopardize the successful completion of the investigation. The investigation usually includes:

   • Providing aid to the injured.
   • Protecting the crime scene to ensure that evidence is not lost or contaminated.
   • Determining if an offense had actually been committed and if so, the exact nature of the offense.
   • Determining the identity of the suspect(s) and effecting an arrest if it can be accomplished at the scene or through immediate pursuit.
   • Furnishing other field units, through communications, descriptions, method and direction of flight, and other relevant information concerning wanted person(s) or vehicles.
   • Obtaining complete identification of all witnesses.
   • Determining what information is known by the victims and witnesses.
   • Determining in detail the exact circumstances of the offense.
   • Arranging for the collection of evidence.
   • Obtaining written statements from victims and witnesses and from the suspect if such statements can be obtained legally.
   • Accurately and completely recording all pertinent information in proper form.

2. The shift supervisor shall be notified when an officer investigates serious or complex crimes as, but not limited to:

   • Incidents of violence or violent death.
   • Incidents which may be a threat to public safety.
   • Incidents where public or media pressure require their presence.
   • Complaints against actions of the department or its officers.
   • Incidents where further professional or technical assistance is required.
600.1.2  PRINCIPAL INVESTIGATOR

Accountability of Cases

A. It shall be the responsibility of the officer to submit written reports and records in a timely manner. Initial reports shall be completed by the end of the assigned officer's shift unless otherwise authorized by the shift supervisor. In all cases, the report shall be submitted by the last day of that officer's work week.

B. It shall be the responsibility of the officer submitting the report to ensure that the proper complaint status is included.

1. Cleared by Arrest
2. Unfounded
3. Cleared Exceptionally
4. Closed
5. Investigation Discontinued

C. It shall be the responsibility of the officer to ensure that each case is carried through to its completion and the proper status code indicated. If the original assigned officer is unable to complete the investigation in a timely manner or it is impractical to do so because of assignment or other legitimate reason, that officer or his supervisor shall ensure that the report is reassigned.

D. The officer's responsibility to the case shall conclude if the investigation is reassigned to another officer. This reassignment shall not relieve all officers from forwarding information concerning the case to the investigating officer. Pertinent information shall be forwarded in the form of written reports.

E. It is the responsibility of the officer to ensure that all follow up reports concerning the case are done in a timely manner.

600.2  POLICY

It is the policy of the Jackson County Sheriff's Office to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3  INITIAL INVESTIGATION

600.3.1  DEPUTY RESPONSIBILITIES

A deputy responsible for an initial investigation shall complete no less than the following:

(a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:

1. An initial statement from any witnesses or complainants.
2. A cursory examination for evidence.
(b) If information indicates a crime has occurred, the deputy shall:

1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Patrol Sergeant.
4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
5. Collect any evidence.
6. Take any appropriate law enforcement action.
7. Complete and submit the appropriate reports and documentation.

(c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

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

600.4 COLLECTION OR MAINTENANCE OF SPECIFIC INFORMATION
The collection or maintenance of information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership shall occur only when the information directly relates to a criminal investigation and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct (ORS 181A.250).

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

600.5.1 AUDIO/VIDEO RECORDINGS
Generally, except where circumstances make it impracticable, custodial interviews regarding felony offenses should be electronically recorded. When such custodial interviews are conducted in a law enforcement facility, electronic recording of the interview is mandatory absent good cause not to record if the interview is conducted (ORS 133.400):

(a) In connection with an investigation into aggravated murder, as defined in ORS 163.095, or a crime listed in ORS 137.700 or ORS 137.707; or
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(b) With a juvenile under 18 years of age in connection with an investigation into a felony or an allegation that the juvenile being interviewed committed an act that would be a felony if committed by an adult.

If an interviewee expresses an unwillingness to have the custodial interview electronically recorded but agrees to speak to investigators without such recording, the interviewing deputy or detective should document the refusal in his/her report and request that the interviewee sign a written statement or provide a recorded statement of his/her refusal to have the interview recorded.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law (ORS 165.540).

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Criminal Investigations Division supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes. Electronic recording of a custodial interview shall be preserved until the conclusion of the criminal proceeding or youth adjudication proceeding, including post-conviction relief and habeas corpus appeals are exhausted, or until the prosecution of the offense is barred by law (ORS 133.400).

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

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

(a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.

(b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
   1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
   2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

(c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

(d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
Investigation and Prosecution

(e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

(f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

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

600.7 COMPUTERS AND DIGITAL EVIDENCE
The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, deputies should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, deputies should take reasonable steps to prepare for such seizure and use the resources that are available.

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

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

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

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

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

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

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

600.9 MODIFICATION OF CHARGES FILED
Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division Commander or the Sheriff. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.
Medical Examiner Program

601.1 PURPOSE AND SCOPE
The Jackson County Medical Examiner Program shall adhere to the requirements of Chapter 146, Oregon Revised Statutes and shall comply with the policies and guidelines of the Oregon State Medical Examiner's Office and the Jackson County Medical Examiner's Office.

601.1.1 DEPUTY STATE MEDICAL EXAMINER RESPONSIBILITIES
The Deputy State Medical Examiner will appoint Deputy Medical Examiner Investigators with the approval of the Sheriff and the District Attorney.

601.1.2 DISTRICT ATTORNEY RESPONSIBILITIES
(a) Approve the Deputy State Medical Examiner's appointment of Deputy Medical Examiner Investigators.

(b) Be available (or designate a Deputy District Attorney to be available) for call-out if needed by the Deputy Medical Examiner Investigators.

601.1.3 SHERIFF RESPONSIBILITIES
(a) Negotiate budgets and contracts with the necessary parties for the continued operation of the Jackson County Sheriff's Office Medical Examiner Program.

(b) The Support Bureau Captain shall provide administrative and budgetary oversight.

(c) The Support Bureau Captain shall provide operational oversight of the program and supervision of the investigators.

601.2 DEPUTY MEDICAL EXAMINER QUALIFICATIONS
(a) Maintain certification and training as a Criminal Deputy.

(b) Shall be assigned to the Field Services Bureau as a Detective.

(c) Meet the requirements as established by the Deputy State Medical Examiner, the Chief Deputy Medical Examiner Investigator and the Field Services Bureau supervisor.

(d) Attend the medico-legal death investigator's course at the St. Louis University School of Medicine, St. Louis, Missouri which consists of 40 hours.

(e) Attend additional training sessions as directed by the Deputy State Medical Examiner, the Chief Deputy Medical Examiner and the Field Services Bureau supervisor.

601.2.1 DEPUTY MEDICAL EXAMINER RESPONSIBILITIES
(a) Receive calls on deaths requiring reporting and/or investigation.

(b) Investigate deaths as directed under ORS 146.090.
Medical Examiner Program

(c) Determine presumptive manner of death, notifying the Field Services Bureau supervisor and the District Attorney immediately if homicide or in-custody death is suspected.

601.2.2 SPECIFIC DUTIES OF DEPUTY MEDICAL EXAMINERS

(a) Field all calls regarding reportable deaths (such as hospital & home death) as well as those requiring scene investigations.

(b) Record general information for all cases to include the following:

- Date and time of call.
- Identity of reporting party.
- Identity of deceased, including full name and date of birth.
- Location of death and/or present location of body.
- Probable cause of death.
- Time of death (pronounced) or time body found (dispatch time).
- Physician’s name.
- Approximate date the deceased was last treated by physician.
- Whether caller or persons on scene (law enforcement) noticed anything suspicious or feel uncomfortable with circumstances surrounding the death.
- Decedent’s activities prior to death (day, week, month).

(c) Determine if response to death scene and or current location of deceased is warranted:

- If death occurred from apparent natural causes without any suspicious circumstances, obtain all pertinent data by telephone.
- If death occurred from apparent or suspicious unnatural causes, a scene response is required.
- If death occurred from undetermined causes, a scene response is required.

601.3 DEPUTY MEDICAL EXAMINER CALL OUT PROCEDURE

(a) Calls received by Dispatch (Emergency Communications of Southern Oregon) shall be dispatched first to the designated on-call Deputy Medical Examiner Investigator from the Jackson County Sheriff’s Office. If unavailable to respond, the Field Services Bureau supervisor shall be notified.

(b) Calls received directly by the Oregon State Police dispatch center shall be handled by the Deputy Medical Examiners from the Oregon State Police. If unavailable for response, calls shall be referred to the on-call Deputy Medical Examiner from the Jackson County Sheriff’s Office.
(c) Calls received when no Deputy Medical Examiner Investigators and the Field Services Bureau supervisor is unavailable, shall be referred to directly to the Deputy State Medical Examiner. If he/she is not available, calls shall then be referred to directly to the District Attorney or a Deputy District Attorney.

601.4 DEPUTY M.E. PROCEDURE FOR NON-RESPONSE TO DEATH SCENE

(a) When a response to a death scene is not necessary, perform the following:

- Obtain general information (refer to 601.3.2 (b)).
- If necessary, examine the body at the funeral home at a later time.
- If funeral home advises that a physician is unwilling to sign the death certificate, contact the physician's office during normal business hours.
- Discuss the circumstances of the death with the decedent's physician or nurse.
- Obtain the decedent's medical history from the decedent's physician or nurse.
- Contact and discuss the case with the Deputy State Medical Examiner relating any medical history.

601.5 DEPUTY M.E. RESPONSE PROCEDURE FOR DEATH SCENE INVESTIGATION

(a) Respond to the scene in a timely manner and obtain general information (refer to 601.3.2(b)).

(b) Record information regarding the death scene. (Include any alterations to original scene, such as movement of body and/or evidence).

(c) Evaluate and determine the course of the investigation.

(d) Determine if photographic documentation is warranted.

(e) Seize medications if appropriate and/or necessary and inventory.

(f) Remain at the scene until the body is removed.

(g) If an autopsy is probable, instruct funeral personnel to accompany the investigating ME Investigator to the Jackson County morgue where the body shall be held in safekeeping.

(h) If family members are present or must be informed of a death, consider call out of a chaplain.

601.6 DEPUTY M.E. - CALLS FROM HOSPITAL

(a) Upon notification from hospital personnel/nursing supervisor, determine the classification of death, such as natural, accidental, reportable hospital death within 24 hours.


(b) Obtain general information as outlined in 601.3.2 (b).

(c) Determine if response to scene is necessary.
   - If death is from natural causes and the decedent has seen a physician within the last three months, base decision on the facts obtained.
   - If medical personnel are uncomfortable with circumstances surrounding the death, respond to the location.
   - If death is determined to be from unnatural causes, respond to the hospital and perform an investigation.

(d) Follow response/non-response procedures as outlined in 601.4 and 601.5.

601.7 DEPUTY M.E. - CALLS FROM POLICE AGENCIES

(a) Upon notification from police agency and/or their dispatch personnel, determine the classification of the death, such as natural, accidental, homicidal, suicidal.

(b) Obtain general information as outlined in 601.3.2 (b).

(c) Determine if response to scene is warranted.
   - If death is from natural causes and the decedent has seen a physician within the last three months, base decision on the facts obtained.
   - If the officer at the scene is uncomfortable with the scene or with witnesses at the scene, respond to the location.
   - If death is determined to be from unnatural causes, respond to the scene and perform an investigation.

(d) Follow response procedure outlined in Section 10 or non-response procedure, 601.5.

601.8 DEPUTY M.E. - CALLS FROM FUNERAL HOMES

Funeral Directors will report any suspicious defects found on the decedent during their examination of the body. The on-call Deputy Medical Examiner Investigator shall respond to the funeral home upon notification and conduct an investigation.

601.9 DEPUTY M.E. FOLLOW UP PROCEDURES

(a) When necessary to obtain/confirm medical history contact the decedent's physician during normal business hours.

(b) When necessary, contact the Deputy State Medical Examiner during normal business hours for the following:
   - To relay information concerning circumstances surrounding death.
   - To obtain authorization of autopsy and scheduling information.
Medical Examiner Program

- To obtain authorization for collection of blood/urine samples.
- To obtain supplemental/miscellaneous information as needed.

(c) Notify funeral home personnel of scheduled autopsy.
(d) Attend the autopsy and actively participate at Deputy State Medical Examiner's direction.
(e) If evidence of a suspicious nature is discovered during the autopsy, immediately notify the Field Services Bureau supervisor and the Jackson County District Attorney's Office.
(f) When the body is released by the Medical Examiner, contact the appropriate funeral home for pick up.
(g) Complete and submit necessary reports, including the State Medical Examiner's Office (MedEx) report.
Major Assault Death Investigation Unit (MADIU)

602.1 PURPOSE AND SCOPE
To utilize the expertise of the Jackson County Major Assault/Death Investigation Unit (MADIU) during investigations of homicide, major assault, uses of deadly physical force, and deaths occurring while in custody or under suspicious circumstances.

It shall be the policy of this department to assign at least one officer to the MADIU and to participate with investigations assigned to the team. The MADIU is a team of police officers selected by their respective agencies for their knowledge, skills and abilities and who receive advance training in assault and homicide investigations.

602.1.1 GENERAL INFORMATION
Major Assault means any assault where death could result, or a deadly or dangerous weapon is involved.

The MADIU shall consist of personnel selected by each jurisdiction and after consultation with the District Attorney.

The Major Assault Death Investigations Unit shall be requested during the investigation of:

- Homicides
- Major assaults
- Use of deadly physical force involving departmental officers
- Any deaths occurring while the victim is in custody or deaths occurring under suspicious circumstances.

Investigations shall be supervised by the jurisdiction's agency head or his designee, and the District Attorney or his designee.

The individual MADIU member is accountable to his agency administrator for his conduct, performance and activities as a law enforcement officer.

Determination to call for assistance from the unit shall remain with the agency of primary responsibility.

The MADIU shall use the Oregon State Police crime lab, fingerprint personnel and the arson detail where appropriate.

Copies of all reports shall be submitted immediately to the jurisdictional agency.

Each jurisdiction shall be responsible for the expenses incurred by their own members and only those members during the course of the investigation.

During investigations of crimes committed inside the city limits, the City Police shall be the agency of responsibility unless otherwise directed by the Jackson County District Attorney.
During investigations of crimes committed outside the cities, the agency which receives the initial call (i.e., Oregon State Police or Jackson County Sheriff's Office) shall be the agency of primary responsibility. In the case of simultaneous notification, the agency of primary responsibility shall be decided by the MADIU members.

Upon notification of an investigation that may involve MADIU, the agency of primary responsibility shall:

- Assure proper protection of the crime scene until the arrival of the MADIU.
- Provide all available assistance as requested by the MADIU.
- Provide the District Attorney and the MADIU with copies of all reports involving their participation in the investigation.
- Notify the MADIU through Emergency Communications of Southern Oregon.

1. The MADIU shall notify the District Attorney and Medical Examiner.

2. Agencies shall notify their own team members.

The agency of primary responsibility shall continue with the investigation until it is completed.

Members of the MADIU who are not with the agency of primary responsibility shall be responsible to the MADIU for seven days from the date the homicide or major assault is discovered and/or as approved by their department heads.

Press Releases

All press releases shall be the joint responsibility of the District Attorney and the head of the agency of primary responsibility.

Each agency of primary responsibility shall arrange for storage and control of all evidence in conformance with their established property control procedures. Copies of property report forms shall be included in the investigation reports.

Team Composition and operations shall occur as follows:

Each jurisdiction shall have a primary team member and two alternate team members, first alternate and second alternate.

Call outs shall be investigated by team members from Jackson County Sheriff's Office, Medford Police Department, Ashland Police Department, Central Point Police Department and Oregon State Police plus officers from the agency of primary responsibility if other than above.

Each jurisdiction shall dispatch one member to call outs. If additional assistance is required, additional officer(s) may be requested. Responding unit members shall contact the agency of responsibility case agent, for assignment.
Organized Crime & Intelligence

603.1 PURPOSE AND SCOPE
It is the policy of this department to gather, disseminate and purge intelligence in compliance with this document. Information may be collected on individuals, organizations, and businesses which are currently involved in the planning, organizing, financing, or commission of criminal activities; or who are suspected of having threatened, attempted, planned, or performed criminal acts. Information of this nature is valuable and may be maintained by the Criminal Investigations Division, Investigative Support Unit.

603.1.1 GENERAL INFORMATION
Objectives relating to the performance of organized crime functions include:

To identify organized crime activities occurring in or affecting Jackson County.

To forward organized crime and intelligence information to the designated investigator, Investigative Support Unit and/or the Investigations Supervisor.

To investigate organized crime information that has potential for solvability and prosecution.

To maintain files of organized crime and intelligence information in accordance with this document.

To disseminate intelligence information on organized crime activity to other law enforcement officers on a "right to know" - "need to know" basis established by Federal Regulation 28 CFR Part 23.

Identifying Activities:
As with all crime, organized crime may occur at any given time and may include a gambit of offenses. Any officer of this department may be the initial responder to a complaint involving organized crime activity and at any time, regardless of duty status, be approached with information concerning these topics.

All officers should be prepared to identify activities and occurrences associated with organized crime and consequently submit such information to the designated Investigator, Investigative Support Unit and/or Investigations Supervisor. Intelligence information collected will be limited to criminal conduct and activities that present a threat to the community. Activities which should be submitted for review shall include but are not limited to the following:

- Terrorism conduct
- Membership/involvement of a criminal organization (aka Gangs)
- Illegal gambling operations
- Prostitution
- Organized extortion and bribery
- Theft rings
Organized Crime & Intelligence

- Illegal sales or possession of firearms and explosives
- Securities and/or major financial frauds
- Threats against public officials
- Infiltration of legitimate businesses for illegitimate purposes

603.1.2 MAJOR CRIMES
Deputies should be aware of the fact that organized crime is not always recognized by the public as such, but may be referred to or mentioned in or during the reporting of other criminal activities or complaints. In addition, no complaint at all may be made but officers should be prepared to recognize activity during routine job performance that might be connected to organized crime.

At no time shall such reports/written documents be left available for review by media personnel, citizens, or by any department personnel who cannot demonstrate a "right to know" - "need to know".

Routing of Information & File Assignment Any report concerning organized crime or intelligence shall be directed to the Investigative Support Unit. Upon receipt of the information, an initial investigation shall be conducted by the Investigative Support Unit for review by the Investigations Supervisor.

Upon supervisory review, the report shall then either be assigned to one or more investigators for follow up as a criminal investigation or if the investigation lacks enough evidence for prosecution, but demonstrates criminal activities, the investigation shall be placed into an intelligence file for updates and actions.

An Investigations Supervisor shall have the responsibility of assigning such cases for investigation. The supervisor shall consider available manpower, the likelihood of successful prosecution, the violation of ORS (if any), the availability of funds or equipment needed to investigate the activity and/or the impact on the community. If a criminal case is assigned, the procedure governing the investigation shall comply with department procedures for any criminal investigation.

Criminal Intelligence Files Generally A criminal intelligence file consists of information on the activities and associations of individuals and groups known or suspected to be involved in criminal acts or in threatening, planning, organizing, or financing of criminal acts. Specifically, the information relates to individuals who: Are currently involved in or suspected of being involved in the planning, organizing, financing or commission of criminal activities; or who are suspected of having threatened, attempted, planned, or performed criminal acts. Have an established association with known or suspected crime figures involved in criminal acts.

Organizations and businesses which: Are currently involved in or suspected of being involved in the planning, organizing, financing, or commission of criminal activities; or which have threatened, attempted, planned, or performed criminal acts. Are operated, controlled, financed, infiltrated or illegally used by crime figures. Information contained in a criminal intelligence file should be restricted to documents of criminal intelligence investigations and related information from
public record and media sources. Information not meeting the criteria set forth in this document should be excluded from storage in the criminal intelligence file. No information shall be collected or maintained about the political, religious, or social views, associations or activities of any individual or any group, association, corporation, business, partnership, or other organization unless such information directly relates to an investigation of criminal conduct or activity and there is reasonable suspicion that the subject of the information is or may be involved in criminal conduct or activity.

All information to be retained in the criminal intelligence file shall meet the following criteria:

**Permanent File (5 Year File)**: when a criminal act has been identified and the individual, group, association, organization, corporation, business or partnership has been identified. The 5 year retention period renews with the last addition of documented criminal information. Information which relates that an individual, organization, business or gang has been involved, is involved, or suspected of being involved in criminal activities. In addition to falling within the definitions of one or more of the above criminal activities, the subject(s) to be entered into the permanent file should be identifiable - distinguished by a unique identifying characteristic, e.g., DOB, drivers license number, criminal identification number. Identification at the time of file input is necessary to distinguish the subject from any similar in file or any other that may be entered at a later date.

**Temporary File (Up to 1 Year)**: Information which initially does not meet the criteria for permanent file but yet may have enough potential validity for the department to retain for further verification of a criminal act. This file should be kept in a "secondary" file. Retention of information in a secondary file shall not exceed one year unless the file meets the criteria of a permanent file. During this period, efforts shall be made to identify the subject or validate the information so that it may be moved to permanent file or purged.

An individual, organization, business or gang may be given temporary file status in the following cases:

**Subject is unidentifiable** - Subject, although suspected to be engaged in criminal activities, has no physical description, identification numbers, or distinguishing characteristics available.

**Involvement Questionable** - Subject's involvement in criminal activities is questionable; however, based on one or both of the following reasons, it would be beneficial to the department to retain a record of the subject for a limited period of time during which information can be validated.

Possible criminal association - individual or organization, although not currently reported to be criminally active, associates with a known criminal and appears to be aiding or abetting illegal activities.

**Criminal history** - individual or organization, although not currently reported to be criminally active, has a history of criminal conduct, and the circumstances currently reported, i.e., new position or ownership in a business, affords an opportunity to again become criminally active.
Reliability/Validity Unknown - The reliability of the information source and/or the validity of the information content cannot be determined at the time of receipt; however, the information appears to be significant and merits temporary storage while verification attempts are made.

Working File (Up to 30 Days): The working file is the receiving phase of newly acquired raw data received. The supervisor shall review the new data for its acceptability into a temporary or a permanent file status within 30 days or be destroyed unless being actively worked. An index or computer system for accessing information contained in the intelligence files shall be maintained.

603.1.3 INFORMATION EVALUATION
Information retained in the criminal intelligence file should be evaluated by the Investigations supervisor for source reliability and content validity prior to filing. The bulk of data received consists of allegations or information which is initially unverified. Evaluating the source and content at the time of receipt indicates to future users the information's worth and usefulness and is essential in protecting the individual's right of privacy. Circulating information which may not have been evaluated or where the source reliability is poor or the content validity is doubtful, is detrimental to the department's operation and contrary to the individual's right of privacy.

To ensure uniformity, information shall be evaluated according to the criteria set forth below:

**Source Reliability:**

A = **Reliable** The reliability of the source is unquestioned or has been well tested in the past.

B = **Usually Reliable** The reliability of the source can usually be relied upon as factual. The majority of information provided in the past has proved to be reliable.

C = **Unreliable** The reliability of the source has been sporadic in the past.

D = **Unknown** The reliability of the source cannot be judged. Its accuracy or truthfulness has not yet been determined by either experience or investigation.

**Content Validity:**

1 = **Confirmed** The information has been corroborated.

2 = **Probable** The information is consistent with past accounts.

3 = **Doubtful** The information is inconsistent with past accounts.

4 = **Cannot be judged** The information cannot be evaluated.

**Information Classification** Information retained in the criminal intelligence file shall be classified to indicate the degree to which it should be kept confidential in order to protect sources, investigations, and the individual's right of privacy. Classification also dictates the internal approval process which must be completed prior to dissemination of the information to law enforcement personnel. Classification of information shall be the responsibility of the Investigations Supervisor. Criminal intelligence information is subject to continual change. Information shall be reclassified to the appropriate security level as its sensitivity increases or decreases. To ensure conformity, information shall be classified according to the criteria set forth below.
Examples of Classified Information:

**Class I Sensitive** Information pertaining to sensitive intelligence cases currently under investigation. Corruption (police or other government officials). Informant identification information. Release Authority: Intelligence Investigations supervisor or higher authority.

**Class II Confidential** Publications obtained through intelligence unit channels that are not deemed to be confidential. Non-sensitive reports published by law enforcement agencies. File information that does not meet criteria for Class I. Release Authority: Intelligence Investigations supervisor or intelligence unit investigators.

Information Quality Control Information stored in the criminal intelligence file shall undergo a review by the Investigations Supervisor for compliance with established guidelines and policy prior to being filed. The Investigations Supervisor is responsible for seeing that all information entered into the criminal intelligence file conforms to established criteria, has been properly evaluated, classified, and stamped "confidential" or "sensitive".

**File Dissemination** In order to protect the right of privacy of individuals contained in the intelligence file and to maintain the confidentiality of sources and the file itself, a dissemination form shall be maintained for each file. The classification and evaluation assigned to the information are, in part, dissemination controls. They denote who may receive information as well as internal approval level(s) required for release of the information. The integrity of the criminal intelligence file can be maintained only by strict adherence to proper dissemination guidelines. Abuses in the operation of the system due to failure to comply with dissemination guidelines may result in the violation of individual's right of privacy and endanger the confidentiality of the file itself.

To eliminate unauthorized use or abuse of the files, use of a dissemination control form shall be maintained in each file each time information is released. The control form shall show the date of the request, the name of the agency and individual requesting information, the need-to-know, the information provided and the name of the Intelligence supervisor or investigator handling the request. Any copy of written material to be released shall bear the "controlled document" stamp and the required information shall be entered in the spaces provided by the stamp. This agency shall not release a copy of another agency's report without that agency's approval per the third party rule. The agency shall require, per the "controlled document" stamp, our approval for release of copies of Jackson County Sheriff's Office intelligence reports by another agency. Violations of our "controlled document" provisions by another agency may form the basis to deny future reports. All files submitted to an inter-jurisdictional intelligence system shall follow the policies written in the Federal Regulation 28 CFR part 23.

The terms which can be applied to intelligence information access are defined as follows:

**Need-to-know** - Requested information is pertinent and necessary to the requesting agency or individual in initiating, furthering, or completing an investigation.

**Right-to-know** - The requesting agency or individual has official capacity and statutory authority to the information being requested.
File Purge  To ensure that the review and purge of the file is done systematically, the department has adopted the following purge criteria and time schedules:

Purge Criteria  Considerations which may be applied to the reviewing and purging of information stored in the criminal intelligence file are as follows:

Utility  How often is the information used? For what purpose is the information being used? Who uses the information?

Timeliness and Appropriateness
Is the information outdated?
Is the information relevant to the needs and objectives of the department?
Is the information relevant to the purpose for which it was collected?
Is the information available from other sources? Is this non-intelligence information that should be stored elsewhere?
Is the security classification assigned the information still appropriate?

Accuracy & Completeness
Is the information still valid? Is the information adequate for ID purposes?
Can the validity of the information be determined through investigative techniques?

Authority to Purge
Any member of the Intelligence Unit may request the purge of a file. Decision to purge a file rests with the Investigations Supervisor.

Purge Time Schedule
Secondary File - Temporary files shall be purged yearly unless the file meets the criteria of permanent file status.
Permanent File - Permanent files shall be purged every five years unless new documented criminal information is received. The retention period renews with the last addition of the documented information.

Manner of Destruction  Material purged from criminal intelligence files shall be destroyed or deleted under the supervision of the Investigation Supervisor and in accordance with state and county regulations.

File Security  The criminal intelligence file shall remain in the Investigations Bureau office area with file access restricted to members of that section, the Investigations Supervisor, or higher authority. Physical security of the criminal intelligence file is imperative to maintain the confidentiality of information stored in the file and to ensure the protection of the individual's right of privacy. The criminal intelligence file(s) shall remain locked at all times except when a member of the section is in attendance.
Asset Forfeiture

604.1 PURPOSE AND SCOPE
This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

604.1.1 DEFINITIONS
Definitions related to this policy include:

Fiscal agent - The person designated by the Sheriff to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Jackson County Sheriff's Office seizes property for forfeiture or when the Jackson County Sheriff's Office is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The office member assigned by the Sheriff who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Office and the assigned attorney.

Prohibited conduct - In the context of criminal forfeiture, refers to a felony or a Class A misdemeanor for purposes of proceeds and the many crimes listed in ORS 131.602 for purposes of instrumentalities (ORS 131.550).

Prohibited conduct in the context of civil forfeiture refers to any of the following (ORS 131A.005):

- Crimes related to the Uniform Controlled Substances Act where a person may be sentenced to imprisonment (specifically, ORS 475.005 through ORS 475.285 and ORS 475.744 through ORS 475.980)
- Crimes involving violation of, or solicitation, attempt or conspiracy to violate 2017 Oregon Laws, c. 21 § 3 through 2017 Oregon Laws, c. 21, § 6
- Violation of, or solicitation, attempt or conspiracy to violate ORS 475B.185
- Involuntary servitude or compelling prostitution (ORS 163.263; ORS 163.264; ORS 163.266; ORS 167.017)
- Other local crimes allowing for civil forfeiture where a person may be sentenced to imprisonment for the offense

Criminal Forfeiture - The following, with certain restrictions, may be subject to criminal forfeiture when used, or intended to be used, for prohibited conduct (ORS 131.558):

- Containers for controlled substances and related compounds
- Conveyances, including aircraft, vehicles and vessels to transport, sell, conceal, etc. controlled substances
Asset Forfeiture

- Proceeds from prohibited conduct or money, deposits or other things of value used to facilitate prohibited conduct
- Real property or interest in real property
- Weapons possessed or used
- Property used for attempts to commit prohibited conduct, solicitations to commit prohibited conduct and conspiracies
- All other personal property that is used or intended to be used to commit or facilitate prohibited conduct

Civil Forfeiture - The following, with certain restrictions, may be subject to civil forfeiture when used for prohibited conduct (ORS 131A.020):

- Containers for controlled substances and related compounds
- Conveyances, including, but not limited to, aircraft, vehicles and vessels to transport, sell, or conceal controlled substances
- Proceeds from prohibited conduct or money, deposits or other things of value used to facilitate prohibited conduct
- Real property or interest in real property
- Weapons possessed or used
- Property used for attempts to commit prohibited conduct, solicitations to commit prohibited conduct and conspiracies
- A motor vehicle when the driver is arrested or cited for driving while suspended or revoked under ORS 811.182 or ORS 163.196 and has been convicted of either offense within the past three years (ORS 809.740)

Seizure - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

604.2 POLICY
The Jackson County Sheriff's Office recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person’s due process rights.

It is the policy of the Jackson County Sheriff's Office that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

604.2.1 ITEMS SUBJECT TO CRIMINAL FORFEITURE
The following are subject to criminal forfeiture:
Asset Forfeiture

(a) All controlled substances that have been manufactured, distributed, dispensed, possessed or acquired in the course of prohibited conduct

(b) All raw materials, products and equipment of any kind that are used, or intended for use, in providing, manufacturing, compounding, processing, delivering, importing or exporting any service or substance in the course of prohibited conduct

(c) All property that is used, or intended for use, as a container for property described in subsection (a) or (b) of this section

(d) All conveyances, including aircraft, vehicles and vessels, that are used, or are intended for use, to transport or facilitate the transportation, sale, receipt, possession or concealment of property described in subsection (a) or (b) of this section, and all conveyances, including aircraft, vehicles and vessels, that are used or intended for use in prohibited conduct or to facilitate prohibited conduct, except that:

1. No conveyance used by any person as a common carrier is subject to criminal forfeiture under the provisions of this section unless the owner or other person in charge of such conveyance was a consenting party or knew of and acquiesced in the prohibited conduct; and

2. No conveyance is subject to criminal forfeiture under the provisions of this section by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such conveyance was unlawfully in the possession of a person other than such owner while such conveyance was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States or of any state

(e) All books, records, computers and research, including formulae, microfilm, tapes and data that are used or intended for use to facilitate prohibited conduct

(f) All moneys, negotiable instruments, balances in deposit or other accounts, securities or other things of value furnished or intended to be furnished by any person in the course of prohibited conduct, all proceeds of or from prohibited conduct, and all moneys, negotiable instruments, balances in deposit and other accounts and securities used or intended to be used to facilitate any prohibited conduct

(g) All real property, including any right, title and interest in the whole of any lot or tract of land and any appurtenances or improvements, that is used or intended to be used to commit or facilitate the commission of prohibited conduct

(h) All weapons possessed, used or available for use to facilitate conduct giving rise to criminal forfeiture.

(i) All property described in this section that is intended for use in committing or facilitating an attempt to commit a crime as described in Oregon Revised Statutes161.405, a solicitation as described in Oregon Revised Statutes161.435 or a conspiracy as described in Oregon Revised Statutes161.450
(j) All personal property that is caused or intended to be used to commit or facilitate prohibited conduct.

604.2.2 MINIMUM GUIDELINES FOR SEIZURES
The following guidelines identify the minimum amounts or values required to seize vehicles or real property:

(a) Vehicles, i.e. cars, trucks, motorcycles, boats, or airplanes used as a conveyance, with equity based on a low blue book value of at least $5,000.
(b) $50,000 in equity of real property (house/condominium).
(c) Personal property valued at $2000 or more.
(d) Cash in excess of $1000.

604.2.3 PROHIBITED CONDUCT
(a) For the purposes of proceeds, prohibited conduct is any Felony or Class A Misdemeanor.
(b) For the purposes of instrumentalities, prohibited conduct is any crime listed in Oregon Revised Statutes 131.602.

604.3 ASSET SEIZURE
Property may be seized for forfeiture as provided in this policy.

604.3.1 PROPERTY SUBJECT TO SEIZURE
The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

(a) Civil forfeiture
   1. Property that is subject to a court order (ORS 131A.060).
   2. Property that is not subject to a court order if (ORS 131A.065):
      (a) There is probable cause to believe that the property is subject to forfeiture and the property may constitutionally be seized without a warrant.
      (b) The seizure is in the course of a constitutionally valid criminal investigative stop, arrest or search, and there is probable cause to believe that the property is subject to civil forfeiture.
      (c) The property is directly or indirectly dangerous to the health or safety of any person.
      (d) An owner consents to the seizure.

(b) Criminal forfeiture
   (a) Property that is subject to a court order (ORS 131.561).
(b) Property that is not subject to a court order when (ORS 133.535; ORS 131.561):
   (a) The property subject to criminal forfeiture is also evidence of a crime or is illegal to possess.
   (b) There is probable cause to believe that the property is subject to criminal forfeiture.

Whenever practicable, a court order for seizure prior to making a seizure is the preferred method.
A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

604.3.2 PROPERTY NOT SUBJECT TO SEIZURE
The following property should not be seized for forfeiture:
   (a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds
   (b) A conveyance owned by a common carrier or person who did not consent to the offense in question or had no knowledge of the offense (i.e., an “innocent owner”) (ORS 131.558)

604.3.3 SEIZED VEHICLES
Vehicles seized subject to forfeiture will be towed to a designated secure storage facility. The deputy seizing the vehicle shall notify the detective supervisor of the seizure of the vehicle and circumstances of the seizure as soon as practicable.

Seized vehicles should be towed, not driven, to the storage facility.
Personal property located in a seized vehicle shall be removed and booked into Property, as either evidence or for safekeeping.
Vehicles lawfully seized, that contain a hidden compartment as defined in ORS 131A.005, should have the hidden compartment disabled or removed prior to release (ORS 131A.030).

604.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS
When property or cash subject to this policy is seized, the deputy making the seizure should ensure compliance with the following:
   (a) Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the deputy must leave the copy in the place where the property was found, if it is reasonable to do so.
   (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
(c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The deputy will book seized property as evidence with the notation in the comment section of the property form, “Seized Subject to Forfeiture.” Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items. Deputies who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

604.5 MAINTAINING SEIZED PROPERTY
The Property and Evidence Section supervisor is responsible for ensuring compliance with the following:

(a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
(b) All property received for forfeiture is checked to determine if the property has been stolen.
(c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
(d) Property received for forfeiture is not used unless the forfeiture action has been completed.

604.6 FORFEITURE REVIEWER
The Sheriff will appoint a forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Office on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly ORS 131.550 et seq., ORS 131A.010 et seq., and Or Const, Art XV, § 10 and the forfeiture policies of the forfeiture counsel.
(b) Serving as the liaison between the Office and the forfeiture counsel and ensuring prompt legal review of all seizures.
(c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
Asset Forfeiture

(d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate (see the restrictions in Or Const, Art XV, § 10).

(e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

(f) Ensuring that seizure forms are available and appropriate for office use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to deputies. The forms should be available in languages appropriate for the region and should contain spaces for:

1. Names and contact information for all relevant persons and law enforcement officers involved.
2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
3. A space for the signature of the person from whom cash or property is being seized.
4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.
5. Other information as necessary to comply with the form requirements of ORS 131.570 and ORS 131A.055.

(g) Ensuring that deputies who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Departmental Directives. The training should cover this policy and address any relevant statutory changes and court decisions.

(h) Reviewing each asset forfeiture case to ensure that:

1. Written documentation of the seizure and the items seized is in the case file.
2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property. Information on the notice to interested parties can be found in ORS 131.561, ORS 131.570, ORS 131A.150 and ORS 131A.230. Information on the notice of intent to forfeit real property with the county can be found in ORS 131.567.
Asset Forfeiture

4. Property is promptly released to those entitled to its return.
5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
6. Any cash received is deposited with the fiscal agent.
7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
8. Current minimum forfeiture thresholds are communicated appropriately to deputies.
9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

(i) Ensuring that a written plan is available that enables the Sheriff to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.

(j) Ensuring that the Office disposes of property as provided by law following any forfeiture.

(k) Ensuring the forms and receipts provided for field use comply with ORS 131.570 and ORS 131A.055. A consensual search of a motor vehicle form should be available for field use as well (ORS 131A.025).

(l) Disabling hidden compartments in vehicles when appropriate (ORS 131.566; ORS 131A.030).

(m) Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

(n) Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and County financial directives.

604.7 DISPOSITION OF FORFEITED PROPERTY
Property forfeiture through the criminal forfeiture process shall be disposed of in accordance with ORS 131.594 and the associated statutes including priority payments for costs and to victims, as applicable. Forfeited cigarettes shall be destroyed, not sold (ORS 131.604).

Criminally forfeited lab equipment may be donated to educational institutions (ORS 131.594).

604.7.1 DISPOSITION OF RECORDS
Written documentation of each sale, decision to retain, transfer or other disposition of criminally forfeited property will be maintained and any information requests necessary for the forfeiture counsel’s electronic reports shall be addressed (ORS 131.600).
Asset Forfeiture

604.8 CONSENSUAL SEARCH OF MOTOR VEHICLE
Deputies should use a consensual search of a motor vehicle form when requesting a consensual search of a motor vehicle (ORS 131A.025).
Eyewitness Identification

605.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

605.1.1 DEFINITIONS
Definitions related to the policy include:

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live lineup** - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

605.2 POLICY
The Jackson County Sheriff's Office will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

605.3 INTERPRETIVE SERVICES
Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

605.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM
The Criminal Investigations Division supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.
(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the suspect’s photograph may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness’s own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary.

605.5 EYEWITNESS IDENTIFICATION
Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified, or failed to identify, the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

605.6 DOCUMENTATION
A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.
Eyewitness Identification

605.7 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS
When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup to a witness should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

605.8 FIELD IDENTIFICATION CONSIDERATIONS
Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination or show-up identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.

(b) Assess whether a witness should be included in a field identification process by considering:

1. The length of time the witness observed the suspect.
2. The distance between the witness and the suspect.
3. Whether the witness could view the suspect’s face.
4. The quality of the lighting when the suspect was observed by the witness.
5. Whether there were distracting noises or activity during the observation.
6. Any other circumstances affecting the witness’s opportunity to observe the suspect.
7. The length of time that has elapsed since the witness observed the suspect.

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
Eyewitness Identification

(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

(e) The person who is the subject of the show-up should not be shown to the same witness more than once.

(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

(g) A person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

(h) If a witness positively identifies a subject of a show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.
Unmanned Aerial System (UAS) Operations

606.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS
Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means. For the purpose of this policy, a UAS includes a drone, as defined by ORS 837.300.

606.2 POLICY
Unmanned aerial systems may be utilized to enhance the department’s mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY
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 or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

606.4 PROGRAM COORDINATOR
The Sheriff will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
Deployment of a UAS shall require written authorization of the Sheriff or the authorized
designee, depending on the type of mission.

- Developing protocols for conducting criminal investigations involving a UAS, including
documentation of time spent monitoring a subject.

- Implementing a system for public notification of UAS deployment.

- Developing operational protocols governing the deployment and operation of a UAS
including, but not limited to, safety oversight, use of visual observers, establishment
of lost link procedures and secure communication with air traffic control facilities.

- Developing a protocol for fully documenting all missions.

- Developing a UAS inspection, maintenance and record-keeping protocol to ensure
continuing airworthiness of a UAS, up to and including its overhaul or life limits.

- Developing protocols to ensure that all data intended to be used as evidence are
accessed, maintained, stored and retrieved in a manner that ensures its integrity as
evidence, including strict adherence to chain of custody requirements. Electronic trails,
including encryption, authenticity certificates and date and time stamping, shall be
used as appropriate to preserve individual rights and to ensure the authenticity and
maintenance of a secure evidentiary chain of custody.

- Developing protocols that ensure retention and purge periods are maintained in
accordance with established records retention schedules.

- Facilitating law enforcement access to images and data captured by the UAS.

- Recommending program enhancements, particularly regarding safety and information
security.

- Ensuring that established protocols are followed by monitoring and providing periodic
reports on the program to the Sheriff.

- Ensuring that the UAS is registered with the Oregon Department of Aviation (ORS
837.360).

- Developing protocols for storage, security and access to data collected by the

- Developing protocols if a third party is used for the storage of data, including
handling, security and access to the data by the third party (2016 Oregon
Laws, C.72, § 7).

- Developing protocols for disclosing data collected by the UAS through

- Publishing the department policies and procedures regarding the
use, storage (including third party storage), accessing, sharing and retention of data
collected by the UAS, including the text of ORS 192.501 on the department website
or other publicly accessible system (2016 Oregon Laws, C.72, § 7).
606.5 USE OF UAS
Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.

The UAS shall only be operated by the Department (ORS 837.320; ORS 837.330; ORS 837.335):

(a) Pursuant to a valid warrant authorizing its use.

(b) When there is probable cause to believe that a person has committed a crime, is committing a crime or about to commit a crime, and exigent circumstances exist that make it unreasonable to obtain a warrant authorizing the use.

(c) With written consent of an individual for the purpose of acquiring information about the individual or the individual’s property.

(d) As part of search and rescue activities, as defined in ORS 404.200.

(e) When assisting an individual in an emergency if there is a reasonable belief that there is an imminent threat to the life and safety of the individual.
   1. A report shall be prepared documenting the factual basis for the belief.
   2. Within 48 hours of the emergency, a sworn statement shall be filed with the circuit court describing the nature of the emergency and the need for the use of the UAS.

(f) During a state of emergency declared by the Governor, if:
   1. The UAS is used for preserving public safety, protecting property or conducting surveillance that will be used to assess and evaluate environmental or weather-related damage, erosion or contamination.
   2. The UAS is operated only in the geographical area specified in the Governor’s proclamation.

(g) For the purpose of reconstructing a crime scene, or a similar physical assessment, that is related to a specific criminal investigation, as provided by ORS 837.340.

(h) For the purpose of training in the use and acquisition of information, as provided in ORS 837.345.

606.6 PROHIBITED USE
The UAS video surveillance equipment shall not be used:

• To conduct random surveillance activities.
Unmanned Aerial System (UAS) Operations

- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized (ORS 837.365).

The UAS shall not be used in any way which causes interference with an aircraft that is in the air, taking off or landing (2016 Oregon Laws, C.72 § 5).

606.7 RETENTION OF UAS DATA
Data collected by the UAS shall be retained as provided in the established records retention schedule (2016 Oregon Laws, C.72, § 7).

606.8 REPORTING
The Records Division supervisor shall ensure that an annual report is provided to the Oregon Department of Aviation that summarizes the frequency of UAS use and the purpose for the use, and indicates how the public can access the department's policies and procedures regarding the use of data resulting from the use of UAS as required by ORS 837.360.
Chapter 7 - Equipment
Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE
This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another or department-owned property is damaged or lost.

700.2 DEPARTMENT-ISSUED PROPERTY
All property and equipment issued by the Department shall be documented in the appropriate property sheet or equipment log. Receipt of issued items shall be acknowledged by the receiving member’s signature. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

The Support Services Division Commander shall be responsible for developing and maintaining procedures for the inventory control of department property.

700.2.1 CARE OF PROPERTY
Members shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. Intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to, the cost of repair or replacement.

(a) Members shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.

1. A supervisor receiving such a report shall conduct an inquiry and direct a memo to the appropriate Division Commander, which shall include the result of the inquiry and whether misconduct or negligence caused the loss, damage or unserviceable condition.

2. A review of the incident by command staff should determine whether additional action is appropriate.

(b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or otherwise reasonable by circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

(e) A supervisor’s approval is required before any attempt to repair damaged or unserviceable property is made by a member.
700.3 DAMAGE TO PROPERTY OF ANOTHER PERSON
Anyone who intentionally or unintentionally damages or causes to be damaged the real or personal property of another while performing any law enforcement function shall promptly report the damage through his/her chain of command.

The supervisor receiving such a report shall conduct an inquiry and direct a memo to the appropriate Division Commander, which shall include the result of the inquiry and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

A review of the incident by command staff to determine whether misconduct or negligence was involved should be completed.

700.3.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY
Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of the County of Jackson or of another person while performing their duties within the jurisdiction of this department. It shall be the responsibility of the department member present or the member responsible for the property to report the damage as follows:

(a) A verbal report shall be made to the member's immediate supervisor as soon as circumstances permit.

(b) A written report (County Incident Form) shall be submitted before the member goes off-duty or as otherwise directed by the supervisor.

The supervisor receiving such a report shall conduct an inquiry and direct a memo to the appropriate Division Commander which shall include the result of the inquiry and whether misconduct or negligence caused the loss, damage or unserviceable condition.

700.4 POLICY
Members of the Jackson County Sheriff's Office shall properly care for department property assigned or entrusted to them. Department-owned property that becomes damaged shall be promptly replaced. Members' personal property that becomes damaged during the performance of assigned duties will be reimbursed in accordance with this policy.

700.5 PERSONAL PROPERTY
Carrying and/or using personal property or equipment on-duty requires prior written approval by the Sheriff or the appropriate Division Commander. The member should submit a request that includes the description of the property, and the reason and length of time it will be used. Personal property of the type routinely carried by persons not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

The Department will not replace or repair costly items (e.g., jewelry, expensive watches, exotic equipment) that are not reasonably required as a part of work.
700.5.1 FILING CLAIMS FOR PERSONAL PROPERTY
Claims for reimbursement for damage to, or loss of, personal property must be made on the proper form. This form is submitted to the member’s immediate supervisor. The supervisor may require a separate written report.

The supervisor receiving such a report shall conduct an inquiry and direct a memo to the appropriate Division Commander, which shall include the result of the inquiry and whether the reasonable care was taken to prevent the loss, damage or unserviceable condition.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Sheriff who will then forward the claim to the County department responsible for issuing payments. Reimbursements will be done in accordance with the C.B.A.
701.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCD) but is intended to include all mobile telephones, personal digital assistants (PDA) and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, e-mailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY
The Jackson County Sheriff's Office allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance). The purpose is not to monitor off-duty activity but may be used as an investigative tool to determine location.

701.4 DEPARTMENT-ISSUED PCD
Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Department-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by the Sheriff or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.
Personal Communication Devices

Unless a member is expressly authorized by the Sheriff or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

701.5 PERSONALLY OWNED PCD
Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used and maintained solely at the member’s expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.

1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Sheriff.

(e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Sheriff or the authorized designee.

(f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings or other public records created or received on a member’s personally owned PCD should be transferred to the Jackson County Sheriff’s Office and deleted from the member’s PCD as soon as reasonably practicable but no later than the end of the member’s shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in department business-related communications. Should members engage in such approved
Personal Communication Devices

off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

701.6 USE OF PCD
The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
(b) All PCDs in the workplace shall be set to silent or vibrate mode.
(c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
(d) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.
(e) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Sheriff or the authorized designee, may result in discipline.
(f) Members will not access social networking sites for any purpose that is not official department business. Members may access social media network sites on their PCD during authorized breaks.
(g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
(b) Monitoring, to the extent practicable, PCD use in the workplace and take prompt corrective action if a member is observed or reported to be improperly using a PCD.
Personal Communication Devices

1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
   (c) Before conducting any administrative search of a member’s personally owned device, supervisors should consult with the Sheriff or the authorized designee.

701.8 USE WHILE DRIVING
The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Deputies operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (ORS 811.507). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.9 OFFICIAL USE
Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.
Vehicle Maintenance

702.1 PURPOSE AND SCOPE
Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES
When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, including, but not limited to, the lack of a working siren, emergency lights and/or radio communications, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

702.2.1 DAMAGE OR POOR PERFORMANCE
Vehicles that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.2.2 SEVERE USE
Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer’s parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.2.3 REMOVAL OF WEAPONS
All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

702.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES
Deputies shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- 20 Emergency road flares
- 2 Sticks yellow crayon or chalk
- 1 Roll Crime Scene Barricade Tape
- 1 First aid kit, CPR mask
- 1 Blanket
Vehicle Maintenance

- 1 Fire extinguisher
- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container
- 3 Hazardous waste disposal bags
- 1 Traffic Safety Vest
- 1 Hazardous Materials Emergency Response Handbook
- 1 Evidence collection supplies
- 1 Camera

702.3.2 UNMARKED VEHICLES
An employee driving unmarked department vehicles shall ensure that the minimum following equipment is present in the vehicle:
- 5 Emergency road flares
- 1 Roll Crime Scene Barricade Tape
- 1 First aid kit, CPR mask
- 1 Blanket
- 1 Fire extinguisher
- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container
- 1 Hazardous waste disposal bag
- 1 Traffic Safety Vest
- 1 Hazardous Materials Emergency Response Handbook
- 1 Evidence collection supplies
- 1 Camera

702.4 VEHICLE REFUELING
Absent emergency conditions or supervisor approval, deputies driving patrol vehicles shall not place a vehicle in service that has less than one-half tank of fuel. Vehicles shall only be refueled at the authorized location. Vehicles should be fueled at the end of each shift.

702.5 WASHING OF VEHICLES
All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.
Vehicle Maintenance

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

702.6 NON-SWORN EMPLOYEE USE
Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Non-sworn employees shall also prominently display the “out of service” placards or lightbar covers at all times. Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Marked vehicles released to non-members for service or any other reason shall have all weapons removed and “out of service” placards or lightbar covers in place.

702.7 VEHICLE INSPECTION
Unless delayed by an emergency call, employees shall inspect department vehicles at the beginning of each shift for any damage, and to ensure that all systems, lights and emergency equipment are in good working order. The interiors should be examined to confirm no property or contraband is present. The interior inspection should be repeated at the conclusion of any prisoner transport.
Vehicle Use

703.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the County of Jackson to provide assigned take-home vehicles.

703.2 POLICY
The Jackson County Sheriff's Office provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.2.1 ASSIGNED VEHICLES
Personnel assigned to routine scheduled field duties shall log onto the Mobile Digital Computer indicating their respective vehicle number when going on duty. If the vehicle is not equipped with a working in-car computer, they shall notify ECSO for entry of the vehicle number on the shift roster. If the employee exchanges vehicles during the shift, the new vehicle number shall be entered.

Assigned employees shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their assignment to that vehicle. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor.

All vehicles used in patrol operations are equipped with a sheriff's radio and emergency equipment as defined by Oregon Revised Statutes 816.250 and Oregon Administrative Rules 735-110-0010 through 735-110-0050. Vehicles with defective emergency equipment should be promptly reported to a supervisor and not used for patrol duties.

703.2.2 UNSCHEDULED USE OF VEHICLES
Personnel utilizing a vehicle for any purpose other than scheduled field duties shall first notify the Patrol Sergeant of the reasons for use. This section does not apply to personnel permanently assigned an individual vehicle, or to Property personnel assigned transportation duties to and from other facilities. Property personnel shall be responsible for maintaining records of the property transportation vehicles for a minimum of two years.

703.2.3 UNDERCOVER VEHICLES
Undercover units shall not be used without first obtaining approval from the respective unit supervisor.

703.2.4 CRIMINAL INVESTIGATIONS DIVISION VEHICLES
Criminal Investigations vehicle use is restricted to Detective personnel unless approved by a detective supervisor.
Vehicle Use

703.2.5 AUTHORIZED PASSENGERS
Personnel operating County owned vehicles shall not permit persons other than County employees, persons required to be conveyed in the performance of duty, or as otherwise authorized to ride as a passenger in their vehicle. Additionaly, see County Policy 8-02.

703.3 ASSIGNED VEHICLE AGREEMENT
County owned vehicles assigned to personnel for their use within their job assignment may be used to transport the employee to and from their residence for work-related purposes. The vehicle shall only be used for work-related purposes and shall not be used for personal errands, or transports, unless special circumstances exist and the shift sergeant gives authorization. Employees are to be responsible for the vehicle’s care and maintenance (The department will provide necessary care/maintenance supplies). The assignment of vehicles is at the discretion of the Sheriff. Assigned vehicles may be changed at any time and/or permission to take home a vehicle may be withdrawn at any time.

If an employee with a take-home vehicle lives outside of Jackson County, they are not authorized to take the vehicle home and may park the vehicle at a location approved by the Division Commander within Jackson County. Employees living outside the county as of 12/19/2016 will be exempt from this portion only of this policy. Any employee who moves outside of the county after the issuance of the update on 12/19/2016 will be held to this policy.

Criteria for use of take-home vehicles include the following:

(a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Sheriff or a Division Commander gives authorization.

(b) Vehicles may be used to transport the member to and from the member’s residence for work-related purposes.

(c) Vehicles will not be used when off-duty except:
   1. In circumstances when a member has been placed on call by the Sheriff or Division Commanders and there is a high probability that the member will be called back to duty.
   2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
   3. When the member has received permission from the Sheriff or Division Commanders.
   4. When the vehicle is being used by the Sheriff, Division Commanders or members who are in on-call administrative positions.
   5. When the vehicle is being used by on-call investigators.

(d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
Vehicle Use

(e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.

(f) Unattended vehicles are to be locked and secured at all times.
   (a) No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
   (b) All weapons shall be secured while the vehicle is unattended.
   (c) All department identification, portable radios and equipment should be secured.

(g) The member is responsible for the care and maintenance of the vehicle.

703.3.1 OTHER USE OF VEHICLES
Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Patrol Sergeant. A notation will be made on the shift assignment roster indicating the member’s name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

703.3.2 INSPECTIONS
Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.3 MOBILE DIGITAL COMPUTER
Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify Dispatch. Use of the MDC is governed by the Mobile Digital Computer Use Policy.
Vehicle Use

703.3.4 VEHICLE LOCATION SYSTEM
Patrol and other vehicles, at the discretion of the Sheriff, may be equipped with a system designed to track the vehicle’s location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Division Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.5 KEYS
Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member’s chain of command.

703.3.6 PRIVACY
All County-owned vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.7 ALCOHOL
Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.8 PARKING
Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.
Vehicle Use

703.3.9 ACCESSORIES AND/OR MODIFICATIONS
There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned Division Commander.

703.3.10 NON SWORN MEMBER USE
Non sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non sworn members shall prominently display the "out of service" placards or light bar covers at all times. Non sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 SECURITY
Employees may take home County owned vehicles only with prior approval from their Bureau Captain and shall meet the following criteria:

(a) Vehicles shall be locked when not attended.
(b) All firearms and kinetic impact weapons shall be locked and secured in the locking gun rack, trunk lock box or in the residence when the vehicle is not attended.
(c) When an employee is on vacation, leave, or out of the area in excess of one week, the vehicle shall be stored at the Department or at the employee's residence if a secure garage is available.

703.4.1 ENFORCEMENT ACTIONS
When driving a take-home vehicle to and from work outside of the jurisdiction of the Jackson County Sheriff's Office or while off-duty, a deputy shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Deputies may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Deputies driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Deputies should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.4.2 MAINTENANCE
Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. The following should be performed as outlined below:

(a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
(b) It is the member’s responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
(c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
Vehicle Use

(d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

(e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.

(f) All weapons shall be removed from any vehicle left for maintenance.

(g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 DAMAGE, ABUSE AND MISUSE
When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Patrol Sergeant. An administrative review may be initiated to determine if there has been any vehicle abuse, misuse or further investigative needs.

703.6 ATTIRE AND APPEARANCE
When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.
Mobile Command Center (MCC)

704.1 PURPOSE AND SCOPE
To set forth control, use, deployment and operational considerations for the Jackson County Operational Area Command Center vehicle. The MCC is owned by the Jackson County Operational Area member agencies and is operated/maintained by the Jackson County Sheriff's Office.

704.1.1 AUTHORIZATION OF MCC

EMERGENCY USE A Jackson County Sheriff's Office Captain, or a higher-ranking deputy, may authorize use of the MCC.

FOR PLANNED EVENTS Planned events shall be coordinated through the Captain who is assigned the MCC as his collateral assignment.

PRIORITIZED CATEGORIES OF USE Different situations will dictate the category of response/use of the MCC. There are three categories of response/use the Jackson County Sheriff's Office will recognize for use of the MCC. A Category 1 response/use has priority over a Category 2 or 3 response/use.

- **Category 1**: Any emergency or disaster, at either the local or regional level, that requires the activation of the jurisdiction's EOC and where the jurisdiction's EOC is not functional, or where multiple EOCs or a field EOC are needed to coordinate the response of emergency personnel, such as:
  - 1. Special Operations Unit Callout
  - 2. Hazardous Materials Spill
  - 3. Plane Crash
  - 4. Major Crime Scene Investigation
  - 5. Traffic Collision requiring extensive investigation
  - 6. Missing person search
  - 7. Other events as authorized by Command Staff

- **Category 2**: Planned special events where requesting agencies would use the MCC as an Operational Command Center to coordinate the mission during the event, such as:
  - 1. Parades
  - 2. Pear Blossom Race events
  - 3. Ashland Halloween Festivities
  - 4. Fairs/Carnivals
Mobile Command Center (MCC)

- 5. Other events as permitted by Command Staff

- Category 3: Public relations exhibitions for display of the MCC as one of the assets of the Jackson County Operational Area, such as:
  - 1. Recruitment fairs
  - 2. Sober graduation
  - 3. Oregon State Sheriff's Association Conference
  - 4. Crime prevention fair

704.1.2 DEPLOYMENT
The MCC will be made available to Jackson County Operational Area allied agencies, or through mutual aide out-of-County with authorization from the Sheriff or his designee. The criteria established above will be used as guidelines to authorize or deny a request. Upon an allied agency request and upon request approval, the Jackson County Sheriff's Office personnel shall deploy and set up the MCC. Sheriff's personnel will stay with the MCC to assist in its proper operation.

Jackson County Sheriff's Office deployments shall have priority over all allied agency requests. The MCC vehicle shall be stored and ready for deployment at a moment's notice. The MCC shall be deployed with a minimum of a two-person crew.

DEPLOYMENT CHECKLIST The following guidelines shall be used as a checklist at the time of deployment and upon the return of the MCC.

(a) MCC full of fuel
(b) Exterior inspection of the MCC for damage
(c) Leveling system operational
(d) Interior inventory check of supplies to determine readiness
(e) Interior items secured
(f) MCC clean up
(g) Refrigerator clean and functional
(h) Land power charging system plugged in
(i) Battery system charged/charging and operational

LEVELS OF TRAINING Members authorized to deploy the MCC shall meet one of the two required levels of training, driver or operator. Members authorized to deploy the MCC shall have completed all Department approved training.
Cash Handling, Security and Management

705.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

705.2 POLICY
It is the policy of the Jackson County Sheriff's Office to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

705.3 PETTY CASH FUNDS
The Sheriff shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

705.4 PETTY CASH TRANSACTIONS
The fund manager shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

705.5 PETTY CASH AUDITS
The fund manager shall perform an audit no less than once every six months. This audit requires that the fund manager and at least one command staff member, selected by the Sheriff, review the transaction ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the Sheriff.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Sheriff or the County.
Cash Handling, Security and Management

705.6 ROUTINE CASH HANDLING
Those who handle cash as part of their property or Narcotics Unit supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

705.7 OTHER CASH HANDLING
Members of the Department who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence Policy.

Cash in excess of $1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.
Personal Protective Equipment

706.1 PURPOSE AND SCOPE
This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

706.1.1 DEFINITIONS
Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

706.2 POLICY
The Jackson County Sheriff's Office endeavors to protect members by supplying certain PPE to members as provided in this policy.

706.3 DEPUTY RESPONSIBILITIES
Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

706.4 HEARING PROTECTION
Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 29 CFR 1910.95 and OAR 437-002-0080.

706.5 EYE PROTECTION
Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the
Personal Protective Equipment

prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in OAR 437-002-0134.

706.6 HEAD AND BODY PROTECTION
Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any collective bargaining agreement.

706.7 RESPIRATORY PROTECTION
The Support Services Division Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (29 CFR 1910.134; OAR 437-002-0120):

(a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
(b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
(c) Medical evaluations.
(d) PPE inventory control.
(e) PPE issuance and replacement.
(f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
(g) Regularly reviewing the PPE plan.
(h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

706.7.1 RESPIRATORY PROTECTION USE
Designated members may be issued respiratory PPE based on the member’s assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member’s degree of exposure or stress may affect respirator effectiveness, the scene commander shall
Personal Protective Equipment

reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (29 CFR 1910.134; OAR 437-002-0120):

(a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.

(b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.

(c) The member needs to replace the respirator, filter, cartridge or canister.

706.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (29 CFR 1910.134; OAR 437-002-0120):

(a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.

(b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.

(c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.

(d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

706.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (29 CFR 1910.134; OAR 437-002-0120).

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

(a) They smell, taste or are irritated by a contaminant.
(b) They experience difficulty breathing due to filter loading.
(c) The cartridges or filters become wet.
(d) The expiration date on the cartridges or canisters has been reached.

706.7.4 SELF-CONTAINED BREATHING APPARATUS
Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

(a) Entering the hot zone of a hazardous materials incident.
(b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
(c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander.

706.7.5 RESPIRATOR FIT TESTING
No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; OAR 437-002-0120).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; OAR 437-002-0120):

(a) At least once every 12 months.
(b) Whenever there are changes in the type of SCBA or facepiece used.
(c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

706.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE
No member shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; OAR 437-002-0120):

(a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
(b) A physician or other licensed health care professional has reviewed the questionnaire.
(c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

706.8 RECORDS
The Training Officer is responsible for maintaining records of all:

(a) PPE training.
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(b) Initial fit testing for respiratory protection equipment.
(c) Annual fit testing.
(d) Respirator medical evaluation questionnaires and any subsequent physical examination results.
   1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule, 29 CFR 1910.1020 and OAR 437-002-0360.

706.9 TRAINING
Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132; OAR 437-002-0120).

Chapter 8 - Support Services
Property and Evidence

800.1 PURPOSE AND SCOPE
This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

800.2 DEFINITIONS
Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

• Property obtained by the Department for safekeeping such as a firearm
• Personal property of an arrestee not taken as evidence
• Property taken for safekeeping under authority of a law

Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

800.3 PROPERTY HANDLING
Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form. Care shall be taken to maintain the chain of custody for all evidence. When not specifically addressed by this manual, collection and handling of all evidence and property should follow the guidelines established by the State of Oregon Physical Evidence Manual.

Employees will provide a receipt for all items of property or evidence that are received or taken from any person. If no person is present, and the property or evidence is removed from private property or a vehicle, the employee will leave a receipt prominently placed on the private property or the vehicle.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item(s).

800.3.1 PROPERTY BOOKING PROCEDURE
All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:
(a) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.

(b) Complete an evidence/property tag and attach it to each item or place item(s) in evidence bay and fill in information.

(c) The original property sheet shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.

(d) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into the slotted slam locker indicating the location of the property.

(e) All property booked with a serial number shall be ran through LEDS/NCIC and the return submitted with the evidence and property sheet.

Any property or evidence not submitted with a complete and accurate PIR, not correctly packaged or identified, and/or not accompanied with the proper paperwork (to include the running of serial numbers), will be returned to the submitting deputy.

800.3.2 NARCOTICS AND DANGEROUS DRUGS
All narcotics and dangerous drugs (Including paraphernalia as defined by Oregon Revised Statutes 475.525(2)) shall be packaged separately.

The deputy seizing the narcotics and dangerous drugs shall place them in the temporary property locker with a copy of the property sheet.

800.3.3 EXPLOSIVES/HAZARDOUS SUBSTANCES
Deputies who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Patrol Sergeant. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives. In the event of military ordnance, the closest military unit shall be notified and will be responsible for removal of the device.

Explosives will not be retained in the sheriff's facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The evidence clerk is responsible for transporting to the OSP Bomb Squad, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

800.3.4 EXCEPTIONAL HANDLING
Certain property items require a separate process. The following items shall be processed in the described manner:
(a) Bodily fluids such as blood or semen stains shall be air dried prior to booking and packages should be labeled with a biohazard sticker

(b) All bicycles and bicycle frames require a property sheet. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property and evidence clerk, or placed in the bicycle storage area until a property and evidence clerk can log the property

(c) All cash shall be counted in the presence of two deputies and the envelope initialed by the booking deputy and the second deputy. The Patrol Sergeant shall be contacted for cash in excess of $1,000 for special handling procedures. Cash should be stored in the currency safe.

(d) County property, unless connected to a known criminal case, should be released directly to the appropriate County department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

(e) Urine & blood samples shall be placed in the temporary storage refrigerator

800.3.5 COLLECTION AND PRESERVATION OF DNA EVIDENCE
Because DNA evidence can play a key role in establishing guilt or innocence it is important that such evidence be collected, handled and preserved in a manner that will maintain its integrity for future testing. Unless impracticable to do so, deputies should collect samples of all biological evidence that may reasonably be used to incriminate or exculpate any person as part of any criminal death investigation or a sex crime listed in ORS 163A.005. The evidence clerk will be responsible to ensure that biological evidence is preserved in an amount and manner that is sufficient to develop a DNA profile.

Collection and preservation should follow established protocols as outlined in the Oregon Physical Evidence Manual.

800.3.6 COLLECTION AND PRESERVATION OF SAFE KITS
Under current law, victims of sexual assault may seek medical assessment and choose not to make a report to law enforcement, yet still have evidence collected and preserved. The Jackson County Sheriff's Office will collect and maintain the chain of evidence for all Oregon State Police Sexual Assault Forensic Evidence Kits (SAFE Kits) and any associated evidence collected by medical facilities in this jurisdiction for victims of sexual assault, regardless of where the assault may have occurred. Victims who choose to remain anonymous and not make a report shall not be required to do so (ORS 147.397). The deputy will pull a public assist or suspicious incident case number.

When a medical facility notifies this department that evidence of a sexual assault has been collected and a SAFE Kit is available, the assigned deputy shall be responsible for the following:

(a) Respond promptly to the medical facility to retrieve the evidence.
(b) Provide a unique case number to a responsible representative of the medical facility, which will be provided to the victim. The case number will be used to identify all associated evidence so that a chain of evidence can be maintained in the event the victim later decides to report the assault. The phone number of the Property/Evidence Clerk shall be provided so the victim or representative of the victim will have a contact person to inquire the status of the SAFE kit.

(c) Ensure that no identifying information regarding the victim, other than the case number, is visible on the evidence packaging.

(d) Prepare and submit a property sheet and book the evidence in accordance with current evidence procedures.

(e) SAFE kits of non-anonymous victims shall be submitted to the Oregon State Police within 14 days of receiving it from a medical facility. A case report or synopsis of the case shall be included with the submission with enough information to allow the Department of State Police to prioritize the testing of the SAFE kit. Anonymous SAFE kits shall not be submitted for testing.

SAFE Kits collected for anonymous victims should be maintained in the same manner as non-anonymous SAFE Kits, but should not be opened until or unless the victim reports the assault. Opening SAFE Kits may compromise the admissibility of evidence in the event of a prosecution.

All SAFE kits, including anonymous kits, shall be retained for 60 years after the collection of the evidence.

The Property/Evidence Clerk shall be designated to serve as the department liaison with the victim and Department of the State Police regarding SAFE kits. Victims, or their representative shall be able to request and receive information concerning their SAFE kits to include:

(a) The location of the SAFE kit
(b) Testing date and results of SAFE kit test
(c) If a DNA sample was obtained from the kit
(d) If there is a match or matches to a DNA profile in state or federal databases. and
(e) The estimated destruction date for the SAFE kit.

The Property/Evidence Clerk shall provide the victim, or their representative, any information concerning the SAFE kit any information the victim requests in a manner of communication designated by the victim, as soon as possible and within 30 days of the inquiry, unless the information interferes with the investigation or prosecution of the case.

The victim of sexual assault may provide a written request to authorize a representative to access the SAFE kit information on the victim’s behalf.

The victim shall be able to contact the Property/Evidence Clerk to request an untested non-anonymous kit be reclassified as an anonymous kit, or an untested anonymous kit be reclassified
as a non-anonymous kit. The Property/Evidence Clerk shall notify the Department of State Police of the reclassification.

800.3.7 STORING OF LODGED PERSONS PROPERTY
Items larger than a backpack must be stored for safekeeping at Station 1. An administrative inventory of the property shall be conducted for the purpose of protecting an arrested person's personal property by itemizing and issuing a receipt for valuable items and ensuring the safety and security of the Evidence Division. **Closed containers designed to or objectively likely to contain valuables or dangerous items shall be opened and inventoried.**

The Evidence Division WILL NOT ACCEPT ANY PRISONER'S PROPERTY that has not been inventoried by the deputy. **If, during a valid inventory for valuables and other dangerous items, a deputy observes WEAPONS, DRUG PARAPHERNALIA, DRUGS, EXPLOSIVE DEVICES, SHARPS, PERISHABLE FOOD ITEMS, AND/OR VALUABLES INCLUDING CASH, those shall be removed from the belongings and logged in separately.** If any explosive devices are found, a supervisor will be immediately contacted and the Oregon State Bomb Squad notified.

Complete logging in the prisoner's property. If the prisoner has cash, follow the instructions for logging in currency.

Items described above such as weapons, drugs or drug paraphernalia and cash that are packaged separately are to be placed in a slam locker. Perishable food items and sharps are to be noted in the deputy's report and disposed of.

The arresting deputy shall complete a “Property for Safekeeping” form and leave a copy with the inmate’s property at the jail indicating where the property is located and how to pick it up.

800.4 PACKAGING OF PROPERTY
Certain items require special consideration and shall be booked separately as follows:

(a) Narcotics and dangerous drugs
(b) Firearms (ensure they are unloaded and booked separately from ammunition). A flex cuff or similar device should be inserted through the chamber, barrel, or cylinder whenever possible.
(c) Property with more than one known owner
(d) Paraphernalia as described in [Oregon Revised Statutes 475.525](https://leg.state.or.us/revisedstatutes/text.do?sectionId=475.525)(2)
(e) Fireworks and other hazardous materials
(f) Contraband

800.4.1 PACKAGING CONTAINER
Employees shall package all property in a suitable container available for its size. All packages containing evidence must be sealed with evidence tape, initialed, and dated across the seal.
Knife boxes or tubes should be used to package knives without sheaths. Needles or syringes will normally be disposed of in a sharps container and will not be submitted to the Property Room however when required for evidence in a serious crime or in a major investigation, a syringe tube should be used for packaging.

Bags shall be thoroughly labeled or a property tag shall be securely attached to the outside of all items or group of items packaged together.

800.4.2 PACKAGING NARCOTICS
The deputy seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged, and placed in the temporary storage locker. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the deputy's report.

Narcotics and dangerous drugs shall be packaged in a bag of appropriate size. The booking deputy shall initial and date the heat sealed bag. Narcotics and dangerous drugs shall not be packaged with other property. Special (thick) narcotics bags shall be used if narcotics will fit.

800.5 RECORDING OF PROPERTY
The evidence clerk receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property control card.

A property number shall be obtained for each item or group of items. This number shall be recorded on property tag and the property control card.

Any changes in the location of property held by the Jackson County Sheriff's Office shall be noted in the property logbook.

800.6 PROPERTY ROOM SECURITY
Access to the Property Room is limited to evidence clerks unless visitors are logged in and out, including the time, date and purpose of entry. All personnel entering the Property Room must be accompanied at all times by a evidence clerk.

Annual independent audits will be completed of the Property Room function with an audit report to the Sheriff.

800.6.1 RESPONSIBILITY OF OTHER PERSONNEL
Every time property is released or received, an appropriate entry on the property sheet shall be completed to maintain the chain of possession.

Request for analysis of items (like narcotics or electronic equipment) shall be completed on the appropriate forms and submitted to the property and evidence clerk. This request may be filled out any time whether property has been booked or not.
800.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The transporting employee will check the evidence out of property, indicating the date and time on the property sheet and the request for laboratory analysis.

The property and evidence clerk releasing the evidence must complete the required information on the property sheet. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the deputy will record the delivery time and have the lab employee sign for the property. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Bureau for filing with the case.

800.6.3 STATUS OF PROPERTY
Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to deputies for investigative purposes, or for court, shall be noted on the property sheet, stating the date, time and to whom released.

The property and evidence clerk shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to the evidence room or properly released to another authorized person or entity.

The return of the property should be recorded on the property sheet, indicating date, time, and the person who returned the property.

A review of property that has been temporarily released (checked out property) should occur no less than one time every six months.

800.6.4 RELEASE OF PROPERTY
Property may be released to a verified owner at the discretion of the property and evidence clerk without further authorization unless property was obtained by search warrant, then a court order is required to release property. A property and evidence clerk shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the property sheet. After release of all property entered on the property sheet, the sheet shall be forwarded to the Records Bureau for filing with the case. If some items of property have not been released the property sheet will remain with the property bureau.

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation. Property not claimed within 30 days after notification of owner of its availability for release will be auctioned, destroyed, or disposed of in accordance with these procedures and existing law. (ORS 98.245)

Unless the owner is known, found property and property held for safekeeping will be held for at least 90 days. (ORS 98.005)

800.6.5 RELEASE OF EVIDENCE
Evidence may only be released after proper research into the status and disposition of a case.
Once a case has been adjudicated or passed the statute of limitations for prosecution, a property and evidence clerk will request a disposition authorization from the DA’s office and the assigned deputy or detective. Care should be taken to ensure there are no outstanding warrants for suspects or additional defendants for the same case prior to authorizing release. If evidence is seized with a search warrant, a court order is required for release or destruction.

Release of evidence shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. Once evidence has been authorized for release and is no longer needed for any pending criminal cases, it shall be considered property and released or disposed of in accordance with those procedures.

800.6.6 DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the Jackson County Sheriff's Office, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Jackson County Sheriff's Office may wish to file an interpleader to resolve the disputed claim (Oregon Rules of Civil Procedure § 31).

800.6.7 CONTROL OF NARCOTICS & DANGEROUS DRUGS
The destruction of narcotics (including prescription medication) and alcoholic beverages require the presence of two persons. This can include two property/evidence clerks or a property/evidence clerk and another member of this department. Initials of both employees involved in the destruction along with the date and time of destruction are required on the property sheet indicating that the item was destroyed. A court order is required for destruction of narcotics seized with a search warrant.

800.6.8 RELEASE OR DISPOSAL OF FIREARMS
Prior to release of any firearm, a criminal history must be run on the person taking possession of the firearm. Firearms shall not be released to anyone with a felony conviction or a Misdemeanor Crime of Domestic Violence. (The FBI has designated six Oregon misdemeanors that may meet MCDV requirements if a qualifying relationship exists and the charge includes, as an element, the use or attempted use of physical force or threatened use of a deadly weapon: ORS 163.160 Assault in the Fourth Degree, ORS 163.187 Strangulation, ORS 163.435 Contributing to the Sexual Delinquency of a Minor, ORS 166.025 Disorderly Conduct, ORS 166.190 Pointing Firearm at Another, ORS 163.445 Sexual Misconduct). Firearms shall not be released to anyone with a Stalking Protective Order where the Brady Act applies. Firearms shall not be released to illegal aliens, fugitives or persons ordered by courts not to possess firearms.

800.7 DISPOSITION OF PROPERTY
All property not held for evidence in a pending criminal investigation or proceeding, and held for 90 days or longer (60 days or more, plus 30 days after notice), where the owner has not been
located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. Oregon Revised Statutes 98.245 and 98.336 govern the disposition of property held by law enforcement agencies.

800.7.1 DEFINITIONS
As set out in Oregon Revised Statutes 98.245, the following definition applies to the disposition of property by law enforcement agencies:

**Unclaimed Property** is personal property that was seized by the Jackson County Sheriff's Office as evidence, abandoned property, found property or stolen property, and that has remained in the physical possession of the Jackson County Sheriff's Office for a period of more than 60 days following conclusion of all criminal actions related to the seizure of the evidence, abandoned property, found property or stolen property, or conclusion of the investigation if no criminal action is filed.

800.7.2 DISPOSITION
Unclaimed property will be disposed of in accordance with the provisions of ORS 98.245. Disposal may consist of:

(a) Destruction
(b) Sale at public auction
(c) Retention for public use

800.7.3 RETENTION OF BIOLOGICAL EVIDENCE
The Property and Evidence Section supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant
(b) The defendant’s attorney
(c) The appropriate prosecutor
(d) Any sexual assault victim
(e) The Field Services Bureau supervisor

Biological evidence shall be retained for a minimum period established by law (ORS 133.707), the Property and Evidence Section supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Field Services Bureau supervisor.
Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Sheriff and the head of the applicable prosecutor’s office.

Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the Field Services Division Commander should be consulted and the sexual assault victim should be notified.

The Property and Evidence Section supervisor should incorporate OAR 137-140-0030 et seq. as applicable to the preservation and documentation of biological evidence. Sexual assault kits, including anonymous kits, shall be retained by the Department no less than 60 years after the collection of the evidence (2016 Oregon Laws, c. 89, § 4).

800.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) On a monthly basis, the supervisor of the evidence clerk shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

(b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Sheriff.

(c) An annual audit of evidence held by the department shall be conducted by a Division Commander appointed by the Sheriff who is not routinely or directly connected with evidence control.

(d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual(s) not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.
Records Division

801.1 PURPOSE AND SCOPE
This policy establishes the guidelines for the operational functions of the Jackson County Sheriff's Office Records Division. The policy addresses department file access and internal requests for case reports.

801.2 POLICY
It is the policy of the Jackson County Sheriff's Office to maintain department records securely, professionally and efficiently.

801.3 FILE ACCESS AND SECURITY
The security of files in the Records Division must be a high priority and shall be maintained as mandated by state or federal law. All case reports including, but not limited to, initial, supplemental, follow-up, evidence and any other reports related to a sheriff's office case, including field interview (FI) cards, criminal history records and publicly accessible logs, shall be maintained in a secure area within the Records Division, and accessible only by authorized members of the Records Division. Access to case reports or files when Records Division staff is not available may be obtained through the Patrol Sergeant.

The Records Division will also maintain a secure file for case reports deemed by the Sheriff as sensitive or otherwise requiring extraordinary access restrictions.

801.3.1 ORIGINAL CASE REPORTS
Generally, original case reports shall not be removed from the Records Division. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Records Division. All original case reports removed from the Records Division shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records Division.

All original case reports to be removed from the Records Division shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records Division. The photocopied report shall be shredded upon return of the original report to the file.

801.4 CONFIDENTIALITY
Records Division staff has access to information that may be confidential or sensitive in nature. Records Division staff shall not access, view or distribute, or allow anyone else to access, view or distribute, any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Division procedure manual.
801.5 REPORTING CRIME STATISTICS
Uniform Crime Reporting (UCR) codes shall be assigned to all crime reports in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. It is the responsibility of Records Division personnel to enter such information into the Jackson County Sheriff's Office data system and ensure that such information is transmitted on a monthly basis to the Oregon State Police Law Enforcement Data System (LEDS) (ORS 181A.225).
Restoration of Firearm Serial Numbers

802.1 PURPOSE AND SCOPE
The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines.

802.2 PROCEDURE
Any firearm coming into the possession of the Jackson County Sheriff's Office as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

802.2.1 PRELIMINARY FIREARM EXAMINATION
(a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.
(b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.
(c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.
(d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

802.2.2 PROPERTY BOOKING PROCEDURE
Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.
802.2.3 DEPUTY RESPONSIBILITY
The evidence clerk receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence.

802.2.4 DOCUMENTATION
Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

802.2.5 FIREARM TRACE
After the serial number has been restored or partially restored by the criminalistics laboratory, the evidence clerk will complete a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) and forward the form to the NTC in Falling Waters, West Virginia or the data may be entered into the ATF eTrace system.

802.3 BULLET AND CASING IDENTIFICATION
Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to digitize and compare unique markings made by a firearm on bullets and cartridge casings recovered from crime scenes.
Records Maintenance and Release

803.1 PURPOSE AND SCOPE
This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

803.2 POLICY
The Jackson County Sheriff's Office is committed to providing public access to records in a manner that is consistent with the Oregon Public Records Law (ORS 192.001 et seq.).

803.3 CUSTODIAN OF RECORDS RESPONSIBILITIES
The Sheriff shall designate a Custodian of Records. The responsibilities of the Custodian of Records include, but are not limited to (ORS 192.430; OAR 166-020-0010 et seq.):

(a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records (OAR 166.017-0005 et seq.; OAR 166-030-0005 et seq.).

(b) Maintaining and updating the department records retention schedule including:
   1. Identifying the minimum length of time the Department must keep records.
   2. Identifying the department bureau responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available (ORS 192.440(4)(5)).

(g) Preparing and making available to the public a written procedure that includes the name and address of where to obtain department records as well as the amounts and the manner of calculating fees for responding to requests for public records (ORS 192.440(7)).

803.4 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

803.4.1 REQUESTS FOR RECORDS
The processing of requests for any record is subject to the following:

(a) Requests for public records shall be made in writing.
(b) The Department is not required to create records that do not exist.

(c) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (ORS 192.505).

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio/video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(d) Responses to written requests for inspection or copies of public records shall be made as soon as practical without unreasonable delay. If necessary, the Custodian of Records or the authorized designee may request additional information or clarification for the purpose of expediting the response to the request. All requests shall be acknowledged and shall include one of the following (ORS 192.440):

1. A statement that the Department does not possess or is not the custodian of the public record.

2. Copies of the requested public records, if no exemption applies under ORS 192.410 through ORS 192.505.

3. A statement that the Department is the custodian of some of the requested records, an estimate of time that the Department requires before the public records may be inspected or that the copies will be provided, and an estimate of the fees required of the requester.

4. A statement that the Department is the custodian of some of the requested records and that an estimate of the time and fees for disclosure of the public records will be provided within a reasonable time.

5. A statement that the Department is uncertain whether the Department possesses the public record and that the Department will search for the record and make an appropriate response as soon as practicable.

6. A statement that state or federal law prohibits the Department from acknowledging whether the record exists or that acknowledging whether the records exists would result in the loss of federal benefits or other sanctions. This statement shall include the state or federal law citation relied upon by the Department.

(e) If the public record is maintained in a machine readable or electronic form, a copy of the public record shall be provided in the form requested, if available. If the public record is not available in the form requested, the public record shall be made available in the matter it is maintained (ORS 192.440).
803.4.2 DENIALS
If the Custodian of Records determines that a requested record is not subject to disclosure or release, the Custodian of Records should inform the requestor of that fact and state the reason for the denial.

If the denial is challenged by the requester by petition to the Attorney General or the District Attorney, the Department will have the burden to support the denial (ORS 192.450; ORS 192.460).

803.5 RELEASE RESTRICTIONS
Examples of release restrictions include:

(a) Personal identifying information, including an individual’s photograph, Social Security and driver identification number, name, address, telephone number, and medical or disability information that is contained in any driver’s license record, motor vehicle record or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Personal identifying information of members including Social Security number, date of birth, telephone number, home address, email addresses, driver license numbers, employer-issued identification card numbers, emergency contact information, medical information or information of a personal nature that would constitute an unreasonable invasion of privacy (ORS 192.501; ORS 192.502).

1. A showing of clear and convincing evidence that public interest requires disclosure may overcome the restriction.

(c) Member identification badge or card as provided in ORS 192.447.

(d) Information regarding a member working undercover and for the period of six months after the conclusion of those duties unless the member consents in writing or required by law (ORS 181A.825)

(e) Photograph of public safety personnel without the written consent of that member (ORS 181A.830).

(f) Personnel discipline action including materials or documents supporting the action unless allowed by law (ORS 181A.830; ORS 192.501(12)).

(g) Certain victim information, including participants in the Address Confidentiality Program (ORS 192.445; ORS 192.844).

(h) Certain juvenile records (ORS 419A.255; ORS 419A.257).

(i) Certain ongoing investigation material for criminal law purposes (ORS 192.501(3)).

(j) Audio or video records of internal investigation interviews (ORS 192.405).

(k) Certain types of reports involving, but not limited to, child abuse (ORS 419B.035) and adult abuse (ORS 124.090; ORS 430.763; ORS 441.671).

(l) Ongoing litigation records including those created in anticipation of potential litigation (ORS 192.501(1)).
Records Maintenance and Release

(m) Certain identifying information of an individual that has applied for, or is a current or former holder of, a concealed handgun license as provided in ORS 192.448.

(n) Specific operation plans in connection with an anticipated threat to individual or public safety (ORS 192.501(18)).

(o) Any public records or information prohibited by federal law (ORS 192.502).

(p) Any public records or information prohibited, restricted or made confidential or privileged under Oregon law (ORS 192.502).

(q) Records less than 75 years old that were sealed in compliance with statute or by court order. Such records may only be disclosed in response to a court order (ORS 192.496).

(r) Records of a person who has been in the custody or under the lawful supervision of a state agency, a court or a unit of local government are exempt from disclosure for 25 years after termination of such custody or supervision. Disclosure of the fact that a person is in custody is allowed (ORS 192.496).

(s) Audio or video recordings from a member’s body-worn camera that record the member’s interaction with members of the public. Such recordings may only be disclosed under the conditions provided by ORS 192.501, including facial blurring.

(t) Personal information of complainants and of deputies who are the subject of racial or bias-based profiling complaints. Personal information for this purpose means individual's name, address, date of birth, photograph, fingerprint, biometric data, driver license number, identification card number or any other unique personal identifier or number (ORS 131.925; ORS 807.750).

803.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, County Counsel or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

803.7 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.
803.8 EXPUNGEMENT
Expungement orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once expunged, members shall respond to any inquiry as though the record did not exist (ORS 137.225).

803.9 SECURITY BREACHES
In the event of an unauthorized acquisition of personal information, the Sheriff or the authorized designee shall ensure that an investigation into the breach is made and applicable steps pursuant to ORS 646A.602 et seq. are taken.

Required notice shall be made as follows (ORS 646A.604):

(a) Notice shall be made to any individual whose private or confidential data was or is reasonably believed to have been breached. Notice shall be provided in the most expeditious manner possible, without unreasonable delay, unless the notice impedes a criminal investigation.
   1. The notice shall be made as set forth in ORS 646A.604 and include a general description of the breach of security; the approximate date of the breach; the type of information that was compromised; the contact information for national consumer reporting agencies; and that any suspected identity theft should be reported to law enforcement, the Attorney General and the Federal Trade Commission.

(b) When notice is delayed because it will impede an active criminal investigation, the member in charge of the investigation must document the reason why a delay in notification is necessary to the investigation.

(c) Provide substitute notice if notification would cost more than $250,000 or if there were more than 350,000 individuals whose personal information was breached.

(d) If notification is required to be made to more than 1,000 individuals, the Jackson County Sheriff's Office should also notify consumer reporting agencies.

(e) Provide notice to the Oregon Attorney General if the breach involves the personal information of more than 250 people.

(f) Document when a breach of security is unlikely to cause any harm and does not require notification. In these cases, the documentation shall be maintained for at least five years.
Protected Information

804.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Jackson County Sheriff's Office. This policy addresses the protected information that is used in the day-to-day operation of the department and not the public records information covered in the Records Maintenance and Release Policy.

804.1.1 DEFINITIONS
Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored or accessed by members of the Jackson County Sheriff's Office and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

804.2 POLICY
Members of the Jackson County Sheriff's Office will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

804.3 RESPONSIBILITIES
The Sheriff shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and Law Enforcement Data System (LEDS).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice’s current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.
804.4 ACCESS TO PROTECTED INFORMATION
Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Jackson County Sheriff's Office policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

804.4.1 ACCESS TO OREGON STATE PATROL OFFENDER INFORMATION
Access to Oregon State Patrol (OSP) criminal offender information may be granted when the information is to be used for the administration of criminal justice, employment, or the information is required to implement a federal or state statute, local ordinance, Executive Order, or administrative rule that expressly refers to criminal conduct and contains requirements or exclusions expressly based on such conduct, or other demonstrated and legitimate needs (OAR 257-010-0025).

804.4.2 CRIMINAL RECORD SECURITY OFFICER
The Criminal Records Supervisor is the designated Criminal Record Security Officer for the Jackson County Sheriff's Office. This supervisor is responsible for ensuring compliance with this procedure and with applicable records security regulations and requirements imposed by federal and state law. The Criminal Record Security Officer will resolve specific questions that arise regarding authorized recipients of criminal history.

804.4.3 RELEASE OF CRIMINAL OFFENDER INFORMATION
Criminal offender information shall only be released in the following circumstances, as set out by OAR 257-010-0025:

(a) Release to Criminal Justice and Designated Agencies: Oregon criminal offender information may be shared between authorized Criminal Justice and Designated Agencies only as specified in the Oregon Administrative Rules (OAR) and the Law Enforcement Data System (LEDS) Manual.

(b) Release of FBI criminal offender information: Dissemination of FBI criminal offender information to public or private agencies by Criminal Justice or Designated Agencies is prohibited by 28 USC § 534 and 28 CFR 20.33(b). Inquiries for non-official purposes or the checking of records for unauthorized persons or agencies is prohibited. A person wishing to review his/her criminal history record maintained by the FBI should write to: Federal Bureau of Investigation, CJIS Division, Attn: SCU, Module D2, 1000 Custer Hollow Road, Clarksburg, West Virginia, 26306. The FBI will inform the person how to obtain a copy of his/her record and, if necessary, how to challenge the accuracy or completeness of that record.
Release of criminal offender information to field personnel: Jackson County Sheriff's Office personnel shall not have access to criminal offender information until a fingerprint based background investigation has been completed and approved. Any radio transmission of criminal offender information should only occur when deputy or citizen safety is in jeopardy. Cell phones should be used if possible. The transmission should be limited to essential details only, with maximized use of law enforcement codes (10 or 12 code), concealing information identifying individuals and offenses as much as possible. Plain text transmission of an entire record (summary or full) is prohibited.

Requests for criminal offender information other than as authorized in this policy should be referred to the nearest Oregon State Police, Identification Services Section located at 3772 Portland Rd. N.E., Salem, OR 97303. Inquiries may also be made through the OSP webpage at http://www.oregon.gov/osp/PRR/Pages/index.aspx.

804.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION
Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Division to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of deputies, other department members or the public is at risk. In those instances, cell phones should be used if possible. The transmission should be limited to essential details only, with maximized use of law enforcement codes (10 or 12 code), concealing information identifying individuals and offenses as much as possible. Plain text transmission of an entire record (summary or full) is prohibited.

Nothing in this policy is intended to prohibit broadcasting warrant information.

804.5.1 REVIEW OF CRIMINAL OFFENDER RECORD
Individuals requesting to review their own Oregon criminal offender information shall be referred to OSP, Identification Services Section (OAR 257-010-0035).
An individual may review his/her local record on file with the Department under the provisions of ORS 192.501(3), and after complying with all legal requirements.

This department will not release information originated by any other agency (ORS 192.410 through ORS 192.505). Individuals requesting this information shall be referred to the originating agency.

804.6 SECURITY OF PROTECTED INFORMATION

The Sheriff will select a member of the department to oversee the security of protected information. The responsibilities of this position include, but are not limited to:

(a) Developing and maintaining security practices, procedures and training.

(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.

(d) Tracking, documenting and reporting all breach of security incidents to the Sheriff and appropriate authorities.

804.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

804.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

804.7.1 LEDS TRAINING

All members who operate a terminal to access the LEDS network shall complete a LEDS System Training Guide at a level consistent with the member’s duties. Each member who operates a terminal to access LEDS must be re-certified by the Department every two years (OAR 257-015-0050).

804.7.2 DESTRUCTION OF CRIMINAL OFFENDER INFORMATION

When any document providing criminal offender information has served the purpose for which it was obtained, it shall be destroyed by burning, shredding, or secure and confidential recycling.

Each employee shall be responsible for destroying the criminal offender information they receive.
804.8 TRAINING PROGRAM
All personnel authorized to process or release criminal offender information shall be required to complete a training program as prescribed by LEDS (OAR 257-015-0050).

The Training Division shall coordinate the course to provide training in the proper use, control, and dissemination of criminal offender information.

804.9 PENALTIES FOR MISUSE OF RECORDS
All agency personnel, with access to Criminal Justice Information (CJI) or any system with stored FBI CJI, have a duty to protect the system and related systems from physical and environmental damage and are responsible for correct use, operation, care and maintenance of the information.

All technology equipment: computers, laptops, software, copiers, printers, terminals, MDTs, mobile devices, live scan devices, fingerprint scanners, software to include RMS/CAD, operating systems, etc., used to process, store, and/or transmit FBI CJIS is a privilege allowed by Jackson County Sheriff’s Office, the state, and the FBI. To maintain the integrity and security of the Jackson County Sheriff’s Office’s and FBI’s CJIS systems and data, this computer use privilege requires adherence of relevant federal, state and local laws, regulations and contractual obligations. All existing laws and regulations and policies apply, including laws and regulations that are specific to computers and networks.

Misuse of computing, networking or information resources may result in temporary or permanent restriction of computing privileges up to employment termination. In some misuse situations, account privileges will be suspended to prevent ongoing misuse while under investigation.

Additionally, misuse can be prosecuted under applicable statutes. All files are subject for search. Where follow-up actions against a person or agency after an information security incident involves legal action (either civil or criminal), the evidence shall be collected, retained, and presented to conform to the rules for evidence laid down in the relevant jurisdiction(s). Complaints alleging misuse of Jackson County Sheriff’s Office’s computing and network resources and FBI CJIS systems and/or data will be investigated and violations can be cause for discipline up to and including termination.
Computers and Digital Evidence

805.1 PURPOSE AND SCOPE
This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

805.2 SEIZING COMPUTERS AND RELATED EVIDENCE
Computer equipment requires specialized training and handling to preserve its value as evidence. Deputies should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.

1. If possible, before doing anything, call SOHTC (Souther Oregon High Tech Crimes) or CID for instructions. (Preserving Volitile Memory Dump.) If unable to contact either entity then;

(a) Photograph the screen, if possible, and note any programs or windows that appear to be open and running.

(b) Disconnect all power sources, from the wall AND the power cable from the back of the computer box (For laptops, disconnect any power cable from the case and remove the battery).

(c) Place evidence tape over each drive slot.

(d) Photograph/diagram and label back of computer components with existing connections.

(e) Label all connectors/cable ends to allow reassembly as needed.

(e) Label each item with case number, evidence sheet number and item number.
(f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost, keeping components away from magnets, radio transmitters and otherwise hostile environments.

(g) Lodge all computer items in the Property and Evidence Section. Do not store computers where normal room temperature and humidity is not maintained.

(h) At minimum, deputies should document the following in related reports:
   (a) Where the computer was located and whether or not it was in operation.
   (b) Who was using it at the time.
   (c) Who claimed ownership.
   (d) If it can be determined, how it was being used.

(i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.

805.2.1 BUSINESS OR NETWORK COMPUTERS
If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Deputies should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence. Cases involving networks REQUIRE SPECIALIZED TRAINING which is available through the Northwest Regional Computer Forensic Lab, the Oregon State Police or another agency having certified examiners (SOHTC).

805.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to the Computer Forensic Examiner:
   (a) Copy of report(s) involving the computer, including the Evidence/Property sheet.
   (b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.
   (c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).
(d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

805.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media, to include hard discs, floppy discs, CDs, DVDs, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

(a) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request Property Control to copy the contents to an appropriate form of storage media.

(b) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.

(c) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.

(d) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

805.4 SEIZING PERSONAL COMMUNICATION DEVICES
Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Deputies should not attempt to access, review or search the contents of such devices prior to examination by qualified personnel. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.

(b) Do not turn the device on or off. The device should be placed in a solid metal container such as a paint can or in a faraday bag, to prevent the device from sending or receiving information from its host network.

(c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

805.5 DIGITAL EVIDENCE RECORDED BY DEPUTIES
Deputies handling and submitting evidence recorded by officers and stored digitally using digital cameras, audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.
805.5.1 COLLECTION OF DIGITAL EVIDENCE
Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

805.5.2 SUBMISSION OF DIGITAL MEDIA
The following are required procedures for the submission of digital media used by cameras or other recorders:

(a) Enter into Traq6 system as trained.

805.5.3 DOWNLOADING OF DIGITAL FILES
Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

(a) Files should not be opened or reviewed prior to downloading and storage.

(b) Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

805.5.4 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.
Centralized Fingerprint System

806.1 PURPOSE AND SCOPE
It shall be the policy of the Sheriff's Office to take quality fingerprints and to participate with the Oregon State Police, Bureau of Identification, Salem, Oregon.

806.1.1 GENERAL INFORMATION
The Oregon State Police, Bureau of Identification (OSB), is located at 107 Public Safety Building, Salem, Oregon 97310, (503) 378-3070 voice, (503) 378-2121 FAX.

PROCEDURE - This department shall provide quality fingerprints and related information to the Oregon State Police, Bureau of Identification. The Sheriff's Office shall participate with the Bureau of Identification by:

- Collecting and forwarding fingerprints developed during criminal investigations.
- Collecting and forwarding fingerprints received from citizens applying for concealed weapons permits.
- Collecting and forwarding fingerprints taken from an arrestee that has been lodged in a corrections facility.
- Collecting and forwarding fingerprints taken from citizens that have been ordered by the courts to appear at the jail for purposes of identification processing.
- Collecting and forwarding fingerprints taken from citizens for any other reason directed or authorized by Statute or Oregon Administrative Rule.

Fingerprints shall be captured, electronically, through the use of the LIVE-SCAN TEN-PRINTER when available or by using an ink and roller system when the TEN-PRINTER is not available.

**Fingerprint cards are defined as follows:**

- "R" Card - The F.B.I., FD-249, Revised 12-1-94.
- Applicant Card - The F.B.I., FD-258, Revised 12-29-82.
- "P" Card - The Oregon State Police, Bureau of Identification, Form-C, palm print card.

**Fingerprint card requirements when using the TEN-PRINTER for lodging prisoners:**

- With a new S.O. number:
  - Print and retain one "R" card for the jail jacket.
  - Transmit one "R" card to O.S.B.
  - All prisoners will have a palm print completed and transmitted to the Oregon State Bureau of Identification. A printed copy shall be kept in the prisoner's jail file.
- With an old S.O. number:
Centralized Fingerprint System

- Transmit one "R" card to O.S.B.

- All prisoners will have a palm print completed and transmitted to the Oregon State Bureau of Identification. A printed copy shall be kept in the prisoner's file.

Fingerprint Card Requirements, when using ink and roller to lodge a prisoner:

- With a new S.O. number:

  Print and retain one "R" card for the jail jacket.

  Print and forward an additional "R" cards to O.S.B., as required by the LEDS printout.

  A LEDS response to a CCH will contain fingerprint instructions. The instructions will be in the form of one of the following messages.

  NO CCH CANDIDATES. IF THE SUBJECT OF YOUR INQUIRY IS 'ARRESTED', SUBMIT STATE AND FBI ARREST FINGERPRINT CARDS TO OSP IDENTIFICATION SERVICES SECTION TO ESTABLISH A STATE AND FBI CRIMINAL HISTORY RECORD.

  ACTION ITEM: IF SUBJECT IS ARRESTED, SUBMIT 'STATE' FINGERPRINT CARD ONLY, 'FBI' CARD NOT NEEDED.

  All prisoners will have a palm print completed and transmitted to the Oregon State Bureau of Identification. A printed copy shall be kept in the prisoner's jail file.

  With an old S.O. number

  Print and forward "R" cards as required by the LEDS printout.

  All prisoners will have a palm print completed and transmitted to the Oregon State Bureau of Identification. A printed copy shall be kept in the prisoner's jail file.

  EXCEPTION: If there are no local charges and the arrestee has an old S.O. number, no prints are required.
Chapter 9 - Custody
Custodial Searches

900.1  PURPOSE AND SCOPE
The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by law including the Oregon and United States Constitutions.

It is the policy of the Jackson County Jail to develop an effective system of searching inmates and other persons who enter the facility. We intend this document to be the foundation for an effective, constitutional system for conducting these searches in conjunction with the operation of the jail. The Jackson County Jail has a legitimate security interest that can only be furthered through an effective system of searching inmates and other persons who enter the facility. Searches further security interests by: disarming inmates who carry weapons; discovering contraband carried by inmates and others in, or entering the jail; discouraging and/or frustrating inmate efforts to introduce, transport, conceal, possess, or otherwise traffic in drugs, weapons, and other contraband; detecting inmates’ injuries, vermin infestation, evidence of previous suicide attempts, needle “tracks” and other problems discoverable through a search process. Trained corrections deputies will perform pat, rub and unclothed searches (AKA strip searches) on inmates to reduce the introduction, circulation, and use of contraband in the jail.

900.1.1  DEFINITIONS
Definitions related to this policy include:

Contraband - Anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized manner or quantity.

Clothed search: A search in which a deputy touched or pats the inmate's body over the inmate's clothing to attempt to detect contraband. It includes manual search of the genital, anal and creast areas over the inmate's clothing.

General Population – Any housing units, to include booking and holding cells where new lodgings are likely to come into contact with general population inmates. Due to overcrowding, design and space issues this may include all general population and holding/detox cells in the Jackson County Jail.

Exigent Circumstances - Emergencies and other circumstances, which require immediate action to meet safety or security needs, and create an exception to the limits on intrusive searches. Any incident a deputy deems to support “exigency” will be fully documented and explained in a detailed memo and also a Prisoner Search Record Form.

Frisk search: A search in which a deputy touched or pats the inmate's body over the inmate's clothing, but avoids deliberate touching of the male genital and anal area.

Pat-down search - The normal type of search used by deputies within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the inmate or other inmates.
Custodial Searches

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the rectal cavity and/or the vagina of an arrestee.

**Strip search** - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person’s underclothing, buttocks, genitalia or female breasts are visible to the monitoring deputy.

**Voluntary Waiver of Sexual Privacy Interests** - When a prisoner intentionally removes his/her own clothing or otherwise acts in a manner, which amounts to a voluntary waiver of sexual privacy interest.

**900.2 POLICY**

It is the policy of this office to ensure the safety of staff, inmates and visitors by conducting effective and appropriate searches of inmates and areas within the facility in accordance with applicable laws. Searches shall not be used for intimidation, harassment, punishment or retaliation.

**900.3 PAT-DOWN SEARCHES**

Pat-down searches will be performed on all inmates/arrestees upon entering the secure area of the facility. Additionally, pat-down searches shall occur frequently within the facility. At a minimum, the staff may conduct pat-down searches in circumstances that include:

(a) When inmates leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.

(b) During searches of housing units.

(c) When inmates come into contact with other inmates housed outside of their housing units, such as work details.

(d) Any time the staff believes the inmates may have contraband on their persons.

Except in emergencies (exigent circumstances), male staff may not pat down female inmates. Female staff may pat down male inmates based on workload or absent the availability of a male staff member. It is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite sex. All cross-gender pat-down searches of female inmates shall be documented (28 CFR 115.15).

**900.4 STRIP SEARCHES**

Deputies will generally consider the reason for the search, the scope, intrusion, manner and location of the search, and will utilize the least invasive search method to meet the need for the search.

A search of an inmate dressed in only undergarments is considered a strip search.
900.4.1 STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT

Strip searches shall be conducted as follows:

(a) No person held prior to placement in a housing unit shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
3. Custody history (e.g., past possession of contraband while in custody, assaults on staff, escape attempts).
4. The person’s actions or demeanor, such as a refusal to submit to a pat-down search.
5. Criminal history (e.g., level of experience in a custody setting, including convictions for escape, possession of drugs or weapons, crimes of violence, being a fugitive or detainee for any of those offenses).

(b) No modified strip search or strip search of an inmate shall be conducted prior to admittance to a housing unit without prior authorization from the Shift Supervisor; unless the inmate is:

1. under remand from a court;
2. as an in-transit hold;
3. as a transfer from another corrections facility;
4. from the Oregon Department of Corrections or a federal law enforcement or corrections agency; or
5. for violation of probation or parole.

(c) The staff member conducting the modified strip search or strip search shall:

1. Document the name and sex of the person subjected to the strip search.
2. Document the facts that led to the decision to perform a strip search of the inmate.
3. Document the reasons less intrusive methods of searching were not used or were insufficient.
4. Document the supervisor’s approval.
5. Document the time, date and location of the search.
6. Document the names, sex and roles of any staff present.
Custodial Searches

7. Itemize in writing all contraband and weapons discovered by the search.
8. Process all contraband and weapons in accordance with the office’s current evidence procedures.
9. If appropriate, complete a criminal report and/or disciplinary report.
10. Ensure the documentation is placed in the inmate’s file. A copy of the written authorization shall be retained.

900.4.2 STRIP SEARCHED UPON ENTRY INTO A HOUSING UNIT
Strip searches will be conducted on all inmates upon admission into a general population housing unit. Arrestees who are eligible for release or who will be released when they are no longer intoxicated will not be placed into a housing unit or have unmonitored or unsupervised contact with previously housed inmates.

Arrestees who are arranging bail shall be permitted a reasonable period of time and the opportunity to make phone calls before being placed in general population.

A strip search documentation form is required only if contraband is located.

900.4.3 STRIP SEARCHES OF INMATES IN A HOUSING UNIT
A strip search of an inmate in a housing unit should be conducted when the inmate has entered an environment where contraband or weapons may be accessed. This includes, but is not limited to, the following:

(a) Upon return from contact visits
(b) Upon leaving the kitchen.
(c) Upon return to a housing unit from outside the confines of the facility (court, work detail, medical visits)

Inmates returning from court with release orders shall not be subject to strip searches unless reasonable suspicion exists based on specific and articulable facts that the person is concealing a weapon or contraband.

Staff members may conduct strip searches of inmates outside the above listed circumstances when warranted. Staff members and supervisors must make a determination to conduct a strip search by balancing the scope of the particular search, intrusion, the manner in which it is conducted, the justification for initiating it and the place in which it is conducted. Less invasive searches should be used if they would meet the need for the search. For example, a pat-down may be sufficient as an initial effort to locate a larger item, such as a cell phone.

900.4.4 STRIP SEARCH PROCEDURES
All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in an area of privacy so that the search cannot be observed by persons not participating in the search.
Custodial Searches

Unless conducted by a qualified health care professional or in the case of an emergency, a strip search shall be conducted by staff members of the same sex as the person being searched. Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

Whenever possible, a second staff member of the same sex should be present during the search for security purposes and to witness the discovery of evidence.

(a) The staff member conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched. These areas may be touched through the clothing during a pat search. At the completion of the search, the inmate should be instructed to dress in either his/her street clothes or jail-supplied clothing, as appropriate.

900.4.5 PHYSICAL BODY CAVITY SEARCH
Physical body cavity searches shall be completed as follows:

(a) No person shall be subjected to a physical body cavity search without approval of the Captain or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports. Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the inmate may conduct the search.

(b) MEMBERS OF THE JACKSON COUNTY SHERIFF'S OFFICE, AND JAIL CONTRACT MEDICAL STAFF (UNLESS EXIGENT CIRCUMSTANCES EXIST), ARE PROHIBITED FROM DOING DIGITAL BODY-CAVITY SEARCHES.

(c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented including:

1. The facts that led to the decision to perform a physical body cavity search of the inmate.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Captain’s approval.
4. A copy of the search warrant.
5. The time, date and location of the search.
6. The medical personnel present.
7. The names, sex and roles of any staff present.
8. Any contraband or weapons discovered by the search.


(f) Completed documentation should be placed in the inmate’s file. A copy of the written authorization shall be retained and may be made available to the inmate or other authorized representative upon a public records request.

(g) All contraband and weapons should be processed in accordance with the office’s current evidence procedures.

(h) The Deputy involved shall complete a criminal report and disciplinary report.

900.5 TRANSGENDER SEARCHES
Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see the transgender inmate policy for definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

900.6 CONTRABAND SEARCHES
The staff shall always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and to maintaining a safe and secure environment.

900.7 HOUSING UNIT SEARCHES
Housing unit searches shall occur as directed by a supervisor. These searches should include all of the living spaces occupied by inmates. Housing unit searches should be scheduled in a manner that does not create a pattern where the inmates can predict such searches. During a housing unit search:

(a) All inmates shall vacate their living areas and be searched by staff.

(b) Inmates should be escorted to a separate holding area, such as the recreation yard.

(c) Staff shall search the living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.

(d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.

(e) The staff shall attempt to identify the inmate who possessed the contraband and file appropriate inmate discipline and/or criminal reports.

(f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate inmate disciplined and/or criminal charges filed.

(g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

At the conclusion of the housing unit search, inmates should clean the unit. All authorized inmate personal property shall be respected and living areas should be returned to an orderly condition.
900.8 PHYSICAL PLANT SEARCHES
The following areas of this facility shall be periodically searched for contraband:

(a) Exercise yards shall be searched for contraband prior to and after each inmate group occupies the yard.
(b) Holding cells shall be searched prior to and after each inmate occupies the cell.
(c) Program areas, such as classrooms and multipurpose rooms shall be searched after each use by an inmate or inmate group.
(d) Laundry areas shall be searched before and after each inmate group occupies the area.
(e) Kitchen areas shall be frequently searched for contraband and to account for tools, knives and food items.
(f) Inmate visiting and public areas shall be frequently inspected for contraband.
(g) The facility perimeter shall be searched and inspected at least once each shift. This search will be documented on the shift roster in CIC.

900.8.1 CANINE-ASSISTED SEARCHES
It is the policy of this facility to use canines to assist the staff in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol and weapons, will be allowed within the secure perimeter of the facility. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the facility.

Canines will generally be used to assist the staff in general physical plant or living area searches. Contact between inmates and canines should be kept to a minimum (see the Canine Policy).

900.9 CRIMINAL EVIDENCE SEARCHES
Any evidence collected in connection with an alleged crime shall be reported, documented and stored to protect it from contamination, loss or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by staff whenever there is a need for such action.

Searches of an inmate or his/her living quarters may not be conducted for the purpose of garnering specific evidence at the request of an investigator related to a crime occurring outside the jail, without a search warrant.

900.10 TRAINING
A Sergeant, FTO or designated trainer shall provide training for staff in how to conduct pat-downs, and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex inmates.
Corrections Division Duties & Responsibilities

901.1 PURPOSE AND SCOPE
Corrections Division duties have been developed based upon Oregon State Statute, constitutional mandate, case law and the Oregon Jail Standards. It shall be the policy of this office to maintain highly trained and professional employees to work within the Jail. All legal requirements ensuring the safety and well-being of prisoners and employees shall be met, including the statutory jail standards established in ORS 169.076. Whenever at least one inmate is present in the jail, a minimum staffing of two per shift shall be utilized. At least one staff member shall be certified.


901.1.1 CORRECTIONS DIVISION MISSION STATEMENT
It shall be the Mission of the Jackson County Sheriff's Office, Corrections Bureau to protect the community by maintaining the safety, security, order, discipline and Constitutional rights of incarcerated persons in the correctional facility. The mission shall be accomplished with professionalism and teamwork. We value the public trust given to us and will strive to enhance the reputation of the Sheriff's Office as the County's premier Law Enforcement Agency.

901.1.2 PROCEDURE

Jail Captain The Sheriff will designate the Jail Captain. The Jail Captain is responsible for the management and operation of the facility.

Responsibilities Each deputy is responsible for the supervision, custody, safety and control of prisoners in his/her assigned area. In addition, each is responsible for prevention of escapes, suicides, the detection and confiscation of contraband, and for the appearance and sanitation of prisoners living areas, program areas, corridors, and all other areas located in their assigned posts. Each deputy shall report to the shift supervisor or O.I.C. any unusual incidents.

Supervision - One of the most important duties of corrections deputies is the supervision of prisoners. Without adequate supervision order is lost, prisoners become unruly, difficult to control, and present a serious hazard to the security of the facility. To be effective, supervision must be constructive, positive, consistent and continuous. Staff should not hesitate to take immediate steps to correct prisoners or to take measures to correct any security problem, unsanitary condition, or unsafe situation that they observe. A basic principle to be followed in supervising prisoners is that corrections deputies are responsible for the safety and control of prisoners and for ensuring the security of the facility. At no time shall prisoners be permitted to supervise, control, exert, or assume any authority over other prisoners for any reason.

Although methods of supervision may vary, the following rules and guidelines are generally accepted as good prisoner supervisory practices: Deputies shall place their hands on a prisoner only during a pat search, escort hold, or emergency situation. Employees shall address prisoners by their names (if known), nicknames should not be used. Encourage prisoners to address you as "deputy”. Employees shall display professionalism and respect when dealing with prisoners.
Discussing facility security activities in the presence of prisoners or talking with them in a critical manner about anyone on the staff serves to jeopardize institutional security and lower staff morale.

Under no circumstances shall corrections employees sign, write, or initiate any action or document, the intent of which is to endorse the behavior or personal potential of any prisoner, without first receiving approval from a Sergeant or higher authority. This directive does not preclude corrections employees from immediately responding to inquiries regarding prisoners received from any law enforcement agency or other members of the judiciary system. All deputies are encouraged to handle minor behavior problems as they occur. Immediate action (counseling, movement, etc.) may handle the problem before it grows into a major confrontation. This would be the type of incident for a minor infraction citation. If the incident cannot be resolved, normal discipline procedures should be implemented. Do not argue with a prisoner.

**Security Violations**

The following are considered examples of security violations, including but not limited to:

- Unsecured doors, panel boxes, or locking devices, etc.
- Lost, unsecured, unauthorized removal, or improper use of keys.
- Mechanical and electrical security system/devices not being activated, inspected, or utilized properly.
- Any unsafe conditions. Example: faulty fire equipment or unattended hazardous equipment.
- Movement of prisoners in an unsafe manner, such as violating specific handling requirements issued by managers for designated special prisoners. This would also include failure to use restraints when required or the improper use of restraints.
- Prisoners loitering in hallways or unauthorized areas.
- Violating jail regulations regarding contraband within the facility.
- Any condition which is the work of prisoners attempting to affect an escape.
- Improper conducting of counts, or failure to make daily log notations, pass on information, security checks, etc. which could result in unsafe conditions.
- Any employee who fails to report an unsafe condition.

When a security violation is identified, the following steps shall be taken:

- Notify the shift supervisor/OIC.
- Correct the violation if possible.
Corrections Division Duties & Responsibilities

- Secure the area from prisoners if immediate corrective action is not possible.
- Shift supervisor/OIC shall refer to appropriate outside agency for repairs if necessary.

901.1.3 CRIMINAL INVESTIGATION AND REPORTS
All reported criminal violations, shall be referred to the shift supervisor for assignment of a corrections deputy for investigation and follow-up. A corrections deputy shall investigate the incident and write a criminal report if warranted. The assigned corrections deputy will consult with a criminal deputy or supervisor if any questions arise. Filing of administrative (major or minor) charges, as appropriate, shall remain the responsibility of the reporting corrections deputies and the shift supervisor.

Major Assaults, Deaths or Other Major Crimes
If it is determined by the shift sergeant or deputy in charge that a major crime has been committed, they shall secure the scene and call for the appropriate investigator. The appropriate investigator may be the M.A.D.I.U. (Major Assault and Death Investigations Unit) or the on-call detective for major sex crimes.

The first responders on scene should:

A. Attempt to contain the scene so as to prevent injury or death to anyone on scene or incoming responders.
B. Aid the injured.
C. Establish perimeter controls.
D. Secure suspect(s).
E. Request resources as incident dictates.

  - Medical personnel.
  - Fire personnel.
  - Additional law enforcement personnel.
  - Major assault team.

F. Preserve Evidence

  - Determine extent of crime scene and establish control with police tape and security personnel. Limit entry to necessary medical personnel and investigators. Begin a log of people entering the scene, which goes to the case agent upon his arrival.
Assign a deputy to stay with any seriously injured person to obtain possible statement and/or evidence, including clothing that may be removed as part of medical treatment. A tape recorder should be used to capture a dying declaration.

Photograph the crime scene if persons or evidence are to be removed or altered.

Seize evidence such as weapons, clothing or blood samples if they are endangered emergency personnel actions.

Identify persons at the scene who might provide information to the investigators, including paramedics, fire personnel, inmates and Corrections staff.

Prepare a briefing for the major assault team members assigned to the investigation.

**Arrests** - Corrections deputies shall be responsible for arresting all "walk-ins" consistent with warrant confirmation requirements and other relevant procedures.

**Warrants and Civil Procedures** - Corrections deputies shall serve warrants and/or civil papers on all persons already in custody when such documents are initially received by the Sheriff's Office.

**Related Duties** - All other duty requirements as directed by the Sheriff, bureau supervisor, or shift supervisor shall be covered by the policy manuals and/or addenda published by the Sheriff or the county administrator policies.

**Review and Revision** - The duties and policies of the Corrections Bureau shall be reviewed bi-annually.

**901.2 ORIENTATION FOR NEW DEPUTIES**

Prior to permitting new corrections deputies to assume a position in the regular staffing schedule, the jail commander, or his designee, must provide orientation training to ensure the corrections deputies; a. Are familiar with the jail facility; b. Understand the chain of command; c. Are informed of the jail's policies, procedures and operational practices; d. Are informed concerning personnel issues; and e. Participate in and successfully complete a field training program.
Prisoner Rights

902.1 PURPOSE AND SCOPE
It shall be the policy of this office to deal equitably and fairly with all prisoners and to ensure that their rights are observed.


902.1.1 PROCEDURE
All prisoners have certain rights relative to the conditions of their confinement that must be recognized. Such rights shall include:

A. Clean and orderly surroundings.
B. Toilet and bathing facilities.
C. Adequate heating, lighting and ventilation.
D. Compliance with federal, state and local fire and safety laws and regulations.
E. A wholesome, properly prepared and nutritionally adequate diet.
F. Clean clothing and bedding.
G. Access to adequate health care services.
H. Access to recreational opportunities.
I. Access to clergy, spiritual advisors, publications and related services, which allow prisoners to adhere to their legitimate religious beliefs.
J. Visitation with family members and friends in an area, which is limited only by those facility requirements necessary to maintain safety, security and order.

Confidential areas are available for secure visiting between prisoners and attorneys.

K. Communication and/or correspondence between prisoners and their families, friends, public officials, attorneys, officers of the court, other persons and organizations. This communication shall be limited only by safety and security concerns.
L. Freedom from discrimination in accessing defined services and programs.
M. A safe environment.
N. A professional conversational form of address.
O. Personal grooming choices regarding appearance limited only by requirements for:
   • Safety.
   • Security.
   • Identification.
Prisoner Rights

- Hygiene, as defined by the Jail.

P. Searches of prisoners and prisoner property shall be conducted in accordance with those requirements set forth in corresponding policy.

Q. When the focus of a criminal investigation centers upon the prisoner as a suspect, the prisoner shall be advised of their Miranda rights.
Prisoner Rape Elimination Act (PREA)

903.1 PURPOSE AND SCOPE
It shall be the policy of this Office to maintain zero tolerance for any form of sexual contact between inmates, staff members, volunteers, visitors, contract employees or other agency representatives and an inmate. It shall be a violation of the Sheriff's Office's policy for Supervisors to disregard allegations of sexual misconduct involving inmates or inmates and employees, regardless of who is making the reports. All reports of sexual misconduct will be investigated in a timely manner and if sustained, appropriate corrective disciplinary action will be taken which may include termination and or criminal prosecution.

No employee or inmate will be harassed, intimidated, discharged or other wise interfered with because they have reported an incident of sexual misconduct. Retaliation of any type will be grounds for disciplinary action. Every reasonable effort will be made to maintain confidentiality of the persons involved.


903.1.1 DEFINITIONS
Sexual Misconduct (O.R.S 163.454) is defined as: Engaging in sexual contact with another person knowing that the other person is: In the custody of a law enforcement agency following arrest; Confined or detained in a correctional facility; Participating in an inmate or offender work crew or work release program or on probation, parole, post prison supervision or other form of conditional or supervised release. Lack of supervisory authority over the other person is an affirmative defense to a prosecution under this section when the other person is on probation, parole, post prison supervision or other form of conditional or supervised release.

Invasion of Privacy: This includes, but is not limited to, the act or the attempted act of observing or interfering with an inmate's personal affairs without a reasonable need to do so for the immediate safety and security of the inmate, employees or others within the institution.

Retaliation: Any act, covert or overt, or threats of action taken against an inmate or employee in response to the person's complaint of sexual misconduct or cooperation in the reporting or investigation of sexual misconduct, regardless of the merits or disposition of the complaint.

Sexual Contact: Any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire or either party. ORS 163.305

Sexual Misconduct: Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, visitor, contract employee or other agency representative. This includes acts or any attempt to commit such acts including, but not limited to, sexual contact, inappropriate behavior of a sexual nature, an unreasonable invasion of privacy, conversations or correspondence that suggests a romantic relationship between an inmate and any party referenced above.
Prisoner Rape Elimination Act (PREA)

Staff: Employees, volunteers, interns, staff members of other agencies, contract employees or vendors.

Visitors: Any person granted access to the Jackson County Sheriff's Office facilities for personal or official reasons, who is not a staff member.

903.1.2 PROCEDURES

PROHIBITED CONDUCT

Conduct specifically prohibited that may cause a violation of this policy includes but is not limited to:

1. Any sexual advance by a staff member or visitor,
2. Requests for sexual favors by a staff member or visitor,
3. Invasion of privacy beyond what is reasonable or necessary for safety and security,
4. Any sexual act or contact between staff, visitors and inmates,
5. Indecent exposure by a staff member or visitor in front of an inmate,
6. Other verbal and physical conduct of a sexual or gender-based nature,
7. Any comments, gestures, drawings, pictures, writings or physical conduct that is sexual suggestive, derogatory or offensive,
8. Influencing, promising, or threatening an inmate's safety, custody level, privacy, housing privileges, work detail, programs status or court proceedings in exchange of sexual favors,
9. Failing to report any suspicious activity of a sexual nature either observed or suspected based on possible evidence,
10. Permitting sexually offensive behavior, sexual harassment or sexual misconduct to continue once its occurrence is known,
11. Interfering with the official process of reporting or investigating incidents or allegations of sexual misconduct,

CLASSIFICATION

Jail staff will conduct a hazard screening of all inmates before placing an inmate in a holding cell with another inmate or housing an inmate with one or more inmates. Screening for vulnerability to sexual assault or sexually aggressive behavior will be part of the screening process for all inmates.

INITIAL HEALTH SCREENING

A. As part of the lodging process, the inmate should be asked if they have been a victim of a sexual assault at any correctional facility. Any inmate, who answers yes, should be referred to the medical staff and mental health professional. The lodging deputy should ask the inmate if they reported the assault.
Prisoner Rape Elimination Act (PREA)

B. If the assault was not reported, the lodging Deputy will get as many details as possible and complete a criminal report and forward that to the agency where it is alleged to have occurred. (Date/time/location, witnesses) and forward that report to the facility in which it occurred.

C. Deputies will inform inmates that if for any reason they feel uncomfortable reporting the alleged sexual assault to a corrections officer they may use an inmate request form, sealed letter or health request form to report the assault. Medical and Mental health staff will inform a shift supervisor when an inmate reports being a victim of sexual assault either before or during incarceration.

REPORTING SEXUAL MISCONDUCT BY STAFF TOWARD STAFF

A. All employees of the Sheriff's Office are required to report all allegations, complaints or observations of sexual misconduct or suspected sexual misconduct to their immediate supervisor.

B. All reports of sexual misconduct will be investigated in a timely manner, and appropriate corrective disciplinary action will be taken, up to and including termination.

C. The following procedure shall be used when a sexual misconduct incident or allegation is reported to or observed by a staff member.

1. The staff member will notify the on duty supervisor immediately.

2. If the offending party is in the staff member's chain of command, the staff member should report the incident directly to the Jail Captain, Undersheriff, Sheriff or the County's Human Resources department.

3. The staff member to whom the complaint was made or who observed the incident shall write a detailed report and submit it to a supervisor.

4. The supervisor will immediately notify the chain of command.

5. The supervisor will take any immediate action necessary to separate the parties involved in the alleged sexual conduct. This may include relieving a staff member from duty.

6. The supervisor will inform all parties to the complaint that retaliation against the complainant, witnesses or other involved in the complaint or investigation is strictly prohibited, and can result in separate corrective action.

REPORTING SEXUAL MISCONDUCT BY STAFF OR INMATES TOWARD INMATES

A. When an inmate reports he or she has been sexually assaulted the following shall occur:

1. Move the inmate away from the alleged perpetrator.

2. If circumstances allow, consider moving the alleged perpetrator.

3. Secure the crime scene to preserve any evidence. This can be done by restricting access to area of the crime until further directions are received.

B. Notify the shift supervisor
Prisoner Rape Elimination Act (PREA)

1. The shift supervisor will contact the Field Services Bureau (CID) Lt. or Sgt. and inform them of the circumstances regarding the reported incident.

C. The CID will determine if they will make an immediate response or if they will respond during their regular shift. The response level will be determined by the details provided to them, so it is important for the shift supervisor to have all of the basic facts of the crime (date/time/place/witnesses). CID will also direct how to handle any crime scene or potential evidence.

D. Inmates will be offered medical care for any immediate medical problems. If the incident is less than 72 hours old, inform the victim not to shower, wash, drink, eat or defecate until they have been examined.

E. As soon as details of the incident have been gathered, the shift supervisor shall notify the Jail Captain and inform him/her of what has occurred and what steps have been taken to deal with the incident. The Jail Captain will be responsible for notifying the Undersheriff and Sheriff.

F. If the allegation of sexual misconduct involves a Sheriff's Office employee, CID will consult with the Undersheriff and/or Sheriff and District Attorney to determine if an outside agency should investigate (refer §1007).

G. Inmates who make false complaints will be prosecuted criminally.

H. Inmates who are under criminal investigation may also be charged with a disciplinary rule violation if the facts warrant it.

I. The lead investigator for the case will make the decision on what charges will be filed. This decision will be made using the same standards as in the community.

MEDICAL STAFF RESPONSE

A. Render first aid if needed.

B. Document all exams and treatment of injuries or any refusal of treatment. Notify a shift supervisor of any refusal.

C. Transfer the inmate to a hospital as needed for any immediate care of physical injuries.

D. Transfer inmates to a hospital at direction of investigators.

E. Transfer as necessary (after OK'd by investigator) for treatment of sexually transmitted disease prophylactic medical measures to reduce the incidence of sexually transmitted disease, and for a woman, pregnancy.

F. Refer the inmate to a mental health provider for crisis intervention or a counselor trained or experienced in rape counseling as soon as possible.

G. Mental Health providers or rape counselors should arrange for the inmate to receive continuing follow up care when released from custody.

TRAINING:

A. Staff, volunteer and visitor training
1. The jail commander will ensure that all employees receive annual documented training concerning prohibited sexual misconduct with inmates. New employees will receive policy training as part of their new employee orientation. The training should be done jointly with sexual harassment training whenever possible.

2. Training may be tailored to staff position and/or duties. It may include but is not limited to:
   a. Policies and procedures concerning sexual harassment and misconduct in the workplace.
   b. Protecting inmate privacy.
   c. Prohibited inappropriate behaviors and red-flag activities.
   d. Recognizing, detecting and preventing sexual misconduct.
   e. Official misconduct offenses (ORS 162.405 and 162.415) and penalties.
   f. Reporting requirements.
   g. Sexual assault prevention and response methods.
   h. Types of assailants that threaten or commit rape in a jail environment and the reason they do.
   i. Emotional and psychological effects of rape on an inmate and how to deal with them.

B. During the booking process, jail staff members will issue a rule manual to inform inmates of the following:
   a. The right to be free from sexual misconduct from any staff member or other person while in custody,
   b. Rules about behaviors and prohibitions against sexual activity with staff, visitor, and other inmates,
   c. Rules about appropriate dress,
   d. Multiple reporting paths such as an inmate request form, grievance, or a confidential letter to the jail commander or sheriff,
   e. Disciplinary consequences for making a false complaint of sexual misconduct.
   f. The Inmate Manual will include guidance on sexual misconduct.

C. Other-Agency Training
   1. Jail staff will provide training for any other County staff, contractors, and agencies that have contact or communicate with, transport, or supervise inmates. This includes facility maintenance personnel. Compliance with this training will be responsibility of the Jail Captain.

D. Professional/official Visitor Training
1. Official or professional visitor guides, agreements, training and orientation must include information about the zero tolerance policy concerning sexual misconduct with inmates.

INTERGOVERNMENTAL AGREEMENTS WITH OTHER AGENCIES:
All agreements with other agencies that supervise or come in contact with inmates will include a statement concerning the zero-tolerance policy for any form of sexual misconduct with inmates. Intergovernmental agreements or memorandum of understanding will also include clear agency rules for the reporting of sexual misconduct with inmates. The jail commander will provide associate agencies copies of this policy.

CONTRACT MANAGEMENT:
A. The advertising and awarding of contracts for services in the Jail Bureau shall:
   1. Identify its zero tolerance for any form of sexual misconduct with an inmate.
   2. Define prohibited behavior by contractors and staff members.
   3. Incorporate policies and procedures on expected professional behavior and prohibited sexual misconduct.
   4. Specify training and orientation for contractors prior to entering the jail.
   5. Establish reporting requirements and time-tables for contractors to report allegations or suspicions of sexual misconduct with inmates.
   6. Address how to deal with incidents of potential sexual misconduct involving contract employees and procedures for barring contractors from the facility during the investigation of any allegations.

REPORTING, TRACKING AND ANALYZING DATA:
A. The Administrative Sergeant will be responsible for setting up a database to track all reports of sexual misconduct.

B. Statistics and information will be forwarded to the Bureau of Justice Statistics as required, but no less than a quarterly basis.
Arrest & Lodging of Prisoners-Denial of Admission

904.1 PURPOSE AND SCOPE
It shall be the policy of this office to protect the civil rights of private citizens by ensuring that arrests and lodgings in the jail are legal, and that the arrestee is both physically and mentally appropriate for incarceration.

Oregon Jail Standards: B-101, B-102, B-103, B-104, B-105, B-107, B-201, B-202, B-203, B-205, B-208, B-210, B-302, E-106, E-504

904.1.1 DEFINITIONS

Judge - Any judge of the Circuit Court, the Court of Appeals, the Supreme Court, any justice of the peace or municipal judge authorized to exercise the powers and perform the duties of a justice of the peace.

Peace Officer - A sheriff, municipal police officer, member of the Oregon State Police or investigator of the Criminal Justice Bureau of the Department of Justice.

Magistrate - An officer having power to issue a warrant for the arrest of a person charged with a crime. The following persons are magistrates: (ORS 133.020- 133.030): Judges of the Supreme Court, the Court of Appeals, Circuit Courts, District Courts, county judges and justices of the peace, municipal judges.

Probable Cause - A substantial objective basis for believing that more likely than not an offense has been committed and a person to be arrested has committed it. (ORS 131.005)

Crime - An offense for which a sentence of imprisonment is authorized. A crime is either a felony or a misdemeanor. (ORS 161.515)

Violation - An offense is a violation if:

A. The offense is so designated in the statute defining the offense.

B. The statute prescribing the penalty for the offense is punishable only by a fine, forfeiture, fine and forfeiture, or other civil penalty. (ORS 161.566)

904.1.2 RESPONSIBILITY
It shall be the responsibility of all Jackson County Sheriff’s Office personnel involved in the arrest and/or lodging of prisoners in the Jackson County Jail to know and understand the following Oregon Revised Statutes pertaining to arrests.

- ORS 133.140 - Content and form of warrant.
- ORS 133.220 - Who may make arrest.
- ORS 133.225 - Arrest by private person.
Arrest & Lodging of Prisoners-Denial of Admission

- ORS 133.235 - Arrest by a peace officer; when and how made.
- ORS 133.245 - Arrest by a federal officer.
- ORS 133.310 - Authority of officer to arrest without warrant.
- ORS 133.340 - Magistrate’s authority.
- ORS 133.360 - Arrest on warrant or order transmitted by telegraph.
- ORS 133.430 - Authority of officers of other states to make arrest.
- ORS 137.620 - Parole or probation officer.
- ORS 807.570 - Failure to carry or present license.

904.1.3 LIMITATIONS ON POWERS OF ARREST

Private Person - A private person may arrest another person for any crime committed in their presence if they have probable cause to believe the arrested person committed the crime. (ORS 133.225) Private person arrests shall not be accepted by the jail until after the circumstances of the arrest have been reviewed by a member of the criminal bureau and a determination has been made that the arrest is based upon probable cause and is a legal arrest. A private person making an arrest is required to fill out a probable cause affidavit prior to leaving the prisoner in the custody of the jail.

Peace Officer (ORS 133.310) - By a warrant signed by a judge.

Without a warrant when the officer has probable cause to believe that the person has committed a felony, a Class A Misdemeanor, an unclassified offense for which the maximum penalty allowed by law is equal to or greater than the maximum penalty allowed for a Class A Misdemeanor.

For the major traffic crimes:

- DUII - Misdemeanor or Felony O.R.S. 813.010
- Driving While Suspended or Revoked O.R.S. 811.182
- False Info/Vehicle O.R.S. 807.620
- Elude on foot O.R.S. 811.540
- Elude/vehicle O.R.S. 811.540
- Hit and Run O.R.S. 811.700
- Hit and Run Felony O.R.S. 811.705
- Reckless Driving O.R.S. 811.140
- Failure to Display Operators License O.R.S. 807.570
- For any other offense in the officer’s presence except traffic infractions as defined in ORS 801.555 and violations as defined in ORS 801.557.
Arrest & Lodging of Prisoners—Denial of Admission

- For violations of restraining orders. For violation of a no contact condition of a release agreement.

**Magistrate (ORS 133.340)** When a crime is committed in the presence of a magistrate, the magistrate may command any person to arrest the offender.

**Federal Officer (ORS 133.245)** When the federal officer has probable cause to believe that the person has committed a felony or a Class A Misdemeanor. When rendering assistance to or at the request of a law enforcement officer. When the federal officer has knowledge of a warrant for the arrest of the person.

**Parole or Probation Officer (ORS 137.620)** Probation officers of the Department of Corrections and those appointed by the court shall have the powers of peace officers in the execution of their duties.

**904.1.4 PRISONER ACCEPTANCE**

Prisoners Shall Be Accepted from the Following:

A. Court Commitments: Orders by the various courts stating the duration of time a person is to be incarcerated.

B. Federal Agents

C. Peace officers

D. Armed forces police

E. Immigration authorities

F. Private transportation companies

Private transport prisoners shall only be accepted due to exigent circumstances. Examples could be an injured or ill transport officer, vehicular break down, or extreme weather.

Every prisoner must be accompanied by an original Governor's Warrant, an original signed waiver of extradition, or an Interstate Agreement on Detainers.

The receiving records deputy must obtain positive identification of the transport officers and the company they represent. The identification must be complete with a street address, mailing address if different, telephone number, and FAX number if there is one. (Copies of the transporting officer’s driver’s license are considered adequate for their personal identification.)

The private transport company shall be obligated to pay $100.00 per day, or portion of a day, per prisoner. This fee can only be waived by the Bureau Captain. This fee may also be waived for outside law enforcement agencies.

The transport officers must leave a name and telephone number where they can be contacted while their prisoner(s) are in this jail, and must agree to immediately return to the jail to resume custody in the event of medical or other emergency.
The transport officer must agree that any medical, unforeseen, or incidental expenses are their responsibility, not the responsibility of the Jackson County Sheriff's Office.

The on duty corrections shift supervisor shall call the company headquarters in order to confirm the identity of the transport officer(s) and the legitimacy of the request to house a prisoner. The shift supervisor shall also confirm with the company's headquarters that the company is willing to agree to the conditions of confinement imposed by the Jackson County Jail. The name and title of the company officer agreeing to the terms shall be obtained for future reference.

Private parties as already described.

The Fifth Amendment of the United States Constitution states in part, nor be deprived of life, liberty, or property, without due process of law. With the exception of taking a life, the most extreme intrusion into a U.S. citizen's life by government is arrest and imprisonment. Therefore, each arrest or jail lodging shall be subject to review. An arrest made because of improper attitude, argument, or a poor initial contact by an officer cannot be justified. An arrest used to alleviate a problem arising from such circumstance shall constitute a misuse of authority.

Prisoners are normally received via the sally port and lodging intake vestibule. Some lodgings (process only, court commitments, and those surrendering with warrants) enter through the front visiting entrance.

The transporting officer, hereafter referred to as the arresting officer, shall transport the prisoner to the receiving alert near the northwest corner of the jail. The C.I.C. operator shall ascertain the number and sex of the prisoner(s) in custody. The C.I.C. Deputy shall also ascertain whether or not the prisoner is cooperative.

The C.I.C. operator shall direct the arresting officer to one of the receiving sally ports and shall open that particular sally port for the transport vehicle. The sally port shall be closed immediately after entry of the transport vehicle. Sally port gates shall not be opened by the C.I.C. operator if there are other prisoners inside the sally port outside of a secured vehicle.

C.I.C. shall notify the VC deputy that a male or female lodging has arrived. If the prisoner is uncooperative, sufficient staff shall be sent into the sally port to assist in removing the prisoner from the vehicle. Uncooperative prisoners shall be subject to the same procedures as those who are cooperative. Uncooperative prisoners who, due to their behavior at the time of arrest, may not have been thoroughly pat searched in the field, may be frisk searched in the sally port prior to being brought into the receiving vestibule. Female deputies will perform searches on female lodgings unless emergencies exist.

Prior to releasing a prisoner from a transport vehicle, the arresting officer shall remove and place all defensive tools in the metal lockers provided for that purpose near door 126, or as an alternative, lock those items in the trunk of the transport vehicle. The arresting officer shall retain possession of the locker key until their business in the jail is complete, and the officer is leaving the facility.
In the case of a cooperative prisoner, the arresting officer shall remove that prisoner from the transport vehicle and shall enter the secure part of the jail through door 126. The arresting officer and prisoner shall be contacted by the receiving deputy inside the intake vestibule.

All prisoners entering the jail through door 126 shall have been pat searched and shall be secured in handcuffs, at a minimum. It is preferred that the hands be secured behind the back. Exceptions to this procedure shall be those persons that, due to physical handicap or loss of limbs, cannot be handcuffed. The intake deputy shall be notified by C.I.C. prior to prisoner contact anytime any prisoner is brought to door 126 for admission without being properly restrained.

If a prisoner is uncooperative, agitated, aggressive, displaying extreme mood swings, or is verbally threatening staff or others, the intake deputy may elect to leave the prisoner in restraints until sufficient time lapses to assess the actual physical threat level. If, in the opinion of the receiving Deputy, the prisoner poses no threat to the facility, themselves, or others, the restraints shall be removed after the frisk search is completed.

Unless relieved by a corrections deputy, at least one arresting officer shall remain in the intake vestibule with the prisoner until the prisoner has been completely frisk searched. Any evidence of a crime or weapons located during the frisk search shall be turned over to the arresting officer who shall be responsible for the retention, reporting, and follow up of such find for possible criminal prosecution. Corrections staff shall be responsible to report weapons entry as a security breach.

C.I.C. shall not permit pass through foot traffic in the intake vestibule during the intake process of a prisoner. For example, subsequent lodgings shall remain outside door 126 until the prisoner being frisk searched is removed from the vestibule. Officers who wish to leave the facility through 126 will not be allowed in the vestibule until searches are complete and the area is clear.

The Sheriff, pending medical authorization, has the authority to deny the admission to the county jail of any injured arrestee or one who appears to be substantially impaired due to mental illness or substance abuse.

The Jackson County Jail shall not accept for lodging any prisoner that is unconscious.

If, during the frisk search portion of the intake process, the receiving deputy becomes aware of any illness or injury that may require immediate medical attention, the receiving deputy shall stop the intake process and notify the shift sergeant or deputy in charge. The final decision shall be made by the shift supervisor to refuse or accept the prisoner for lodging.

If the shift sergeant or officer in charge refuses admission due to the above reasons, a medical release must be obtained by the arresting agency and must accompany the prisoner when the prisoner is returned to the jail for lodging. The medical release must state that the prisoner is fit for confinement in the jail. The lodging process shall begin again at the receiving alert.

The medical release form shall be attached to the completed medical screening questionnaire and forwarded to the medical section for retention.

After the prisoner is secured in the intake vestibule, the lodging deputy shall enter the booking area and fill out the required paper work. The paper work shall be reviewed and signed off by a
records deputy before the arresting officer is allowed to leave the facility absent an emergency requiring the officer to leave immediately.

Before a prisoner is accepted for lodging into the jail, the records deputy receiving the prisoner shall verify the authenticity of the lodging with the arresting authority. If some doubt arises concerning the identity of the prisoner or the validity of the arrest, the corrections shift Sergeant or deputy in charge shall be notified.

If, after thorough review, there remains doubt as to the legality of the lodging, admission shall remain the decision of the corrections shift sergeant or deputy in charge. Regardless of the final decision whether or not to accept the prisoner or deny admission, the corrections staff involved in a questionable lodging or lodging attempt shall forward a detailed report of the incident to the bureau supervisor prior to going off duty that shift.

Arrests/releases for violation of ORS 807.570, Failure to carry or present license, shall be handled in the following manner.

While in the field, the arresting officer shall attempt to verify the identity of the individual detained through normal computer resources or other available means.

If identity cannot be determined and the officer deems an arrest is necessary, the individual shall be taken into custody and transported to the jail. The arresting officer is encouraged to discuss the arrest with the patrol supervisor, if possible.

The prisoner shall be lodged in the county jail for a C Misdemeanor and held until identity has been verified, until arraignment, or until otherwise ordered by the court.

Following lodging, and as appropriate, the arresting officer shall continue to investigate any possible leads to verify the arrestee’s identity.

If identity of the arrestee is confirmed, advise the corrections bureau on duty supervisor who shall ensure that the arrestee is processed for release and cited into court according to current procedures. Such information shall be included in the jail file for referral to the court and shall be forwarded to the arresting officer by the corrections supervisor by way of an interoffice memorandum.

Fugitives shall not be left in the jail awaiting confirmation of the warrant and notification of intent to extradite. This information must have been received prior to release of the arresting officer. Local warrants that have been confirmed do not have to be delivered to the jail and signed off prior to release of the arresting officer. Those warrants can be signed off during the regular course of business, after the fact.

The fact that the transporting officer is not the arresting officer is not an acceptable reason for leaving a prisoner in the jail without the minimum required paper work having been completed. If there appears to be a problem requiring the arresting officer to remain in order to assist in clarification, the arresting officer shall be notified by the corrections shift Sergeant or deputy in charge, not by the records deputy.
During times of peak activity, arresting officers may be asked to remove their transport vehicles from the sally ports. This is not a release of the officer and does not imply that the booking processes required of the arresting officer are waived. Those officers asked to move their vehicles may retrieve their firearms and re-enter the jail through door 131.

If the sally ports are filled and there are additional lodgings arriving at the receiving alert, the subsequent officers shall be given the option of parking outside the sally ports and walking their prisoners in, or waiting until a sally port can be cleared for their use.

904.2 ARREST OF FOREIGN NATIONALS
Purpose and Scope
Some countries (907.2.2) require a mandatory notification under the Vienna Convention Treaty anytime a foreign national (as defined in 422.1.1) is detained regardless of the wishes of the foreign national. Other countries require a notification only if the foreign national requests it when informed of this option.

When foreign nationals are arrested or detained, they must be advised of the right to have their consular notified. In some cases the nearest consular officials must be notified of the arrest or detention of a foreign national regardless of the national's wishes. Consular officials are entitled to access their nationals in detention, and are entitled to provide consular assistance.

904.2.1 RESPONSIBILITY
It is not necessary to ask every person arrested or detained if they are a foreign national. You will want to ask anyone who has a foreign passport, documents that indicate the person was born outside the United States or is unfamiliar with the English language.

1. In all cases, the foreign national must be told of the right to consular notification and access.

2. Determine the foreign national's country. In the absence of other information, assume this is the country on whose passport or other travel documentation the foreign national travels.

3. Notification may be done by fax or telephone. A fax is the preferred method since it provides accurate information as to when the documentation was sent/received. If the consulate has no fax number, a phone call will be acceptable. The date, time, and name of the individual contacted will be documented in the prisoner's jail file.

Consular Notification Optional:
1. Offer to notify the foreign national's consular officials of the arrest. There are numerous advisements in different languages in the book titled Consular Notification and Access which are kept at the briefing counter.

2. If the foreign national asks that consular notification be given, the shift supervisor shall notify the nearest consular office of the foreign national's country without delay.

3. The foreign national then has the option of deciding whether he or she wants consular representatives notified of the arrest or detention.
4. If the notification is not a mandatory one, give the inmate a copy in the appropriate language and have them circle yes or no requesting notification. If they circle yes, they want notification then fax it to the appropriate consul from the list in the manual.

5. In either case have the inmate sign and date the form. It will become a permanent part of the inmate's jail jacket.

**Mandatory Notifications** (see 909.2.2)

1. If the foreign national's country is on the list of mandatory notifications:
   a. The shift supervisor will notify that country's nearest consular officials, without delay, of the arrest/detention.
   b. Give the foreign national a statement in the appropriate language, that you are making the notification.
   c. Mandatory notifications will be made regardless of the wishes of the foreign national.

2. If after lodging, but before release it is discovered that an inmate is actually a foreign national, you will need to treat that inmate as you would a new lodging in regards to consular notification.

**Documentation of notification:**

1. A copy of the fax and a printout of the activity report from the fax machine showing the date and time the fax was sent will be stapled together and placed into the jail jacket as part of the permanent jail file.

2. A fax is the preferred method of notification. If the consular has no fax number, a phone call will be acceptable. The date, time, and name of the individual contacted will be documented in the prisoner's jail file.

**Consular access to detained foreign nationals:**

1. Detained foreign nationals are entitled to communicate with their consular officers.

2. Correspondence between a foreign national and their consular officer must be forwarded without delay.

3. Foreign consular officers must be given access to their nationals and permitted to communicate with them. This includes the right to visit, converse and correspond with them and arrange for legal representation.

4. Consular officers may visit, but may not act on behalf of the foreign national if the foreign national opposes their involvement.

5. Consular officers may not act as attorneys for their nationals.

6. Visits and communications by or to Consular officers are subject to all of the normal restrictions imposed on professional visitors conducting business in the jail.
7. Consular representatives wishing to see foreign nationals in the jail will need to provide appropriate identification.

References:

Consular notification procedures and forms manual
Department of State Publication #10969
Supreme Court Of the United States Moises Sanchez-LLamas Vs. Oregon (Nos 04-10566 and 05-51) No 04-10566, 338 Ore. 267, 108 p. 573 and No. 05-51
Vienna Convention, April 24 1963

904.2.2 MANDATORY NOTIFICATION COUNTRIES AND JURISDICTIONS
Algeria
Antigua and Barbuda
Armenia
Azerbaijan
Bahamas, The
Barbados
Belarus
Belize
Brunei
Bulgaria
China
Costa Rica
Cyprus
Czech Republic
Dominica
Fiji
Gambia, The
Georgia
Ghana
Grenada
Guyana
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Hong Kong
Hungary
Jamaica
Kazakhstan
Kiribati
Kuwait
Kyrgyzstan
Malaysia
Malta
Mauritius
Moldova
Mongolia
Nigeria
Philippines
Poland (non-permanent residents only)
Romania
Russia
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Seychelles
Sierra Leone
Singapore
Slovakia
Tajikistan
Tanzania
Tonga
Trinidad and Tobago
Tunisia
Turkmenistan
Arrest & Lodging of Prisoners-Denial of Admission

Tuvalu
Ukraine
United Kingdom
U.S.S.R.
Uzbekistan
Zambia
Zimbabwe
Prisoner Processing, Photographs & Property

905.1 PURPOSE AND SCOPE
It shall be the policy of this office to receive for lodging those persons for which there is legal confinement authority, to photograph prisoners lodged in the jail and persons sent to the jail by the courts to be “processed only” by the courts. All personal property, including money, belonging to county prisoners is received, accounted for, stored and released in a professional and fiscally accountable manner.


905.1.1 PROCESSING
Court commitments shall be accepted by the Jail as long as the commitment papers remain available in the jail business office.

The Transport supervisor shall review commitment papers on a regular basis and shall return to the courts those commitments where the individual failed to appear, indicating the failure on the document face and request a warrant. A copy of the commitment document shall be placed in the prisoner's jail file. A hazard shall be entered in the Tiburon system. If an individual turns themselves into the Jail after having failed to appear for their commitment date, the following procedure shall be followed:

A. If a warrant was not requested, process as a commitment.

B. If a warrant was requested, but a check of OJIN (Oregon Judicial Information Network) shows that no warrant has been issued, process the prisoner as a commitment and notify the transport and/or records supervisor that the request for a warrant should be recalled.

C. If a warrant was requested but is not in the Law Enforcement Data System (LEDS) but is in OJIN stating the warrant was requested and signed by a judge, process the prisoner as a commitment and leave a note for the transport and/or records supervisor to contact the courts to have the warrant recalled.

D. If a warrant has been issued and is in LEDS, process the prisoner as you would any warrant and put the file in the release dates to be figured file.

Central Internal Control (CIC) is to be notified when a walk-in commitment or process only reports to the jail. CIC will notify the first floor deputies that a commitment or process only is waiting in the lobby. Walk-in commitments shall not be kept waiting in the public lobby as a matter of convenience.

A prisoner sent from court as a process only will normally be processed at the lobby ID station. If it is necessary to bring the process only into the secure area, they shall be pat searched prior to...
entering door number 142. With the exception of an apparent security risk, these prisoners will not be strip searched.

Law enforcement officers wishing to lodge persons in their custody shall contact CIC via the receiving alert. Once deputies have confirmed the identity, the arresting officer shall be directed into an available sally port. All weapons and ammunition shall be secured in the transport vehicle or available gun lockers, with the locker key being retained by the arresting officer. During the initial contact, the receiving deputy shall verify that the prisoner is physically fit for confinement. Lodgings that require medical attention shall be evaluated by on-duty medical staff. When no medical staff is present, the shift supervisor or OIC will determine if the prisoner needs medical care. When care is needed the lodging process will stop and the arresting officer will transport the subject to a local hospital. When the arresting officer returns they must have a "Fit for Confinement" release from the hospital.

If the prisoner is to be lodged on a warrant, an NCIC/LEDS hit and a warrant confirmation from the agency holding the warrant must be received prior to accepting the prisoner. A computer "hit" alone is not enough to accept a prisoner. A new color photograph shall be taken of all lodgings and process only's. (Refer to Prisoner Photographs.) A lodging record shall be completed on all prisoners. The lodging record shall consist of booking application, with the initial searching deputy noted, probable cause affidavit, warrant confirmation, detainer (if applicable), computer entry, medical screening questionnaire, telephone record entry, prisoner trust account entry, court appearance record, personal property receipt and a fingerprint request card.

Following completion of the lodging record, teletype confirmation shall be sent to all out of county or state agencies which have requested that a Hold be placed against the prisoner. The lodging deputy shall complete the necessary identification work as directed by the fingerprint request form.

A. Fingerprints required by either the Oregon State Bureau of Identification or the Federal Bureau of Identification shall be included as a part of the LEDS response to our criminal history inquiry.

B. Sheriff's file fingerprints are required when the prisoner is arrested on at least one local charge and the prisoner is being issued a new Sheriff's Office identification number. This file card is kept in the prisoner's jail file.

C. All prisoners will have a palm print completed and transmitted to the Oregon State Bureau of Identification. A printed copy shall be kept in the prisoner's jail file.

D. If the prisoner is arrested on out of county charges only and has an SO number, fingerprints are not required.

The prisoner is then required to shower, if it can be accomplished without the use of force, and dressed in issued clothing. For their safety, prisoners who are intoxicated should not be showered until they have sobered and regained their equilibrium. Jail bedding, personal hygiene items, and a Prisoner's Information Manual shall be issued. All issued items shall be noted on the prisoner's property receipt in the Tiburon system. The prisoner shall be directed to read the manual, and if unable to read, it shall be explained to them.
Prisoner Processing, Photographs & Property

Some prisoners may plan to bail shortly after being lodged. These prisoners, if not a security risk, may remain in civilian clothes. They shall be kept separate from prisoners who have been clothed in jail clothing. If the prisoner is in control and does not present a threat to the staff or other prisoners, they shall be offered at least one completed telephone call at the time of lodging. Refer to, Prisoner Telephone Calls. These calls may be delayed if the prisoner is physically resistive, a threat to staff, prisoners or the facility.

All agencies in Jackson County will be given our requirements on acceptance of lodgings.

905.1.2 PHOTOGRAPHS
A front view photograph shall be taken of all prisoners being processed or lodged into the jail. The current photo system TIPS, which is linked to Tiburon.

The records clerk shall distribute the photos as follows:

**When the prisoner is lodged:**
1. One shall be attached to the office locator card.
2. One shall be attached to the housing locator card.
3. One shall be attached to the prisoner identification wristband.

**When the prisoner is a process only:**
A photo shall be taken with the TIPS system.

*Color Identification Photographs (Mug Shots)*

- Photos shall be taken without head dress or dark glasses.
- In the event of high profile cases, color copies may be printed for distribution to the press.

**In the event of a breakdown in the TIPS/Tiburon system, the digital camera shall be used.**

- Digital camera: If it is necessary to use this camera, a property bag with the following information shall be prepared with: the prisoner's name (last name, first name, middle initial; the assigned property tag number; the Sheriff's Office number (SO#); and the date. The property bag shall be held in front of, and close enough to the prisoner's body, so it is visible in the photograph.
- The photos will be printed and added to the prisoner's file.
905.1.3 PROPERTY AND INVENTORY
When a person is lodged in the Jackson County Jail, all personal property including clothing, jewelry and money shall be inventoried and secured by making it accessible only to authorized Sheriff's Office employees. The purpose of the inventory process to is to protect individuals’ property while in custody, reduce false claims against the Sheriff’s Office for lost or stolen property, and protect the Sheriff’s Office and its employees from impounded but uninventoried property.

The purpose of inventory searches is not for criminal investigation purposes.

Following an intake patdown search in accordance with SOP 900.3 conducted primarily for purposes of deputy safety, all property and clothing belonging to the arrestee shall be processed and inventoried in accordance with this policy in the order provided below.

(a) Personal Property on the Arrestee - Remove all personal property from the clothing the arrestee is wearing (pockets, waistbands, shoes, etc.) or has already removed (coat, extra clothing layers, etc.) and inventory it. Any closed containers found in the personal property on the arrestee shall be set aside to be dealt with under section three (3) below.

(b) All Open Containers - Remove and inventory the contents of all open containers. Any closed containers found in an open container shall be set aside to be dealt with under section three (3) below.
   1. Ask the arrestee if they have any cash, valuables, or medications. Explain that the arrestee must identify the cash and credit or debit cards that the prisoner wishes to use to post security.

(c) Closed Containers - Closed containers found during inventory shall not be opened, and shall be inventoried with a description of the closed container, unless:
   1. The owner of the closed container is unknown, in which case the closed container shall be opened and examined for the purpose of determining the identity of the owner.
   2. The container is designed for or likely to contain valuables or money such as closed purses, wallets, fanny packs, electronics cases, briefcases, backpacks, coin purses, or jewelry cases.
   3. The arrestee has given consent for a closed container to be opened.
   4. The container is designed for or likely to contain weapons or ammunition such as ammunition cans, gun cases, holsters, or knife cases.
   5. The container is designed for or likely to contain toxic, hazardous, explosive, or putrescible substances such as fuel canisters, explosive casings, lunch boxes, or thermoses.

(d) Additional Valuables - After following steps one (1) through three (3) above, the deputy shall ask the arrestee if there are any valuables that were not located and inventoried that they would like to have inventoried. Any additional items identified by the arrestee and located by the deputy should be inventoried.

All items located shall be inventoried or otherwise treated as follows below.
Prisoner Processing, Photographs & Property

- All items that are retained in the jail shall be listed on the prisoner’s property receipt form, which the prisoner shall sign. If the prisoner is unable or unwilling to sign the property receipt form, a second employee shall serve as a witness and initial the property receipt form. The prisoner shall be given a copy of the property receipt. All items kept shall be placed into the prisoner’s property bag retained in the business office. Due to space limitations, extra storage property shall not be accepted from outside agencies. Additional items stored such as backpacks or sleeping bags shall be indicated on the property receipt form under “extra storage.” Any item placed into extra storage shall be placed into a plastic bag. The prisoner’s first and last name, and SO number shall be written on a card and placed inside the bag. The same shall be done and the tag secured to the outside of the bag.

- Cash or checks from another jurisdiction shall be endorsed by the prisoner at the time of lodging and become a part of the prisoner’s trust fund.

- Checks or money orders shall be recorded on the property receipt form, placed in a white envelope, and placed into the primary property bag marked with the prisoner’s name and booking number. Prisoners shall be advised that checks or money orders shall not be cashed for them with the exception of checks from another jurisdiction.

- After being lodged, clothing or footwear may be accepted for a lodged prisoner upon authorization of the shift supervisor. Examples are: clothing for those attending a trial, brassieres without under wire for female prisoners, and shoes approved for certain medical conditions (diabetics).

- Property or money that is contaminated will be sealed into a plastic bag and marked "contaminated" in red on the outside of the bag and upon release will be given back to the inmate sealed in the bag.

- Firearms and ammunition, edged weapons or sharps belonging to persons being lodged shall not be allowed within the jail. Should the prisoner’s personal property include a firearm(s), ammunition, edged weapons or any kind of "sharps" (excluding legitimate medical items) or any other unauthorized item the arresting officer shall be required to secure such items according to their departmental policy. The transfer of any such items to the arresting officer shall be documented.

- Any prisoner wearing a Medic-Alert identification shall be permitted to retain that item. Retention by the prisoner of Medic-Alert identification shall be noted on the medical screening questionnaire.

- Small pieces of jewelry such as earrings shall be placed into a small clear bag, then into the primary property bag identified with the prisoner’s name and Sheriff's Office number. The bag will then be sealed.

- Illegal items such as drugs (even if no charges are filed) cannot lawfully be returned, nor can items for which the inmate has previously disavowed ownership. The disposition of any such items should be documented.

- Perishables, such as food, will be destroyed for sanitation reasons unless the inmate is scheduled to be released immediately following booking.
Hazardous, explosive, or toxic substances shall not be kept and shall be secured by the arresting officer in accordance with their departmental policy. The transfer of any such items to the arresting officer shall be documented.

Before any personal property belonging to a prisoner can be released to another person, the prisoner must sign a property release form authorizing the release. A prisoner can release keys without releasing all other personal property (Clothing shall not be released). Release of other personal property is left to the discretion of the shift supervisor. Upon receiving a signed authorization form, the records clerk may release the approved personal effects from the prisoner's property after having the receiving party sign on the same form. The records clerk shall date and sign the form, which shall be placed in the prisoner's file.

All or part of a prisoner's trust funds may only be released within the first 48 hours of lodging only. The sum released shall be subtracted from the inmate accounting system. If the inmate owes the jail any money for previous debts, that amount will be deducted prior to any funds being released. The release of trust funds after the initial 48 hours will be at the discretion of the shift supervisor.

Prisoners being released may not leave or receive personal property or money for or from any other prisoner. Whenever an officer from a law enforcement agency wishes to seize a prisoner's personal effects prior to inventory, a copy of the property inventory receipt shall be placed in the container from which the property has been removed. A notation as to which items have been seized shall be made on the individual's property record card in the clothing room. The notation shall be dated and signed by the corrections deputy witnessing the transaction.

When clothing has been seized, the garment bag and number and name tag shall be left on the carousel rack in the appropriate section with the inventory receipt left in the garment bag for the items taken, even if all items were seized. If a law enforcement officer wishes to seize a prisoner's personal property or clothing after it has been inventoried, it will require a signed release form from the inmate authorizing the release of the item(s) or it will require a valid warrant to seize the item(s).

Upon receipt of money for a lodged prisoner, including money received in the mail, the sum received shall be added to the prisoner's trust. Cash and money orders shall be placed in the cash drawer. A receipt containing the following information shall be prepared in the inmate accounting system:

- Prisoner's name and S.O. number.
- Name of individual depositing cash.
- Dollar amount of deposit.
- Date.
- Receiving employee's name and I.D. number.
Upon release from custody, other than transport, the releasing clerk shall verify that the prisoner has received all of their property. The prisoner will sign the bottom of the property receipt to indicate they have received all of their items. If there is a discrepancy, the shift supervisor shall be notified and a description of the missing items noted. The missing items will be noted on the property receipt and the prisoner asked to sign. A memo listing the missing items shall be forwarded to the Jail Captain and a reasonable effort shall be made to find the missing property. If the prisoner refuses to sign receiving their property or money being returned, the Records Clerk shall have a second Records Clerk or deputy verify the items being returned. Both employees will sign the property form.

A current printout of the prisoner's trust fund will be made showing the account being closed. The balance of the account will be placed on a debit card for the prisoner. The prisoner will sign for receipt of the card and the correct amount. Both the signed property receipt and the trust fund printout will be added to the prisoner's jail record. Personal property belonging to prisoners being transported to another agency by this bureau's personnel shall be inventoried, with comparison made to the file copy of the prisoner's personal property receipt form.

Any discrepancy between personal items originally inventoried and being released to a transport deputy shall be brought to the attention of the shift supervisor. If not resolved prior to departing the facility, the shift supervisor shall submit a report to the bureau supervisor regarding the discrepancy. Prisoners being transported to another jurisdiction shall be issued a check for the remaining balance in their trust fund. The check shall be affixed to a photocopy of the inmate's account summary and placed into the prisoner property transport bag and the bag sealed.

Money transactions shall not be accepted for prisoners scheduled for release and transport to another facility within the next 24 hours. These transactions include purchasing commissary, depositing or releasing money from their account. Cash, money orders or checks received in the mail for deposit during this time shall be returned to sender.

When a police officer arrives at the main facility and advises that he wishes to administer an intoxilyzer test to a suspect, a corrections deputy shall conduct a pat search of the subject, removing all cash and personal effects from the subject's possession and placing them into a clear plastic property bag. The property bag shall be given to the arresting officer who shall remain responsible for the property while administering the breath test.

A. If the determination is made that the subject is to be cited and released to a responsible party, the arresting officer shall remain with the suspect pending arrival of the responsible party. If so, the officer shall remain responsible for the cash and personal effects of the suspected driver. The detaining officer may leave prior to the responsible party arriving with the permission of the shift supervisor.

B. If the arresting or transporting officer has been unable to make contact with a responsible party, or if the responsible party has not arrived at the jail within a reasonable period of time, the suspected driver may be lodged. The property shall be handled in accord with normal lodging procedures.
Inmate Classification

906.1 PURPOSE AND SCOPE
It shall be the policy of this office to implement and maintain a fair and objective classification plan for the jail. Classification is an essential management tool for safely and securely detaining all individuals in custody. Classification will not be used as punishment. Prisoners shall be assigned to the lowest custody level that does not jeopardize the safety and security of the jail, staff, prisoners or public. The race of an inmate shall not be used in the classification decision.

Oregon Jail Standards: C-101, C-102, C-103, C-104, C-105, C-106, C-107, C-108, C-109, C-110, C-111, C-112, C-113, C-114, C-115,E-312

906.1.1 DEFINITIONS
Custody Level: A ranking to determine type of housing and staff supervision needed for a prisoner. There are four custody levels: Minimum, Medium, Maximum, and Special Management.

Initial Classification: An initial assessment to identify immediate needs and risks of the prisoner at the time of lodging and assignment of a classification level to determine housing.

Legal Status Change: When the status of a prisoner has changed due to new charges being added, charges being dismissed, charges being reduced, or the prisoner is sentenced on all charges.

Primary Classification: A more in-depth assessment to verify a prisoner's custody level classification. This will be done using objective classification tools and completed within 72-hours after the prisoner has been arraigned.

Reclassification: A change in a prisoner's custody level due to a classification review.

Risk: A prisoner who has medical, mental health, or behavioral issues that require special attention.

Risk Rating: A point assessment using past criminal and institutional disciplinary history in determining the prisoner's level of risk to safety and security for initial classification

Classification Staff: Shift supervisors and other staff as needed.

906.1.2 CLASSIFICATION PLAN
The Corrections Bureau Classification Plan shall ensure that prisoners are classified in a fair, objective and consistent manner according to their individual custodial and management needs. Staff will use objective classification tools to determine prisoner risk factors.

Female prisoners shall be housed separately from male prisoners and non-sentenced juveniles shall be housed separately from adult prisoners.

The procedures and responsibilities will be maintained in the prisoner classification manual, which will be maintained by the corrections staff. This manual is accessible to all corrections staff.
All prisoners lodged in the Jackson County Jail shall have a special handling assessment completed at a minimum. This information shall be used to determine if the individual being assessed presents an immediate risk to themselves, staff or the facility and the assignment of an initial classification.

If a lodging is going to be released (bailed out, forced, etc) within a short period of time (4 hours or less), they only need to have the special handling assessment completed, which determines them as a "risk or no risk."

If the prisoner has been identified as a risk by a corrections deputy, a special handling worksheet shall be completed and forwarded to the shift supervisor. The shift supervisor shall be responsible for obtaining any services for the prisoner that are needed such as medical or mental health. The prisoner will be placed into the appropriate housing and checks documented as required by policy. The prisoner shall be housed in administrative separation with appropriate checks per policy. The lodging deputy shall complete the decision tree to determine future housing when a prisoner is no longer considered to be a risk and the prisoner shall be housed according to the initial classification determination.

All arrestees and commitments, except those listed above shall have an initial classification assessment completed. This assessment shall be completed by a corrections deputy. This assessment will consist of the risk rating worksheet (when there is no assigned risk rating), the decision tree, the medical screening questionnaire and the officer's observations. Prisoners who have been changed into jail clothing shall be kept separate from those who are in their street clothes.

Once the initial classification has been completed the prisoner shall be housed in the assigned housing unit as soon as possible. A prisoner with a minimum or medium classification score shall be housed in a cell assigned that classification as determined by the cell classification chart.

In order to comply with the Federal Court stipulated order 76-386 (see attachment), under no circumstances shall the number of inmates housed in a cell block exceed the number of beds located in the cell block.

Prisoners shall be assigned a permanent classification after completion of a primary classification worksheet. All prisoners shall have a primary classification completed within 72-hours of their court appearance.

Classified prisoners are to be housed with prisoners of like classification as allowed by facility design and prisoner management needs.

906.1.3 CLASSIFICATION REVIEW
Classification Review: A review of assigned classification (using the primary classification tool) shall be done as soon as possible if there has been a change in a prisoner's status such as, but not limited to:

A. Legal custody changes
Inmate Classification

B. Behavior (Disciplinary)
C. Mental and/or Physical health
D. Prisoner Worker Status

Additional classification reviews may be requested by corrections staff, parole or probation officers or the prisoner. Staff shall determine if the review is necessary.

Classification Override: Corrections staff, corrections sergeants or the jail commander may override the custody level determined by the classification tools for good cause. Regardless of the rank of the person that overrides the custody level, a memo detailing the reasons for the override will be prepared and placed into the prisoner’s classification file for future reference.

Classification Files: A classification file shall be maintained for all in custody prisoners. This file shall be separate from other records. When the prisoner is released a packet shall be created using the last two primary classification worksheets, the most current booking sheet and all completed special handling worksheets. The packet shall have a face sheet attached stating that the information is not for public release and be stored with the prisoner’s permanent jail record.

Corrections staff shall receive annual training as outlined in the Oregon Jail Standards.
Process Only Bookings

907.1 PURPOSE AND SCOPE
It shall be the policy of this office to do process only bookings in an expedient manner.

Process only bookings shall normally be completed by the records deputy assigned to the receptionist duties, and appropriate sworn staff. The receptionist, upon completion of preliminary identification and computer work, shall notify the CIC operator that a process only is ready for photographing and fingerprinting.

It is the responsibility of the CIC operator to notify the appropriate sworn staff that the process only is ready. The lobby fingerprinting station shall be used whenever possible. If the lobby station is unavailable, no more than two process only's will be brought into the secure area of the jail by one deputy.

Oregon Jail Standards: B-103, B-205

907.1.1 PROCEDURES
The designated records clerk shall record the subject's personal information on the lodging record form provided for that purpose.

The records deputy shall:
A. Enter a name inquiry.
B. Request a comprehensive criminal history (CCH) to obtain previously issued Sheriff's Office number, if applicable.

The extent of identification work needed shall depend upon the LEDS response. LEDS shall indicate which fingerprints are necessary. Necessary prints shall be indicated on the top of the fingerprint request card. A new photograph will be taken each time a prisoner is lodged.

The records clerk shall tell the subject to wait in the lobby and shall then notify CIC that the person is ready to be processed.

The CIC operator is responsible to notify a first-floor deputy that a process only is ready for the second part of the process.

The subject shall be photographed and fingerprinted as needed.

The processing deputy shall return the fingerprint cards to the receptionist. The receptionist shall pick up all teletype information. When the receptionist has gathered the contents for the jail file, they shall be placed in the file and then placed in the "released" file tray. The receptionist shall finish the process only by entering the appropriate information in Tiburon to include, the court register, and release list.
Americans with Disabilities Act (ADA)

908.1 PURPOSE AND SCOPE
It shall be the policy of this Office to comply with the County policy regarding the Americans with Disabilities Act. Nothing in this policy is intended to replace, conflict with or supersede the County’s current ADA policy (#5-47h). For further information and direction on accommodation requests, and the appeals/complaint procedure, please refer to the Jackson County ADA policy and/or contact Human Resources/Risk Management.

Oregon Jail Standards: A-107
Jail Safety & Security - Escape Procedures

909.1 PURPOSE AND SCOPE
It shall be the policy of the Jackson County Sheriff's Office to maintain an environment that is safe and secure for prisoners and staff. Entry to the jail facility will be limited to those who are specifically authorized. Efforts to ensure the safety and security include routine perimeter checks of the exterior of the jail to deter and detect vandalism, trespassing, or other activities. We will give special attention to vehicles, doors, and to identify any damage that may have occurred to the physical plant. These checks will be completed at a minimum of once every shift.


909.1.1 INTERNAL SECURITY
Safety and security for prisoners and personnel is a matter of paramount concern to all persons working in a detention facility. In that light, all personnel shall coordinate their respective duty assignments and task loads with good "time management" practices. If properly coordinated, assigned shift responsibilities can be carried out on any given shift.

Prisoner Visits - Armed personnel wishing to enter the office area or interview prisoners shall be required to secure their weapons in one of the gun lockers provided for this purpose in the sallyport between doors 133 and 134 or Central Internal Control ("CIC"). The officer shall remove the locker key and retain this in his or her possession until ready to depart the Jail. Officers may need to remove prisoners from the facility in connection with an investigation. When this occurs, prisoners shall be removed through the sally ports. Such prisoners shall be signed out by the investigating officers and shall be handcuffed prior to being escorted to the sally port area. Prisoners being returned from investigation conducted outside of the Jail shall be returned using the sally ports. Prisoners being returned shall be handcuffed the same as a lodging. The prisoner shall be pat searched by a Corrections deputy prior to the handcuffs being removed.

Prisoner Housing Units - Two Corrections deputies must be present to open any occupied prisoner housing. The only exceptions to this are the First Floor Holding/Detox cells. Deputies may, at their discretion, have their back up within sight or at the appropriate duty station as long as the deputy entering the cell can clearly be seen by the back-up deputy. If the deputy cannot be seen, then it shall be necessary for the back-up deputy to be at the block location (i.e., block 204) or the deputy must be monitored via the cell to station intercom. The doors to the dorms shall never be opened without a back-up deputy present. CIC may not be used in place of the intercom system. CIC operators will supplement the intercom with the CCTV monitor system where it is available.

Once the prisoner is removed from the housing unit, the deputy may use discretion in determining the need for two deputies to escort the prisoner in the Jail.

Deputies conducting security checks may utilize two deputies on the tiers and one in the tier station when opening more than one block door at the same time. At other times, up to two doors may be opened on the same side only if the deputies are not entering the cell units and a deputy is available on A level or in the station as back up. Individual cell doors in the felony section (201-204)
Jail Safety & Security - Escape Procedures

shall not be locked down until a deputy enters the cell block and checks each prisoner and cell in
the housing unit. Under no circumstances shall any day room door be unlocked without a deputy
present at the door. When the Jail is in lock down and the individual cells in a unit are locked, a
single deputy may enter the unit with maintenance to work in the day room area.

909.1.2 EXTERNAL SECURITY
Physical perimeter security checks of Jail shall be performed at the direction of the shift supervisor
or O.I.C. at least once per shift. The Central Internal Control (CIC) operator uses closed circuit
television (CCTV) to observe the parking lot and fenced perimeter. Any unusual circumstances
found on perimeter security checks shall be reported to the shift supervisor or O.I.C. deputies shall
perform perimeter security checks with full duty weapons system. The inspecting deputy will sign
off the completion of the perimeter check on the shift roster. The deputy will check all perimeter
doors, the sally ports, driveways, parking lots, windows, fence and the physical structure of the
building for signs of damage, vandalism, or intruders. The deputy should be observant for any
packages, vehicles or person not authorized in any area. In order to prevent the introduction of
contraband into the facility, a random search of all deliveries will be done. These include but are
not limited to: materials, food and supplies. All books donated to the facility shall be thoroughly
inspected. When possible, a drug detection dog may be used to check incoming deliveries and
book donations.

The deputy will ensure that all doors to the facility and to the county vehicles are secured. If the
deputy discovers a facility door that is not locked they will secure it and notify the supervisor.
To eliminate the possibility of escape through a sally port, departing vehicles shall be closely
monitored. Other than police vehicles, any other vehicle, which has actually entered any sally
port shall be thoroughly examined before being permitted to exit the facility. Incidents Occurring
During Perimeter Checks - When an deputy conducting a perimeter check discovers a situation
in which they need back up assistance, they will radio ECSO advising the nature of the problem
and their location. ECSO will notify the supervisor, or designee, who will obtain a radio with external
channels and respond to the deputy's location with any additional required assistance and/or
equipment. The supervisor may request further assistance through ECSO after assessing the
situation. The supervisor may initiate any appropriate emergency procedure. Once assistance has
arrived and they resolve the situation, the supervisor and/or the jail deputy(s) will continue the
perimeter check and advise ECSO and CIC once it has been completed. If an Incident or Crime
Report is necessary, the Supervisor will instruct the deputy performing the check to write them,
detailing what they discovered and what action was taken.

909.1.3 ESCAPE PROCEDURES
When the Corrections Bureau is reasonably certain there has been an escape, the Corrections
and Patrol Captains and Dispatch will be notified. This will enable Patrol units to be moved to the
immediate area of the escape. When the identity of the escapee has been established, Corrections
and Patrol Captains and Dispatch will be notified. As complete a description of the escapee as is
available it will be provided to enable Dispatch to broadcast an "APB."
Information to be furnished will include: name, nickname, alias, race, sex, age, height, weight, color of hair, eyes, complexion, description of clothing, home address, charge and sentence, unusual features (glasses, mustache, tattoos, scars, etc.). As soon as possible the notification will be made to the superior officers of the Corrections Bureau. Notification will be made advancing up the chain of command until notification is made:

**Chain of Command is as follows:**

- Sergeant
- Captain
- Undersheriff
- Sheriff

All records and personal property of the escapee will be searched and a list will be compiled, giving the names and addresses of relatives, friends, associates and probable destinations. The above information will be furnished to the Corrections and Patrol Captains, assigned Detective and Dispatch for a supplementary broadcast and search assignments, and made a part of the report. The immediate search and apprehension, the "All Points" broadcasts and directed teletypes will be the responsibility of the Patrol Bureau’s ranking supervisor on duty. When the ranking patrol supervisor on-duty deems it advisable to have additional manpower assigned to the escape detail, he/she shall request the same from the respective bureau Captains.

The responsibility for the original escape report will be that of the bureau and deputy from where the escape occurred. The patrol report will be assigned to a Deputy by the Patrol Sergeant. When the ranking Patrol supervisor on-duty determines the immediate re-taking of the escapee cannot be accomplished, the case will be referred for further investigation to the Criminal Investigations Bureau (CID). The on-call Detective will be called out to immediately follow-up on recapturing the escapee.

If the escapee is re-taken by search and escape assignments, the cases will be transferred to the CID for prosecution and cancellations. All bureaus concerned will cooperate fully in the case preparation and prosecution. If, during the escape, violence or criminal acts other than the escape occur, the scene will be preserved, other participants separated and the Investigation's Bureau notified immediately. A Detective will be assigned for immediate investigation and interrogation. Other Sheriff's units will continue with the search and escape assignments. The ranking Corrections and Patrol supervisor on-duty will assist the Detective as much as possible.

**PRESS RELEASE**

Upon escape the press release is the responsibility of Corrections Bureau personnel. Upon capture the press release is the responsibility of Law Enforcement Bureau personnel.
Housing of Intoxicated Persons in the Jail

910.1 PURPOSE AND SCOPE
It shall be the policy of this office to house separate from others, those persons who, through intoxication, are unable to care for themselves or present a threat to themselves or others.

Oregon Jail Standards: B-101, B-107, B-208, C-201, C-202, C-206, E-202

910.1.1 DEFINITIONS
Incapacitated - A person shall be deemed incapacitated when, in the opinion of the corrections deputy, the person is unable to make a rational decision as to acceptance of assistance.

Detox Only - Classification of intoxicated persons lodged in the jail for their own safety for the purpose of sobering, and on whom no criminal charges are placed.

910.1.2 PROCEDURES
When a person is lodged in the Jackson County Jail and is intoxicated, the following procedures should take place:

- Any arrestee who registers a .30% or higher blood alcohol content (BAC) will require medical clearance prior to lodging. On duty jail medical staff may clear a lodging with BAC of .30% or higher.
- Due to the differing affects of alcohol on people, a shift supervisor has the right to require medical clearance of any person even if they have a BAC reading of less than .30%.
- It is not necessary to have every prisoner provide a breath sample at lodging. If there is a question about the level of intoxication, a BAC will be obtained prior to the prisoner being accepted for lodging to determine the need for medical clearance.
- The BAC level will be noted on the booking form by the arresting officer.
- If the arrested person is uncooperative and refuses to provide a breath sample, the decision on medical clearance will be made by the supervisor or officer in charge (OIC) based on the circumstances.
- Persons charged with crimes shall not be held on a concurrent detox only. Intoxicated persons that are criminally charged and post bail can be held for detox only after the bail has been posted, and there is no responsible party capable of caring for the detainee.
- Money or property belonging to an intoxicated prisoner shall not be released to a third party until the prisoner is sober.
- Medical staff shall be advised immediately when any prisoner appears to be suffering from delirium tremors.
Housing of Intoxicated Persons in the Jail

910.1.3 MONITOR & RELEASE OF INTOXICATED PERSONS

**Monitoring of Intoxicated Prisoners** - A person being held who is under the influence of intoxicants shall not be placed into the general population until they register a BAC of .05% or less and are not incapacitated as defined above. Visual checks of intoxicated persons shall be made at a minimum of every fifteen (15) minutes, or more often as directed. An administrative separation log shall be initiated in order to record the times of the checks. The shift supervisor may increase or decrease the frequency of the checks by so stating on the separation form.

Intoxicated lodgings with criminal charges are to be lodged as quickly as possible, keeping in mind that attempting to lodge an intoxicated, combative inmate prisoner is not appropriate if a physical confrontation can be avoided by delaying the lodging and allowing the prisoner to sober.

**Release of Intoxicated Inmates** - an intoxicated prisoner is released by the courts, posts or has bail posted and is still intoxicated they cannot be released until one of the following conditions are met:

- The prisoner registers a .05% BAC or less and they are not incapacitated.
- A competent, sober adult is willing to accept responsibility for the intoxicated prisoner until they have sobered. The person taking responsibility will have to sign the "Release of Intoxicated Person Form."

910.1.4 DETOX ONLY LODGINGS

The Jackson County Jail does not normally accept detainees as a detox only lodging. Prisoners for detox only will only be accepted in the jail when authorized by someone in the Command Staff of the Sheriff's Office (Captain, Undersheriff, Sheriff).

Detox only prisoners shall enter the jail facility in the same manner as those arrested for crimes and will go through the same searching procedure as other lodgings. *Detox only prisoners shall not be housed with prisoners charged with a crime, but may be housed with other detox only prisoners.*

When the shift supervisor has made a determination that a detox only has sobered, they shall be released. For purposes of this policy, a blood alcohol reading of .05% or less on the intoxilyzer and no physical indications of delirium tremors shall be considered presumptive evidence of being sober and fit for release.

**Release of Detox Only Prisoners** - Those being held as detox only may be released provided:

- The prisoner registers a .05% BAC or less and they are not incapacitated.
- A competent, sober adult is willing to accept responsibility for the intoxicated prisoner until they have sobered. The person taking responsibility will have to sign the "Release of Intoxicated Person Form."
- Those "detox only" prisoners who claim to be suicidal or are physically aggressive shall not be released until they have sobered.
Housing of Intoxicated Persons in the Jail

- A "detox only" prisoner along with any other prisoner who is on suicide prevention checks may not be released until they have been cleared by a mental health professional as defined in Policy.

Use of Detoxification Units - The detoxification cells in the jail are to be used as temporary holding cells. No prisoner is to be held in a detoxification cell for a continuous period in excess of twenty-four (24) hours, except for exigent circumstances.

Detoxification cells can be used to house a prisoner in excess of (24) hours if they are an active or suspected carrier of an airborne illness such as tuberculosis and the negative airflow device is necessary, or if the prisoner is experiencing Delirium Tremens. Lights shall be left on at all times.
Jail Facility Emergency Plan

911.1 PURPOSE AND SCOPE
It shall be the policy of this office to respond to all jail emergencies in a manner designed to minimize threat to personal injury, property damage, and public safety. The jail shall be managed and maintained so as to reduce the opportunity for a prisoner(s) to escape from custody; and to minimize the risk of prisoner riot or disturbance, and to respond promptly and professionally to any such event.

To reduce the threat of personal injury or loss of life to Sheriff's Office employees, visitors, and prisoners a clearly defined method and avenue of egress from the jail in the unlikely event an evacuation is necessary. All evacuation doors and routes will be kept clear.


911.1.1 PROCEDURES
I. During emergencies the door to Central Internal Control shall be secured.

II. During emergencies involving the jail, the first responder shall be the Jackson County Sheriff's Office and Medford Police Department when requested. To ensure relay of accurate information the designated CIC deputy shall:

- Call Emergency Communications of Southern Oregon (ECSO). Relay all necessary information to them.
- Notify the Jail Captain, Undersheriff and Sheriff as soon as possible.

III. The Incident Command System shall be implemented by on duty staff, and the incident commander may make the decision to stop programs and evacuate civilian personnel as necessary. If total evacuation becomes necessary, the decision shall be made by the incident commander and a designated assembly point shall be established. Refer to corresponding evacuation policy.

IV. It is conceivable that an emergency condition could arise that is not provided for. In any such incident, common sense coupled with reasonable action shall be the guidelines.

V. There is no emergency that would require a deputy to open any cell and enter without first being certain that an adequate number of support deputies are at hand.

VI. It shall be the decision of the Sheriff as to who will be given copies of the emergency plans for the jail. This may include but is not limited to: S.W.A.T., Emergency Communications of Southern Oregon (ECSO), Medford Fire Rescue and Medford Police Department.
VII. Firearms are not permitted inside the secure area of the jail unless authorized by the Jail Sheriff Captain or his designee. It shall be the shift supervisor responsibility to issue weapons to deputies authorized in their use.

- Circumstances justifying the introduction and use of these weapons include riots, hostage situation, barricade subjects or any other unusual situation deemed appropriate by the Jail Captain, the Sheriff or his designee. A report shall be forwarded to the Sheriff via the chain of command. The reports shall include the justification and authorization for the weapons in the secure area of the facility.

VIII. Duty sidearms unless being worn by staff will be stored in either a department gun locker or the deputy’s issued locker. Rifles, bean bag and pepper ball guns will be stored in the locked firearms cabinet in CIC. Access to this cabinet is limited to shift supervisors and the training coordinator. They shall be issued for use outside of the secure area of the facility (perimeter security, transport etc.) by the shift supervisor. Inspection of rifles and bean bag shotguns will occur on a quarterly basis.

911.1.2 EVACUATIONS
In any evacuation requiring fire or other outside emergency personnel, the interior maps stored in the Northwest stairwell may be issued to responding emergency personnel. Only one set will be issued to Emergency responders.

I. The following locations shall be designated, in order of preference as staging areas for prisoners being evacuated from the jail.

- Stairwell tower (southeast corner) near 201/301.
- Stairwell tower (northeast corner) near 242/342.
- Stairwell tower (Northwest corner near 241/341 (only use if other routes are blocked as this is primary access for fire/rescue).

II. The following locations shall be designated as secondary staging areas for prisoners being evacuated from the jail.

- Juvenile court tunnel, beyond door 0000A.
- Fenced Parking lot south side of jail
- Sally ports
- Public lobby
- Parking lot (across 8th St.) north side of jail
Jail Facility Emergency Plan

III. Security details comprised of available responding (armed) law enforcement agencies shall be posted whenever it is necessary to gather prisoners at any outside collection points. The number of officers and area posted for the perimeter shall be determined by the incident commander.

IV. Corrections staff shall be concerned with the evacuation and relocation of prisoners. Prisoners removed from the building shall remain the responsibility of the corrections staff.

V. The northwest corner stairwell (near 222/322) is to be kept clear, if possible, of prisoners. Its primary function is for fire department access.

VI. Evacuation from the affected areas of all personnel, visitors, and prisoners shall be confirmed. If possible, a search shall be initiated for those not accounted for.

VII. Doors suitable for use during an evacuation have been marked with an "exit" sign just above the base of the door jamb. The exit sign at each door is color coded to match the appropriate evacuation key. Doors used as primary points of exit during an evacuation have been further identified by a two and one half inch fluorescent dot just above the exit sign. A one inch round fluorescent dot has also been placed just above the painted exit sign and just below the lock.

VIII. All doors allowing exit of prisoners shall be opened by key, unless circumstances dictate otherwise.

IX. As circumstances allow, the medical staff and/or medical officer shall establish a first aid station at an accessible location. Those persons needing additional medical treatment shall be transported to one of the local hospitals.

911.1.3 RIOTS
Prisoner riots or disturbances are typically provoked by one or more of the following:

- Prisoner faction or gang confrontation.
- Racial unrest.
- Prisoners aggrieved issues regarding condition of confinement including:
  - Food service or quality.
  - Prisoner/staff conflict.
  - Medical services.
  - Recreation.
  - Visitation.
  - Mail Delivery.
  - Personal safety.
  - Facility rules.
  - Staff response to prisoner request/complaint.
Environmental conditions

Causes of prisoner disturbances may include issues not addressed in this listing.

Indicators of prisoner unrest could include but are not limited to:

- Prisoner restlessness or sullenness.
- Argumentative or easily excitable behavior.
- Avoiding contact with deputies or support staff.
- Increased or large number of complaints.
- Large number of disciplinary actions.
- Detection or reports of a "bad climate".

PROCEDURE: Proactive and consistent application of prisoner supervision techniques aid in minimizing reason and opportunity for prisoner disturbances. Such techniques employ:

- Good communications among employees concerning operational plans, programs and procedures.
- Prompt reporting to supervisors of unrest within the prisoner population.
- Removal of disruptive prisoners from the general population units to minimize conflict.
- An understanding relationship with prisoners.
- Constructive activities and recreation programs inside and out of living units for prisoners.
- Fair and impartial treatment of all prisoners.

In the event of a prisoner riot or major disturbance deputies shall:

- Notify ECSO should outside/additional assistance be necessary, and implement the incident command system.
- Attempt to close or secure any potential avenue of prisoner escape from the facility.
- Isolate affected areas from the remainder of the facility, in part by locking down non-participants/non-involved housing units.
- Complete an accounting of all on duty staff and attend to any injury or possible hostage situations.
- Allow non-participant prisoners in affected areas the opportunity to exit to non-involved area.
- Continued deployment of resources shall be at the direction of the incident commander until the incident has been brought to a conclusion.
- Once the facility is secure and the event is under control, a prisoner count shall occur.
Jail Facility Emergency Plan

- Injured prisoners or staff shall be attended to by on duty staff or transported to a local medical provider as circumstances dictate.
- Prisoners unaccounted for shall be considered as having escaped and dealt with according to corresponding policy.
- Routine reporting processes shall be followed by all involved employees.
Monitoring Jail Emergency Drills & Procedures

912.1 PURPOSE AND SCOPE
It shall be the policy of this office to regularly inspect all fire and emergency equipment, and ensure compliance with applicable laws and regulations. The Jackson County Jail will maintain a state of preparedness by conducting quarterly emergency drills. To ensure successful management of emergencies, the drills will simulate emergencies that employees could encounter in the facility and vary in the difficulty of resolution.

Oregon Jail Standards: E-110, E-601, E-604, H-203, H-204

912.1.1 INSPECTIONS
Weekly Inspections - Fire control and emergency inspections shall be made by a trained employee of the bureau. The weekly inspections shall include the following minimum evaluations.

This evaluation shall include:

- A check of all fire extinguisher readiness This will be documented on the designated inspection forms.
- Operational readiness of fire alarm systems.
- Trash collection procedures.
- Condition of exit signs (electric and stenciled).
- Direction from housing units to primary point of emergency exit are indicated by a brightly colored arrow and the words "Fire Exit" painted on the corridor walls adjacent to each housing unit.
- Emergency lighting.
- Evacuation keys.

A minimum of two (2) sets of evacuation keys shall be kept in a wall-mounted box on the east wall in Central Internal Control. When needed for training purposes, the shift supervisor shall remove a set and assign it to a deputy. When issued for training purposes, the issuing supervisor shall log out the set of keys with a notation that they have been issued for training, the deputy to whom they were issued, the date and time of issue, as well as noting when the set of keys were returned to the locker.

The shift supervisor shall review all discrepancies and shall call for corrective action to be taken and re-inspection of any areas, which appear to be seriously deficient. During the weekly inspection, if a major discrepancy is noted, the Jail Captain should be notified.
Annual Fire Inspections - An evaluation of the adequacy of fire and safety procedures shall be conducted for the entire facility once annually. This inspection shall be conducted by the city fire marshal.

Emergency Generator Testing - A test shall be conducted by the maintenance personnel assigned to this function by the Superintendent of Buildings at least once every two weeks. A log book indicating date, time, test results, and name of person conducting the test shall be maintained in the generator room.

912.1.2 JAIL EMERGENCY DRILLS
The Jail Captain and Administrative Sergeant will select dates for the quarterly emergency drills. The Administrative Sergeant or assigned shift supervisor will develop a scenario for each drill. This may involve fire, bomb, escape, hostage, medical, or a combination of these emergencies.

- Supervisors from the Teams will be notified before the date(s) and provided with the primary focus of the drill.
- When the Sergeant begins the drill, he or she will inform the Team that the drill is about to begin. This will be accomplished by announcing over the radio, "An emergency drill has begun."
- Supervisors not participating in the drill will go to an area that allows them to observe the drill. At least one Team supervisor will participate in the drill.
- The Sergeant will go to the scene of the drill emergency with a copy of the drill scenario.
- The Sergeant will inform the employee assigned nearest to the location of the drill that it is about to begin and will give the employee the drill scenario.
- After being informed of the scenario, the employee will begin taking appropriate steps to manage the emergency.
- The employee will make all notifications as defined by the emergency. This may be by radio, telephone, alarm or other device.
- The principles of Incident Command will be used to establish an Incident Commander for the incident, name the incident, and designate a Command Post to coordinate all activities.
- Employees will conduct emergency counts of the inmates they are responsible for and secure their assigned area. If not directly involved in the incident, they will await further direction from Incident Command.
- Any evacuations, notifications, or requests for outside resources deemed necessary because of the emergency will be coordinated through Incident Command. Because this is a drill, some areas may only simulate evacuation (i.e., Visitation, Professional Visitors, inmate programs, and other activities). Some drills may include the Fire
Monitoring Jail Emergency Drills & Procedures

Department and/or paramedics. The Operations Bureau, or other agencies may become involved, as coordinated by the Sergeant.

• The Incident Captain, along with available supervisors, will take charge of other employees and inmates in the area.

• Once the employees have met the performance objectives of the drill, the Training Sergeant will use his or her radio to announce to employees that the drill is complete and to return to normal operations.

• Evacuated inmates and/or visitors will be returned to their pre-drill locations and normal operations will resume.

Drill Critiques
1. The supervisors will discuss the drill and critique it.

2. Supervisors will discuss the critique with their employees at the next shift briefing.

3. Copies of the emergency drill and the critique will be kept in the Sergeant's office.
Central Internal Control (CIC)

913.1 PURPOSE AND SCOPE
It shall be the policy of this office that the Central Internal Control shall control all access through certain doors and into specific areas of the respective facility. The Central Internal Control room shall also be responsible for monitoring of security and maintenance alarms that are located in CIC.

Oregon Jail Standards: E-104, E-105, E-201, E-205, E-602

913.1.1 OPERATIONS
CIC shall be staffed with at least one deputy 24 hours a day.

Major accountability’s of the CIC operator are as follows.

- Monitor and maintain all communications systems, surveillance systems, emergency alarm systems, and sally port security at the beginning of each shift. These systems include:
  - Fire alarms.
  - Closed circuit monitoring system.
  - Maintenance alarms.
  - Intercom and two way radio systems.
  - Ambient noise detection system.
  - Personnel/prisoner emergency alarms.

- Control access to and from the facility, as well as specific security doors and areas within the facility.

- Control and/or monitor prisoner movement within the facility.

- Maintain a perpetual "Keep-Away List" which identifies those prisoners needing to be kept apart from other prisoners. The graveyard CIC operator is accountable for updating the list daily.

- Continuously monitor all systems and attend quickly to any alarm activated.

- Upon notification of an emergency within the correctional facility, the CIC deputy shall advise the shift supervisor or O.I.C. of the situation as soon as practical.

- Incident command procedures shall be implemented from CIC by the shift supervisor or O.I.C. as soon as practical.

913.1.2 SECURITY DOOR PROCEDURES
Under normal operating conditions, the following doors are classified as Restricted Entry:
Central Internal Control (CIC)

- 003 - Entry from the Sheriff's Office corridor into the court tunnel and mechanical rooms.
- 004 - Access from the Sheriff's Office corridor to the delivery elevator.
- 005 - Access from the Sheriff's Office to the northwest stairwell.
- 461 - Roof access from the southeast stairwell.

CIC operator shall not open these doors unless they recognize the person requesting entry. If there is any question as to the identity of the person requesting entry, a designated deputy shall respond to confirm the individuals I.D. prior to allowing access.

Door 144 is classified as NO ACCESS and shall not be opened at any time without a direct order from the Sheriff or his designee. This door requires a password to open.

Under normal operations conditions, the following doors are classified as evacuation doors:

- 129 - 130 Northwest stairwell, 1st floor, leading outside near the employee entrance and into the corrections facility near the personnel locker rooms respectively.
- 135 - Northeast stairwell, 1st floor, into main public lobby. This door requires a password to open.
- 36 - Direct access to the southeast stairwell from the public plaza into the vestibule outside of the female housing area. This door requires a password to open.

Alarm Procedures - Alarm systems include:

- One (1) sewage grinder alarm.
- One (1) sump pump alarm.
- One (1) sewage ejector alarm.
- One (1) fire alarm.
- Ambient (noise) alarm.
- Four (4) emergency alarms

The sewage grinder, sump pump and sewage ejector alarms are located in CIC. These alarms are both visual and audible. When activated, the audible alarm may be silenced by pushing the acknowledge button.

1. Activation of the sewage grinder alarm indicates that the sewage line between either unit 342 or 242 and the city sewage line may be blocked.

2. The sump pump is to pump seepage water from under the basement into the city drain lines. Activation of the alarm indicates that seepage is rising and the pump may not be working.

The sewage ejector system pumps basement sewage waste up to the street sewage lines. Activation of this alarm indicates the pump may not be operating properly.
Central Internal Control (CIC)

Ambient noise detector

1. At the beginning of each shift, the CIC operator shall check the system for activation and proper function.

2. The ambient noise detection system shall monitor all areas of the facility to aid in the detection of disturbance, medical emergencies or activities detrimental to facility security. Any occupied isolation or separation cell shall be closely monitored.

Each unit monitored is marked with a speaker icon and the letters "IC" in the monitor layout. When a Unit's noise level trips the sensor, an audible alarm will sound. The CIC operator shall monitor the cell until ascertained that there is no problem or that staff has secured the incident. The icon shall then be reset.
Emergency Alarms

914.1 PURPOSE AND SCOPE
To ensure that employees and prisoners are aware of panic alarm locations providing them the capability to report emergencies.


914.1.1 GENERAL INFORMATION
Twelve emergency alarms have been installed in the Jackson County Jail. They are located in the following areas:

- 1 - North Dorm
- 1 - South Dorm
- 2 - Medical Station
- 1 - Library
- 1 - Basement Multi-Purpose room
- 2 - 1 at each basement deputy workstation
- 2 - 1 in each basement housing area
- 2 - 1 in each basement recreation yard

These alarms will sound in both CIC and South station.

CIC and South Station are notified of the location of the alarm via the touch screen computer monitor.

914.1.2 ALARM PROCEDURES
The alarms in the prisoner dormitories may be activated during emergencies by a single push button. The push buttons are located approximately five feet above the floor on a partition between the large window glasses, near the hallway.

There are two alarm activation buttons located in the Medical Section for employees to report emergencies.

- One button is located under the writing desk mounted on the East wall of the examination room.
- One button is located under the locking medication lockers on the West wall of the examination room.

The alarm button in the library is attached to the bottom of a bookshelf, behind the librarian’s desk and is used for employees and program personnel to report emergencies. When any of the alarm buttons are pressed the alarm should signal in two locations, C.I.C. and South Station. The alarm is both audible and visual, in both locations.
Emergency Alarms

The audible portion of an alarm can be silenced in both C.I.C. and South Station, but the alarms cannot be reset at either C.I.C. or South Station. The alarms must be reset in the following locations:

**Employees may reset dorm alarms in the B-Level station.** This is accomplished by pushing the alarm reset button located in the B-Level station. The alarm reset button is on the upper right side of the control panel, it is green in color, and it is marked ALARM RESET.

**Employees may reset the Medical Station and library alarms** by inserting the alarm reset key in the key switch located underneath the activated alarm button. Turn the key 1/4 turn, the panic button that was pushed in should pop back to its original position and the alarm should reset. Once alarms have been activated, employees shall respond immediately and according to policy.

Extreme vigilance of the alarm system must be exercised by the Central Control operators between the time the alarm silence button is activated and the time that the alarm is reset. If a second alarm is activated after the alarm silence button was pressed, the second alarm would be indicated by a visual indicator only. This holds true for all signal locations.
Jail Medical Practices

915.1 PURPOSE AND SCOPE
It shall be the policy of this office to adopt and adhere to established medical practices within the Jail. Medical personnel and practices shall be supervised by a private contractor.


915.1.1 SUPERVISION OF MEDICAL PRACTICES
The overall supervision of the Jail rests with the Sheriff. The supervision of medical practices is the responsibility of the Director of the medical private contractor. The development of medical policies is the joint responsibility of the Sheriff and Director of the medical private contractor.

Emergency health care services are provided to the Jackson County Jail ("Jail") using the Jackson County Emergency Medical System (EMS). All DPSST certified staff shall be trained in emergency first aid, including CPR and use of the Automated External Defibrillator (AED).

915.1.2 EMERGENCY CARE FOR PRISONERS
When it is determined by staff that a prisoner is in need of immediate medical attention, the following procedure shall be used.

1. The deputy identifying the emergency situation shall call for assistance before rendering aid.
2. Once adequate back-up has arrived, the deputy shall render whatever level of aid that is needed within the deputy's training.
   - An EMT shall respond to take control of the situation if one is available.
   - Medical staff shall also be contacted to respond to any emergency medical situations if available.
   - All other prisoners shall be secured away from the emergency if possible.
3. The shift supervisor shall be notified of the situation as soon as possible. If it is determined that further medical aid is needed that cannot be provided by Corrections staff, Emergency Communications of Southern Oregon (ECSO) shall be notified that EMS is needed. ECSO will also be provided with a description of the medical emergency.
4. Upon arrival of EMS, they shall be directed to sally port 146. A deputy shall meet and escort EMS personnel to the medical emergency.
5. The EMS personnel shall determine if the prisoner needs to be transported to the hospital for further treatment.
6. If the prisoner is transported to the hospital, the shift supervisor shall assign a deputy to escort the prisoner.

- The prisoner shall be placed into appropriate restraints for the situation prior to being taken outside of the secure area of the facility.
- The accompanying deputy/deputies shall be armed and shall meet the ambulance in the parking lot.
- A deputy shall remain with the prisoner at all times while being attended to by EMS, including while being transported in an ambulance.

7. The shift supervisor shall determine to which of the area hospitals the prisoner is to be transported, unless the medical condition warrants a specific hospital.

8. Once the prisoner has been readied for transport, it shall be the responsibility of the deputies involved in the incident to ensure that no medical or other equipment is left where other prisoners might gain access to it.

9. In all cases, the incident shall be documented in the incident book.

10. Prior to returning with the prisoner to the Jail, the accompanying deputy shall obtain the following from the hospital:

- A release from the hospital that states the prisoner is "fit for confinement."
- Paperwork for continuing and follow up care instructions.
- A three (3) day supply of any medication that cannot be obtained immediately through the Jail medical station. The availability of medications can be confirmed with the on-duty or on-call medical staff.

11. The transporting deputy shall complete a "Health Care Services Received Outside of Jail" form as soon as possible after returning from the transport. Copies of the form shall be distributed as listed on the form.

12. Any prisoner being lodged who appears to be in need of medical attention shall be brought to the attention of the shift supervisor or Officer in Charge ("OIC"). If medical staff is available, they shall be contacted to determine if the prisoner can be accepted for confinement. If no medical staff is available, the shift supervisor or OIC shall determine whether the arresting officer needs to transport the lodging to the hospital prior to acceptance by the Jail.

When a prisoner is transported to the hospital by the arresting agency, the arresting officer shall provide the Jail with a release from the hospital stating that the prisoner is "fit for confinement"
before the prisoner is accepted for lodging. The arresting agency shall be responsible for any medical expenses incurred prior to the prisoner's acceptance at the Jail.

13. Liability for the expenses of providing emergency medical care to prisoners shall be handled as prescribed by ORS 169.166.

14. First aid kits shall be located in South Station, West Station, North Station, Female Station, clothing exchange room, the business office, the basement and the medical station.

15. Medical staff, if available, shall be notified after a Use of Force, when the prisoner is under control.

16. Medical staff, if available, shall be notified if a pregnant female is restrained. This requirement does not apply to standard use of restraints for transport.

It is the policy of the food service vendor to stock only band-aids in the kitchen office, not a full first aid kit. If the situation requires more than a band-aid, the food service vendor may call for a deputy to assist them or direct the inmate to the nearest station where a deputy is present.

915.1.3   PRISONER HEALTH CARE
No prisoner shall be refused adequate medical care due to an inability to pay the fees. Prisoners have the right to refuse medical care under Oregon law unless they provide informed consent.

Informed Consent

A. Oregon State law accords persons over 18 years of age the right to refuse health care for personal or religious reasons.

B. Examinations, treatment and other protocols may be provided only with the informed consent of the prisoner, except in the case of emergency health care. If the prisoner is not competent to give informed consent, consent may be given by another individual authorized under Oregon law to provide consent (O.R.S. 127.535 & 127.635).

Access to Health Care: Health care services shall be provided by a private contractor. The Director shall be responsible to assure that prisoners receive a consistent delivery of quality health care.

Medical Care Fees: Prisoners shall be charged a nominal fee for medical care they receive while in the custody of the Jackson County Sheriff's Office. This fee shall help defray some of the costs of medical care for the prisoners. The fees shall be as determined by the Jail Commander and approved by the Sheriff.

No prisoner shall be denied necessary or adequate medical care because of an inability to pay the above fees. Medical fees shall be limited to prisoner initiated medical visits. The fee shall not apply to nursing visits conducted in prisoner housing units. Prisoners shall not be required to assume financial responsibility for intake medical screening, examinations or periodic medical examinations required by jail policies. The fee shall not apply to visits with a mental health worker. The fee shall not apply to doctor visits initiated by the Jail Nurse, Physician or Mental health worker.
The Jail Physician may waive any fees if it is determined to be in the prisoner's best mental or medical health interest. The prescription fee of five dollars shall be charged for each prescription issued and all refills. Fees shall be applied to the prisoner's accounts from a list provided weekly by the Jail Health Clinic. If a prisoner does not have enough money to cover the fee, the prisoner accounting system shall track a negative balance on that prisoner's account. Any money deposited to the prisoner's account shall be taken and applied to any fees that are owed before the prisoner may purchase commissary. Prisoners shall be notified during the booking process of the above medical fees by reading and signing the medical questionnaire.

Prisoners may use the grievance system that is in place for any disputed fees deducted from their account. The medical staff shall review these grievances and consult with a shift supervisor before responding to the prisoner. Fees for medical services may be waived by the Jail Captain or his/her designee. The Sheriff's Office may seek reimbursement from an inmate's insurance carrier following the provision of any health care. The Sheriff's Office may require inmates to continue to assume financial responsibility as a condition of elective procedures, and for care provided by the inmate's own health care professionals.

Inmates do not have a right to obtain elective health care procedures, except that female inmates do have a right to obtain an abortion. Abortions will be coordinated through medical staff. Any cost associated with any elective procedure shall be paid by the inmate prior to the appointment.

915.1.4 EMERGENCY MEDICAL TECHNICIANS
To identify the duties and responsibilities of Emergency Medical Technicians assigned to the jail. It shall be the policy of this office to maintain a cadre of certified Emergency Medical Technicians (EMT's) within the jail. EMT's shall be considered part of the Corrections medical staff and shall be primarily responsible for evaluating and managing medical emergencies.

Responsibilities EMT's shall be used to assess medical emergencies and shall treat patients to the EMT's level of training in accordance with Jackson County EMS policies. Other on-duty Corrections medical staff may assist EMT's until the patient is stabilized or until patient care is turned over to EMS.

All EMT's shall be currently certified by the Oregon Health Bureau (ORS 682.204) and shall adhere to current Jackson County Emergency Medical Services Standing Orders. Additionally, EMT's shall participate in County EMT training and the continuous quality improvement plan. The training standards set in OAR 333-265-0110, and local standing orders will be used as guidelines for the training of EMT's.

During a medical emergency the following shall indicate on-scene responsibility for patient management decisions in descending order:

- EMT Paramedic.
- EMT Intermediate.
- EMT Basic Corrections Clinic Physician.
Jail Medical Practices

- Corrections Clinic Nurse Practitioner.
- Corrections Clinic Registered Nurse.
- Corrections Shift Supervisor or Officer in Charge (OIC).

In the absence of the Corrections clinic nurse, EMT’s shall be utilized for medical screening and evaluation of prisoners with medical complaints. EMT’s shall report their findings and recommendations to the shift supervisor or OIC and complete a Corrections Bureau incident report and Jail Medical Report Form if the EMT finds it warranted. The shift supervisor or OIC shall follow the EMT’s recommendations.

EMT’s may complete a Jail Medical Report Form and shall complete a Corrections Bureau incident entry form for all patients evaluated. A Pre-Hospital Care Form shall be completed for all patients who receive ALS intervention or who refuse evaluation or treatment. These reports shall be completed before the end of the same shift and shall be forwarded to the EMT Coordinator. If there are more than two (2) EMT’s within the bureau, the Jail Captain shall assign a sergeant to coordinate the EMT program and assure compliance with EMS regulations.
Prevention Training & Fire Investigations

916.1 PURPOSE AND SCOPE
It shall be the policy of this office to ensure compliance with National Fire Prevention Association Life Safety Code standards as applicable to local correctional facilities, and to ensure that employees are adequately trained in the use of fire suppression equipment.

Oregon Jail Standards: E-601, E-604

916.1.1 PREVENTION TRAINING
Fire control and suppression training shall be part of in service training and shall be conducted by one of the local fire departments.

- The training shall be supported through the office's training bureau.
- The training supervisor shall be responsible to schedule, coordinate and document the annual Training accountability.
- Fire control and suppression training shall be pre-planned between the department's Training supervisor and the Corrections Bureau shift supervisors in order to cause the least impact on the bureau's personnel requirements.

Training shall include:

- Use of standpipe hoses.
- Use of the hand held extinguisher.
- Facility evacuation.
- Defense of in-place techniques.

916.1.2 FIRE INVESTIGATION
The shift supervisor shall initiate and document the investigation of all fires occurring in the Jail.

The office of the City Fire Marshall shall be notified and their assistance requested with the investigation when the cause of the fire does not readily manifest itself, or when the fire causes significant property damage, personal injury, or death.
Handling of Bail Money

917.1 PURPOSE AND SCOPE
It shall be the policy of this office to maintain a strict accounting of all bail funds received by the county jail.

Oregon Jail Standards: A-108, B-303, B-304

917.1.1 PROCEDURES
A drawer has been provided at the prisoner release counter with a slot in the front. Only the shift supervisor and the administrative assistant shall have normal access to the key unlocking this drawer. This drawer shall be used only for the following:

- Checks and bail papers for the Jackson County Circuit Court.
- Checks and bail papers for other counties.
- Release on Recognizance forms (ROR's).
- Upon receiving cash bail and appropriate copies of the Security Release Agreement (SRA), the member handling the transaction shall record the bail in Tiburon.

The cash for bail will be entered into the prisoner accounting system and the cash placed into the locked cash drawer. The prisoner accounting system will provide a receipt. The copy of the receipt will be given to the person posting the bail. A check for the amount of bail will then be issued and placed with the SRA, in the bail drawer.

If bail is posted at the front counter using a credit card through the TouchPay system:

- The records clerk must verify, through valid photo ID, the person using the credit card is the same person named on the card.
- The receipt generated by the TouchPay system must be signed by the person posting bail.

The bail checks along with copies of the SRA shall be placed in the designated security drawer to be forwarded to the appropriate jurisdiction the next business day. In the event an error has occurred and it is necessary to make corrections to any bail transaction or SAR, the employee shall contact the shift supervisor who shall open the security drawer, remove the questioned article, and return it to the security drawer after having ascertained that the bail error has been corrected or that the bail was correct in the first instance.

Each regularly scheduled court day, the graveyard supervisor or OIC will print out a bail register from Tiburon which details the amounts of checks issued for bail in the last twenty-four (24) hours. The supervisor will then verify the checks and amounts in the bail drawer.

The Jackson County Corrections Bureau shall only accept the following type of check for bail.
Handling of Bail Money

• Local attorney's business account checks. The check must be for the exact amount of bail.

If the transaction is over $10,000, a "Report of Cash Payments Over $10,000" (IRS form 8300) shall be completed and given to the Records Supervisor.
Key & Tool Control

918.1 PURPOSE AND SCOPE
It shall be the policy of this office to enhance Jail security through strict key & tool control as well as other necessary equipment within the facility.

Oregon Jail Standards: E-109, E-110, E-111, E-112, E-602

918.1.1 DEFINITIONS
Security Key - Any facility key which, if lost or duplicated by prisoners, would jeopardize the security of the facility, employees, visitors, or prisoners.

Non-Security Key - Any facility key which, if lost or duplicated by prisoners, would not jeopardize the security of the facility, employees, visitors, or prisoners.

Restricted - Access is limited by policy or rule, to specific persons, identified by either rank or assignment.

Restricted Tools, Class R - Tools that have potential for use in prisoner escapes or physical assault.

• Screwdrivers.
• Hammers.
• Flammable Cleaners.
• Utility Knives.

Less Restricted Tools, Class L - Tools not listed as Class R tools.

918.1.2 KEY ACCOUNTABILITY
The key control system requires simple but efficient checks of all keys and locks within the facility. The inventory of keys shall be recorded on the Corrections Key Control Log. The Corrections Key Control Log and extra keys shall be stored in a locked cabinet in the Sergeant's Office. Access to the extra keys is restricted to any Jail supervisor.

Keys necessary for normal operation of the various posts shall be inventoried and recorded on the Shift Assignment Roster/Key Verification Log. These keys shall be affixed to identifiable rings and shall be available for distribution to on duty staff.

• The on-duty shift supervisor shall be accountable for knowing which keys have been assigned.
• Additional operational keys shall be kept on the key board located in CIC and shall be marked to indicate their use and numbers, i.e., Court (3 keys), Restraints (3 keys), Conference (2 keys).
Key & Tool Control

- When a key has to be replaced from the extra key supply, the replacement shall be logged on the Key Control Issue Log (Refer to Attachment 3) by the on-duty shift supervisor. The Key Control Issue Log shall be kept in the locked wall cabinet in C.I.C.
- Master keys identified by red tags, duplicate keys identified by white tags, and duplicate keys without tags shall be kept for each lock. The keys with the red tags are not to be issued or used without the express authorization of the Jail Captain. The keys with the white tags are to be issued for copying when additional duplicate keys are needed. The duplicate keys without tags on them are to be issued to replace worn or broken keys.
- Any change in lock location or further duplication of any key shall be upon the authorization of the Jail Captain, the administrative supervisor, or the shift supervisor responsible for key inventory and control.
- An employee carrying an operational key(s) home shall be required to immediately return the key(s) to the facility.

918.1.3 INVENTORY & ISSUE OF KEYS

Inventory of Keys

- The key inventory shall be kept current.
- The key inventory shall be completed by the Graveyard Sergeant or designee on a quarterly basis. The inventory shall be documented on the Corrections Key Control Log.
- Any change affecting the key inventory must be prior approved by the Jail Captain.

Key Issue

A. Deputies reporting for duty shall be assigned duty posts during briefing. Deputies shall initial the Shift Assignment Roster/Key Verification Log acknowledging their duty assignment and key accountability’s. Upon completion of briefing, deputies shall immediately report to their assigned posts and assume responsibility for the corresponding keys. The relieving deputy shall count the assigned keys and shall report to the C.I.C. post that the number of keys is correct and that the relieving deputy has accepted responsibility for them.

B. In the event a deputy cannot respond immediately to the assigned duty station to accept the keys, the deputy assigned as Floor Manager shall account for that deputy’s keys. The Floor Manager shall also be responsible for accepting and accounting for the Separation Cell, Outdoor Recreation, and Emergency Alarm keys. If the Floor Manager is not available, this accountability shall fall upon any deputy located in South Station by the C.I.C. operator.
C. The C.I.C. deputy shall record the acceptance and inventory of keys on the Shift Assignment Roster/Key Verification Log by placing a check mark behind the listed keys as individual deputies/posts check in.

D. In the event all security keys are not accounted for at shift change, the off-going and on-coming shift supervisors shall be notified. It shall be the responsibility of the off-going shift supervisor to plan and initiate a search for the keys. If necessary, the off-going Shift may be held over until the missing keys are located or the off-going shift supervisor determines that the presence of the off-going Shift would be of no further assistance in locating the keys.

918.1.4 LOST, EMERGENCY & RESTRICTED KEYS

Lost or Misplaced Keys and/or Key Rings

A verbal report of any lost or misplaced key(s) or key ring shall be made to the shift supervisor immediately stating when the loss was discovered, the circumstances surrounding the loss, and the identity of the key(s). A written report shall be submitted to the shift supervisor by the accountable deputy prior to the accountable deputy going off duty on that shift.

If security keys are lost or if there is sufficient reason to believe that prisoners may have made an impression of any security key, the Jail Captain or higher authority shall be notified. The Jail Captain or higher authority shall determine what, if any, additional security measures shall be necessary in order to maintain the security of the Jail.

Handling of Keys

All employees shall observe the following key control procedures:

- Be security conscious while carrying and utilizing facility keys.
- Check the key count when exchanging keys from one employee to another. (Confirm the key count with the ring tag.)
- Avoid reference to keys by number or any other identifying information in the presence of prisoners.
- Avoid dropping keys. Keys shall be exchanged hand-to-hand, never thrown, tossed, or slid along the floor.
- Never use force to operate doors. If a lock does not function smoothly, the malfunction shall be reported to the shift supervisor.
- Do not attempt to repair inoperable locks.
- Never use a key as a pry or for any other purpose than what it was designed for.
- Do not permit prisoners to handle any keys under any circumstance.
Key & Tool Control

Emergency Keys

- Emergency "PANIC" keys shall be kept in a secure cabinet, separate from all other keys.
- Emergency key rings shall have special security chains for fastening the key ring to the deputy's belt, to prevent loss under conditions of extreme stress or limited visibility.
- Each key on the "PANIC" ring is color-coded to correspond with the various exits, which the key shall unlock.
- Shift supervisors shall issue the emergency keys periodically to staff personnel for training and familiarization purposes.

Restricted Keys

The following keys are considered as Restricted Keys and shall be issued to those persons designated by the bureau supervisor:

- Food Service.
- Medical Station.
- Special Storage.

Duplication of Keys

Unauthorized possession, alteration, marking, duplication, manufacturing, or impression making of keys is prohibited. Any such incident shall be reported in writing to the Jail Captain.

918.1.5 ACCOUNTABILITY FOR TOOLS

The administrative supervisor shall be responsible for inventorying, marking and storage of bureau owned tools.

- Tools shall not be taken into the secure area of the jail without the prior knowledge and consent of the shift supervisor. Each time a tool is removed from tool storage, the deputy removing the tool shall sign the tool out on the form provided for that purpose. (Refer to Attachment 1.) The tool shall be signed in upon its return.
- The master inventory list of tools shall be prepared for each area in which tools are stored. Current master inventories shall be maintained by a supervisor.
Key & Tool Control

- A check of the tool board shall be made by each oncoming shift supervisor or designee. It shall be noted on the count sheet and signed off on the tool log.

- Tools noted as missing shall be reported to the shift supervisor and shall prompt an inquiry or investigation as circumstances dictate. If the tool is not located, the shift supervisor shall submit a written report to the Jail Captain as soon as possible.

- A monthly tool audit shall be conducted by a supervisor. This audit shall include inventory, markings, and proper storage of tools. An audit report shall be forwarded to the Jail Captain.

- The main jail tools shall be stored in the chain locker on the first floor.

- When a tool is no longer serviceable, a replacement shall be requested via the assigned supervisor.

- Food preparation knives (other than table knives) used by food service shall be stored in a steel cabinet equipped with a secure locking device. A complete inventory shall be maintained, posted at the kitchen office. Each count deputy shall count the knives and compare the count against the inventory. Any discrepancy between count and inventory shall cause a search for the missing knife. All prisoner workers with access to the knives shall be held at their current location until such time as the knife is accounted for.

- Kitchen knives shall be tethered to a counter or table while in use.

- Any use of tools by inmates on work assignments shall be closely supervised.

- Private contractors and facility maintenance employees are subject to inspection and/or inventory of all tools, tool boxes, and related equipment prior to admittance into or release from the Jail. A bureau employee or facility maintenance employee shall escort non-employee workers while in the facility.
Suicide Prevention & Intervention

919.1 PURPOSE AND SCOPE
It shall be the policy of this office that recommended suicide prevention procedures and techniques shall be practiced as an integral part of the Corrections Deputy's daily responsibilities.

Oregon Jail Standards: B-103, B-208, B-209, B-210, B-211, C-104, C-109, C-201, G-201, G-202, G-207

919.1.1 GENERAL INFORMATION
Suicide prone persons have been described by the Suicide Information Center as having or demonstrating:

- Hopelessness (which is indicated as being a stronger predictor than depression).
- Helplessness- unable to take any meaningful action to change their circumstances.
- Haplessness-sadness, crying, withdrawn.

A small percentage of suicide prone persons are sincerely determined to die and according to the Suicide Information Center "an institutional setting (e.g., a jail or prison...) shall not stop them from killing themselves." Not all those prone to suicide shall demonstrate observable warning signs. Warning signs to look for include:

- Sadness, crying;
- Withdrawal;
- Noticeable weight changes;
- Sleeping difficulties;
- Rapid mood changes;
- Lethargy.

This in no way complete but is indicative of the more overt expressions demonstrated. The following information is given for consideration in the evaluation of potential suicidal prisoners. These factors are not constants, some all or none may be present.

A. Most suicides occur within the initial twenty four (24) hours of incarceration and often during hours of darkness. The hours around a prisoner's sentencing time also appear to be critical to the suicide prone.
Suicide Prevention & Intervention

B. The consumption of alcoholic beverages appears to play an influential role in those prone to suicide.

C. Indicators demonstrate that the most likely to commit suicide while incarceration is the Hispanic or white male who is in his early twenties.

D. Suicides by those incarcerated occur approximately 3 ½ times more frequently than in the non-prison population.

E. On-going vigilance and concern during other critical time periods during incarceration, such as sentencing, receiving bad news from family, involvement in altercations with staff or other prisoners, disciplinary actions, etc. must be maintained as part of a comprehensive suicide prevention/intervention policy.

F. Prisoners placed on suicide precautions may be cleared from the status only by a mental health specialist or a corrections sergeant. A corrections sergeant will need to consult with a mental health specialist before they are authorized to clear someone from suicide watch. The sergeant shall document on the administrative log the justification for removing the person from suicide precautions. An O.I.C. is not authorized to clear a prisoner from suicide watch.

G. If a prisoner on suicide precautions is bailed out, the shift supervisor shall attempt to have the person cleared prior to release. If mental health is unavailable, the shift supervisor at his discretion may offer to release the person to a responsible person who acknowledges the persons mental state and agrees to keep them safe and or seek treatment.

919.1.2 PROCEDURE
1. The receiving screening questionnaire shall be completed for each person lodged. 2. Signs indicating potential suicidal tendencies, which are to be noted, include:
   (a) Any prior attempts of suicide.
   (b) Prisoner is intoxicated.
   (c) Prisoner appears severely depressed. Based on information from arrest or transport authorities related to observed or noted risk factors.
   (d) Prisoner expresses excessive concern for family members and what they think of his being arrested.
   (e) Family history of suicide/suicide attempts.
   (f) Self-degrading statements.
   (g) Scars or other physical manifestations of previous suicide attempts.
   (h) Prisoner openly talks of suicide/death.
   (i) Officer's intuition re: prisoner's present frame of mind.

3. Should information be received from a separate source or warning signs be evident that the prisoner may be contemplating suicide; the lodging deputy shall notify the shift supervisor of the
Suicide Prevention & Intervention

observations. A copy of the incident report will be sent to the Mental Health Specialist. If present, the Mental Health Specialist will be contacted. 4. The shift supervisor shall:

(a) Designate the housing assignment as appropriate and determine frequency of security checks. Prisoners placed on suicide precautions shall be checked, at a minimum, every 15 minutes. These checks shall be documented on the administrative separation log for that inmate.

(b) Prepare an incident book entry informing staff of the specific information obtained and specifying precautions to be taken.

(c) Afford mental health staff with the incident book information and request they contact the prisoner to coordinate necessary counseling/follow-up.

(d) Shift supervisors shall review mental health recommendations daily and determine any further action to be taken regarding the prisoner's care.

(e) Prisoners on suicide precautions shall receive on-going mental health contacts/counseling as determined by the mental health specialists.
Prisoner Disciplinary Rules, Regulations & Procedures

920.1 PURPOSE AND SCOPE
It shall be the policy of this office to establish and lawfully enforce rules of conduct for prisoners in the custody of the Sheriff's Corrections Bureau.

Oregon Jail Standards: C-202, C-204, C-205, C-206, C-207, C-301, C-302, C-303, C-304, C-305, C-306, C-401, C-402, C-403, C-404, C-405, C-406, C-407, C-408, C-409, C-410, C-411, C-412, C-413, C-414, C-415, C-416, C-417, C-418, C-419, C-420, D-209, D-305, H-103

See attachment: Notice of Hearing.doc
See attachment: Disciplinary findings.doc
See attachment: Recording of inmate Disp hearing.doc
See attachment: LT Review of Findings.doc

920.1.1 DEFINITIONS
Culpability: Responsibility for misdeed or delinquency. (For purposes of this policy, culpability is established when it is demonstrated that a rule was violated intentionally, carelessly or recklessly).

Reasonable cause: Facts that would lead a person of ordinary care and prudence to believe and conscientiously entertain honest and strong suspicion that a person is guilty of committing a rule violation.

Informal resolution: Conducted or carried out without rigidly prescribed procedure.

Formal resolution: With careful attention to form and detail.

920.1.2 PRISONER RULES OF CONDUCT
The Corrections Bureau maintains a list of rules and regulations designed to ensure safe custody, decent living conditions and fair treatment for all prisoners.

The rules and regulations are published in the Prisoner Information Manual. Addendums may be posted periodically in the prisoner housing units. The Prisoner Information Manual shall be reviewed annually and updated as needed.

Each inmate shall receive a copy of the Prisoner Information Manual during the intake process. Assistance will be given to inmates that do not understand the contents of the manual.

A Prisoner Information Manual is available in Spanish for the Hispanic population.

Corrections Bureau rules are divided into two categories, minor rules and major rules.

Should a prisoner be released from custody with a disciplinary action pending, that disciplinary matter shall be considered closed unless there are thirty (30) days or more of separation time owed. Disciplinary time owed would only be held in abeyance for one (1) year.
Enforcement of prisoner rules of conduct is the exclusive responsibility of sworn Corrections staff. Non-sworn staff has a responsibility to report rule violations to sworn staff. They do not have the authority to take enforcement action.

When sworn personnel observe or are made aware of a prisoner’s violation of any rule or regulation, they have an obligation to take corrective action. The deputy should make every effort to confront rule violators personally and to use informal resolution procedures such as, counseling and/or written warnings when it appears that future misconduct shall be prevented by so doing.

When the deputy decides that further misconduct by the prisoner cannot be prevented or corrected through informal methods, the deputy shall resort to formal resolution procedures. In such cases, a minor rule citation or major rule violation shall be prepared and forwarded to the shift supervisor for further investigation and/or adjudication as is appropriate.

In those instances where the shift supervisor or deputy in charge is the complaining party or a witness, an alternate hearings deputy shall be appointed.

IN NO CASE SHALL A DEPUTY BE AUTHORIZED TO SUMMARILY PUNISH A PRISONER.

920.1.3 DISCIPLINARY HEARINGS
Hearings deputies shall remain alert to the possibility that an accused prisoner may not be able to read or understand the English language. In cases where the ability of the prisoner to understand is in doubt due to language issues, an interpreter shall be used. The interpreter can be anyone that has the ability to communicate to the accused the nature of the accusation, the sanctions that can be imposed, and the due process and procedural rights of the accused.

Hearings deputies should also remain alert for prisoners that cannot comprehend unusually complex situations or charges. If the prisoner is unable to comprehend a complex situation, every effort shall be made by the hearings deputy to ensure that the prisoner understands the situation, the nature of the accusation, the maximum sanctions that can be imposed, and the due process and procedural rights of the Prisoner. A corrections deputy member may be appointed to assist the inmate in preparing his defense.

Prisoner's rights may not be taken away. Only privileges may be suspended through disciplinary action. Any privileges not suspended through disciplinary action shall remain in effect.

Prisoners may be placed into separation immediately if there is a security or conduct issue.

920.1.4 MINOR RULE VIOLATIONS BY NUMBER
1. Throwing, wasting, altering, storing of, or accepting unauthorized rations of food, drink or medication.

2. Indecent exposure.

3. Lying to a staff member or summoning a deputy under pretext of an emergency.

4. Possession of money, personal or issued property of another, any unauthorized item, or damaging issued items.
5. Gambling, borrowing, lending, or other activity involving debt.
6. Refusing to work or encouraging others to refuse to work.
7. Refusing to obey any order, malingering, feigning illness, or insolence toward any staff member.
8. Refusing or failing to properly carry out a work assignment.
9. Conduct, which disrupts or interferes with security or the orderly operations of the facility.
11. Using unauthorized or misusing authorized equipment.
12. Placing cards, pictures, photographs, drawings, or any other item any place not authorized.
13. Interfering with count.
14. Failing to keep person and quarters clean.
15. Tattooing or self-mutilation.
16. Unauthorized use or misuse of mail.
17. Changing living area without permission.
18. Entering cell area of another unless an emergency exists.
19. Standing upon bunk or using any other means to look out cell window, or communicating or attempting to communicate with any person(s) inside or outside of the facility by other than approved methods.
20. Closing cell door between 6:00 a.m. and 11:00p.m., except when using the toilet.
21. Blocking any air vents, lights, or windows.
22. Showering any time other than 6:30 - 10:00 a.m. or 4:00 - 7:00 p.m. or the hour immediately following recreation.
23. Failing to remain fully clothed from lights on to lights out when in the day room area. Fully clothed includes outer clothing, underwear, including T-shirt and issued footwear.
24. Failure to keep bed fully made between 7:00 a.m. and 7:00 p.m.. After 7:00 p.m. your bed must be fully made unless you are physically in it.
25. Unauthorized communications with other prisoners or civilians, either non-verbal or verbal.
26. Wearing of jail issued clothing in unauthorized fashion. T-Shirts must be tucked in and pants legs or waist-bands may not be rolled up or down. No "sagging" of pants. Clothing will not be worn inside out or backward.
27. Possession of excess personal property as identified in this manual.
28. Misuse or abuse of the prisoner grievance procedure.
29. Possession of pictures or drawings with lewd, obscene words or materials that display sexually explicit contents or are explicitly racist or inflammatory.

30. Attempting to commit or aiding another to commit any violation shall be deemed the same as a commission of the violation itself.

920.1.5 PROCEDURES FOR MINOR RULE VIOLATIONS

1. The accused prisoner shall be served with the minor cite by the hearings deputy as quickly as practicable after the violation is discovered, but in no case longer than 24 hours later.

   • The hearings deputy, upon receiving the report of an alleged rule violation, shall talk with the citing Deputy, the accused prisoner, and any witnesses if the prisoner refutes the rule violation.

   • The hearings deputy shall evaluate the evidence and make a determination as to the fact: A violation did or did not occur. If a violation has occurred, the hearings deputy shall determine the appropriate discipline and impose it.

   • Whether or not the allegation was affirmed shall be indicated on the minor cite. If the allegation is affirmed, the sanction imposed shall be written out in the ACTION TAKEN area of the cite.

   • The hearings deputy shall notify the prisoner being sanctioned that the prisoner may appeal the decision and/or sanction. The appeal shall be directed to the Corrections Bureau supervisor in writing within 24 hours of the adjudication of the cite.

   • The Corrections Bureau supervisor shall, within three workdays, notify the prisoner of the decision. The Corrections Bureau supervisor's decision is final.

   • When sanctions are imposed by the hearings deputy, they shall be initiated immediately. If an appeal to the Corrections Bureau supervisor is successful, sanctions shall be discontinued at that time, but the prisoner shall not be made whole for any loss of privilege which occurred between the adjudication of the cite and the successful appeal.

2. Sanctions for minor rule violations shall be limited to the following:

   • Restriction of television, library, visiting, commissary and/or recreation for a period not to exceed two weeks.

   • Loss of bedding between the hours of 0730 and 1900 hours, if the violation involved misuse of the bedding.

   • Disciplinary separation for a period not to exceed 24 hours.

   • Loss of telephone privileges if the violation involved misuse of the telephone.

   • Loss of prisoner worker status

   • A combination of the above sanctions.
3. The following employees are authorized to impose sanctions for minor rule violations:
   a. Corrections Bureau supervisor;
   b. Shift supervisor;
   c. Deputy in charge of a shift;
   d. Any Corrections Deputy designated by the shift supervisor or Deputy in charge.

4. The minor rule citation form is a three-part NCR form. When it is completed, the pink copy shall be given to the offending prisoner. The yellow copy shall be forwarded to South Station/Female Station for retention during the prisoner's incarceration. When a prisoner is released from our custody, the yellow copy can be destroyed. The original form shall be forwarded to the Administrative Sergeant for retention.

920.1.6 MAJOR RULE VIOLATIONS BY NUMBER
1. Possessing, introducing, or attempting to introduce any contraband or assisting another to do so.

2. Possession or manufacture of a replica or actual dangerous contraband to include weapons, escape paraphernalia, tools, keys, currency, unauthorized identification or other official documents or any other item not authorized which is deemed a threat to the security of the institution.

3. Conduct, which disrupts or interferes with security of or the orderly operation of the facility.

4. Fighting, coercing, intimidating, or other conduct, which results in minor injuries.

5. Fighting, coercing, intimidating or other conduct, which results in serious injuries.

6. Fighting with or assaulting a staff member, vendor or volunteer.

7. Making sexual proposals or threats, or engaging in sexual acts with another.

8. Wearing a disguise or mask.

9. Setting a fire, destroying, altering or damaging jail property or the property of another.

10. Tampering with or blocking any locking device or electronic device.

11. Possession, introduction, or use of any marijuana, illegal drug, intoxicants, narcotic paraphernalia not prescribed by the medical staff.

12. Misuse or possession of unauthorized medications.

13. Removal, exchange, defacement or mutilation of an issued identification bracelet or band.

14. Counterfeiting, forging or reproducing any document, article of identification, money, security or official paper.

15. Participation in any group or gang that causes harm or fear of harm to any person.

16. Possession of ANY staff members clothing or effects.
17. Setting up or taking part in 'kangaroo' or 'sanitary' courts, or in any manner trying to influence or control prisoner activities or functions.

18. Escape, attempting or planning to escape.

19. Possession or introduction of any explosive, firearm, missile, projectile, weapon, sharpened instrument, knife or unauthorized tool.

20. Rioting, encouraging others to riot, engaging in or encouraging others to take part in any disruptive activities or group demonstrations.

21. Misuse or abuse of the grievance process.

22. Any violation of the criminal code.

23. Receiving three (3) minor rule violations within a two (2) week period.

24. Attempting to commit or aiding another to commit any violation shall be deemed the same as a commission of the violation itself.

25. Any person found to be using another Person's PIN number or identity to make phone calls; or participating in a phone call made with another person's PIN number or name.

920.1.7 PROCEDURES FOR MAJOR RULE VIOLATIONS

1. Major rule violations fall into two categories. Those that the maximum sanction a prisoner can receive is a term in separation and the other involves loss of good time credits or other extraordinary results that impose an "atypical and significant hardship on the prisoner." The procedure for handling each type of major rule violation is different.

- Procedure for major rule violation where the maximum sanction is disciplinary separation:
  - The shift supervisor shall adjudicate the major rule violation and provide the inmate with a copy of the major rule violation form. A photocopy of the form is sufficient.
  - The adjudication gives the prisoner due process. The shift supervisor shall interview the reporting deputy and any witnesses who may provide relevant statements or evidence not previously recorded by the reporting deputy/s. The shift supervisor shall then give the accused a chance to explain their action or omission. After hearing the facts, the shift supervisor shall affirm or deny (adjudicate) the allegation. This shall be noted on the original copy of the disciplinary incident form.
  - An incident book entry shall be made on all Major Rule violations issued. This allows the information to be passed on between shifts.
  - Once the major rule violation has been adjudicated, the shift supervisor shall forward the major rule violation along with any reports or documentation to the Administrative
Sergeant who shall then impose a sanction if the allegation was affirmed. This process shall be completed without undue delay.

• Sanctions shall be based upon the disciplinary matrix. Any departure from the disciplinary matrix, must have a written justification for the reduction or increase of the listed discipline.

The bureau supervisor or their designee shall assure that the findings are reduced to writing in the form of an interoffice memorandum (Refer to Attachment 3). A copy of this memo shall be delivered to the prisoner for their retention. The original shall be signed by the prisoner, indicating their receipt of the document. The delivering Deputy shall date and initial the original once it has been signed by the prisoner. Should the prisoner refuse to sign the document, the delivering deputy shall note that on the document along with their initials and the date. The completed notification shall then be returned to the administrative supervisor.

If the rule violation includes a recommendation for a loss of good time credit, the following procedure shall apply.

1. A copy of the major rule violation shall be delivered within 48 hours of the violation. This shall be done by the shift supervisor or deputy in charge. The prisoner shall be informed that the recommendation is for a loss of good time credit.

2. The Major Rule Violation shall then be forwarded to an Administrative Sergeant for review. The Administrative Sergeant shall determine if the recommendation for loss of good time is appropriate.

3. If the determination is made that the loss of good time is not appropriate or would be ineffective, the major rule violation shall be returned to the shift supervisor for adjudication. Once adjudicated, the same process shall be followed as above.

4. If the recommendation for loss of good time is deemed appropriate, the prisoner shall also be informed that he shall appear before a hearings officer for determination of guilt or innocence of the rule violation. The hearing provides the prisoner with due process. The prisoner shall be informed that the hearing is not optional. The prisoner may elect in writing not to appear, but the hearing shall convene to hear the facts and make a determination as to guilt or innocence and impose a disciplinary sanction if the prisoner is found guilty.

5. At the discretion of the hearing's officer, a prisoner may present witnesses, confront accusers, and present documents in their defense.

A supervisor will arrange for the hearing.

1. When a date, time, and place have been established for the hearing, a disciplinary hearing notice shall be prepared by the Administrative Sergeant and forwarded to the prisoner. This must be done to allow the prisoner at least 24 hours to prepare a defense.

2. The hearing notice shall be in duplicate, one copy to be retained by the prisoner and the second copy to be retained with the disciplinary incident report and supporting documents.
A hearings board shall normally be comprised of an impartial Sheriff's Office employee who is familiar with the jails operations and two impartial community members

1. When a date, time and place have been established for the hearing, a disciplinary hearing notice shall be prepared by the shift supervisor and forwarded to the prisoner. This must be done allowing the prisoner at least 24 hours to prepare a defense (Refer to Attachment #4.)

2. The hearing notice shall be in duplicate, one copy to be retained by the prisoner and the second copy to be retained with the disciplinary incident report and supporting documents.

3. Disciplinary hearings are administrative in nature. Prisoners may also be charged with a crime stemming from the same incident. In most cases, criminal investigations shall be handled by the Corrections Bureau. The criminal case shall be deemed concluded when the case is referred for prosecution, closed, or discontinued by the investigating Deputy. The administrative rule violation investigation shall continue during this process and the outcome shall be independent of the criminal investigation. The courts have held that this does not constitute double jeopardy.

920.1.8 CONDUCTING A DISCIPLINARY HEARING BOARD

1. The hearings officer shall be responsible for the orderly, efficient functioning of the hearing and shall follow a pre-approved script in order to assure due process for the accused prisoner. The hearings officer shall be responsible to tape record the minutes of the hearing. (Refer to Attachment 5)

2. The order of testimony before the hearings officer shall normally be in the following order: The deputy that made the accusations, any department employees that shall be supporting the complainant, the accused prisoner, then any witnesses for the accused. This order may be altered at the request of or with the consent of the hearings officer. When using information from other prisoners in support of the allegation, every attempt shall be made to keep their identity from the accused prisoner. Information provided by other prisoners shall be verified through other sources.

   • Confidential information or testimony may be presented as a written statement or in-person testimony.

3. NOTE: The accused prisoner shall appear before the hearings officer unless the prisoner is a security risk, which would preclude his appearance, or has refused in writing to appear.

4. Testimony obtained from the accused prisoner that involves self-incrimination during a disciplinary hearing shall not be used against them in a criminal prosecution for the same incident.

5. If the prisoner elects to remain silent, the officer may construe such silence against him/her in arriving at a decision.

6. The accused prisoner may call witnesses at the discretion of the hearings officer. Reasons for refusing to hear a witness include but are not limited to:
• Permitting the witness to be called jeopardizes institutional security or the safety of staff, other prisoners, or the community.
• The testimony would not be relevant.
• The testimony would be cumulative (repetitive).
• There is a lack of necessity.
• The request for a witness was not made in a timely fashion.
• Permitting the witness to be called would jeopardize the legitimate interests of the jail operation.

7. If the hearings officer uses their discretion and denies a request for a witness, the witness' name and reason for the denial shall be documented in the proceedings.

8. The hearings officer shall consider the evidence and testimony presented and shall determine whether or not a violation has occurred with regard to each separate allegation made.

9. If any allegation is sustained by the hearings officer, s/he shall make a recommendation for disciplinary sanctions.

10. At the conclusion of the hearing, the hearings officer shall inform the Corrections Bureau supervisor of the results and, if appropriate, the recommendations for sanctions.

11. The Corrections Bureau supervisor shall review the hearings officer's findings and notify the prisoner in writing of the summary, decision and the sanction to be imposed. (The summary of information will only be provided if it is unlikely to reveal the identity of confidential sources.) (Refer to Attachment 6.)

• This shall be in the form of an interoffice memorandum in duplicate. One copy of the memo shall be delivered to the prisoner for the prisoner's personal retention. The second copy shall be endorsed as to the time and date it was delivered to the prisoner and it shall then be forwarded to the Administrative Sergeant for retention in the prisoner's administrative file. (The endorsement should be the name of the prisoner and date. If the prisoner refuses to sign, the delivering deputy shall note the refusal, date, time, and initial the form.)

• All disciplinary reports that include confidential information or names of confidential sources will be marked as confidential and stored separately from the inmate's administrative file.
12. The prisoner shall have 24 hours from the time of notification to appeal. The appeal shall be in writing, directed to the Sheriff. The Sheriff may do the following:

- Sustain the hearing board recommendations.
- Modify the hearing board recommendations.
- Overturn the hearing board recommendations.

**The decision of the Sheriff is final.**

Appeals are limited to claims that:

1. Due process requirements were not adequately followed;
2. The hearing entity failed to meet the "some evidence" standard of proof; and disciplinary sanctions were unconstitutionally harsh.

When sanctions are imposed by the Corrections Bureau supervisor, they shall be initiated immediately. If an appeal to the Sheriff is successful, sanctions shall be discontinued at that time, but the prisoner shall not be made whole for any loss of privilege, which occurred between the implementation of sanctions and the successful appeal.

**EXCEPTION:** When the sanction is loss of good time and the appeal is successful, the lost good time shall be returned and the prisoner made whole.

The Sheriff shall notify the prisoner in writing of any decision made on an appeal. All incident reports, records, hearing board findings, recommendations, and prisoner appeals shall become a part of the prisoner's administrative file and shall be retained in accordance with the Oregon State Archives Records Retention Schedule.

The Corrections Bureau supervisor or designee is the sole authority to impose sanctions for major rule violations. Sanctions for major rule violations shall be limited to the following:

- Placement in disciplinary separation for a period of time not to exceed 30 days.
- Suspension of any or all privileges.
- Loss of prisoner worker status.
- Loss of accumulated good time, or any part thereof.
- Other limitations as may be decided by the Sheriff or Corrections bureau supervisor.
- Records of disciplinary proceedings are held by the Corrections Bureau Administrative Sergeant for a minimum of 3 years after release.
Administrative Segregation

921.1 PURPOSE AND SCOPE
It shall be the policy of this office to use segregation for inmates who require individual housing to ensure their safety, the safety and security of the facility, or the safety of others.


921.1.1 PLACEMENT IN ADMINISTRATIVE SEGREGATION
Administrative Segregation: The non-punitive placement of a prisoner into a restricted housing unit. Placement in the housing unit shall be for any of the following reasons: the protection of the health or life of the prisoner being placed in the unit; the protection of the health or life of any other person, or; to protect the safety and security of the facility in which the prisoner is held.

Prisoners may be placed in administrative segregation at the direction of a Corrections supervisor, deputy-in-charge, or corrections deputy provided the deputy notifies the shift supervisor as soon as possible of the placement. The shift supervisor or deputy in charge shall review the facts and determine if the prisoner should remain in segregation. Prisoners may be placed in this status for:

- Suicide Prevention - administrative segregation is not in and of itself a suicide risk intervention.
- Medical observation (may be ordered by medical staff).
- Detoxification only.
- Being intoxicated.
- Upon the prisoner's own request.
- Mental health observation.
- Reasons of safety and security (requires documented reason).
- Due to a lack of other suitable space being available.
- Pending investigation of violations of rules of Conduct for prisoners or criminal acts.

921.1.2 CONDITIONS OF SEGREGATION
A segregation form detailing the placement and reasoning for segregation shall be prepared and maintained during the period of time a prisoner is in segregation. When the prisoner is released from segregation, this form shall be forwarded to the shift supervisor for review and placement in an administrative file. Prisoners placed in such housing at their own request shall be required to sign the form in the section marked other pertinent information.

Segregation shall not be punitive in nature.
Administrative Segregation

Prisoners housed in administrative segregation shall be provided with living quarters equal to those in general population. This includes hot and cold running water, sink, mirror and a toilet.

Prisoners in administrative segregation shall be allotted all privileges of the general population unless restricted or modified when there is a concern for security.

Medical staff may request that a prisoner be placed into administrative segregation for medical reasons. The status of the prisoner shall be "medical observation." In most cases the medical staff shall need to clear the prisoner from medical observation status before they can be placed back into general population.

Cell occupancy, except in emergencies, shall not exceed bed capacity.

Each prisoner shall be provided the same opportunities for personal hygiene as are available to the general population, except when the movement of the prisoner to the shower or allowing the prisoner to retain hygiene items in their cell would pose a safety or security risk to the prisoner or staff. Due to staffing levels and time constraints, prisoners in segregation may be limited to three showers per week.

Unless restricted through the formal disciplinary process or security requirements dictate otherwise, prisoners shall be provided the opportunity to exercise outside of their cells at least one hour a day, five days a week. Exercise times and refusals shall be logged. Prisoners housed in an administrative segregation cell that has a day room attached shall receive one and one-half hour out of their cell each day. Of this time, one hour shall be considered a recreational period. The other thirty minutes shall be for hygiene issues and telephone calls. Prisoners may exercise in the day room during this hour if they wish. This hour shall be considered as one hour of recreation.

Medical staff shall make rounds through the segregation units at least once each day they are on duty.

Prisoners shall retain all rights of access to the courts, counsel and facility law library as appropriate.

The quality and quantity of food provided prisoners in segregation shall be the same of that provided general population prisoners. Altering of the menu or withholding of food as punishment is prohibited. Some medical conditions may require that the prisoner be fed on disposable service ware to prevent the spread of disease.

Special disciplinary diets have been upheld by some courts as a disciplinary punishment, especially for throwing food or other disciplinary infractions involving food services. The decision to use a disciplinary diet such as "nutra loaf" will be done only with the approval of the corrections bureau commander or designee. The food service provider will have nutra loaf recipe prepared and reviewed by a dietitian to assure it meets nutritional requirements. This will be the only "nutra loaf" recipe authorized. Use of a disciplinary diet will be reviewed by the Corrections Bureau Captain and medical staff every 3 days to assure its continued use is warranted.

For safety, security and suicide prevention reasons, prisoners in segregation shall receive two blankets, a mattress cover and a towel as their linen issue. Prisoners in segregation shall wear
**Administrative Segregation**

different colored clothes than general population so they are easily distinguished from the general population prisoners during movements.

Library material for segregation prisoners shall be the same as those for general population prisoners unless revoked during disciplinary proceedings.

Unless restricted through the disciplinary process or for safety or security concerns, prisoners in segregation shall be afforded routine mail and visiting privileges equal to those available to the general population.

Prisoners in segregation may continue to receive the services of counselors. Prisoners in disciplinary segregation shall not be allowed to participate in education, vocational, and/or rehabilitative programs provided within the facility unless approved by the Jail Captain.

Prisoners in segregation may order items from the commissary. Items from the commissary may be withheld if it is determined that safety and/or security are threatened, or it is denied as disciplinary sanction.

Legal correspondence and contacts with attorneys shall be permitted.

Phone calls for prisoners in segregation shall not be restricted unless otherwise directed by the shift supervisor.

Prisoners in disciplinary segregation shall be required to keep their beds made and clean their cells the same as general population prisoners.

921.1.3 STATUS REVIEW
Prisoners shall be held in segregation only as long as the reason(s) for their initial placement there remains valid.

Those remaining in segregation for seven (7) consecutive days of longer shall have their status reviewed every seventh day. This review shall:

- Be conducted by a shift supervisor or deputy-in-charge.
- Consider all aspects of the fact, which resulted in the prisoner’s segregation.
- Strive to ensure prisoners’ compliance with facility policies.
- Ensure the return to general population of those prisoners whose segregation is voluntary, where such a move would not present a serious threat to life or property.
- Provide consideration for appropriateness of transfer of the prisoner to a more suitable facility.
- Segregation shall be documented on the weekly segregation review form.

**Records**
Administrative Segregation

A permanent log consisting of paper and/or computer entries shall be maintained at each segregation unit to record: (Paper logs may be disposed of per county archive policy.)

• All admissions indicating date, time, reason for admission, and authorizing official.
• Tentative and actual release dates and times for each prisoner.
• Signatures of all officials visiting the units, as well as the date and time of visits.
• Activity and behavior of the prisoner.

Monitoring

Monitoring of segregation units shall be on a regular basis. These visits shall be conducted in accordance with the following schedule:

• Deputies: a minimum of one time per hour or more frequently as directed by the shift supervisor.
• Shift supervisor: at least once each shift. The shift supervisor or deputy in charge shall review the reason for placement into segregation and determine if it is still valid.
• Medical staff: once daily when on duty.
• Counselor: weekly (if applicable).
• Mental health specialist shall visit as requested by staff or prisoner.
• Religious representative weekly (if requested). Attendance at a Sunday Church service is up to the discretion of the shift supervisor based on the prisoner's behavior, past disciplinary record and reason for placement into administrative segregation.

Release

A. Release from segregation or protective custody may be authorized by the following persons:

• Shift supervisor
• Deputy-in-charge
• Higher authority (Captain, Undersheriff, Sheriff)

B. The above listed releases may be authorized when one or more of the following conditions exist:
Administrative Segregation

- The condition which required prisoner placement in administrative segregation is no longer present.
- Information and/or evidence indicates conditions have changed and the prisoner no longer presents a threat to himself or to others.
Disciplinary Segregation

922.1 PURPOSE AND SCOPE
It shall be the policy of this office to use segregation for inmates who require individual housing to ensure their safety, the safety and security of the facility, or the safety of others.

Oregon Jail Standards: C-401, C-408, D-117, D-212, D-302

922.1.1 DEFINITIONS
Disciplinary Segregation: This is a separate housing area for inmates who have broken rules of the Jail. Inmates may be allowed a pencil, paper, hygiene items, legal and religious reading material (quantity will be limited). Inmates shall be locked down twenty three and one-half (23 ½) hours each day. Inmates may receive an additional one hour (1) of time out of their cell for recreation depending on the conditions of their disciplinary sanction.

Disciplinary segregation shall be used when the prisoner has been adjudicated guilty of a violation of rules for inmates and the sanction specifies a specific period of disciplinary confinement in a segregation housing unit.

Adjudication: This is the prisoner's due process. A non-involved third party (hearings deputy) hears the details of the alleged allegation from the reporting deputy, involved prisoner and any witnesses. The hearings deputy determines (affirms or dismisses) whether or not the rule violation occurred as alleged.

922.1.2 PLACEMENT AND CONDITIONS OF ADMINISTRATIVE SEGREGATION
Inmates may be placed in disciplinary segregation at the direction of a Corrections supervisor or Deputy-in-charge.

A segregation form detailing the placement and reasoning for segregation shall be prepared and maintained during the period of time an inmate is in segregation. When the prisoner is released from segregation, this form shall be forwarded to the shift supervisor for review and placement in an administrative file.

As a condition of disciplinary segregation, many prisoner privileges shall be restricted.

- Inmates housed in disciplinary segregation shall be provided with living quarters equal to those in the general population. This includes a sink with hot and cold running water, a mirror and a toilet.
- Cell occupancy, except in emergencies, shall not exceed bed capacity.
- Each inmate shall be provided the same opportunities for personal hygiene as are available to the general population, except when the movement of the prisoner to the shower or allowing the prisoner to retain hygiene items in their cell would pose a safety
Disciplinary Segregation

or security risk to the prisoner or staff. Due to staffing levels and time constraints, inmates in segregation may be limited to three showers per week.

- Inmates in disciplinary segregation may only order hygiene and writing supplies from the commissary. This would be limited to a comb, soap, shampoo, deodorant, toothbrush and toothpaste, pencil, postcards, paper and envelopes.

- Inmates being placed into disciplinary segregation shall have all non-hygienic commissary items taken from them. These items will be stored and returned to the prisoner when they are removed from disciplinary status.

- Reasonable amounts, to be determined by corrections deputies, of postcards, paper, envelopes and stamps may be kept by the inmate while in disciplinary segregation.

- Mail privileges, shall not be withheld except in cases where the prisoner has violated the mail rules, in which case mail privileges may be suspended for no longer than 72 hours without the approval of the Jail Captain. Legal correspondence with the courts and attorneys shall not be restricted.

- Inmates shall retain all rights of access to the courts, counsel and facility law library as appropriate.

- Phone calls for inmates in disciplinary segregation shall be limited to legal or emergency (as determined by shift supervisor) phone calls.

- Visiting for inmates in disciplinary segregation shall be limited to professional visitors (attorneys, police, probation officers, etc.). Social visits shall not be allowed while in disciplinary segregation.

- Inmates in disciplinary segregation may continue to receive the services of counselors.

- Inmates in disciplinary segregation shall not be allowed to participate in education, vocational, and/or rehabilitative programs or church services provided within the facility, unless approved by the Jail Captain. This does not prevent a prisoner from receiving individual visitation by a selected clergy member.

- Library material for disciplinary segregation inmates shall be limited to three (3) books, including religious and legal items.

- The quality and quantity of food provided inmates in segregation shall be the same of that provided general population inmates. Altering of the menu or withholding of food as punishment is prohibited. Some medical conditions may require that the prisoner be fed on disposable service ware to prevent the spread of disease. Special disciplinary diets have been upheld by some courts as a disciplinary punishment, especially for throwing food or other disciplinary infractions involving food services. The decision to use a disciplinary diet such as "nutra-loaf" will be done only with the approval of the Jail commander or designee.
Disciplinary Segregation

1. The food service provider will have a nutra-loaf recipe prepared and reviewed by a dietitian to ensure it meets nutritional requirements. This will be the only "nutra loaf" recipe authorized.

2. Use of a disciplinary diet will be reviewed by the Corrections Bureau Captain and medical staff every 3 days to assure its continued use is warranted.

- Unless restricted through the formal disciplinary process or security requirements dictate otherwise, inmates shall be provided the opportunity to exercise outside of their cells at least one hour a day, five days a week. Exercise times and refusals shall be logged. Inmates housed in a disciplinary segregation cell that has an attached day room, receive one and one-half (1 ½) hour out of their cell each day. Of this one and one-half hour, thirty minutes will be for hygiene purposes and phone calls and one hour will be counted toward their weekly recreational requirement. Inmates may exercise in the day room during this time if they wish.

- For safety, security, and suicide prevention reasons, inmates in segregation shall receive two blankets, a mattress cover, and a towel as their linen issue. Inmates in segregation have different colored clothes than general population so they are easily distinguished from the general population inmates during movements. Inmates who engage in the destruction of bedding or clothing may be deprived of such articles. The decision to deprive inmates of clothing or bedding, shall be reviewed by a supervisor during each 24-hour period.

- Inmates in disciplinary segregation shall be required to keep their beds made and clean their cells the same as general population inmates.

922.1.3 STATUS REVIEW
Inmates shall be held in disciplinary segregation only for as long as the disciplinary sanction that was imposed.

Those remaining in segregation for seven (7) consecutive days or longer shall have their status reviewed every seventh day. This review shall:

- Be conducted by a shift supervisor or deputy-in-charge.
- Consider all aspects of the fact, which resulted in the prisoner’s segregation.
- Strive to ensure inmates’ compliance with facility policies.
- Provide consideration for appropriateness of transfer of the prisoner to a more suitable facility.
- Be documented on the weekly segregation review form.

Records
A permanent log, consisting of paper and/or computer entries shall be maintained at each segregation unit to record: (Paper records may be destroyed per the county Archive policy.)
Disciplinary Segregation

- All admissions indicating dates, time, reason for admission, and authorizing official.
- Tentative and actual release dates and times for each prisoner.
- Signatures of all officials visiting the units, as well as the date and time of visits.
- Activity and behavior of the prisoner.

Monitoring

Monitoring of segregation units shall be on a regular basis. These visits shall be conducted in accordance with the following schedule:

- Deputies - a minimum of once each hour or more frequently as directed by the shift supervisor.
- Shift supervisor - at least once each shift. The shift supervisor or OIC will review the reason for placement into segregation is still valid.
- Medical staff - once daily when on duty.
- Counselors - weekly (if applicable).
- Mental health specialist shall visit as requested by staff or prisoner.
- Religious representative - weekly (if requested).
Management of Juvenile Prisoners

923.1 PURPOSE AND SCOPE
It shall be the policy of this office that juvenile offenders, when lodged or processed in the Jackson County Jail shall be treated as prescribed in Oregon Revised Statutes and the procedures contained in this policy.

Oregon Jail Standards: B-101, B-110, C-111, I-302

923.1.1 DEFINITIONS
Adult: As used in this policy "adult" does not include a person who is alleged to be, or has been found to be, within the jurisdiction of the juvenile court under ORS 419C.005.

Charged: The filing of an accusatory instrument in a court of criminal jurisdiction alleging the commission of an offense listed in ORS 137.707 (Measure 11). This would include a Grand Jury indictment or DA's information.

Emancipation: A judgment to recognize the minor as an adult for the purposes of contracting and conveying, establishing a residence, suing and being sued, and recognize the minor as an adult for purposes of the criminal laws of this state.

Remand: To send or order a juvenile to answer as an adult in specific instances or a blanket remand in which the Juvenile is ordered to be treated as an adult for all future court proceedings.

923.1.2 HOUSING
Juveniles lodged by special remand order and who are sentenced as adults may be placed in general housing units. The decision to lodge in general population shall be made after assessment by the shift supervisor. In all incidents where general population is utilized, comprehensive consideration for the health, safety and welfare of the juvenile shall be of paramount concern. Pre-sentence juveniles shall be housed separately from adults by sight and sound as allowed by facility design.

923.1.3 MEASURE 11
A person "charged" with a crime under ORS 137.707 (Measure 11) who is 16 or 17 years of age shall be detained in custody in a jail or other place where adults are detained subject to release on the same terms and conditions as for adults. The Sheriff and the director of the county juvenile department may agree to detain the person charged in a place other than the county jail such as a juvenile detention facility.

Only those juveniles specifically remanded by the court, those who are emancipated and those sixteen and seventeen years old who have been "charged" with Measure 11 offenses shall be housed in the Jackson County Jail. The individual's proof of emancipation shall be an emancipation notation on their Oregon Driver's License or Oregon Identification Card.
Management of Juvenile Prisoners

923.1.4 EDUCATION
The Administrative Sergeant shall notify the Medford School District when a juvenile is lodged in the Jail. This will be done in writing, within five (5) business days of the placement of the juvenile. The school district shall provide appropriate education which will be conducted in the jail.

923.1.5 ADULTS ARRESTED ON JUVENILE WARRANTS
If an adult (someone over the age of 18) is arrested on a juvenile warrant, they must be lodged at the Juvenile Detention facility, not the jail.

923.1.6 PROCESS ONLY
Per Jackson County Circuit Court order 02-71, Order of Waiver, (see attachment) we will process any juvenile sent from the court with charges relating to Oregon vehicle code, Municipal Code pertaining to traffic laws, all Oregon boating laws, and all Oregon game laws.

See attachment: 945~1~6 Juvenile Waiver.pdf
Cross Gender Supervision

924.1 PURPOSE AND SCOPE
It shall be the policy of this office to supervise prisoners in a professional and consistent manner, and to make a reasonable effort to protect prisoners from unnecessary sexual privacy intrusions. Corrections deputies shall be assigned to ensure adequate coverage based on the assigned prisoners gender.


924.1.1 DEFINITIONS
Exigent Circumstance: Emergencies and other circumstances, which require immediate action to meet safety or security needs, create an exception to the limits on intrusive searches. Any incident a deputy deems to support "exigency" will be fully documented and explained in a Prisoner Search Record Form.

Voluntary Waiver of Sexual Privacy Interests: When a prisoner intentionally removes his/her own clothing or otherwise acts in a manner, which amounts to a voluntary waiver of sexual privacy interest.

924.1.2 SINGLE SEX SEARCHES
Single sex searches are consistent with prudent correctional management. The ability for a corrections Deputy to conduct a pat-search/unclothed search is a fundamental part of the job. Because of the physical, emotional and psychological difference between men and women in many cases women react differently to cross gender searches than male prisoners. It has been held that routine cross-gender searches of women, constitutes a violation of the 4th amendment (Jordan vs. Gardner).

A female corrections deputy shall be assigned twenty- four (24) hours a day to any facility where female prisoners are processed and housed. A male corrections deputy shall be assigned twenty-four (24) hours a day to any facility where male prisoners are processed and housed.

B. Female arrestees/prisoners shall be pat-searched and unclothed searches will only be conducted by female deputies unless exigent circumstances are established.(RE: Prisoner Searches)

C. Female deputies shall be allowed to routinely pat-search/frisk search male prisoners as required to maintain safety and security of the corrections facilities. It has been found that this is not a violation of male prisoner's privacy rights (RE: Prisoner Searches) (Time v Gunter).

All employee assignments shall be handled on an equal basis while allowing for a male and a female deputy to be present twenty-four hours a day if there is a prisoner of that gender housed or going to be processed at the facility. Prisoners shall be supervised by both male and female deputies. Efforts shall be made to allow prisoners as much privacy from being viewed unclothed by
Cross Gender Supervision

the opposite sex as possible without infringing on the safety and orderly operations of the facility, or in violation of Title VII by:

A. Prisoners are allowed to partially close their cell doors while using the toilet.
B. Prisoners shall be instructed to cover their genital areas with a towel while using the toilet.
C. Showers are placed so that the prisoner is not inadvertently viewed while showering.

924.1.3 CROSS GENDER SUPERVISION
Cross gender supervision may be used if:

A. Deputies are not assigned to posts or assignments, which shall result in routine, close observation of prisoners of the opposite gender while in the shower or using the toilet.
B. Viewing of unclothed prisoners of the opposite gender is:

- Inadvertent;
- Occasional, infrequent and/or at a distance and reasonable accommodation is made to reduce the scope of the intrusion.
- Where the prisoner's actions constitute a voluntary waiver of sexual privacy interest.
- Prisoners are allowed to partially close their cell doors while using the toilet.
- Showers are placed so that the prisoner is not inadvertently viewed while showering.

Deputies may assist in cross-gender searches prisoners only in exigent circumstances. Should exigent circumstances exist and a cross-gender search is completed, a report will be sent to the shift supervisor stating the circumstances of the incident and the justification given for the search. The report shall include, but not limited to:

(a) the name of the inmate being searched;
(b) the names of the deputies participating in the search;
(c) the date, time, and location of the search;
(d) the type of search;
(e) whether force was used;
(f) what contraband, if any, was found, and
(g) any other significant factors.

Circumstances that may justify a cross-gender search include, but are not limited to:

A. The prisoner refuses requests to submit to a lawful search and/or is aggressive, fighting, or physically resisting.
Cross Gender Supervision

B. The prisoner is acting in a manner that creates reasonable cause to believe that the deputy might be injured without assistance from another deputies; and/or that the search cannot be completed without assistance from another deputies.
Jail Visitation

925.1 PURPOSE AND SCOPE
See attachment: Updated Special Admission Request.pdf It is the policy of this office to afford all prisoners visiting privileges according to established guidelines and law. Attorneys, law enforcement personnel, social service agencies (i.e., Mental Health and ministers) and tutors registered with Correctional Services may be permitted contact visits. All others shall be non-contact visits. Exceptions may be authorized by the division supervisor or designee.

Any person not currently employed with the Sheriff's Office may be subject to a criminal history check prior to being allowed into any secure area of the jail. It shall be the policy of this office that ministers who desire to visit with prisoners for religious counseling on a regular basis shall be given every opportunity to qualify for visitation privileges. In the event of an emergency or the need to account for all persons within the building, accurate and current records are necessary.

The Jail Commander provides secure visiting areas for the public, officials and prisoners. There are secure rooms that provide space for official contact visits that are not monitored to allow privacy. For public visiting there is an area that is secured once the visitors are inside.


925.2 GENERAL VISITATION
The Jail provides secure visiting areas for the public, officials and prisoners. There are secure rooms that provide space for official contact visits that are not monitored to allow privacy. For public visiting there is an area that is secured once the visitors are inside. Within this area are booths with glass windows that allow the visitors and prisoners to view each other from approximately the waist up. There is an intercom system that is used for audio contact between the visitor and the prisoner. These booths also have side panels that reduce the noise between visitors.

925.2.1 DEFINITIONS
Lodging: Any time an individual is arrested and printed for jail purposes. This includes process only’s and probable cause arrests.

925.3 SPECIAL ADMISSIONS
The special admission form (Attachment 1) shall be filled out by those requesting admittance. The form must be filled out and signed 3 days prior to the person’s desired visit.

(a) Once the form has been filled out in its entirety, it shall be submitted to the Administrative Assistant or Corrections Records Clerk. A CCH will be ran to check criminal history, warrants and wants, and probationary status.

(b) The CCH information and application will be given to the Administrative Sergeant, on duty sergeant or Jail Commander for review. The supervisor will approve or deny the application based on the suitability of the person to be in a secure area. Factors include but are not limited to:
1. Any arrests (see attached addendum for list of disqualifying crimes, this list will include lifetime denials as well.)

2. Currently on probation or parole.

3. Personal relationships and/or frequent contacts with current or former inmates within the last 5 years.

(c) The form will be returned to the Administrative Assistant who will enter the information into Tiburon. The approved clearance level will also be noted.

(d) Any decisions are at the ultimate discretion of the Jail Commander.

(e) An appeal process is available through the Jail Lieutenant and Jail Commander, if needed.

(f) When the approved person arrives at the facility, they will have their photo taken and the Administrative Sergeant will be notified the photo has been completed.

(g) Expired applications will be reviewed when the person requests to renew their access to the facility.

(h) At time of visit, the approved visitor will sign in and be given the appropriate lanyard representing their level of access.

925.3.1 CONSIDERING FACTORS FOR DENIAL

- Person Felonies – Lifetime denial
- Sex Crimes – Lifetime denial
- Non-person Felonies – 10 year minimum
- Person Misdemeanors – 10 year minimum
- Non-person misdemeanors – 5 year minimum

These serve as a guideline only. The final decision rests with the Jail Commander.

925.3.2 LEVELS OF ACCESS

**Level 1:** Red Lanyard. Non – Secure area only. Must sign in with reception. Ex: Janitorial, Parking lot detail.

**Level 2:** Yellow Lanyard. Sign in with CIC or SGT. Escorted in Secure area. Ex: Legacy, church, AA/NA, repairmen.

**Level 3:** No lanyard needed. Non – Secure, Direct Access to inmates. Ex: Attorneys, Polygraph examiners, private investigators
**Jail Visitation**

**Level 4:** Green Lanyard. Un-escorted access to the secure part of the facility, including direct access to prisoners. These visitors will check in by signing the log in CIC and taking a Lanyard. Ex: Parole and Probation

**Level 5:** No Lanyard needed. The people under Level 5 are full time county employees assigned specifically to the jail and who wear a recognizable uniform. Full un-escorted access to the non-secure and secure areas of the facility. Authorized entry into prisoner areas when deputies present. Authorized use of keys. Ex: Maintenance

Contract employees such as food services, commissary services and medical services, will be issued permanent ID badges and lanyards to be worn any time they are in the facility. All other generic lanyards must be returned prior to leaving the facility.

925.3.3 INTERNAL VISITOR REGISTRATION
Visitors entering the secure area of the jail shall be signed in and issued a lanyard according to the level of access they have been granted. The name of the visitor, reason for visit, and date and time entering the Jail shall be documented on the visitor registration log. When the visitor has finished, they shall return their lanyard and sign out.

Law enforcement personnel, with the exceptions of officers involved in lodgings, transports or intoxilyzer use, shall submit a yellow visit request with their name, the inmate's name and reason for the visit to CIC. Once the visitor has finished, he/she will inform CIC they are leaving the building.

Visitors may include:
- Library Volunteers.
- Sunday church ministers.
- Outside maintenance contractors.

All other service providers that are allowed access to secure areas of the facilities.

The Shift Supervisor or Officer in Charge (OIC) may deny a visitor's admittance to the facility if the visitor has committed acts in the past which threatened the safety and security of the facility or if there is a reasonable belief that the visitor represents a threat to the safety and security, order, discipline, treatment or other legitimate interest of the jail. All admittance denials shall be documented and forwarded to the Jail Commander. The decision to permanently ban a visitor shall be that of the Jail Commander.

925.4 PRIVILEGES FOR MINSTERS
Ministers who wish to visit with prisoners for religious counseling during times other than regular weekend visiting hours shall be given an application form. The chaplain shall indicate to the administrative assistant whether or not an individual is an ordained minister in good standing, if
they are, the chaplain will sign the application with his approval. Jail visitation privileges shall be issued with certain limits depending on each minister’s future interest in working in the Jail:

All ministers shall be given visiting privileges with a one-year expiration date. The visiting privileges shall be canceled on the expiration date unless an extension is requested. A criminal history (CCH) on the applicant shall be run to determine whether or not there is any prior criminal history. The application shall be forwarded to the Shift Supervisor for approval. After the minister has been approved, the minister shall be photographed.

The application, with attached photograph shall be scanned and saved to the Corrections common drive. The minister’s identification shall be verified by looking up their name in the computer. The application shall also list any restrictions that have been placed on their visits, i.e., visiting booth only. The minister’s information shall be entered into Tiburon’s approved visitors list. Ordained ministers may use an attorney booth if one is currently available. Lay ministers will be placed behind the glass.

925.5  PAROLE AND PROBATION

Upon arrival at the facility the probation/parole officer shall complete the standard visit request form and submit it to the Records office for routine routing.

Employees shall confirm identity of the P.O. by requesting to see their credentials, if not personally known to the employee.

Parole and Probation officers are authorized to use the attorney visiting booths to see prisoners. If they choose, they may sign out a green lanyard from CIC and enter the secure area of the jail to see their clients. Officers must sign out and return the lanyard prior to leaving the facility.

925.6  ATTORNEY VISITATION

Attorneys shall be afforded unlimited access to their clients at reasonable times. Upon request, attorneys shall be provided with a schedule of lock down times when prisoner visitation will not be allowed.

Attorneys shall be required to fill out visit request slips for each client that they wish to visit.

All conferences between attorneys and their clients shall be considered privileged communications and shall not be monitored or supervised by Jail staff.

Such conferences shall normally be conducted in the area specifically provided for this purpose. The visiting attorney is responsible for advising corrections staff when a conference has been completed.

Private investigators confirmed as agents of the attorney of record shall be permitted to interview prisoners as representatives of the attorney. They shall be provided the same right to privacy courtesies as the attorney they represent.
Jail Visitation

Attorneys and their representatives are subject to a search of their person and property if there is cause to believe they pose a threat to the safety and security of the Jail. The reason and justification for the search shall be articulated to the shift supervisor before approval is given to request the search. They may refuse the search, but will not be allowed to visit until the Jail Commander determines they no longer pose a threat. Whenever such a search is request or conducted, a detailed written report outlining the incident shall be prepared by the shift supervisor or officer in charge and forwarded to the Jail Commander.

925.7 SPECIAL VISITS
Visits between the news media and a specific prisoner outside of regular visiting days and times must be authorized by the Sheriff or his designee. Cameras shall be prohibited unless prior approval has been received from the Sheriff or Jail Captain.

Requests for special visits by the general public shall be prohibited except under the circumstances listed below. The determination to grant a special visit request shall be made by the shift supervisor for their shift. They shall consider as grounds for granting special visits the following:

- Family emergencies (subject to verification
- Live at least 100 miles from the Jail.
- To make arrangements to dispose of business matters prior to transfer out of county.
- Visitors must call prior to arrival for a special visit. Walk-ins will be denied.
- Special visits shall be limited to 30 minutes.
- Standard visiting procedures and precautions shall be in effect during special visit.
- If a special visit is granted, that person shall not be allowed to visit the prisoner on either of the regular visiting days of that week.

925.8 INMATE SOCIAL VISITS
No one under the age of 18 shall be permitted to visit except for those outlined below:

- Only persons who are sentences for more than 30 days or have been incarcerated in this facility for more than 30 days are eligible.
- No one under the age of 10 is permitted.
- Children must be the child or under the legal guardianship of the person they are visiting.
- The visit must be supervised by the minor’s parent or legal guardian. There must be official documentation presented at the time of visit showing the relationship to the inmate and the supervising adult visitor.

Minors 16 and 17 who are legally married to an inmate may visit without supervision with proper documentation.
Jail Visitation

Each prisoner shall fill out an Active Visitor List, which will consist of up to ten persons who may be allowed to visit that inmate. Only three juvenile names may be included on the list. Names on the Active Visitor List may be added by completing a kite.

Persons named on the Active Visitor List are required to call the Jackson County Jail the preceding Friday between 0800 and 1900, to schedule a visit for the weekend.

Prisoners may receive one, thirty (30) minute visit on both Saturday and Sunday with a maximum of two visitors per half hour, depending on their housing assignment.

Visitors may visit a prisoner once per week.

Prisoners may refuse to visit by advising a deputy.

Prisoners serving weekend sentences, or who are in transit, shall not be permitted visiting privileges except by law enforcement officials or attorney of record.

Visiting between prisoners shall not be permitted.

A maximum of two persons may visit a prisoner during a scheduled visiting session.

Photo identification shall be required of all visitors.

 Corrections staff shall limit the number of prisoners visiting each session to no more than eight.

Prior to entering the visiting area, visitors shall be advised they may not smoke; they are to leave all personal items (purses, umbrellas, cell phones etc.) outside of the visiting area; and that only one visitor at a time shall be allowed in the visiting booth.

There is no expectation of privacy during social visits. Such visits may be monitored by staff. Notice of this shall be clearly posted in the visiting area of each facility. Visitations between prisoners and their attorneys and duly ordained ministers shall not be monitored.

General visitation is a privilege and can be suspended through disciplinary action, or if it is determined that the visit is a threat to the safety and security of the facility or other legitimate penological interest of the jail. Visitors may be subject to pat-searches and required to pass through a metal detector. A visitor may refuse to be searched and may leave, forfeiting their visit. If a deputy has reasonable suspicion to pat search a visitor, the visit shall be denied. An unclothed search of a visitor is not authorized. If a deputy believes there is probable cause to request a strip search of a visitor, the visit will be denied. Detailed documentation of any denial of visitation shall be forwarded to the Jail Commander.

Visitors will be ineligible to visit if:

- Conviction or pending charges of introducing contraband, attempting or conspiring to introduce contraband as defined by ORS 162.185. This violation will result in permanent restriction of visiting.

- Possession, control, delivery, attempt or conspire to possess, control or deliver an explosive device.
Jail Visitation

- Assisting, attempting or conspiring to assist in an escape.
- Any person currently on Parole or Probation.
- Any person incarcerated in this facility in the last year.

925.9 CONTACT VISITS WITH MINORS
Contact visits with minor children are prohibited unless ordered by the courts.

The child must be accompanied by a parent or legal guardian. Official documentation will be required.

The visit will be directly supervised by a deputy.

All child carriers and diaper bags shall be searched prior to the visit. The deputy may request that infant’s diapers be changed at that time. Except under exigent circumstances, deputies shall not physically handle infants.

Visits shall be thirty minutes in duration.

Upon completion of the visit, the prisoner shall be subjected to an unclothed search prior to being returned to the housing unit.
Prisoner Movement & Transport

926.1 PURPOSE AND SCOPE
It shall be the policy of this office that prisoners shall be transported in a safe and secure manner. All prisoner movement from one location to another within the jail and justice building facilities be controlled and supervised by staff members. This shall include all individual and group movement.


926.1.1 DEFINITIONS
Labor: When physical signs indicate that contractions are progressing to closer than three (3) minutes apart resulting in cervical effacement and or imminent delivery.

Postpartum Recovery: Period of time within two hours post delivery or longer based on the inmate's specific medical condition as determined by the physician.

Emergent Circumstances: May include the inmate refusing to remain in the area required for the birthing process, an unruly and disruptive inmate that attempts to cause physical harm to hospital staff or the corrections deputy. An inmate attempting to escape custody, or other emergent circumstances as documented by the corrections deputy.

926.1.2 MOVEMENT
Prisoner movement shall be monitored by staff members at all times. Prisoners shall be escorted or directed to and from the elevator and shall be removed by a staff member at the destination floor. All prisoners leaving or returning to assigned housing units are subject to a "pat" or "frisk" search. Should justification exist, an unclothed search will be conducted. All searches will be performed in a professional manner. All prisoners being moved to the Justice Building, Court House or Juvenile Center shall be restrained.

A pregnant inmate requiring transport should be restrained in the least restrictive way possible, consistent with legitimate security needs and based upon risk and other factors unique to each inmate. While in restraints, a corrections deputy must directly observe a pregnant inmate at all times. Generally, restraints should not be used during transport or at the medical facility on an inmate who may be in the 3rd trimester of pregnancy, during a medical emergency, while in labor, during delivery, or in postpartum recovery. Only under emergent circumstances shall a pregnant inmate in the 3rd trimester or in active childbirth be restrained, but in no case shall leg irons or waist chains be used on a pregnant woman in their 3rd trimester of pregnancy. Jail staff shall conduct a risk assessment and develop a transport plan for an inmate determined to be pregnant in the 3rd trimester prior to transport. Information packets detailing requirements required by policy shall be provided to the corrections deputy involved in the transportation of pregnant inmates and medical providers attending to pregnant inmates and to inmates who have recently given birth.

While restraints are intended to prevent escape and control violent inmates, thus preventing injuries to inmates and staff, a pregnant inmate may conceivably be injured by the use of restraints.
Prisoner Movement & Transport

or the restraints could unduly restrict medical processes. Thorough review of circumstances particular to inmate’s specific medical condition and security risks is essential. Correctional facilities shall only consider emergent circumstances in the use of restraints of pregnant inmates to avoid liability arising from claims that staff members were deliberately indifferent to the restrained pregnant inmate’s needs or that restraints were used in a malicious, unreasonable, or wanton manner. This restriction should remain in place for a period of time as determined by the attending physician and with the approval of the jail commander or designee. In the event the deputy determines that emergent circumstances exist, the deputy should be required to fully document the emergent circumstances that led to the use of restraints, including the rationale for selecting the restraints that were applied. When conducting a risk assessment, considerations should include:

- Criminal charge and history
- Classification level
- Disciplinary history
- Special housing needs
- Assault history
- Escape history
- Potential for external threat discovered through jail intelligence information

Armed deputies shall enter the Justice or Juvenile building using the main entrance. The armed deputy assigned to the courtroom shall position him/herself inside the public entrance to the courtroom.

926.1.3 TRANSPORT
Deputies transporting prisoners from a correctional facility shall not communicate the name, facility of departure or destination of the prisoner over monitored radio channels. Deputies shall notify ECSO via telephone prior to departure of their destination, the number of prisoners and the prisoner’s gender. Deputies shall only check in and out and supply vehicle mileage as required over the radio.

Prisoners shall be searched when entering the facility by the receiving deputies and when leaving the facility by transporting deputies. The transporting deputies shall confirm the identity of every inmate transported from a correctional facility. A body count shall be made at each stop the transport makes. Seat belt usage shall comply with ORS 811.215, Section 6.

When transporting a prisoner for custody in another correctional facility, the transporting deputies shall obtain medical records, facility transport documents, a current photograph, any major discipline documentation and court sentencing documents for each prisoner. These documents will be placed in the front portion of the sealed property bag. For interstate transport, the transporting deputies must also obtain an original governors warrant or an original, signed waiver of extradition from the court.
Prisoner Movement & Transport

All prisoners will be transported by armed deputies. Commitments for the Department of Corrections will be transported to the Coffee Creek Corrections Facility by the Intrastate shuttle system. When possible, transfer will occur within seven days of receipt of commitment papers from the court. If the inmate is under death sentence, the warrant ordering the execution shall be delivered to the Director of the Department of Corrections or his designee at the Oregon State Penitentiary.

Only the property that can fit easily into a clear plastic bag (no commissary items, shoelaces, excess clothing, sharps, suitcases, backpacks, etc.) shall be transported with the prisoner. The transport Deputies shall have the final decision on what property is acceptable.

Transfer of Pre-Trial / Sentenced Inmates

Pre-Trial detainees should not be transferred to an out-of state facility, unless the transfer is court ordered or pursuant to an inter-governmental agreement. Requests for this type of transfer shall be reviewed by County Counsel. Pre-Trial detainees shall not be transferred to another county if the location of the receiving facility would result in denying the inmate access to counsel. Convicted inmates may be transferred to facilities in or out of state so long as conditions of confinement do not violate the constitution.
Restraint Chair Use

927.1 PURPOSE AND SCOPE
It is the policy of the Jackson County Jail to use the restraint chair to restore order, control combative and aggressive inmates, protect inmates from self harm and to stop or prevent the destruction of property. The restraint chair will be used without excessive force and is not applied as punishment or retaliation. A supervisor must approve the use of the chair and Medical will be consulted if necessary.


927.1.1 GENERAL INFORMATION
The use of the restraint chair, in and of itself, is not a use of force. It is recognized that force may be required to place a resistive prisoner in the chair. The restraint chair is a molded plastic chair supported by a steel framework and equipped with four nylon restraint belts. Three of the restraint belts are retractable and are used to restrain the upper torso. The fourth belt is not retractable and is designed to restrain the lower legs. The restraint chair is not designed to cause pain or injury. PROCEDURE: Every effort shall be made to avoid injury to anyone during the process of restraining a prisoner in a restraint chair. The following checks shall be conducted on prisoners restrained in the restraint chair. Check the handcuffs and/or wrist restraints for fit and confirm that the handcuffs are double locked.

(a) When the prisoner is handcuffed behind the back, make sure the hands are properly located in the well designed for that purpose.

(b) A visual check of the prisoner shall be made at no greater than fifteen (15) minute intervals. If handcuffed behind the back, check for proper capillary refill, signs of physical injury, or complaint of numbness to the wrists.

(c) Leg-irons and/or leg restraints, when used to secure the legs, shall be checked for fit and to ensure that the leg irons have been double locked. The shift supervisor or officer in charge is responsible for confirming that the listed checks have been completed and documented.

A back support, purchased from the chair manufacturer, shall be in place when a prisoner is restrained in the chair using the handcuffs and/or wrist restraints that are attached to the chair frame. The back support shall not be used when a prisoner is restrained in the chair with the hands cuffed behind the back. The nylon restraint straps shall be properly secured and tightened so as to prevent the prisoner from getting free. The tightening of the straps beyond that which is reasonable and necessary to maintain control of the prisoner is prohibited. The padded helmet shall be placed on prisoners who are spitting. The padded helmet may be used to prevent biting, head butting, etc. The chair shall be located far enough away from the wall to prevent a prisoner from striking the wall with the head. The chair shall remain in an upright position while occupied. The chair may be tilted back or placed on its back in order to secure the legs, if such a procedure is necessary. Under no circumstances shall the chair be left on its back after the prisoner has been
Restraint Chair Use

completely and properly restrained. When restraining a prisoner in the restraint chair, officers shall be alert to complaints of injury or pain by the prisoner.

(a) When such complaints are voiced or detected, officers shall follow up to see if there are any visible surgery or wound scars. Question the prisoner as to the injury.

(b) If your investigation does not verify injuries, document your examination.

(c) If your investigation does verify pre-existing injuries, consider the alternative control options you may have, such as leaving the legs free. If officers are unsure how to proceed, consult your shift supervisor.

(d) Upon verification of pre-existing injury, request the on duty or next available on duty nurse to conduct a physical assessment of complaint.

Each time a prisoner is placed in the restraint chair, a segregation form shall be initiated (Refer to Attachment 1). This form shall be complete, giving the reason for placement into the chair, the times of the checks, and other pertinent information, such as the method of restraining the limbs. Should the threat to the jail continue and the prisoner remain restrained, the supervisor or officer-in-charge shall personally examine the prisoner at least every 30 minutes. Documentation of this check shall be made on the segregation log initiated when the prisoner was initially placed in the chair.

(a) Factors to be considered by the assessing supervisor shall include, but shall not necessarily be limited to, extreme agitation, continuous struggling against the restraints, hallucinations, signs of mental disorder or signs of Delirium Tremens (D.T.’s).

(b) At any time a medical review or mental health assessment appears reasonably necessary, the supervisor or officer-in-charge shall notify the proper medical authority or transport the prisoner to a hospital. At any point the prisoner is no longer a threat, the prisoner must be released from restraint.

If a prisoner is restrained in the restraint chair for more than one hour, the supervisor or officer-in-charge shall notify on duty medical staff. If there is no medical staff on duty, the supervisor or officer-in-charge shall notify the on-call medical staff who will determine if the person may remain in the restraint chair for another hour. If the prisoner remains a threat after two hours in the restraint chair, they shall be examined by medical personnel, either on-duty medical staff or at the hospital. If an O.I.C. is in charge, he shall notify a Corrections supervisor of any delays in the prisoner's transport. The threat of physical resistance shall never override the necessity to transport a prisoner to a hospital.

(a) In the event the prisoner is extremely physically violent and transport by corrections staff would pose a real and unacceptable threat to the safety of the transport officer(s), a division supervisor or a member of the medical staff (to include department EMT’s) can determine that the prisoner shall be transported by ambulance. EMT protocols
allow for the use of chemical restraints which could reduce the degree of threat posed by the prisoner.

(b) In the event an ambulance is summoned, corrections staff shall not recommend the use of any medical technique or drug to control the prisoner. That decision shall rest solely with the senior medical person on site as determined by their protocols. If any drugs are given to the prisoner, the prisoner shall be transported to the hospital by the ambulance.

It is recognized that prisoners may be released from a restraint chair for short periods of time in order to use the bathroom facilities if it appears that the prisoner may no longer be a threat. If a prisoner is returned to the chair after short periods, the above time frames shall run from the time of the initial placement in the chair.

(a) The chairs, back supports, and the padded helmet shall be cleaned with a 10:1 mixture of water and bleach in accordance with current O.S.H.A. regulations.

(b) After each use the chair restraint straps shall be retracted and readied for the next use.

(c) Officers shall report any defective parts of the chair on the maintenance request forms. Any damage or defect that could affect the ability of the chair to safely and effectively restrain a prisoner shall be cause to remove the chair from service until repaired.
Food Service & Nutrition

928.1 PURPOSE AND SCOPE
It shall be the policy of this office to provide prisoners with three nutritious and wholesome meals daily, two of which shall be hot.


928.1.1 GENERAL INFORMATION
Food commodities shall be accounted for, stored, prepared, and served under direction of the Contract Food Service Provider.

The food service section sanitation, storage, and food preparation processes shall assure compliance with current health bureau standards, administrative rules, and sound fiscal practices. Standardized menus are prepared and reviewed quarterly by contracted employees. Menus are sent for review annually by a registered dietitian. Menus shall be approved by the jail commander. Alteration of the menu or withholding of food as punishment is prohibited.

The inmate feeding schedule shall allow no more than 14 hours between any meal and will be served in the day room area away from toilet facilities when possible. Inmates shall be given at least 15 minutes to eat the meal.

928.1.2 STANDARDS
All sworn and support employees and prisoner workers shall conform to proper personal cleanliness, grooming, and hygienic practices while engaged in food service activity. This includes washing hands thoroughly, immediately upon entering the food service section, after using the toilet, or as often as needed to remove any contamination. To ensure compliance, paid culinary employees shall inspect all workers for proper hair restraint and cleanliness immediately preceding preparation and service of each meal, and routinely throughout the workday.

The jail kitchen shall be inspected daily for cleanliness. The inspection shall meet the standard set by the Jackson County Health Department. Any deficient areas shall be cleaned to standard. Maintenance issues shall be reported to the shift supervisor.

Insulated food trays shall be prepared as directed by the culinary employee and loaded onto the serving carts in the kitchen area. Before and after each prisoner meal service, a beverage shall be served. A corrections deputy shall count the trays, bowls, and cups as they are being issued to and retrieved from the cells/housing units. This count is to ensure that every prisoner receives their ration and that the correct number of trays issued are recovered. Corrections deputies shall be responsible for preventing the introduction of contraband into prisoner housing units.

Sack lunches shall be provided to those prisoners who will be absent from the facility during normal meal times. Special diets may be approved by the jail's medical staff for legitimate
medical purposes, or by the bureau supervisor or designee, for legitimate and confirmed religious purposes.

Contract Food Service Provider employees shall keep a record of all special diets, including content, receiving prisoner, date ordered, ordering member, and date stopped. Disruptions in food service operations are to be brought to the attention of the Contract Food Service Provider employees and shift supervisor.

The Jail Captain or his designee will act as a liaison between the jail and the food services manager to monitor the contractor's performance. Accurate daily accounting of prisoner meals served shall be maintained by the Contract Food Service Provider employees with data provided via daily population census for billing purposes.

A daily inspection shall be conducted by the Contract Food Service Provider staff member. The inspection shall be documented on the Food Service Daily Inspection Report form. The Contract Food Service Provider is responsible for maintaining these records. At least once during each shift, an assigned deputy shall account for the knives and several other sharp utensils stored in the kitchen. The documentation of the search shall be recorded on the shift count sheet.

Requests for contracted meals by Immigration and Customs Enforcement shall be recorded on the "I.C.E Sack Lunch Record" form. The form shall be completed by the shift supervisor or officer-in-charge receiving the request from ICE, forwarded to the Contract Food Service Provider staff for completion and then forwarded to the Corrections Bureau Administrative Assistant.

In the event the kitchen is unavailable to prepare meals, arrangement shall be made with the Community Justice Work Center in Talent to utilize their kitchen. Primary responsibility for the supervision of inmate workers assisting in meal preparation and clean up is the responsibility of the contract food service provider. Corrections staff are still responsible at all times for safety and security issues in the kitchen.
Clothing, Bedding & Hygiene

929.1 PURPOSE AND SCOPE
It shall be the policy of this office to exchange prisoner bedding, linen, and clothing regularly in order to ensure the health and safety of all prisoners and employees. The Corrections Bureau will provide all prisoners the supplies, facilities, and opportunity to maintain acceptable standards of personal hygiene.


929.1.1 CLOTHING & BEDDING

- Clothing and towel exchange for each prisoner shall occur twice each week. Linen exchange shall occur once each week. Footwear shall be exchanged as needed.
- Clothing shall consist of one 'T' shirt, one pair of underpants, one shirt, one pair of pants, and one bath towel. Linen consists of one pillow case and two sheets.
- Female prisoners may retain one personal brassiere in their possession providing it does not contain wire supports.
- Blankets shall be exchanged on an as needed basis as determined by an inspection. Mattress covers shall be exchanged once each four weeks.
- Mattresses and pillows shall be covered with a staph check or similar type cover to retard bacteria growth and fires as approved by the Oregon Fire Marshall and the Oregon State Health Department.
- All mattresses, pillows and blankets, prior to being issued to prisoners, shall be inspected for state of repair and structural integrity. Those deemed unserviceable shall not be issued.
- When a prisoner is released from custody, all bedding shall be removed from the cell. The mattress and pillow shall be cleaned and sterilized and the linens and blankets laundered.
- Deputies shall inspect each item of clothing and bedding exchanged for damage, misuse, or possible vermin infections. Items that are damaged at time of exchange shall be sorted and sent to the sewing room for repair.
- Deputies shall ensure that no other articles of issued linen or clothing are held back by prisoners. Prisoners infested with vermin shall have all clothing and bedding items exchanged following medical attention. Infested items shall be collected separately from routine laundry, secured in a yellow plastic bag, and laundered separately, or destroyed.
Clothing, Bedding & Hygiene

• Excessive damage to clothing or bedding articles shall be reported to the shift supervisor. Deputies shall inspect all bedding and clothing taken to and from the laundry room for purposes of contraband control.

• All exchanged clothing and bedding shall be laundered in the Jail's laundry facilities.

Completed exchanges shall be recorded in the Tiburon system.

Prisoner's Personal Clothing

A. Prisoner's personal clothing shall be laundered only if:

The clothing has been soiled by urination or defecation, or in such condition, which presents a potential health or safety hazard. These items shall be handled in accordance with any applicable OSHA standards. Clothing soiled with gasoline or other flammable substance shall be removed from the facility and disposed of or cleaned at the prisoner's expense. The clothing is fabricated from material suitable for laundering rather than dry cleaning. Shift supervisors are authorized to approve other exceptions as circumstances may warrant.

B. The VC deputy shall be responsible for ensuring that clothing which needs laundering is cared for in a proper manner. When laundering has been completed, the clothing shall be returned to the clothing storage room, placed on a garment bag with the property tag, covered with a plastic bag and then hung on the corresponding numbered hook. Articles of clothing laundered shall be compared against those recorded on the prisoner's inventory card prior to being placed into storage.

Laundry Operations

A. Laundry workers shall receive specific instructions from the utility deputy regarding the operation of the equipment and work product expectations.

B. Rubber gloves, plus other protective clothing, shall be available in the laundry and used as required by OSHA.

C. The laundry shall be inspected daily by the VC or Female Station deputy to insure cleanliness and compliance with operative directives.

929.1.2 PRISONER HYGIENE

Every prisoner, at time of lodging, shall be issued personal hygiene materials consisting of:

Toothbrush, 1 Tube of toothpaste, 1 Palm brush, 1 Bar of soap, 1 Pencil, 2 sheets of paper, 2 envelopes, and a Prisoner Information Manual.

With exception of the manual, these items are contained in a Lodging Packet. A fee is deducted from the prisoner's account to pay for the items. Deputies shall inform prisoners that the Prisoner Information Manual outlines the procedure for obtaining replacement hygiene items. Replacement hygiene items are available to all prisoners on commissary. Prisoners without funds may obtain...
"No Funds" items on the commissary during the weekly order. Prisoners that order "No Funds" items and have money on their account shall be charged for those items.

- Razors may be obtained by using the sign-up sheets placed in the cells during the evening hours. The razors will be given during lights on (opening) and collected after second cup. There is no charge to prisoner accounts for the razors.
- Toilet tissue shall be issued at resource cart time. Sanitary napkins shall be available for female prisoners upon request.
- Nail clippers and hair care equipment shall be stored in each designated station when not in use. Such equipment shall be issued on an as needed basis during recreation. The shift supervisor shall be notified of broken or missing equipment.
- Each prisoner shall have a working toilet and sink available to them. With the exception of separation units, each prisoner housing unit has a common hot water shower(s) available for use seven days per week. Hot water for the sinks and showers will be thermostatically controlled not to exceed 120 degrees.
- Jail issued clothing, underwear and towels shall be exchanged twice weekly per the rotation schedule. Prisoners shall exchange linen (sheets and pillowcase) during the weekly exchange. Blankets and mattress covers are exchanged on an "as needed" basis after staff inspection.
- Prisoners shall be required to shower no less than three times per week. Replacement soap shall be obtained from the resource cart. Deputies have discretion to dispense soap as needed.
Programs, Educational, Recreational & Institutional

930.1 PURPOSE AND SCOPE
It shall be the policy of this office that prisoners in custody be afforded the opportunity to take advantage of the recreational and educational resources of the facility. The Jail has opted to provide the following programs: non-denominational church services and library. In an effort to ensure that prisoners have access to recreational facilities, both indoors and outdoors, prisoners also will be encouraged to exercise in their cell and day room areas.


930.1.1 EDUCATIONAL PROGRAMS
Participation in any program provided by the Jail is a privilege and not subject to the grievance process. Participation in any program may be suspended or terminated based on the behavior of a prisoner.

LIBRARY

- Prisoners shall be given the opportunity to take advantage of the educational and recreational resources available through the operation of the in-house library facilities.
- Prisoners shall be allowed to use the library cart once per week at a minimum, except as outlined below.
- Prisoners may not have in their possession more than five (5) items at any one time.
- Deliberate damage to library materials may result in disciplinary action against the offender.
- Sworn corrections staff will be responsible for placing the library carts into the cells once a week.
- Volunteers from the community may be utilized to maintain, repair and sort the library materials as available.

OTHER PROGRAMS:

- Other self-help programs including cognitive restructuring, GED and AA/NA are available at the Community Justice Work Center for prisoners who meet the criteria set by Community Justice.
Jackson County Sheriff's Office
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Programs, Educational, Recreational & Institutional

- Other programs such as, but not limited to: GED, drug/alcohol counseling and sex offender treatment are available through private and public institutions in the community.

EXCEPTIONS TO PARTICIPATION IN PROGRAMS: Prisoners may have their ability to attend programs offered in the jail restricted based upon any of the following:

- Prisoners who pose an immediate threat to the safety and/or security of the facility, other prisoners, or staff members.
- Prisoners who, as a result of a disciplinary action, have lost program opportunities.
- Prisoners who have abused the privilege of attending these programs may be suspended from them.
- Prisoners who have multiple keep-aways in the jail.

930.1.2 RECREATIONAL PROGRAMS
Each housing unit shall contain at least one copy of the exercise booklet titled "Health Exercises In and Out of Your Cell." Deputies are to encourage prisoners to read and utilize the exercise program in their housing unit.

Prisoners shall be given the opportunity to take part in leisure time activities outside of their sleeping area on a daily basis unless subject to disciplinary/administrative segregation. These activities may include, but not be limited to television, games, recreational reading and in-cell/unit aerobics exercise. Prisoners shall have access to recreational facilities, both inside or outside, including their assigned day room, at least two times weekly for one (1) hour each time, with the following exceptions:

A. Prisoners who have suffered loss of recreational privileges due to disciplinary action.

B. Prisoners in transit to other corrections facilities whose stay with this bureau is less than seventy-two (72) hours.

C. Prisoners who pose a definite threat to the safety and/or security of the facility, other prisoners, or the staff.

D. Prisoners who have a medical restriction for such activity.

Prisoners may be drawn from various housing units. Careful attention must be paid to the mix, and a review of the most current keep-away list must be made before mixing prisoners from different housing units. The number of prisoners placed in the outdoor recreation areas shall be left to the discretion of the on duty staff. Responsibility for avoiding overcrowding of the recreation yards shall rest with the on duty shift supervisor. In the absence of an on duty shift supervisor, the responsibility shall rest equally upon the Deputy in charge and the floor manager.
Juvenile prisoners shall not use any of the recreational facilities whenever adult prisoners are in the immediate adjacent area. For outdoor recreation facilities, female prisoners may use either side of the recreation facilities. When either the outdoor or indoor recreation areas are used by female prisoners, the blinds shall be drawn by the deputy assigned to monitor recreation. The indoor recreation unit (multipurpose room) may be used during inclement weather or at any other time deemed appropriate by the shift supervisor.

During periods of extreme heat, cold or ice, the prisoners' safety and well being must be considered. In these situations, use the indoor recreation area.

Prisoners housed in administrative separation shall receive opportunity for five (5) one hour sessions of recreation per week except as indicated above. If the prisoner is housed in a separation area that has an attached day room, they may be allowed out into the day room area for one and one half hours per day. One-half hour of this time is for cell cleaning and personal hygiene and the other hour may be considered a recreational period.

During recreation periods, prisoners engaging in "horse play" or any other activity likely to result in injury or damage to any other person or any part of the physical plant or observed engaged in improper behavior by any staff member, shall be cautioned. Failure to heed to the caution shall result in the offending prisoners being returned to quarters. Such activity may also result in formal disciplinary sanction.

Prisoners shall be frisk searched to and from any recreation area. All recreational periods shall be logged on the appropriate recreation/library log. Prisoners housed in separation shall have their recreation logged into the Tiburon system as well. Deputies shall make periodic inspection of all recreation areas for safety and security purposes and document each inspection. All recreation in the multipurpose room and/or outdoor recreation areas shall be monitored by at least one corrections deputy.

930.1.3 INSTITUTIONAL PROGRAMS

Prisoners under court commitment to the custody of the sheriff may be required to participate in work assignments, ORS 169.170 and ORS 169.320. All prisoners are required to participate in housekeeping details, which pertain to their respective housing areas.

Refusal of a sentenced prisoner to participate in work assignments may be construed as a refusal to comply with a proper order of a corrections deputy and may subject the prisoner to disciplinary action. Pre-trial or pre-sentence prisoners shall not be required to engage in prisoner worker assignments except as outlined above. All prisoners may elect to participate in voluntary programs. No prisoner may refuse to take part in any program, which is mandated.

**Mandated programs:**

- Unit housekeeping.
- Entrance physical examinations as may be required by policy or state statutes.
• Specific court or a supervisory authority order for special programs such as alcohol or drug treatment.
• Safety program requirements.
• Health programs which affect the environment of other prisoners.

Programs optional to prisoners:
• Religious counseling.
• Social services and counseling.
• Mental health services.
• Library services.
• Recreational activities.
• Mail and visiting services.
• Contact with attorney or legal representation.
• Prisoner worker assignments
• Others as available
Commissary

931.1 PURPOSE AND SCOPE
It shall be the policy of this office to maintain a prisoner commissary program that is efficiently managed, and fiscally accountable.

Oregon Jail Standards: F-102, F-301, F-302, F-303, F-304, F-305, F-306, H-105

931.1.1 PROCEDURE
Prisoners may purchase approved items once per week through the jail prisoner commissary. Commissary order forms list all available items for purchase and are available in each housing area or from the staff.

Order forms must be correctly filled out and available for pickup by staff no later than lock down on a pre-designated night. Completed forms will be turned over to the commissary provider for processing and distribution. Commissary will normally be distributed on Friday or Saturday. The maximum amount that can be spent per week will be determined by the Jail Captain and will be posted in each cell block.

Prisoners with no cash can order indigent kits each week. The contents of the kits are listed on the order form. The posted cost for the kit will be charged to the prisoner’s account. The maximum number of an item that can be ordered is printed in red on the commissary list posted in each cell block. This is also the maximum number of the items that can be possessed. More items than that listed will be considered contraband and will be disposed of.

Prisoners who have lost commissary privileges as a disciplinary measure shall continue to receive writing/mailing items, hygiene items and non-prescription medications unless such revocation is specifically directed by the Jail Captain or designee.

Office profits received from commissary shall be forwarded to the Administrative Bureau. Profits which are generated by the commissary will be managed by jail staff to purchase approved items for prisoner use. These purchases may include but are not limited to, televisions, indigent kits and postage, library books, recreation equipment, or any other items the jail commander deems necessary for prisoner use.

The commissary provider is responsible for all accounting and inventory procedures, the processing and distribution of commissary, and all related documentation, including signed receipts. The commissary provider will assist in providing any documentation or assistance needed during any financial audit.
Sentence Computation Requirements

932.1 PURPOSE AND SCOPE
It shall be the policy of this office to accurately compute release dates as required by court order for each prisoner committed to the Jail.

Oregon Jail Standards: A-108, B-104

932.1.1 DEFINITIONS
Release Date: Date of prisoner release from facility to either another jurisdiction or in to the community.

Projected Release Date: Date of prisoner release if all variables remain unchanged.

Commitment Papers: Document signed by the sentencing judge or duly authorized officer of the court, authorizing incarceration of the prisoner.

Time Served to Apply (TSTA): Time incarcerated on a specific incident prior to the sentencing date that is deducted from the total sentence.

Concurrent: Two or more sentences which are being served at the same time.

Consecutive: Two or more sentences which are being served in sequence.

932.1.2 PROCEDURE
The records supervisor and an administrative assistant shall be responsible for the computation and verification of release dates for all prisoners sentenced including 10 day judgments. The release date calculation for all future release dates shall be maintained in the prisoner’s jail jacket. If the release date has passed, the information may be maintained in the Tiburon records management system. The sentence computation calculation shall be completed on all prisoners who are committed to the Jackson County Supervisory Authority or the Jackson County Jail.

Following the arrival of a newly committed prisoner or the sentencing of a prisoner already in custody, the commitment papers shall be examined. The commitment papers must include the prisoner’s name, the court case number, the charge, length of sentence, reporting time or effective date, TSTA, NO TSTA, or TSTA from date of this arrest only and whether the charge is concurrent or consecutive with any other sentenced charges. See Miscellaneous General Order No 04-02 from Jackson County Circuit Court re: credit for time served on consecutive sentences.

A. Per ORS 137.123, a prisoner cannot be sentenced to a consecutive sentence to a charge that has not been adjudicated.

B. Unless specifically stated otherwise in the judgment, prisoners shall receive credit for all time sentenced even if they do not serve their entire sentence. Prior state good time earned shall be added back. A prisoner shall not receive double state good time.

C. Prisoners who are arrested and lodged in another jurisdiction on Jackson County charges and are then transported to Jackson County shall receive credit for the time served in the other jurisdiction.
Sentence Computation Requirements

jurisdiction but only from the date they were ready to be released to Jackson County authorities. Any time served in another county jail, whether the inmate was transported or not, must be credited as time spent to apply. The only time this would not apply is if the judgment specifically states "no time served to apply" or "time served to apply from date of this arrest only". If an inmate advises they have served time in another county only on this charge the records supervisor, a Corrections Records clerk and/or bureau administrative assistant will follow through to determine if any further credit should be applied.

It is the intent of all judges that if the judgment is silent, they have allowed credit for all time served. This includes both probation violations and new judgments.

Assigned personnel shall complete the sentence computation form as follows:

A. Time credit for good behavior shall be computed according to ORS 169.110.
   • Upon a sentence of not less than 10 but not more than 30 days, one day for each 10 days.
   • Upon a sentence of more than 30 days but not more than 90 days, three days for each 30-day period.
   • Upon a sentence of more than 90 days but not more than 180 days, four days for each 30-day period.
   • Upon a sentence of more than 180 days but not more than 270 days, five days for each 30-day period.
   • Upon a sentence of more than 270 days, six days for each 30-day period. [Amended by 1965 c.346 §3; 1971 c.196 §1; 1973 c.740 §13; 1979 c.487 §11]
     ○ Time credits on sentences of 30 days or longer shall be based on a full 30 day period. (i.e. 45 day sentence, or any other amount under 60 days, shall only receive 3 days good time credit.)

B. At no time is the amount of time served (including credited good time) in the county jail on any given charge to exceed one year (365 days). The maximum a defendant can serve on a one-year sentence is 293 days.

C. Credit for work shall be applied according to ORS 169.120. Trusty time will not be calculated until a prisoner worker is sentenced on ALL charges. A prisoner worker selection report shall be filled out by a supervisor or designee. It shall then be forwarded to the administrative assistant who will calculate the final release date as if the prisoner worked until the duration of their sentence is served. If the prisoner does not continue to work, the trusty time shall be recalculated and time will be added back to the end of his/her sentence.

D. Jackson County prisoners who are housed at a rental bed facility who work as an inmate worker shall receive the same credit as an inmate worker in the Medford jail.
Sentence Computation Requirements

E. Pursuant to ORS 169.120, all trusties shall receive one day credit for every three consecutive days worked, however, in the case of a sentence of not less than 10 nor more than 30 days the credit provided in this ORS are one day of credit for each 10 days of sentence.

Pursuant to ORS 137.375, any prisoner whose release date falls on a weekend or legal holiday shall be released on the first day preceding that day that is not a Saturday, Sunday or legal holiday. The only exceptions are prisoners serving a mandatory minimum term specifically limited to weekends, who shall only be released at the time fixed in the sentence, or if the judgment states the defendant is to serve a specific number of hours, i.e., 24 hours, 48 hours, etc.
Fugitives

933.1 PURPOSE AND SCOPE
It shall be the policy of this office to comply with the Uniform Criminal Extradition Act as it applies to fugitives lodged with the Jackson County Jail.

Oregon Jail Standards: B-207, B-404

933.1.1 PROCEDURES
Fugitive: A person arrested in Jackson County on a warrant originating from another state.

An NCIC/LEDS "hit" and a teletype from the originating agency confirming a warrant and the intent to extradite by the originating agency is needed to accept a fugitive for lodging. If the arresting officer does not possess an abstract or certified copy of the warrant, the records section must obtain one. The warrant copy shall be placed in the prisoner's jail file.

When a fugitive is lodged, the designated employee shall verify that the warrant has been confirmed, and document by whom, by what means, and the date and time. The records deputy shall also prepare waivers of extradition and attach them to the court card at time of lodging. Upon completion of lodging, the records deputy shall forward copies of all fugitive documents and teletypes to the transport section.

When a fugitive is lodged in the jail, the designated employee shall allow the fugitive the opportunity to waive extradition without formality. This will be completed by reviewing all rights as listed on the "Non-judicial Waiver" form and giving the fugitive the opportunity to sign the waiver. Should the fugitive request an attorney or magistrate, or does not understand the rights, the designated employee shall file a fugitive complaint with the district attorney's office, which shall review and complete the complaint. The complaint shall then be hand carried to the court for a judge's signature.

If the fugitive has signed a prior waiver of extradition as a term of his/her current security release, probation, parole or other release in the demanding state, and this agency has received an authenticated copy of the prior waiver of extradition signed by the fugitive, and the fugitive has been properly identified by fingerprints, photograph or other identifiers, he/she may be delivered to the demanding state without formality. Fugitives may be released prior to extradition by order of a local judge on a conditional release, by the originating jurisdiction notifying the Jackson County District Attorney that they shall not extradite, or by posting bail with the originating agency.

Should bail be posted at the originating agency prior to the fugitive being arraigned, that agency must then advise this office by teletype of the posting and include a scheduled court appearance date. Upon receipt of such teletype, the fugitive shall be released from the Jackson County Jail. Bail shall not be accepted locally for a lodged fugitive until after arraigned by a local judge.

Fugitives requiring a court appearance must be arraigned during the first 36 hours of custody, excluding weekends and holidays. If the court does not arraign within the specified time, the transport supervisor shall initiate processes via the District Attorney's office to release the fugitive.
Fugitives

Formal waivers of extradition shall be executed or subscribed to in the presence of a judge of a court of record. When a waiver has been completed, all three originals shall be returned to the transport section. If waivers are signed, the court liaison shall advise the originating agency via teletype including when the fugitive is available for their transport. In the absence of a transport section employee, the shift supervisor shall ensure completion of these processes.

When the originating agency takes custody of a fugitive who waives extradition, the transport supervisor shall forward a copy of the completed waiver to the Oregon Governor's office. If the prisoner refuses to waive extradition, the transport supervisor shall request a governor's warrant and notify the originating agency to begin extradition proceedings. If teletype acknowledgment is not received from the other agency within 24 hours, a second teletype or telephone contact with the originating agency shall be made. If the governor's warrant is not received within the time designated by the local court, the transport supervisor shall notify the local court, which shall continue or dismiss the case.

Upon contact with the originating agency, photos, fingerprints, and a certified copy of the warrant and complaint specific to the fugitive shall be requested from the originating agency. When a governor's warrant is received, the prisoner shall be notified. The warrant shall be secured by the transport supervisor in the designated file with copies forwarded to the district attorney's office, the court, and the defense attorney. The transporting deputy must possess the original governor's warrant and related documents to transport the prisoner. When the originating agency takes custody of a fugitive on authority of a governor's warrant, an action report on the governor's warrant must be completed by the designated employee, then returned with a copy of the prisoner's booking information card, to the Oregon Governor's office. All documents attached to the governor's warrant shall be given to the agent taking custody of the prisoner. Copies of all related documents including teletypes shall be filed in the prisoner's jail file.

Uniform Criminal Extradition Act, ORS 133.743 through ORS 133.857
Prisoner Mail

934.1 PURPOSE AND SCOPE
It shall be the policy of this office to provide a uniform system for processing prisoners' mail while maintaining the Jail's interest in safety and security.


See attachment: Rejected Mail Inmate copy.docx
See attachment: Rejected Mail Sender copy.docx

934.1.1 GENERAL INFORMATION
For the purpose of this policy, a corrections facility is a jail or prison operated by any city, county, state or federal agency where prisoners are confined. Mail from residents of the Jackson County Community Justice Center shall not be accepted since the residents are direct transfers from the Jackson County Sheriff's Office Corrections Jail. This mail can be identified by a return address of 5505 South Pacific Hwy., Talent, Oregon.

The First Amendment of the constitution grants the right to personal communication by mail. However, such communications may be subject to regulation, inspection, and in some cases, rejection. Inspection of mail for the purpose of controlling contraband is a primary interest unrelated to freedom of speech. Inspection is not censorship.

934.1.2 MAIL CLASSIFICATIONS
Mail is classified as being either privileged or non-privileged.

A. Privileged mail is defined in ORS 169.076 (10). Privileged mail is any mail addressed to or from the Governor, Sheriff, Jail Commander, Attorney General, the Corrections Bureau of the State of Oregon, the Judge, Legal Aid, The American Civil Liberties Union (ACLU) or Disability Rights Oregon. Privileged mail also includes mail sent to a prisoner from that prisoner's attorney, mail sent to a prisoner from an attorney that contains privileged information, and mail sent from a prisoner to an attorney.

The words "Legal Mail," "Official Mail," or similar designation must appear on the address side of the envelope. Legal mail addressed to any prisoner must clearly state the prisoner's name on the address side of the envelope. The return address on legal and official mail must have the sender's job, agency, or firm title and address commercially preprinted or stamped. Jail staff will not assume the contents of any letter from an attorney, law firm, or government official is legal or official mail if it is not clearly marked as such. Jail staff will treat mail that is not marked as "Legal Mail" or "Official Mail" as non-privileged mail.

B. There shall be no restrictions on the amount of privileged mail that is sent or received. Failure to sign the property record authorizing mail inspection does not terminate the prisoner's right to receive or send privileged mail.
Prisoner Mail

C. Although not within the list of privileged communicants, messages addressed to a specific corrections bureau supervisor shall be forwarded to the addressee without undue delay.

D. All other mail is considered non-privileged and shall be inspected as outlined in this policy.

E. Privileged mail that is opened by accident shall be marked "opened by accident" and initialed by the deputy who opened the mail. Close attention needs to be paid to the return address on incoming mail since this is usually the only way to identify privileged mail.

934.1.3 PRISONER OUTGOING MAIL

A. Outgoing, non-privileged mail shall not be sealed by the prisoner prior to inspection by corrections personnel. All outgoing mail must include the prisoner's name, Sheriff's Department ID number (SO#) and the jail's return address, otherwise the mail shall be returned to the prisoner. If the prisoner sending the mail cannot be identified, the mail shall be destroyed.

B. Should any corrections personnel have reasonable cause to believe that a particular piece of privileged mail contains contraband, the shift supervisor shall be notified. If the shift supervisor feels the circumstances warrant the inspection of the mail, the supervisor shall advise the affected prisoner. The mail shall be opened and inspected in the presence of the prisoner. Privileged mail shall not be read during the inspection. If contraband or other items as outlined in this policy are discovered when the mail (privileged or non-privileged) is inspected, appropriate action by the supervisor shall be taken. In all incidents where outgoing privileged mail is opened for inspection, a report shall be forwarded to the Jail Captain.

C. Indigent prisoners shall be allowed to order two (2) envelopes and paper to send two (2) non-privileged letters per week. Indigent prisoners will be provided with paper and envelopes for privileged mail. Privileged mail will be mailed via 1st class mail without limit. Each letter shall not exceed one ounce in weight, unless authorized by the shift supervisor.

D. Prisoners shall not be restricted in the amount of mail that they send out with proper postage affixed. Prisoners are limited to sending two pieces of mail per week that are mailed without postage affixed, requiring a deduction from the prisoner’s account to cover the postage.

E. Postal regulations prohibit mail with lewd and/or obscene words and/or drawings on the outer wrapper or envelope. Any envelope or wrapping originating in the jail containing such drawings or words shall be returned to the prisoner. If there is no return address on the envelope, or postcard, it shall be opened to determine the identification of the sender. If unable to determine the identity of the sender, the letter shall be destroyed.

F. Outgoing mail shall be collected from the prisoners during swing shift and processed by graveyard correction’s staff. They shall deduct postal charges from the prisoner’s account for up to two letters/postcards per week. If the prisoner wishes to send out more than two letters/postcards a week, they must purchase stamped envelopes on commissary. A record shall be kept of free postage used by prisoners without funds. Each weekday morning, all processed mail shall be placed in the County mail pick up box by 0700 hours.
Prisoner Mail

G. In the interest of safety and security for all persons (employed or lodged) in the Jackson County Jail and in order to prevent the flow of contraband, prisoners are prohibited from corresponding with other prisoners in any Correctional Facility including the Jackson County Jail.

934.1.4 PRISONER INCOMING MAIL
A. Neither the Jackson County mail services, nor the U.S. Postal Service, deliver mail on holidays and weekends. Therefore, no prisoner mail will be delivered on those days.

B. Prisoner mail is received each weekday and processed according to policy by graveyard corrections staff that night. All approved mail is delivered to the prisoner the next morning. Normal mail delivery is within a 24 hour time period from when the jail receives the mail.

C. Mail received for prisoners no longer incarcerated in the Jackson County Jail shall be stamped "return to sender" the bar code lined through and placed in the outgoing mail drawer. In the case of mail received without a return address, mark "Released" on the envelope and return it to the graveyard shift supervisor for processing. In the case of mail sent from the Public Defender's Office, mark released and place in the Public Defender's mail tray in the main facility's business office. Do not return Jackson County Public Defender's mail through the postal system.

D. To further the legitimate penological objectives of the Jail, all prisoner mail shall be screened. Privileged mail shall be limited to opening the mail but not reading it in the presence of the inmate to whom it is addressed. Non-privileged mail shall be screened by subjecting the mail to a careful inspection for content that poses a threat to the safety and security of the corrections bureau. Outside of safety and security concerns, the inspection of non-privileged mail will be content neutral. Mail is subject to refusal if it contains any of the following:

- A violation of State Law.
- A reasonable risk to jail operations.
- Interference with discipline.

Examples include but are not limited to:

- The letter contains threats of blackmail or extortion, plans for future criminal activities (escape, assault, etc.), information which would create danger of violence to another person.
- The letter is written in code.
- The letter has foreign items or substances on it, i.e., bodily fluids or lipstick, stickers of any type (other than postage stamps or return address labels).
- Prisoner-to-prisoner mail (from any correctional institution).
Prisoner Mail

- Promotes a hostile work environment
- Books not received from a publisher.

E. Any junk mail; to include direct mail advertisements, credit card offers, real estate flyers and other commercial items not addressed to a specific prisoner shall be returned to sender or destroyed if not returnable.

F. Any materials that display sexually explicit content shall not be accepted by the jail. Sexually explicit material can by its nature or content pose a threat or is detrimental to the safety and security of the facility and its' employees. Personal photographs are subject to the same requirements. Determination of whether material is deemed sexually specific will be made by the Jail Commander or his/her designee.

G. Books sent directly from publishers shall not be rejected unless the contents are otherwise prohibited by this policy or court order. Hardbound books are not accepted. Any book, magazine or newspaper in the facility that is found to be altered, or is being utilized for other than informational purposes shall be seized as contraband and processed accordingly. Books and newspapers that are accepted for prisoners shall become the property of the jail upon the prisoner's release.

H. Magazines and periodicals sent directly from publishers shall not be rejected unless the contents are otherwise prohibited by this policy or court order. Magazines and periodicals which are delivered to any inmate will be marked with that inmate's name and will remain in that inmate's possession until the inmate receives the next periodical. At that time the periodical or magazine shall be surrendered for the new one. The item shall remain in the inmate's possession until the inmate leaves custody or releases the item to jail staff.

I. If publications or other prisoner mail is rejected on the basis of content, the entire publication shall be rejected rather than removing the offending pages, passages, words, or items not authorized for retention by prisoners.

J. No materials (cards, letters, publications, etc.) shall be accepted for processing that are larger than a 10 by 13 inch manila envelope except privileged mail. All other materials shall be returned to the sender.

K. In order to determine whether or not prisoners are destroying jail library materials, no outside newspaper clippings, magazine articles or pages removed from books shall be allowed to be sent in through the mail. Limited numbers of photo copied news articles shall be accepted.

L. Packages shall not normally be accepted by the county mail room for prisoners. A shift supervisor may authorize a prisoner to receive a package thru the mail if it is in the legitimate interest of the corrections bureau. Packages authorized by a shift supervisor shall be sent to the jail address, attention the authorizing shift supervisor, care of the prisoner. All perishable items will be disposed of.
M. Criticism of the operation, programs, or personnel of the Corrections Bureau, or of any government agency, shall not constitute a violation of the mail policy unless it advocates an illegal action.

N. Once a letter has passed all of the critical criteria listed, the stamp and address label if applicable, shall be removed from the mail prior to its delivery to the prisoner. This is done to prevent contraband placed behind the stamp or under the label from being introduced to the Jail.

934.1.5 CONTRABAND IN THE MAIL
A. If incoming mail is determined to have illegal contraband in it, a criminal investigation shall be initiated. The letter in question shall be confiscated by the investigating deputy as evidence. A refusal/confiscation form shall be completed and sent to the sender when the investigating deputy clears the sending of the form so the investigation is not compromised. This same process shall be used for outgoing mail.

B. All other contraband shall be handled according to policy. If the contraband is in outgoing mail, the prisoner can be issued a major or minor rule violation and/or charged with a criminal offense.

Mail Rejection Procedures

Prisoners must be protected at all times against an arbitrary invasion of their right to written communications. If a letter written by or addressed to a prisoner is rejected, it is necessary that:

A. If an incoming piece of mail is rejected, a mail restriction/confiscation form (Refer to Attachment 1) shall be completed by a supervisor and enclosed with the rejected letter. The letter and form shall be placed into a new envelope, sealed and returned to the sender. If an outgoing piece of mail is rejected a restriction/confiscation form shall be sent to the prisoner. The letter in question shall be placed into the prisoner's property bag.

B. Notice of the intent to reject incoming mail or confiscation of contraband shall be forwarded within seven (7) days, except as allowed in section 5-A, to the sender with a brief description of the reason for rejection or confiscation. The sender shall be advised of the right to a hearing upon written request, postmarked within seven (7) days of the notice. A hearing shall be held within seven (7) days, if requested in writing by the sender.

C. If no return address is provided by the sender, the item shall be destroyed.

D. The prisoner shall be notified if an incoming or outgoing piece of mail is being rejected and they shall be provided with the reason for rejection (Refer to Attachment 1). The prisoner may request a hearing. For incoming mail, the procedure shall be as listed above. For outgoing mail, the prisoner shall have three days to make a written request for a hearing. The graveyard supervisor shall hold a hearing within three days from receipt of the prisoner's request.

Evidence of Criminal Activity/Seizing of Mail as Evidence

A. If after regular routine screening deputies determine that either incoming or outgoing mail plainly relates to evidence of a past or future crime, the entire personal communication should be seized and forwarded to the appropriate law enforcement agency having jurisdiction.
Prisoner Mail

B. Opening and inspection of mail instigated by prosecutors or other law enforcement officials for reasons unrelated to jail operations or otherwise undertaken for the sole purpose of obtaining information about other past or future crimes is against our policy and shall not occur unless accompanied by a warrant or consent from the inmate.

- Handling of Items Not Allowed for Retention by Prisoner

- Any U.S. Currency, money orders, cashier's check or items not allowed for retention by the prisoner received through the mail shall be handled as outlined below.

A. Funds for a prisoners account shall be addressed to the Jail County Jail, Attention Administrative Assistant, in care of the prisoner. No correspondence will be forwarded.

B. U.S. Currency shall be placed into the cash drawer and added to the cash drawer account sheet. A receipt shall be completed in the prisoner trust account system and the prisoner shall receive a copy of the receipt in the mail from which it was removed. The cash amount shall also be entered into the prisoner trust account system. The original receipt shall be filed in the prisoner's file.

C. Prisoners may receive one money order per week through the mail. Money orders received for prisoners may not exceed $100.00. Money orders and cashier's checks must be made payable to "Jackson County Jail for (prisoners' name)" in order for them to be cashed and the money placed into the prisoner's trust account.

D. Money orders and checks that are not properly filled out shall be returned to the sender. If there is no return address, the items shall be placed into the prisoner's property bag. A mail restriction / confiscation form (Refer to attachment 1) receipt shall be completed and given to the prisoner.

Volume of Mail

A. Storage of large amounts of mail shall be prohibited. Any prisoner who is found to be in possession of one cubic foot or more of non-privileged mail, shall be given the choice on how the excess mail is to be disposed of. The prisoner can choose to have the mail shipped out (at the prisoner’s expense) or machine shredded by a deputy. Any deputy shredding such mail shall forward a report to the Shift Sergeant for inclusion in the prisoner's file.
Law Library Access

935.1 PURPOSE AND SCOPE
It shall be the policy of this office to provide law library access to prisoners in compliance with the state and federal constitutions and case law.

Oregon Jail Standards: F-101, F-103

935.1.1 OVERVIEW

- Upon receipt of a prisoner's written request to use the facility law library, the shift supervisor shall review the request to ensure the prisoner meets the minimum criteria listed below for such use. The request shall either be scheduled or denied and returned to the prisoner.

- Denials of law library use shall be documented and placed in the prisoner's jail file. A copy of the prisoner's request form with the denial and explanation shall be sufficient for this purpose.

- Up to five one-hour sessions per week in the law library may be allowed for those prisoners who meet the minimum requirements.

- The shift supervisor or his designee shall schedule use of the law library.

- If a prisoner abuses this privilege, the privilege shall be terminated and further use shall be at the discretion of the Jail Captain.

- Corrections deputies shall be responsible for close supervision of all law library materials. Law library books shall not be removed from the library. The books shall be checked prior to a prisoner being placed into the law library and again before the prisoner is removed. Any intentional damage to the materials in the law library shall be dealt with as both a criminal act and a major rule violation.

- When a prisoner is placed into the law library, an "event" entry (event code LAW) shall be made into the prisoner's individual record in the Tiburon system.

Civil Matters

A. Prisoners may have access to the facility's law library in order to respond to current legal processes arising out of the dissolution of marriage, small claims, child custody/support, or notice of eviction.

B. Prisoners that are served with litigation papers shall be given a copy of those documents. It is the responsibility of the prisoner to retain their copy and to respond.

C. Sheriff's Office employees or volunteers shall not provide legal advice to prisoners.

D. This office shall not transport prisoners to other jurisdictions to attend civil proceedings.
**Law Library Access**

E. The Jackson County Sheriff's Office shall not prepare civil forms for prisoners. If a prisoner needs assistance, the prisoner shall be referred to the self-help books in the law library for further information.

F. If the prisoner feels the need for legal advice or assistance and cannot afford their own counsel, they shall be referred to LEGAL SERVICES - CENTER FOR NON-PROFIT, 225 W. Main, Medford, Oregon, 97501, 541-779-7291.

**Criminal Matters**

A. It is the practice of the Jackson County courts to appoint attorneys for indigent prisoners. Indigent prisoners do not necessarily have the right to both a court appointed attorney and use of the law library.

B. Prisoners who do not meet the requirements for a court appointed attorney or elect in court to represent themselves, may have reasonable access to the law library.

C. Prisoners who are involved in appellate court proceedings and do not meet the requirements for a court appointed attorney, may have reasonable access to the law library.
Requirements for Institutional Service & Security Inspections

936.1 PURPOSE AND SCOPE
It shall be the policy of this office to maintain high standards of living and working conditions within the county jail. This agency will perform and document security inspections of the Jackson County Corrections facility. These inspections will be documented on records retained on a schedule approved by the state archivist. These records shall be available for periodic review by bureau supervisors.


936.1.1 STANDARDS FOR SERVICE
Ongoing planning, review, construction, or renovation related to the Jail's physical plants shall conform to federal, state, and local laws concerning occupational safety and environmental health standards.

The Jail Captain shall continuously review space and equipment requirements noting any deficiencies in a report to the Sheriff. The Jail Captain shall strive to make the most effective use of available space and equipment and initiate corrective measures when necessary.

Minimum standards for service areas shall include:
A. Activity areas available to prisoners for recreation, visitation and programs.
B. Service areas available to employees for prisoner supervision, records maintenance and equipment storage.
C. Prisoner booking and release areas located inside the security perimeter but outside of prisoner housing areas.
D. Multiple occupancy housing for two or more prisoners who are suitable to group living.
E. Individual cells outside the general housing units for prisoners who require physical separation from all other prisoners.
F. Male and female prisoner housing units separated by sight and sound unless limited by the design of the facility.
G. Exercise areas outside of housing units available for prisoner use.
H. A separate food service area located in the central service area of the facility.
I. Administrative areas for the administrative, custodial, and support employees.
J. Storage areas for operational supplies, equipment and prisoner's personal property.

Division supervisors shall routinely monitor the utilization of bureau facilities to ensure compliance with local, state and federal mandates.
936.1.2 SECURITY INSPECTIONS

Security inspections shall be of two (2) basic types: All areas of the facility must be included routinely in unscheduled inspections.

**Visual Inspection**

For detecting cracked windows, signs of steel filings, cement dust, removal of security screws, tampering with surveillance or monitoring devices or other evidence of tampering or weaknesses such as discolorations or unusual paint tones, unaccounted for or unmarked tools in any unusual locations, as well as fire and safety hazards.

**Tapping Inspections**

May be used to help in the discovery of security windows that have been loosened or otherwise tampered with. A rubber mallet or plastic tap may be used to tap on the windows. Sounds waves are created which, when compared with a norm, may indicate tampering or weakness. No search shall be conducted as a disciplinary measure or to harass. All searches shall be conducted in a professional manner, affording the detainee or prisoner as much privacy as possible consistent with jail security. Searches shall not be punitive in nature but for the safety and security of the jail. Diligence shall be used to ensure authorized items are not destroyed, damaged or seized without proper justification. This shall include respect to legal paperwork that it is not read but scanned and not damaged in the process.

Formal block and cell inspections shall be made on a daily basis. Members making the inspection shall make note of any hazards or other discrepancies and shall advise their supervisor as soon as possible for corrective action. All areas of the facility must be included routinely in unscheduled inspections.

An opportunity to inspect prisoner living quarters more closely is presented each time the occupants are removed for attendance at a facility program. Deputies should take advantage of such opportunities to inspect each individual cell closely for signs of unauthorized activities. Other areas of the Corrections facility open to inmate access, shall be searched on a frequent basis; examples are the Library, Kitchen, medical and Laundry. Frequently contraband, such as alcoholic beverages, material for making alcoholic beverages, tools, narcotic paraphernalia, weapons and escape instruments are found in areas other than housing units. When searching areas such as the medical unit, storage rooms, food service area, etc., it is desirable to have the members in charge of such areas present. This facilitates entrance to locked areas and shall aid in the identification of questionable items. Innocent looking areas are frequently used to hide contraband. Covers or openings on containers, although securely fastened, must be removable. Trash containers, sanitary supplies, elevators and elevator shafts, lockers or places of concealment must be searched.

Deputies are to make periodic visual inspections of such areas at least once each shift. The inspection will be recorded in the Tiburon Corrections Management system as a security check. Areas outside the facility must be included in security inspections. A deputy must inspect receiving areas, both inside and out, public lobbies and restrooms, outside passageway, and doors leading
to and into the facility. At least once per shift, an armed deputy will do an outside perimeter check of the corrections facility.

This perimeter inspection should include outside windows, perimeter fence, sally ports, perimeter doors and locks. The deputy should be observant for any packages, vehicles or person not authorized in any area. The inspecting deputy will sign off the completion of the perimeter check on the shift roster.
Prisoner Telephone Calls

937.1 PURPOSE AND SCOPE
It shall be the policy of this office to provide prisoners the opportunity for personal and legal contacts via the public and prisoner telephone systems.

Oregon Jail Standards: B-311, B-401, D-301, D-302, D-303, D-304, D-305, F-101

937.1.1 TELEPHONE ACCESS
Upon completion of the booking process, prisoners being lodged, except overnights and commitments, shall be given the opportunity to place not less than one completed phone call to the person of their choice. Should a prisoner be a threat to staff, other prisoners, or the facility, the phone call may be delayed until control is regained.

Inmates being lodged shall have access to a telephone. The access shall be within a reasonable time frame following the booking process, unless the booking process has not been completed due to the inmate's lack of cooperation or other delays. Exceptions can be made in situations where an officer's safety might be jeopardized by allowing the inmate to make a phone call, such as while an arrest or search warrant is about or being served.

Per the requirements of Court Order No. 97-6, (see attachment) prisoners shall not be allowed to telephone an alleged victim, absent a Court authorized waiver of the no contact provision.

It shall be the responsibility of the booking deputy to record all calls or attempted calls placed by or for the prisoner at the time of lodging into Tiburon. This entry would include the name of the person and number called.

Unless restricted for disciplinary or security reasons, all prisoners shall be afforded access to the prisoner telephone system as allowed by the posted telephone use schedule. All calls on the prisoner telephone system, local and long distance, shall be collect calls.

Inmates shall have access to a telephone. The access shall be within a reasonable time frame following the admission process, unless the admission process has not been completed due to the inmate's lack of cooperation or other delays. The only reason to delay an inmate's phone call is for reasons of officer safety such as a search warrant is being served where the inmate could contact. The inmate phone system is monitored and there is no expectation of privacy. A warning is included in the inmate manual and signs are posted in inmate housing areas throughout the facility.

See attachment: Court Order 97 6.pdf
937.1.2 OUTGOING PRISONER PHONE CALLS

Unless restricted for disciplinary, safety or security reasons, all prisoners shall have access to the inmate telephone system. With the exception of the initial phone call during the lodging process, all inmate calls, local and long distance, will be collect via the Jackson County Jail's inmate phone system. Exigent circumstances may exist which a prisoner is unable to make a long distance call. These include but are not limited to: immediate family living out of the local area and/or legal counsel outside the local area. A prisoner request form may be sent to the shift supervisor who will decide if the circumstances exist to provide a long distance call at no charge. If deemed allowable, the prisoner will be brought to the booking phone and given a reasonable amount of time to make the call.

Prisoners in general population will normally have access to the phone between the hours of 10:00 a.m. and 11:00 p.m. Phone hours will vary for those inmates in segregation. Those prisoners denied court appointed counsel shall, upon request, be brought to the lodging counter and given an opportunity to place a reasonable number of calls to obtain legal counsel. All of these calls, or attempts, shall be recorded on the prisoner's individual telephone event log in Tiburon.

937.1.3 INCOMING TELEPHONE MESSAGES.

Incoming telephone messages shall normally not be accepted. Corrections employees shall explain this policy in response to such requests. In the case of an alleged family emergency, the employee handling the call shall obtain the name and telephone number of the person calling and shall forward the call to the shift supervisor for disposition. Attorneys requesting telephone contact with a client shall be asked if there is a trial scheduled within seventy-two (72) hours.

- If so, the receiving employee shall assure the attorney that the prisoner shall be given an opportunity to return the call as soon as possible.
- The C.I.C. operator shall be notified and shall have the prisoner brought to the lodging counter telephone.
- The call shall be documented on the prisoner's individual telephone event log in Tiburon by the deputy supervising the call.
- If a trial is not pending, the records deputy shall advise the attorney that permission for the requested call shall be referred to the shift supervisor.
- The shift supervisor shall make the determination whether or not to allow the call.
- Once approved, the prisoner shall be notified within fifteen (15) minutes of the attorney's request.
- The call shall be made on the telephone in the prisoner's housing unit if a phone is available there.
- Other occupants of the affected unit shall be locked down for the duration of the call as required in Stipulated Judgment of Dismissal # 87-6122 ME.
Prisoner Telephone Calls

937.1.4 BLOCKING ACCESS TO TELEPHONE NUMBERS.
If the bureau receives a complaint from a citizen about a prisoner placing calls to them, the staff member receiving the complaint shall make the complaining party aware that their phone number can be blocked. The complainant shall be told that the telephone block will prevent any calls from being made to that number by the prisoner telephone system.

Attempts at three way calling, attempts to intimidate witnesses, and/or attempts to communicate with anyone with whom the inmate has a no contact order may be treated as major or minor rule violations and may also result in additional criminal charges. These numbers will also be blocked in the phone system so the inmate may not call these numbers in the future. The final authority to remove a block on a particular phone number rests with the Bureau Captain.

If the complainant wishes to have the telephone number blocked, the records deputy shall forward the telephone number to the Administrative Secretary along with a note indicating that the number is to be blocked.

937.1.5 HEARING IMPAIRED PRISONERS
There is a TTY (Telecommunications Device for the Deaf) machine in the business office at the Medford jail. This machine may be used by prisoners of the Jackson County Corrections Bureau. This device is for the use of hearing impaired prisoners when they desire to place calls, or for hearing prisoners that wish to communicate with hearing impaired persons that are not in custody.

The TTY is to remain in the business office and/or at the lodging counter. It is not to be placed in housing units, which includes the holding and detoxification cells.

When a hearing impaired prisoner informs a deputy that the prisoner wishes to make a telephone call, arrangements shall be made to bring the prisoner to the TTY machine. The same arrangements shall be made when a hearing prisoner expresses a wish to call a hearing impaired citizen outside the facility. In order to comply with the letter and spirit of the law, access to the TTY must be expeditious. Any extended delay of thirty minutes or longer must be documented and forwarded to the Corrections Bureau supervisor through the chain of command.

- Access to the TTY machine is subject to the same rules and conditions as is access to other telephones in the facility.
- The hours of use are the same (available at the time of lodging, and between 10:00 and 22:00 daily). Hearing impaired prisoners are to have the same access to communications with the outside world as the unimpaired.
- Meal periods, lock-downs, and counts shall not be disrupted by requests for access to the TTY. If a hearing impaired individual should make a request for the TTY and a similar request by a hearing prisoner would be denied, deny the request. If a similar request would be allowed for a hearing person, honor the request.
- The on duty shift supervisor shall be responsible for reviewing denials for use of the TTY.
Prisoner Telephone Calls

- Notices of availability of the TTY have been posted in the Inmate Rule Manual.
- Other reasonable accommodations may be made for those inmates that have difficulty in communicating with other parties.
Prisoner Worker Selection & Compensation

938.1 PURPOSE AND SCOPE
It shall be the policy of this office to provide prisoner workers to meet the daily needs of the office. All prisoners shall be afforded equal opportunity to apply for work assignments regardless of color, sex, creed, race, place of national origin, or disability.


938.1.1 SELECTION
Sentenced prisoners committed to the custody of the Sheriff may be required to perform work in addition to general housekeeping duties (ORS 169.170, 169.320). Pretrial or pre-sentenced prisoners may volunteer for work assignments, but such prisoners cannot be involuntarily assigned to jail labor other than that of routine housekeeping duties. Selection of prisoner workers from general population is primarily a responsibility of the day shift utility deputy. It is preferred that sentenced prisoners be selected as prisoner workers. Selection criteria includes, but is not limited to: emotional stability, ability to understand and comply with instructions, a willingness to work and behave, and reasonable indicators that the selected prisoner shall be a minimal escape risk.

- Only sentenced prisoners shall be assigned outside duties. Un-sentenced prisoners may be assigned to kitchen duties within the facility providing other qualified sentenced prisoners are not available.

- Although primary responsibility for selection and training of prisoner workers rests with the day shift utility deputy, other deputies may select workers for details and tasks, as needed.

Prisoners interested in prisoner worker status may submit a Prisoner Request Form to the utility deputy or shift supervisor. All work requests from prisoners shall be considered to fulfill facility work requirements and meet facility safety and security demands, however, selection, assignment, transfer, and removal from prisoner worker status will be at the discretion of corrections staff. Disabled prisoners may be offered work assignments not inconsistent with their disability or the Americans with Disabilities Act (ADA).

938.1.2 WORK ASSIGNMENTS
Prisoner work assignments and duty hours shall be set by corrections staff. The number of required work assignments shall vary, dependent upon the needs of the Sheriff's Office. Work assignments may be, but are not limited to:

A. Kitchen Worker
B. Laundry Worker
C. Floor person
D. Pod or "House Mouse"
Prisoner Worker Selection & Compensation

Work assignments shall comply with state statutes regarding separate work and living areas for males, females, and juvenile prisoners. Duties of prisoner worker assignments will be determined by corrections staff, with the approval of a supervisor. Additional prisoner workers may be selected and assigned to short term special projects, (floor stripping/ waxing, recreation area cleaning, etc.).

Staff shall ensure that prisoner workers are provided protective clothing when dealing with any hazardous substances, and that prisoner workers will act within OSHA standards and requirements. Ensuring a safe working environment for prisoner workers is the responsibility of the corrections staff. The Sheriff's Office recognizes a continuum of supervision for prisoner workers, ranging from direct, continuous supervision, to indirect, intermittent supervision. The decision of the appropriate level of supervision will be determined by the on-duty staff and will take into account:

A. Facility, staff, and public safety
B. Prisoner worker safety
C. Prevention of the passing of contraband
D. Prevention of escape

All prisoner workers shall maintain appropriate and acceptable personal hygiene standards. Clean clothing shall be provided for inmate workers on a daily basis.

938.1.3 PRISONER RESPONSIBILITIES
Responsibilities of a prisoner worker include obedience to orders, respect for supervisors and corrections personnel, good working relations with other prisoner workers and satisfactory work performance. Prisoner workers shall be held accountable for all rules and regulations set forth in the Prisoner Information Manual. Failure to comply with any of these rules and regulations, or failure to comply with the directions of corrections personnel (sworn or non-sworn) may be grounds for termination of worker status and/or disciplinary actions. Prisoners assigned to work details may be removed from such details at any time for cause.

Examples of cause are:
A. Direct disobedience to orders.
B. Unjustified failure to perform duties.
C. Failure to respect privacy / confidentiality of corrections personnel and materials.
D. Involvement in any manner with contraband.
E. Unauthorized leave from work assignments or the confines of the facility.
F. Involvement in any activity, which could adversely affect the safety and / or security of the facility or its occupants.

Prisoner worker status may be revoked at the request of the kitchen staff, line staff with approval of the shift supervisor or as ordered by the Jail Captain. A disciplinary incident report shall be
Prisoner Worker Selection & Compensation

completed and submitted to the Jail Captain whenever it is recommended that a prisoner worker be subjected to a loss of state good time or work good time. In accordance with provisions of ORS 169.120, prisoner workers shall be eligible for work credits. Additional credit for prisoner worker time may be made at the discretion of the Jail Captain providing the adjustment is in accordance with ORS 169.120.

Except as noted, each prisoner worker shall be paid weekly at the rate of one dollar ($1.00) per day of work. Because of special work requirements and necessary skills, a differing rate of pay may be available for certain positions. Prisoner workers that are released prior to their weekly payday may claim their funds by contacting the Administrative Assistant. The funds will be available on the next Thursday after the inmate's release. In order to receive the funds the released prisoner must come to the jail during normal business hours and request the pay. The prisoner will be required to provide proof of identification. The Administrative Assistant will verify the identity of the person due the funds. Cash will be used to pay the prisoner worker. Those receiving funds will sign a release stating they have received the money. Any funds not collected within six (6) months are forfeited.
Prisoner Count & Locate System

939.1 PURPOSE AND SCOPE
It shall be the policy of this office to personally inspect every prisoner at least once each hour as prescribed in ORS 169.076, and to take a total prisoner head count during each work shift. The Jackson County Sheriff's Office will utilize a prisoner locater system.


939.1.1 PRISONER COUNT
All prisoners shall be accounted for by a designated count deputy from the on-coming shift. This count shall be checked for accuracy against the prisoner locater files and Tiburon. Any discrepancy shall be rectified prior to the dismissal of the shift. During times of limited visibility deputies will use flashlights to verify the presences of prisoners. Flashlight beams shall not be directed into the prisoner's eyes; nor should a prisoner be awakened unless a definite need to ascertain their well-being is needed.

The accepted principles of counting within the jail shall be as follows:
A. During count, deputies shall allow nothing short of an actual emergency to distract them.
B. There shall be no movement of prisoners during official, formal count.
C. Deputies making count must be certain that an area count is correct before moving on to the next area.
D. Deputies making count must be certain that they are counting a living human being and not an inanimate substitute. Look for flesh and hair, not clothing and shoes.
E. Roll calls may be used to verify count accuracy.
F. Deputies should make a census count on a random basis. These counts should be made fairly frequently, but irregularly, to verify that all prisoners assigned to their respective housing areas are present or accounted for.
G. Deputies are to be very suspicious of prisoners having anything wrapped around their heads during count or who are fully covered while in bed. Deputies will not allow anything to remain, which obscures the view of the prisoner.
H. Emergency counts are official (formal) counts taken at other than prescribed intervals. If there is any reason to believe a prisoner or prisoners are unaccounted for, a special, emergency count may be necessary to determine who is missing.
I. Following any major disturbance, an emergency count shall be taken as the disturbance may have been a ruse to cover an escape attempt. In all emergency count situations, prisoners within the facility, including food service and laundry workers, must be returned to their living area.

Scheduled Prisoner Counts
A. There shall be a minimum of two deputies making the shift counts. One deputy shall be responsible for counting prisoners in the cells. The assigned count deputy shall be in the control booth and shall verify the station inventory and locater tags.

B. The deputy doing the count shall clear the door area of prisoners before entering the housing unit and request that all prisoners stay in one place until count is made. In the dorm areas, a count each way through is recommended in order to ensure accuracy.

C. The deputy in the booth shall be alert for any unusual activity while the count deputy is inside a housing unit. If a problem should arise and the count deputy is assaulted or taken hostage, backup shall be called. AT NO TIME SHALL THE DEPUTY OUTSIDE LEAVE THE STATION AND GO IN TO OFFER ASSISTANCE TO THE COUNTING DEPUTY UNTIL ASSISTANCE ARRIVES TO ENABLE ADEQUATE RESPONSE OR ACTION.

D. The deputy doing the count shall be aware of any changes or problems in the housing unit and relay these to the shift supervisor. Unusual occurrences shall be noted in the incident book.

E. When completed, count will be entered in the Tiburon system.

**Reconciling Counts:**

The designated count deputy shall reconcile the count by comparing the number of physically present prisoners against the total number of prisoners who are currently on the jail roster. If there is a discrepancy in the count, the count deputy should notify the shift supervisor:

The shift supervisor should consider the following procedures:

A. Initiating a new count with each prisoner being counted at his bunk; and

B. Checking computer and paper logs to determine if any prisoners not accounted for are in court, at a medical facility, or other authorized location.

C. Locking all prisoners down and fully securing the jail security perimeter;

If it is determined a prisoner is definitely missing, at a minimum, the following notifications should be made:

A. The jail commander, Undersheriff and Sheriff and area law enforcement agencies.

**If escape is confirmed, at a minimum, the following actions should be taken:**

A. Provide descriptions and photographs to area law enforcement agencies, and, if approved by the Sheriff, to the news media;

B. Secure the prisoner(s) cell(s) or bunk(s) as crime scene areas; and

C. Initiate an escape investigation to determine how the prisoner escaped and to apprehend the prisoner.

D. Known victims or others who may be at risk, such as witnesses, will be notified as soon as reasonably possible.
Prisoner Count & Locate System

In-Cell Hourly Inspection Checks
A. If entry into the housing unit is required, it shall be accomplished in the same manner as described above.
B. Any extra items (excessive books, etc.) shall be removed during the graveyard hourly inspection checks. Removal of unauthorized items shall be conducted quietly.

Out-of-Cell Hourly Inspection Checks
A. Hourly in-cell inspections are preferable.
B. The inspecting deputy shall check for unusual sights and sounds in each area and check the general welfare of each prisoner in the units. All unusual occurrences shall be relayed to the shift supervisor.
C. Should a cell door be closed or standing ajar and all occupants assigned are present in the unit but not visible from the exterior, the inspecting deputy shall, upon obtaining appropriate backup, conduct an in-cell inspection of that unit.
D. If a deputy notes an apparent suicide or an attempted suicide, the deputy shall not enter the cell but shall wait for backup and enter the cell to assist the subject when backup has arrived. This should prevail regardless of what the occurrence is inside of any unit.
E. The use of CCTV may be used to enhance the monitoring and supervision of prisoners but it will not replace a deputy doing their hourly checks on prisoners.

939.1.2 PRISONER LOCATER SYSTEM
A prisoner locater card, also known as a body tag, shall be prepared for all prisoners lodged in the Jail. This card shall be made in duplicate and contain the following information:
A. Biographical and identification data on the prisoner.
B. The prisoner's assigned Sheriff's Office number.
C. The prisoner's property tag number.
D. Arrest information to include criminal charges, court case numbers, bail amounts, charge status, holds, and the identity of the arresting agency.
E. Projected release date, if applicable.
F. If there is a hold on the prisoner, this shall be indicated on the locater card by rubber stamping a red HOLD on the front and back. The information on the department placing the hold is in the Tiburon system.
G. A photograph of each prisoner shall be generated and added to the locater card.
Prisoner Count & Locate System

H. Prisoner housing assignments and the date of each assignment shall be written on the back of the locator card so as to track the prisoner's movements in any of the facilities during any incarceration event.

I. Prisoner's current classification status.

One (1) copy of the completed locator card shall be placed in the master locator file kept in the business office. One (1) copy shall be located in the duty station controlling the housing area to which the prisoner is currently assigned. When a prisoner is released, a copy of the locator card shall be placed in the prisoner jail record ( Corrections file) for permanent retention.
Prisoner Grievance Procedure

940.1 PURPOSE AND SCOPE
To establish procedures by which prisoners confined in any facility under the control of the Corrections Bureau may seek redress of conditions relating to their confinement.


940.1.1 DEFINITIONS
Informal Grievance - A verbal complaint by a prisoner to a deputy regarding dissatisfaction with a condition of confinement. If the deputy is able to resolve the matter verbally, no further action shall be taken.

Formal Grievance - A written prisoner complaint (on a Prisoner Grievance Form) regarding dissatisfaction with a condition of confinement.

Emergency Grievance - Any prisoner complaint where life, health, or safety may be threatened, or where the time frame considerations require an immediate response or action.

Confidential Grievance - A prisoner complaint that alleges staff misconduct, has a prisoner in fear of repercussions from corrections staff or another prisoner, or concerns an extremely personal health care issue.

940.1.2 GENERAL INFORMATION
The grievance system is a means of receiving, processing and resolving prisoner complaints involving policies, procedures, practices, conditions and staff conduct. Prisoners have no constitutional entitlement to a grievance system, however, the existence of a grievance system benefits jail operations. The grievance system allows prisoners a way to address complaints in a constructive manner, gives them an outlet for their frustration and provides a perception of greater fairness. Documentation generated by the process provides a record of efforts of the jail officials to address legitimate concerns of prisoners and documents unreasonable prisoner complaints and demands. It can also be used to help evaluate the interpersonal skills used by corrections staff when interacting with prisoners.

The following is a list of issues that are not grievable.

- Classification assignments (safety and security issue)
- Disciplinary actions (can be appealed).
- Incidents or problems to which the prisoner was not involved.
- A collection of unrelated complaints.
- Matters over which the jail has no control.
- Removal from participation in programs
- Group grievance.
Prisoner Grievance Procedure

940.1.3 PROCEDURE

Prisoners may pursue any grievance beyond this office by filing with the appropriate court. Prisoners shall be advised of the grievance procedure through its inclusion in the Prisoner Information Manual or by posting in prisoner housing areas, or during the admissions process. Spanish language information manuals shall be made available to all Spanish speaking prisoners.

Prisoners shall submit grievances following the process outlined in the Prisoner Information Manual. Appropriate aid shall be provided to those prisoners who are unable to understand the grievance procedure due to a disability, illiteracy, or a language barrier. Prisoners are encouraged to discuss any complaints they have with a deputy, this is considered to be an informal grievance. When presented with an informal grievance, the deputy may initiate corrective action if it is within the normal scope of the deputy's responsibility.

• If the action taken by the deputy satisfies the prisoner, the matter shall be considered resolved and no further action shall be taken.
• If the prisoner is still dissatisfied with the situation or feels that the deputy has not or cannot resolve the problem, the prisoner can initiate a formal grievance. The prisoner shall fill out a Prisoner Request Form asking for a Prisoner Grievance Form. This request shall be forwarded to the Shift Supervisor who shall assign a tracking number to the grievance form and have it sent back to the requesting prisoner.

The shift supervisor will enter the appropriate information into the grievance tracking book and assign a number to the grievance form. The grievance form will then be given to the prisoner. Once a formal grievance has been initiated, it shall keep the assigned tracking number permanently even if the prisoner decides to withdraw the grievance.

If a prisoner voices a grievance to a deputy that appears to require prompt attention, such as a medical problem, missed court or release date, an immediate safety issue etc., the deputy shall notify the shift supervisor immediately. This would be considered an emergency grievance.

Emergency grievances need to be handled as expediently as possible. An emergency grievance does not require a prisoner grievance form.

A formal grievance shall be initiated when the Prisoner Grievance Form has been completed by the prisoner and given to a deputy. The deputy shall check and make sure that the required information has been completed and then sign for the receipt of the grievance. A copy of the grievance form shall be given to the prisoner. A prisoner may file a formal grievance anytime within five days after a grievable event has occurred. The deputy receiving the grievance shall be responsible for promptly responding to the complaint. Grievances need to be handled at the lowest possible level since most grievances involve staff interaction with prisoners.
Prisoner Grievance Procedure

- Deputies shall not interfere with or delay a prisoner's action to file a grievance or an appeal, nor delay a response without just cause.

- The deputy shall respond to the grievance in writing in the section provided on the grievance form, sign and date it and return a copy to the prisoner. The original shall be forwarded to the Shift Supervisor for review and disbursement.

- If the prisoner is not satisfied with the response to the grievance from the deputy, they may forward their copy of the grievance to the shift supervisor, requesting that it be reviewed.

- The Shift Supervisor shall review the grievance and the deputy's response and affirm, modify or change the disposition. The findings shall be returned to the prisoner and deputy within ten days of receipt by the Shift Supervisor.

- If the grievance involves issues that are not within the normal scope of the deputy's responsibility, the grievance shall be forwarded to the Shift Supervisor. The shift supervisor shall respond to the grievance within ten days of receipt.

If the prisoner wishes to appeal the disposition of the Shift Supervisor's resolution of the grievance, the prisoner may appeal the grievance by filling out the section on the grievance form requesting an appeal. The grievance shall be forwarded to the Jail Captain or his designee.

The Jail Captain shall review the matter and affirm, modify or change the Shift Supervisor's disposition of the grievance and return written notice of the decision to the prisoner and Shift Supervisor within five working days.

If it is determined that a grievance should have been resolved at a lower level, further training, counseling, or other actions deemed necessary shall be initiated. These are cases where improper or no action was taken.

The final step of the grievance process is to appeal the disposition of the grievance to the Sheriff. The Sheriff shall have 10 days to render a decision. The decision of the Sheriff shall be final.

If it is determined that the grievance process is being abused by a prisoner, a report shall be prepared by the Shift Supervisor and submitted to the Jail Captain or designee. If the Jail Captain or designee determines that the prisoner has abused the process, the prisoner shall be in violation of prisoner rules. Examples of Grievance abuse are, but not limited to:

A. Repeatedly filing nuisance or frivolous grievances.
B. Re-filing a grievance that was already addressed in a previous grievance.
C. Files a grievance proved to be based on fiction instead of fact.
D. Using the grievance process to harass staff.
E. Doesn't follow each step of the grievance process in order.
Prisoner Grievance Procedure

Grievance Tracking and Numbering

All prisoner grievances shall be numbered, processed and entered into a grievance database to provide for tracking and reporting of the grievance (this includes emergency grievances). Information gained from this process shall be used to identify problem areas of the facility operations.

The original grievance shall be retained in a grievance file. Correction staff is prohibited from retaliation against prisoners who file grievances. A prisoner may file a confidential grievance by mailing the grievance directly to the Jail Captain. A confidential grievance does not have to be on a formal grievance form and can be written on plain paper. In the grievance the prisoner must give the reason why they consider the grievance to be confidential.

A. The Jail Captain shall determine if the grievance qualifies as "confidential." If it is determined to be confidential, the Jail Captain shall get a tracking number from the Shift Supervisor and assign it to the grievance.

B. If the Jail Captain determines that the grievance is not considered confidential, the grievance shall be referred to the Shift Supervisor for review and response.

C. Disbursement for a "confidential" grievance shall be the same as a formal grievance.
Release of Prisoners

941.1 PURPOSE AND SCOPE
It shall be the policy of this office to release prisoners expeditiously as defined in this policy.

Oregon Jail Standards: B-402, B-403, B-404

941.1.1 RELEASE - GENERALLY
Every effort must be made to confirm that the right person is being released from custody. The identity of the person being released must be confirmed by name, S.O. number, Date of Birth (DOB) and photograph. This cross-reference is the responsibility of each employee involved in the release at each stage of the process. Verify that the release is authorized as follows:

Posted bail in the form of:

- Cash.
- A check from an attorney's trust account made out to Jackson County Courts in the exact amount of bail.
- Verified deposit through Touchpay credit card system.

Expiration of sentence, Matrix
Sergeant or designee will confirm applicability for release using the matrix procedure. The records clerk will prepare the release documents and the sergeant or designee will sign approving the release.

Court order

- Ascertain that an authorized signature and date have been affixed to the order.
- A LEDs/NCIC want check shall be run on all prisoners prior to their being released from custody, if this service is available. If LEDs/NCIC is down at the time of release, process the release without waiting for this service to come back on line and note this in the prisoner’s file.
- When the prisoner has been discharged, the employee handling the release shall make the necessary record update entries in the computer system and shall record the release on the daily jail release report. All relevant forms, papers, etc., shall be filed in the prisoner's jail file.
- Prisoners will not be subjected to unreasonable delays in the security release process due to a bad attitude or at the request of arresting authorities to accommodate investigative priorities.
Release of Prisoners

Procedures for State Courts/Cash Bail/Local Charges Only

During regular court hours.

1. During the court's regular business hours, the court shall prepare the security release agreement (SRA) and the bail forfeiture notice on all local state court charges. These documents shall be delivered to the jail to be signed by the prisoner being released and the records deputy processing the release.

2. The documents shall be distributed as outlined in below.

After the court's regular business hours.

1. An SRA and a bail forfeiture notice form shall be prepared by jail records deputies for the state courts for all cash bail tendered after the court's business hours.

2. All blank spaces on the SRA shall be filled in with the exception of #8, if there are no additional conditions imposed by the court. The prisoner MUST sign the SRA in order to be released. Should the prisoner refuse to sign on a circuit court charge, they shall remain in the custody of the jail. If it is a municipal or justice court charge, the SRA shall be witnessed by two staff members that the release was read to the prisoner and the prisoner shall be released.

The records deputy shall make two (2) copies. One copy will be given to the prisoner and one copy will be placed into the prisoners jail file. The original document will be placed in the bail drawer to be delivered to the court on the next business day. The bail forfeiture notice shall be distributed as follows: The records deputy shall make a photo copy of the warning notice and place that copy in the prisoner's jail file; the original shall be attached to the bail money and SRA and forwarded to the court.

Procedures with Both Local and Out of County Charges

A. During the court's business hours.

1. The court shall prepare the SRA and bail forfeiture notice on the local charges.

2. The jail shall prepare these documents for the out of county charges.

After the court's business hours.

1. The jail shall prepare release papers for all charges.

Procedures for Out of County Charges Only

A. The jail shall prepare all of the release papers whether or not the courts are open for business.

Procedures for Cash Bail/Municipal Courts (Except Medford Municipal)

A. The SRA and bail forfeiture notice forms shall be filled out by jail staff using state forms.

B. When the paper work is signed, distribution shall be as follows: A photo copy shall be made and placed in the prisoner's jail file; the yellow copy shall be given to the prisoner being released; the original shall be forwarded to Medford Police Department.
Release of Prisoners

Procedures for Medford Municipal Court/Cash Bail
A. Medford Municipal Court cash bail shall be posted at the Medford Police Department. Medford Police Department shall fill out the appropriate paperwork on their own forms and shall have it delivered to the jail.

Procedures for Release on Own Recognizance (Except Medford Municipal)
A. ROR's for state courts may be filled out by either the courts or the jail.
B. ROR's for municipal courts shall be filled out by the jail staff using state forms.

• Distribution of the state ROR form is as printed on the bottom of that form.

Procedures for Release on Own Recognizance/Medford Municipal
A. ROR’s may be filled out by either the Medford Municipal Court or by jail staff using the Medford court forms. Distribution of Medford ROR forms shall be as follows: A photo copy shall be made and placed in the prisoner's jail file; the yellow copy shall be given to the prisoner being released; the original shall be forwarded to Medford Police Department.
Facility Maintenance

942.1 PURPOSE AND SCOPE
It shall be the policy of this office to operate a well maintained, safe and secure facility using the services of the Jackson County Facility Maintenance Department and other contracted services. To ensure prompt and efficient response to mechanical equipment failure in the jail. This office will require prompt notification of the proper agency or office in the event of any failure of mechanical or electronic equipment necessary for the proper functioning of the Sheriff's Office jail.


942.1.1 GENERAL INFORMATION
All maintenance of the Jackson County Jail shall be under the control and direction of the Jackson County Facility Maintenance Department. They are responsible for all aspects of the corrections facilities maintenance and documentation thereof. This shall be with the approval of the bureau supervisor.

PROCEDURE:
There shall be one full-time senior maintenance person and one part-time maintenance assistant assigned to the Jackson County Jail. If any additional personnel are needed, they shall be supplied by the county facility maintenance department. They shall be under the direct control of the Facility Maintenance Department with the approval of the Jail Captain. A list of maintenance personnel shall be provided to the corrections bureau and ECSO to be called for after-hours problems. The shift supervisor shall notify ECSO if maintenance is needed and they shall contact the necessary personnel. When a maintenance problem is identified, a maintenance request shall be completed via the intra-net application “Help Center”.

Since a number of the repairs shall involve going into prisoner housing units, the time to complete these types of repairs has to be at the convenience of staff. A deputy shall remain with the maintenance person any time that the repair is in a prisoner housing unit.

Facility Maintenance shall maintain a preventative maintenance plan for the corrections facilities. Facility Maintenance shall be responsible for contacting and contracting with outside service providers needed to carry out any required work that they deem necessary. These providers shall have to be cleared for entry to the Jail by a shift supervisor before being allowed access.

A. Routine testing of emergency and other equipment shall be done by the maintenance staff and documented. The documentation of these tests shall be maintained by the Facility Maintenance Department.

B. In the event of any mechanical or electrical failure of equipment necessary for the proper functioning of the Jail, prompt notification shall be made to the shift supervisor. The Facility Maintenance Department shall then be notified by the shift supervisor or designee.
Prisoners shall not generally be used to perform maintenance work. If a prisoner is used for a special project, it shall only be with the approval of a shift supervisor and the prisoner shall be supervised by a deputy. The administrative sergeant shall track all maintenance requests to gain information to be used in planning for repairs or replacements of equipment and the amount of maintenance staff required to maintain the facilities.

942.1.2 MECHANICAL EQUIPMENT FAILURE
In the event that any mechanical or electrical equipment should fail, notification shall be made to county facility Inspection and Maintenance (I&M) by the shift supervisor. After regular hours, on weekends and holidays, the shift supervisor shall call ECSO and have them page the on call Maintenance employee.

In all incidents requiring repair/maintenance service of any nature, an electronic maintenance request form shall be completed.
Prisoner Records Management

943.1 PURPOSE AND SCOPE
It shall be the policy of this office to maintain an accurate prisoner record in the bureau master files. Only information, which has been specifically authorized for release by state law, rules of the State Archivist, or the Jail Captain shall be available for dissemination.


943.1.1 JAIL FILES
A prisoner’s jail file shall be created at the time of lodging and shall be maintained to comply with the following:

A. All criminally charged prisoners shall be assigned an identifying Sheriff’s Office number.
B. Files of those criminally charged and in custody shall be maintained alphabetically.
C. Files of out of custody persons shall be maintained separately from in custody and in numerical order.

Content of prisoner case records shall be maintained to comply with current Jail office procedures and applicable law. Records not in active use shall be maintained with access restricted to Sheriff’s Office employees. Public access to jail records shall be provided consistent with the provisions of the Inspection of Public Records Act (IPRA), Federal and Oregon statutes (ORS & OAR) governing confidentiality of medical records. Corrections staff shall evaluate and classify records to determine which records should not be released to the public.

Upon receiving a Request for Public Records, either from the public or an inmate, the request will be forwarded to County Counsel for review. It shall be their decision as to what information shall be released. Corrections staff may restrict access to records and other information for reasons of security, safety, or operational necessity if such denial of requests is consistent with the provisions of IPRA and Oregon statutes governing confidentiality of medical records or where records are protected by other state or federal law or county ordinance. The disclosable information shall be made available for inspection. Inspection includes the right to take notes from the record without cost to the citizen. The citizen also has the right to a copy of the record if there is reasonable access to a copy machine. The established county fee schedule for these services shall apply. These fees will be reasonable to cover the actual costs accrued by the jail; not exceed $25 unless the jail has first provided a written estimate of the cost of producing the records and the requestor has confirmed they want the jail to proceed with the request; and shall conform with the provisions of public records law. Should a requested record not be disclosable, the requesting party will be advised the reason the record is not available. The denial of the release of information may be appealed through the Jail Commander who will in turn notify the Sheriff and County Counsel. County Counsel shall have the final decision.
Prisoner Records Management

Records accompanying a transferring prisoner must remain in the custody of the escorting deputy(s). Unless otherwise directed, the following records shall normally be transferred with the prisoner:

A. Copies of current medical records.
B. Copies of commitment papers.
C. Extradition documents as applicable.

Records of released prisoners shall be held within the Jail for not less than two (2) years. Thereafter, files may be forwarded to the County Archivist and stored or destroyed in accordance with administrative rule and county policy.
Hazardous Cleaning Agents & Compounds

944.1 PURPOSE AND SCOPE
It shall be the policy of the Jackson County Sheriff's Office to comply with Occupational Safety and Health Support Services (OSHA) rules governing the storage and use of all cleaning supplies used in the Jail.

Oregon Jail Standards: E-112

944.1.1 GENERAL INFORMATION
All employees shall be acquainted with each cleaning agent used within the Corrections Bureau, the possible hazards involved, and the antidotes for each. Poison Control Phone Number 1-800-452-7165.

PROCEDURES:

Should the eyes be exposed to a cleaning agent, an eyewash station should be utilized, as appropriate. Stations are available in the food and medical services areas. For foreign body injury, irrigate with a stream of isotonic saline (or any good eye lotion) immediately. If the foreign body is not flushed out, consult the nurse or ophthalmologist as soon as possible. Always consult the appropriate material safety data sheets provided in the medical station, kitchen, and supervisor's office for appropriate response.

Control of flammable, hazardous and poisonous materials and chemicals:

A. All flammable and toxic materials shall be stored in their original containers, each clearly marked, and placed in either a locked cabinet or secure storage area. The manufacturer's label describing contents and antidotes shall not be removed. They will be inventoried on a weekly basis.

B. Fuels shall be stored or carried only in an approved safety and properly marked container.

C. Any questions regarding the use and/or storage of flammable or toxic material shall be addressed to the shift supervisor.
Pest Control

945.1 PURPOSE AND SCOPE
It shall be the policy of this office to ensure compliance with environmental health standards applicable to pest control in correctional institutions.


945.1.1 PESTS
Pest - Any destructive insect, animal or vermin that causes annoyance, discomfort or disease.

In effort to maintain an effective regular preventive vermin and pest control program, inspections shall be conducted by assigned staff.

A. Medical services - weekly by medical staff.
B. Food services - daily by culinary staff.
C. Housing units - weekly by day shift staff.
D. Admissions and administrative areas - weekly by day shift staff.
E. Remainder of facility - monthly by swing shift supervisor.

Personnel becoming aware of infestation by any insects, rodents, or vermin shall report such to the shift supervisor who shall initiate corrective action, including notification to the facility maintenance department. A review of the pest control program shall be conducted monthly by a supervisor who shall file a written report to the Jail Captain upon completion of the inspection.
Housekeeping & Sanitation

946.1 PURPOSE AND SCOPE
It shall be the policy of this office to provide a healthy working and living environment for employees, service providers and county prisoners by enforcing housekeeping and sanitation standards.


946.1.1 INFORMATION
Assigned deputies shall provide each housing unit cleaning equipment and supplies at least twice daily. The cleaning equipment shall be placed into the housing units during the AM shift count and again during the afternoon lock down. The prisoners shall be given approximately two hours to complete cleaning. A deputy shall inspect the housing unit and remove the cleaning equipment if the housing unit passes inspection.

Cleaning equipment includes, but is not limited to: Mop and Mop Bucket, Glass Cleaner, Disinfectant, Dust pan, Broom, Cleaning Towels, Toilet Brush, plastic Trash Bag (exchanged twice daily), An additional bucket of shower cleaning supplies is available for prisoner use upon request, or if the inspecting deputy feels that the shower areas need additional cleaning. A prisoner worker shall set up the cleaning equipment that is placed into the housing units. All spray bottles shall be filled with the chemical identified on the bottle (per OSHA standards) and the mop buckets shall have fresh water pre mixed with the appropriate chemicals prior to going into the housing units. Mops shall not be stored in the mop buckets. Each prisoner shall be responsible for cleaning their personal living quarters and take part in cleaning shared common areas.

A prisoner may be excused from engaging in cleaning responsibilities if, in the judgment of a Deputy, his mental or physical condition makes it otherwise inappropriate to participate in the cleaning duties. The deputy shall then be responsible to find an alternative so that the inmate area is cleaned to standards. Unit televisions and telephones shall be turned on at 1000 hours daily, providing the cleaning of the entire housing unit is satisfactory. Anytime a housing unit fails a cleaning inspection the television and telephones may be turned off until the problems are corrected.

A deputy shall inspect each prisoner housing unit twice daily for cleanliness. The deputy shall pay careful attention to shower, sink and toilet areas as well as the general cleanliness of the entire housing unit. If any areas are noted as needing additional cleaning, the deputy shall have the problems corrected at this time (spots or marks on walls, windows, ledges, etc.) If additional cleaning supplies are needed to properly clean noted problem areas, the utility deputy shall be contacted to obtain the items. All extra cleaning equipment and chemicals shall be stored in an area that prisoners do not have access to. If equipment needs to be replaced, the damaged item shall have to be accounted for prior to it being replaced.

Prisoners unwilling to participate in the general sanitation and housekeeping procedures shall be subject to corrective disciplinary action. Prisoner workers shall be assigned housekeeping duties
Housekeeping & Sanitation

throughout the remainder of the facilities secure areas. They shall perform their duties under the supervision of corrections staff. A deputy shall be assigned as utility deputy. This position shall be responsible for training, supervising and assigning job duties to prisoner workers. The utility deputy shall also develop and implement a cleaning schedule for the secure areas of the facilities.

On each shift, the shift supervisor will complete a daily facility cleaning inspection. This inspection shall be documented on the jail inspection form. Daily spot inspections shall be conducted in various areas by each shift supervisor to overall cleanliness. Periodic jail inspections shall be performed according to the following schedule:

A. Weekly - Jail Captain or designee.

B. Quarterly - Sheriff or his designee.

Various officials shall inspect the Jail on a yearly basis. These include but are not limited to the Health Department, Fire Marshall, US Marshall’s Service, Immigration Naturalization Officials and the Oregon Jail Standards Compliance Team. All employees are required to cooperate with any lawful requests made by the inspectors. Documentation of findings from these officials shall be maintained by the Administrative Sergeant or the Jail Captain.
Jail Flooding

947.1 PURPOSE AND SCOPE
It shall be the policy of this office to minimize the threat of personal injury or property damage by providing a rapid response to flooding in the Jail.

Oregon Jail Standards: E-601

947.1.1 PROCEDURE
In event of internal flooding the shift supervisor shall be notified. The shift supervisor shall decide if non-essential personnel should leave the facility. Request assistance from facility maintenance department via ECSO.

Turn off water supplies to the involved area.

A. Location of water supply valves.

South Side "B" level.
Valves are located in the ceiling above the northwest corner of laundry room #177. They are approximately nine feet above the ceiling, above a heating duct, and may be reached by removing the ceiling tile containing a red thumb tack first, and other tiles as needed. There are the following type valves:

1 - 1½" cold water
1 - 1½" hot water
1 - 1" tempered water
1 - 3/4" hot water return

Northeast corner, "A" level: & north side, "B" level
Valves are located in the ceiling above sergeant's office (#156). They are approximately nine feet above the ceiling and may be reached by removing the ceiling tile with the red thumb tack first, and the other tiles as needed. There are the following type valves:

1 - 2" cold water
1 - 1" hot water
1 - 1" tempered water
1 - 3/4" hot water return

Kitchen
Valves are located in the ceiling above the southwest corner of the strip room (#185). They are approximately nine feet above the ceiling and may be reached by removing the ceiling tile with the red thumb tack first, and the other tiles as needed. There are the following type valves:
Jail Flooding

1 - 1½" cold water
1 - 1½" hot water
1 - 3/4" hot water return

NOTE: In order to turn off the hot water in any area, both the hot water and the hot water return must be shut off.

Main Water Valves for Entire Jail

The main water valves may be shut off in an emergency. These valves are located in the emergency generator room in the basement. The valves are numbered 94 and 95 and may be reached by climbing the black ladder on the right side of the room.

Main Water Valve Shut Off

A. When the main water is to be shut off in the jail during an emergency or maintenance procedure, the following actions shall be taken to prevent an overload of the drain system, which may cause a backup and flooding in the jail and basement.

B. The shift supervisor shall be notified prior to the main water supply being turned off. If a member of Facility Maintenance is not the person turning off the water, maintenance shall be notified. During normal business hours, Monday - Friday, notify Facility Maintenance at 541-774-6971. After hours or weekends, contact ECSO and request maintenance personnel to be paged.

C. Regardless of the reason for the main water valves being turned off, valves shall not be turned back on until an authorization is received from Facility Maintenance.

D. In order to prevent the drain system from overloading because of a large number of toilets flushing simultaneously, the following actions shall be taken.

- Prior to the water being turned back on, all of the individual prisoner cells shall be locked so the prisoners cannot access the toilet flush button.
- Once the water has been turned on and the system has been pressurized, individual cell blocks shall be unlocked as determined by Facility Maintenance staff.
- When the individual cell doors in a block are unlocked, the inmates assigned to each cell shall be instructed to flush their toilet if necessary. With the approval of Facility Maintenance personnel, proceed to the next block and repeat until all of the cell blocks are reopened.

Once the facility is secured and the flooding controlled, complete a prisoner count and an accounting of all on duty staff and visitors. Attend to any injured as appropriate. If any prisoner is unaccounted for, treat as an escape. Notify the Jail Captain of the incident and population status.
Jail Flooding

as soon as possible. The shift supervisor shall complete an investigation into the event and report accordingly.
Emergency Notification of Inmate Next of Kin

948.1 PURPOSE AND SCOPE
To establish guidelines for notifying next of kin when an incarcerated person suffers a life-threatening illness or injury, or death.

948.2 PROCEDURE
(a) During the lodging interview, the lodging clerk shall request the name, phone number and address of the person to be notified in case of an emergency. This will be noted in Tiburon in the designated fields.

(b) In the event of a serious injury, illness or death of an inmate, the jail commander or his designee shall be notified.
   (a) In the event of serious injury or illness, the circumstances will be reviewed with medical staff and a determination will be made if the next of kin will be notified.
   (b) In the event of an inmate death, the next of kin shall be notified following procedures in Policy 326.2.3..

(c) Should emergency notification be deemed necessary, the appropriate collateral agencies will be notified. (I.E. District Attorney, Federal agencies, Medical Examiner, Consulate etc.)

(d) In the event of a death, the Deputy Medical Examiner shall forward fingerprints to Oregon State Police.
Transgender and Intersex

949.1 SCOPE AND PURPOSE
The policy of the Jackson County Corrections Division is to ensure the respectful, courteous and professional treatment of transgender and intersex inmates, as well as respect the sexual orientation or gender identity of any person in custody, while maintaining the safety, security and orderly operation of all correctional facilities.

The purpose is to provide guidelines for the appropriate accommodations of all inmates who identify as or have been determined to be transgender or intersex. This policy is intended to address the requirements as outlined in the Prison Rape Elimination Act (PREA) standards, which require zero tolerance for discrimination on the basis of sexual orientation or gender identity.

949.1.1 DEFINITIONS
(a) Gender: The socially constructed roles, behaviors, activities and attributes that a given society typically or historically assigns to men or women.
(b) Gender identity: Refers to a person's innate, deeply felt psychological identification as a man, woman or some other gender, which may or may not correspond to the sex assigned to them at birth (e.g., the sex listed on their birth certificate).
(c) Intersex: People who possess or develop physical sex characteristics that do not fit neatly into conventional medical definitions of male or female. This can include chromosomes, genitals, hormones, and more. Intersex people have been referred to in the past as ‘hermaphrodites.’ Intersex is the preferred term.
(d) LGBTQI: An acronym that refers to lesbian, gay, bisexual, transgender, questioning and intersex individuals.
(e) Management Plan: A plan constructed by a committee consisting of Corrections Health, Mental Health and security staff for an inmate that addresses, but is not limited to, the inmate’s housing and management during custody.
(f) Sexual Orientation: As defined in ORS 174.100; an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.
(g) Strip Search: The visual inspection of a nude person to detect contraband or medical conditions. It includes visual examination of all body cavities, including the genitals and anus. The person is not touched in any manner during the search unless it is a forced search.
(h) Transgender person: An umbrella term for people whose gender identity (i.e. internal sense of feeling male or female) and/or gender expression differs from the sex they were assigned at birth. This may include: transsexuals, cross-dressers, gender-queer and other gender non-conforming people. Transgender people may identify in a variety of ways, including: male, female, and female to male (FTM), male to female
Transgender and Intersex

(MTF), gender-queer, intersex or otherwise. A transgender identified person may or
may not choose to alter their bodies hormonally and/or surgically.

(i) **Transgender Review Board**: A board responsible for assessing and making
recommendations as to housing, medical and mental health needs for transgender/
gender-variant individuals. The Board consists of representatives from Corrections
Health (including mental health), Command Staff and Sergeants who will receive
training in accordance with JCSO policy.

949.1.2 REFERENCES AND ANCILLARY TERMS

(a) Prison Rape Elimination Act (PREA)/ ORS 162.405, 162.415. Lexipol Policy # 903
(b) Frisk/Pat Searches of Inmates. Lexipol policy # 900
(c) Inmate Rights and Conditions of Confinement, Generally Lexipol policy # 902
(d) ORS 174.100
(e) **Asexual**: A person who is not romantically or sexually attracted to any gender.
(f) **Bisexuality**: Has romantic attraction, sexual attraction or sexual behavior toward
both males and females. It may also be defined as encompassing romantic or sexual
attraction to people of all gender identities or to a person irrespective of that person’s
biological sex or gender. A bisexual identity does not necessarily equate to equal
sexual attraction to both sexes; commonly, people who have distinct but not exclusive
sexual preferences for one sex over the other also identify themselves as bisexual.

(g) **Cross-dresser**: A person who engages in gender non-conforming behavior, as
adopting the gender expression of the opposite sex for the purpose of sexual or
emotional gratification, but does not consider their gender identity different from their
sex.

(h) **Gay**: People who are sexually attracted to people of the same gender.
(i) **Gender Dysphoria or Gender Identity Disorder**: Diagnosis used by psychologists
and physicians to describe persons who experience significant discontent with the sex
they were assigned at birth and/or the gender roles associated with that sex.

(j) **Gender expression**: The ways in which an individual expresses their gender
identity. This may be through clothing, behavior, mannerisms, speech patterns, social
interaction or other characteristics. A person’s gender expression does not always
match their gender identity, particularly because of safety concerns for transgender
individuals.

(k) **Genderqueer**: Having a gender identity that is neither male nor female, is between
or beyond genders, or is some combination of genders, in terms of expression and/
or identity.

(l) **Gender role**: Theoretical construct in the social sciences and humanities that refers
to a set of social and behavioral norms that, within a specific culture, are widely
considered to be socially appropriate for individuals of a specific sex. Socially
accepted gender roles differ widely between different cultures.

(m) **Lesbian**: Women who are sexually and emotionally attracted to women.
Transgender and Intersex

(n) **Non-conforming gender**: A person’s physical appearance and characteristics and/or behaviors that do not conform to those typically associated with the person’s sex at birth or traditional societal gender expectations.

(o) **Physical Sexual Characteristics**: The presence and type of primary and secondary sexual characteristics (i.e., genitals, developed breasts, hair distribution) which are typically used to define and classify a person’s sex as male or female.

(p) **Questioning**: Refers to the active process in which a person explores his or her own sexual orientation and/or gender identity associated with a person’s assigned at birth biological sex.

(q) **Transgender Female**: A person whose birth sex was male but who understands herself to be, self-identifies as, and/or lives life as a female.

(r) **Transgender Male**: A person whose birth sex was female but who understands himself to be, self-identifies as, and/or lives life as a male.

949.2 GENERAL REQUIREMENTS

(a) JCSO has zero tolerance for any staff sexual misconduct or sexual harassment directed towards LGBTQI arrestees/inmates. JCSO has zero tolerance for derogatory terms used towards LGBTQI inmates. (Examples of derogatory terms are: she-male, he-she, it, tranny.) Staff shall prevent and report all incidents of harassment and/or sexual misconduct or assault in accordance with Lexipol policy # 902 Inmate Rights and Lexipol policy # 903 (PREA).

(b) When discussing an arrestee/inmate’s sexual orientation or gender identity, for the purpose of making placement and custody decisions, Corrections Division staff must recognize the sensitive nature of the topic and potential repercussions for the inmates. Appropriate staff sharing will be conducted through the Tiburon system. Sharing this information with other inmates is inappropriate and prohibited.

(c) Conversations involving a transgender or intersex inmate in regards to their gender identity shall be conducted in private. Private areas may include; a medical exam room, the attorney meeting room, or single cell.

(d) If an inmate discloses their sexual orientation or gender identity to staff without prompting during their custody, the staff member will report the information to their supervisor to ensure review of the inmate’s classification.

(e) In an effort to avoid confusion, and provide consistency from staff, inmate’s last name should be used when possible.

(f) Staff shall not search, or physically examine a transgender- or intersex-identified arrestee/inmate for the sole purpose of determining the inmate’s sex assigned at birth.

(g) Upon identification of a transgender or intersex inmate, staff shall conduct searches in accordance with the inmate’s identified gender, in accordance with Lexipol policy #900.

(h) Inmates may not be disciplined for refusing to answer or for not disclosing complete information in response to screening questions regarding gender identification.
Transgender and Intersex

(i) Transgender or intersex inmates will only be held in single cells for their protection. This housing option is to be non-punitive, and must not result in any unnecessary loss of privileges, programs or access to medical or mental health care.

(j) Transgender or intersex inmates shall have equal access to programmatic activities as non-LGBTQI inmates to include but not limited to the following:
   1. Showering in single person showers;
   2. Inmate Worker positions;
   3. Grooming;
   4. Recreation;
   5. Inmate Programs; and,
   6. Social/Contact Visitation.

949.3 INTAKE/ADMISSIONS

(a) If questions are raised regarding an arrestee’s gender during the initial booking process, the Sergeant shall be notified that the arrestee is being processed.

(b) If the arrestee identifies opposite of their expected gender identity, the sergeant shall ensure that the arrestee is searched by a deputy of the arrestee’s identified gender.

(c) When determining whether inmates identify as transgender or intersex, the following should be taken into consideration:
   1. The arrestee self-reports. If there is doubt or a question concerning the validity of the self-report, the deputy shall consult the Shift Supervisor. Self-reporting should take precedence over all other reporting. An arrestee’s appearance or behavior may not match the gender marker on the arrestee’s custody paperwork or identification;
   2. The arresting/transporting agency has alerted the JCSO staff to the arrestee’s transgender/gender identity;
   3. Prior booking records/medical records; and,
   4. Identification carried by the person identifies their gender, or conflicting gender markers on identification.

(d) Upon completion of the initial booking process the Sergeant shall determine placement of the arrestee in holding or assignment to a single cell. This determination shall be made after consulting both medical staff and the arrestee.

(e) In accordance with Lexipol policy # 903, no inmate shall be subject to harassment or discrimination based on sexual or gender minority status, and will be provided any and all inmate rights as outlined in the policy.
949.4 HEALTH SCREENING AT ADMISSION
   (a) During the booking process, the lodging deputy shall assess the inmate by conducting
       a medical screening questionnaire. This report will ask the inmate’s gender identity
       and determine immediate and future medical needs if applicable.
   (b) Once determination of the inmate’s gender identity is made, the lodging deputy shall
       contact the Sergeant or OIC to inform them of the arrestee’s gender identity, for use
       in conducting a strip search.

949.5 CLASSIFICATION CRITERIA
   (a) Inmates identified as transgender or intersex may be housed in an isolation cell, for up
       to 72 hours, excluding weekends and holidays, while the Transgender and Intersex
       Review Group assesses appropriate housing options that address the following
       concerns;
       1. Safety;
       2. Protecting inmates at high risk for abuse; and,
       3. Minimizing perceived or actual fear of becoming a victim of violence.
   (b) In accordance with Lexipol policy #906, LGBTQI inmates will have opportunities to
       seek changes in classification through submission of an inmate request form.

949.6 ADMISSION SEARCHES
   (a) If determination of an arrestee’s gender cannot be made during the initial booking
       process, a female Deputy shall perform the pat search. If the arrestee’s gender identity
       has been determined, a staff member of the same gender as that identified will conduct
       the search.
   (b) At no time shall a strip search be conducted solely for the purpose of determining an
       inmate’s sex at birth.
   (c) LGBTQI individuals shall not be subject to more invasive searches than other inmates.
   (d) Clothing that conveys gender identity, wigs, and cosmetics shall be removed
       consistent with the requirements for the removal of similar items established for all
       arrestees/inmates. (Lexipol policy #900).
   (e) Searches shall be conducted in a professional and respectful manner, and in the least
       intrusive method possible.

949.7 STATEMENT OF STRIP SEARCH PREFERENCE FORM
   (a) Once an inmate’s gender identity has been established, the Shift supervisor shall
       complete the Statement of Strip Search Preference Form.
   (b) The statement of Strip Search Preference Form shall include the following;
       1. Inmate’s name of record;
       2. Sheriff’s Office (S.O.) number; and,
3. Notification that strip searches will be conducted by staff members of the same
gender as the arrestee’s identified gender.

(c) The form will be completed by the Sergeant/OIC and signed by the Sergeant/OIC after
confirmation of gender identity has been determined.

(d) The shift supervisor will discuss the form with the inmate in private, and determine the
preferred gender to conduct a strip search. The strip search shall be conducted in
accordance with the following;

1. The inmate shall be strip searched by a staff member(s) of the same gender
identified in the Strip Search Preference Form completed by the Sergeant;

2. The inmate shall be strip searched in the presence of two staff members.
Whenever possible, one (1) of the staff members will be a supervisor; and,

3. The search will be conducted in private, away from other inmates.

(e) The Sergeant shall ensure the inmate signs the Strip Search Preference Form prior
to a strip search being conducted. If the inmate refuses, the Sergeant shall note on
the form that the inmate has refused and a witness should sign the form.

See attachment: Transgender and Intersex Policy search form 062618.pdf

949.8 BOOKING DOCUMENTATION

(a) Upon completion of the booking process, the deputy shall notify the Shift supervisor
of the booking and forward the following documentation to the Jail Commander:

1. Booking Custody report;

2. Strip Search Preference Form; and,

3. A Report outlining the booking process, gender determination, housing
assignment, views expressed by the inmate regarding their safety.

(b) Upon receipt of the information, the Jail Commander will convene a Transgender
Review Group.

(c) If the arrestee/inmate is going to be released on their own recognizance, the
information shall be documented in Tiburon for future reference.

949.9 TRANSGENDER AND INTERSEX REVIEW PROCESS

(a) The Transgender and Intersex Review Group will consist of at least the following
members;

1. Jail Commander, who will ensure all management plans are drafted and
distributed;

2. Contracted Medical Health Director, who will ensure both medical and mental
health services are represented;

3. The agency’s PREA Coordinator;
4. Corrections Sergeant appointed by the Jail Commander (the Corrections Sergeant may be a Sergeant who is assigned on duty when the Review Board convenes). The appointed sergeant will be the liaison for the inmate; who will bring all documentation pertaining to the inmate.

5. Professional Community Advocate (optional)

(b) The Group shall meet to consider the case of each inmate who is identified as transgender or intersex within 72 hours, excluding holidays/weekends, from the time the inmate was booked into custody.

(c) Although each case will be determined individually, Transgender and Intersex inmates may be housed in general population as a standard of practice unless it is a legitimate threat to their safety. If it is determined that being housed in general population will pose imminent risk to the inmate, then all steps should be taken to find alternative housing solutions.

(d) Prior to meeting, the Jail Commander, or their appointee, shall meet with the inmate to discuss the purpose of the Review Group and to explain the following:

1. Confirming the Statement of Strip Search Preference Form, and continued gender preference;
2. Explaining the housing process;
3. How to contact the Liaison; and,
4. Any safety concerns regarding the inmate’s custody.

(e) The Transgender Review Group shall discuss the specifics of the transgender or intersex inmate’s case to determine the most appropriate housing option(s), with the appointed liaison having responsibility regarding the inmate’s requests.

(f) The Transgender Review Group shall be given access to only the clinical information necessary to make a determination regarding the safe housing of the inmate.

(g) Information discussed by the Group shall be kept confidential except as necessary to implement the decisions of the Board.

(h) The Review Group will develop a Management Plan for the inmate which outlines the following;

1. Housing assignment;
2. Searches;
3. Showering;
4. Grooming/Clothing;
5. Escorts;
6. Transports;
7. Access to programs and activities; and,
8. Liaison to the committee and inmate.
Transgender and Intersex

(i) When developing the Management Plan, the Review Group shall;

1. Take into consideration preferences and requests made by the inmate. Such requests from the inmate shall be considered as part of the review board’s discussions, but shall not be the only determining factors;

2. Consider the physical and psychological findings provided by medical staff; and, the safety and security issues as they relate to inmate and staff, as well as the operations of the facility.

(j) The Group shall conduct reviews every 30 days to ensure transgender and intersex inmates remain appropriately housed.

(k) The inmate’s management plan shall be reassessed due to a referral, request, incident of sexual abuse or physical abuse, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abuse.

(l) During the meeting a corrections staff member will be appointed as the liaison for the inmate. The liaison will respond to questions/complaints/grievances of the transgender or intersex inmate related to gender identity and their safety.

(m) The Transgender and Intersex Review Group has the ultimate authority in regards to making any housing changes pertinent to a transgender or intersex inmate.

(n) The Transgender and Intersex Review Group shall collect data for further policy review and revision when necessary.

(o) The Transgender and Intersex Review Group will periodically review cases with approved community advocates. Names and medical conditions will be redacted from these reviews to ensure the inmate’s rights within HIPPA are maintained.

949.10 EMPLOYEE TRAINING

(a) The Jackson County Sheriff’s Office will be responsible for the development of transgender and intersex related training for all corrections staff who may come into contact with inmates.

(b) Training content may include but not be limited to;

1. JCSO zero tolerance policy for sexual harassment regarding LGBTQI; population, failure to report incidents involving transgender inmates, and sanctions for violation of policies and procedures;

2. Basic information about LGBTQI population;

3. Booking and housing policies and procedures;

4. How to communicate effectively and professionally with LGBTQI inmates in a respectful and non-discriminatory manner;

5. Confidentiality;

6. Conducting cross-gender pat searches and searches of transgender and intersex inmates in a professional and respectful manner, in the least intrusive manner possible, consistent with security needs;
7. Legal responsibilities; and,
8. Resources available to LGBTQI persons.

(c) Continuing training shall be provided annually. This training may be conducted as online training.
Chapter 10 - Personnel
Policy 1000

Jackson County Sheriff's Office
LE Policies

Police Training Officer Program - P.T.O.

1000.1 PURPOSE AND SCOPE
The Police Training Officer Program is intended to provide a standardized program to facilitate the deputy's transition from the academic setting to the actual performance of general law enforcement and/or corrections duties of the Jackson County Sheriff's Office.

It is the policy of this department to assign all new sheriff's deputies to a structured Police Officer Training Program that complies with DPSST training requirements and that is designed to prepare the new deputy to perform in a patrol and/or corrections assignment possessing all skills needed to operate in a safe, productive and professional manner.

1000.2 POLICE TRAINING OFFICER SELECTION AND TRAINING
The PTO is an experienced deputy trained in the art of supervising, training and evaluating entry level and lateral sheriff's deputies in the application of their previously acquired knowledge and skills.

1000.2.1 SELECTION PROCESS
PTO's will be selected based on the following requirements:

(a) Desire to be a PTO
(b) Demonstrated ability as a positive role model
(c) Participation in and passing an internal oral interview selection process
(d) Evaluation by supervisors and current PTO's
(e) Possession of a DPSST Basic Certificate

1000.2.2 TRAINING
A deputy selected as a Police Training Officer shall successfully complete an approved Police Training Officer's Course at the first available opportunity.

All PTO's must complete a Police Training Officer update course every three years while assigned to the position of PTO.

1000.3 POLICE TRAINING OFFICER PROGRAM SUPERVISOR
The PTO supervisor will be selected from the rank of sergeant or above by the Operations Division Commander or his/her designee and shall possess a DPSST Supervisory Certificate.

The responsibilities of the PTO supervisor include the following:

(a) Assignment of trainees to PTOs.
(b) Conduct PTO meetings.
(c) Maintain and ensure PTO/Trainee performance evaluations are completed.
(d) Maintain, update and issue the Police Training Manual to each trainee.
(e) Monitor individual PTO performance.
(f) Monitor overall PTO Program.
(g) Maintain liaison with PTO Coordinators of other agencies.
(h) Maintain liaison with academy staff on recruit performance during the academy.
(i) Develop ongoing training for PTOs.

1000.4 TRAINEE DEFINED
Any entry level or lateral sheriff's deputy who has not successfully completed a prescribed training program.

1000.5 REQUIRED TRAINING
Entry level deputies shall be required to successfully complete the Police Training Program.
The training period for lateral deputies may be modified depending on the trainee's demonstrated performance and level of experience.
To the extent practicable, entry level and lateral deputies should be assigned to a variety of Police Training Officers, shifts and areas during their Police Training Program.

1000.5.1 POLICE TRAINING OFFICER MANUAL
Each new deputy will be issued a Police Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as a deputy with the Jackson County Sheriff's Office. The deputy shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.
The Police Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the Jackson County Sheriff's Office.

1000.6 EVALUATIONS
Evaluations are an important component of the training process and shall be completed as outlined below.

1000.6.1 POLICE TRAINING OFFICER
The PTO will be responsible for the following:
(a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the PTO program supervisor on a daily basis.
(b) Review the Daily Observation Report (DORs) with the trainee each day.
(c) Complete all detailed performance evaluations on his/her assigned trainee as prescribed in the Jackson County Sheriff's Office Police Training Officer Manual.
(d) Sign off all completed topics contained in the Police Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

1000.6.2 POLICE TRAINING ADMINISTRATOR
The Police Training Officer Administrator will review and approve the Daily Observation Reports submitted by the PTO.

1000.6.3 TRAINEE
At the completion of the Police Training Officer Program, the trainee shall submit a confidential performance evaluation on each of their PTO's and on the Police Training Officer Program.

1000.7 DOCUMENTATION
All documentation of the Police Training Officer Program will be retained in the deputy's training files and will consist of the following:

(a) Daily Observation Reports
(b) End of phase evaluations
(c) Supervisor's evaluation
(d) The completed Police Training Manual
(e) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training.
Safety Belts

1001.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1001.1.1 DEFINITIONS
Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1001.2 WEARING OF SAFETY RESTRAINTS
All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this office, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained (ORS 811.210).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a safety belt would endanger the office member or the public. Members must be prepared to justify any deviation from this requirement.

1001.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES
Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by safety belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints. In unusual circumstances where it is unsafe or impractical to do so, prisoners may be transported without the use of safety belts (ORS 811.215(6)).

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1001.4 INOPERABLE SAFETY BELTS
Department vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

Department vehicle safety belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Sheriff.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.
Safety Belts

1001.5 POLICY
It is the policy of the Jackson County Sheriff's Office that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1001.6 TRANSPORTING CHILDREN
A child restraint system should be used for all children of an age, height or weight for which such restraints are required by law (ORS 811.210).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of safety belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer’s design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

1001.7 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS
Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer’s operator requirements for safe use.

1001.8 VEHICLE AIRBAGS
In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.
Body Armor

1002.1 PURPOSE AND SCOPE
The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1002.2 POLICY
It is the policy of the Jackson County Sheriff's Office to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1002.3 ISSUANCE OF BODY ARMOR
The Support Services supervisor shall ensure that body armor is issued to all deputies when the deputy begins service at the Jackson County Sheriff's Office and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Support Services supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1002.3.1 USE OF SOFT BODY ARMOR
Generally, the use of body armor is required subject to the following:

(a) Deputies shall only wear agency-approved body armor.

(b) Deputies shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Deputies may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(d) Body armor shall be worn when a deputy is working in uniform or taking part in Department range training.

(e) A deputy may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1002.3.2 INSPECTIONS OF BODY ARMOR
Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body
Body Armor

armor should be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse and wear.

1002.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR
Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1002.4 RANGEMASTER RESPONSIBILITIES
The Rangemaster should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

(b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

(c) Provide training that educates deputies about the safety benefits of wearing body armor.
Telephone & Address Change

1003.1 PURPOSE AND SCOPE
It is the purpose of this policy for employees to notify the Sheriff's Office if their telephone number or address changes.

1003.1.1 POLICY
It is the policy of this office that employees notify their Supervisor, Bureau Captain, and Administrative Assistant of any address or telephone number change within one day of the change.

1003.1.2 TELEPHONE REQUIREMENT
Employees are required to have a telephone. Employees must answer their telephone. Employees will not use telephone answering machines, caller ID, or any other method to screen their calls in an attempt to prevent being contacted by a person from this office for any reason.
Department Badges

1004.1 PURPOSE AND SCOPE
The Jackson County Sheriff's Office badge and uniform patch as well as the likeness of these items and the name of the Jackson County Sheriff's Office are property of the Department and their use shall be restricted as set forth in this policy.

1004.2 POLICY
The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1004.2.1 FLAT BADGE
Sworn deputies, with the written approval of the Sheriff may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) A deputy may sell, exchange, or transfer the flat badge he/she purchased to another deputy within the Jackson County Sheriff's Office with the written approval of the Sheriff.

(b) Should the flat badge become lost, damaged, or otherwise removed from the deputy's control, he/she shall make the proper notifications as outlined in the Policy Manual 700.

(c) An honorably retired deputy may keep his/her flat badge upon retirement.

(d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1004.2.2 NON-SWORN PERSONNEL
Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee.

(a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.
1004.2.3 RETIREE UNIFORM BADGE
Upon honorable retirement employees may purchase his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1004.3 UNAUTHORIZED USE
Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Sheriff.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1004.4 PERMITTED USE BY EMPLOYEE GROUPS
The likeness of the department badge shall not be used without the expressed authorization of the Sheriff and shall be subject to the following:

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Jackson County Sheriff's Office. The following modifications shall be included

1. The text on the upper and lower ribbons is replaced with the name of the employee association.

2. The badge number portion displays the initials of the employee association.

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Sheriff.
Uniforms, equipment & grooming

1005.1 PURPOSE AND SCOPE
It shall be the policy of this department to provide equipment, uniforms and appearance standards that present a professional, dignified and respected image. This policy provides specifications for apparel and personal equipment to be worn by department employees.

1005.1.1 DEFINITIONS
Definitions related to this policy include:

Class A uniform shall consist of a shirt, pants, metal badge, name tag and insignias as required and described in this policy. It shall be worn during any court appearance that requires the deputy to testify.

Class B uniform is a uniform which has embroidered name tags and badges.

Full Duty Weapons System shall consist of a gunbelt and the equipment approved by the Sheriff to be worn on the gunbelt.

1005.2 AUTHORIZATIONS FOR UNIFORMS AND EQUIPMENT
Uniforms and other wearing apparel shall be supplied and approved according to the following guidelines.

The Sheriff shall be the final authority on all matters pertaining to official uniforms, equipment, and prescribed civilian attire. Uniforms shall be made of the material and style prescribed by the Sheriff and shall not be modified or changed in any manner, except by permission of the Sheriff. Detailed uniform specifications shall be maintained by the Sheriff and uniform dealers.

All Sworn personnel shall be issued Class A uniforms. The Sheriff shall approve those assignments within the department authorized to wear the Class B uniforms.

All uniform replacements must be in written form and submitted to a division supervisor in the employee’s chain of command. The supervisor shall verify the need and approve or deny the request. The requests shall then be forwarded to the Procurement Clerk for ordering.

1005.2.1 UNIFORMITY AND MAINTENANCE
A unilateral professional image commands a degree of uniformity to satisfy certain public expectations. It is intended that guidelines on hair styles, jewelry and dress codes reflect a compromise that achieves a balance of flexibility and conformity. Naturally, attire should be clean and presentable.

1005.2.2 RESTRICTIONS TO WEARING OF UNIFORMS OR EQUIPMENT
Personnel shall wear the full uniform specified for their particular rank or assignment. No distinguishable part of the official uniform which would identify the wearer as a member of this department shall be worn in public in conjunction with civilian clothing. Personnel shall wear and use only departmental approved uniforms and related equipment while on official duty. Exceptions
to this policy shall be those personnel in specifically approved assignments which, by their nature, prohibit the above described attire.

No part of the official uniform (male or female) shall be worn while off duty except in transit to and from work. Personnel shall not wear any part of the authorized uniform while doing personal shopping. This applies both while on and off duty. The only two exceptions are to and from banks and in cleaning establishments.

1005.3 STANDARD FIELD UNIFORM - PATROL DIVISION
The following items of apparel and equipment make up the standard field uniform. Except when otherwise ordered, the standard field uniform shall be worn when performing uniform duty in the field.

**Hat:** Style and color as specified by the Sheriff. Wearing of the hat is optional and provided by the Sheriff. Hat covers shall be clear or opaque plastic, which is provided by the Sheriff.

**Shirt:** Black t-shirts are to be worn with short or long sleeved shirts. Ties would be suitable in court and other formal settings. Shirts shall include approved patches that are machine sewn to each sleeve 2 inch below the sleeve/shoulder seam, embroidered name tag, FTO tab if applicable, and the appropriate rank insignia if applicable.

**Tie:** As specified by the Sheriff. Tie tack/holder shall be gold or silver in color and conservative in style.

**Trousers:** Class A pants. Style and color as specified by the Sheriff.

**Trouser Belt:** Shall be black in color, with a minimum width of 1 1/2 inches and a buckle not larger than 2 3/4 inches in width, or with a Velcro type fastener.

**Footwear:** Footwear shall be black and of a polishable material. Athletic shoes and boots are acceptable footwear. The Division Supervisor may authorize other styles of footwear depending upon the employee's working conditions and the type of footwear available on the market.

**Name tags:** Metal, printed name tags shall only be worn on the Class A dress jacket as provided by the Sheriff. Class A and B uniforms shall have cloth embroidered name tags sewn on.

**Badge and ID card:** Personnel shall wear the official badge currently issued to them. It shall be worn attached to the badge holder provided on the outermost garment and shall be clearly visible when in public view. The official ID card shall be carried at all times.

**Rain gear:** As provided by the Sheriff.

**Insignia of rank:**

- Officers of the rank of sergeant shall wear chevrons on the sleeves of each shirt. Sergeant's chevrons shall contain three stripes.

- Officers of the rank of captain and higher shall wear on each side of the collar the appropriate insignia, which shall be gold or black in color: Captain - double bar; Undersheriff - two stars; Sheriff - three stars.
**Uniforms, equipment & grooming**

**Gunbelt:** Shall be black leather with basket weave design or nylon. The buckle shall be chromium colonial style, Velcro, or locking design.

**Required Equipment:**
- a. Sidearm: Shall be a department approved weapon.
- b. Handcuffs and keys: Department approved handcuffs and keys.
- c. Writing pen.
- d. Portable radio. Department issue as available.
- e. Notebook.
- f. Department approved flashlight.
- g. Minimum eighteen (18) rounds of department approved ammunition.
- h. Watch: An accurate watch must be worn at all times while on duty.
- i. Aerosol Subject Restraint

**Optional Equipment:**
- a. Back up weapon: In accordance with current firearms policy.
- b. Folding knife: Blade must be less than 4 inches in length.
- c. Knife holster: Black leather, conservative in design.
- d. Expandable Baton
- e. Taser
- f. Other equipment as approved by the Sheriff.

**Jewelry and ornamentation:** The following list represents the maximum allowable jewelry which may be worn while on duty:
- a. Two rings, conservatively styled.
- b. One bracelet, conservatively styled and close to the wrist.
- c. Shooter’s badges/medals of valor, etc.: No more than two may be worn. They must be centered below the name plate on the right breast pocket flap.
- d. Necklaces and neck chains must be completely covered if worn while on duty.
- e. Earrings: Studs may be worn without dangling attachments, only on the lobe, and a maximum of one on each ear.

**1005.4 STANDARD FIELD UNIFORM - CIVIL & INVESTIGATIONS DIVISIONS**

Unless otherwise authorized by the division supervisor, personnel with a peace officer status shall carry the following items while on duty:
Unforms, equipment & grooming

1. Sidearm: As prescribed in current firearms procedure.
2. Department approved handcuffs and key.
4. Holster: As approved by the department.
5. Ammunition: Only department approved rounds may be carried.
6. Department identification card.
7. Department issued badge.
8. Aerosol Subject Restraint

The following items are the only approved wearing apparel for the Civil, Investigations Division, and court appearances:

a. Business suit, dress shirt, and tie.
b. Slacks, dress shirt with tie.
c. Sport coat, slacks and sport shirt without tie.
d. Dress style leather jackets may be worn in lieu of a sport coat.
e. Footwear shall be conservative in style.
f. The immediate supervisor may approve other attire for unique assignments or details.
g. All apparel worn while on duty shall be in a clean and pressed condition.
h. Jewelry and ornamentation shall be as prescribed in 1005.3.

1005.5 STANDARD FIELD UNIFORM - CORRECTIONS DIVISION
The following items of apparel and equipment make up the standard duty uniform.

**Shirt:** Shirt complete with badge, embroidered name tag, shoulder patches, and the appropriate rank insignia, if applicable. The shirt shall conform in every respect to the standards and requirements of 1005.3.

**Trousers:** As prescribed in 1005.3

**Class B uniform:** The Corrections deputies may choose to wear a Class B uniform which includes, BDU style pants and shirt complete with embroidered badge, embroidered name tag, shoulder patches, FTO tab if applicable, and the appropriate rank insignia, if applicable as provided by the Sheriff.

**Footwear:** As prescribed in 1005.3.

**Required Equipment**
Unforms, equipment & grooming

1. Duty Belt
2. Handcuffs and case
3. Key holder
4. Writing pen
5. Portable radio and holder
6. Notebook
7. Department approved flashlight and holder
8. Watch: An accurate watch must be worn at all times while on duty.
9. Aerosol Subject Restraint and holder
10. Gloves and glove pouch
11. Full duty weapons system if an officer has chosen to be certified must be with them at their duty station or on their person when on duty.

Optional Equipment:
1. Expandable Baton
2. Taser
3. Long Sleeve Shirt: As prescribed in 1005.3.
4. Jewelry: As prescribed and limited in 1005.3.

1005.6 STANDARD DRESS - CLERICAL PERSONNEL
The following list shall constitute the only approved apparel for clerical personnel:

- Dresses, skirts (that come to the knee or longer), slacks, Khaki style pants, cargo pants, dress style capris (which fall at least six inches below the knee), blouses, dress shirts, casual button-down shirts, open-collared shirts and polos of a conservative nature may be worn and shall be neat in appearance.
- No denim clothing shall be allowed. The only exception shall be on casual days as designated by the Sheriff.
- Hosiery is not necessary but recommended if your skirt or dress is knee length rather than calf length.
- No low cut tops, tee shirts, printed graphics shirts or tops of any kind that don’t have sleeves.
- Footwear shall be closed toe of any color and no flip-flops.
- Knit sweaters and sweater sets are appropriate business casual choices. Cotton, silk and blends are appropriate.
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- Velvets and shimmery fabrics suitable for parties are not appropriate. Hooded clothing and pullover sweatshirts are not allowed.
- All clerical staff must wear their name badge so it is clearly visible.
- The supervisor shall have the final decision on what is deemed appropriate attire.

Jewelry shall be as prescribed for the patrol division with the following exceptions:

1. A necklace may be worn exposed.
2. Wedding and engagement rings shall be considered one ring.
3. Earrings may have dangling attachments that are appropriate for today's fashion attire.

1005.7 PERSONAL APPEARANCE

Uniformed Personnel:

Hair: The hair to the front may be worn in any style, as long as it does not extend into the eyes or otherwise interfere with the deputy's vision. If the back of the hair extends below the shirt collar when the head is held erect it must be worn up or pulled back in a style that is not easily accessible to be grabbed. The hair shall be styled/cut in such a fashion as not to extend below the middle of the ear. Hair styles/cuts should be conservative and functional. Hair must be worn in a natural color. The use of hair adornments such as ribbons, clips, etc., shall be prohibited.

Sideburns: Sideburns shall be trimmed so they do not extend below the bottom of the earlobe. They shall not flare more than one half inch wider at the bottom than the width of the sideburn. There shall be a distinct separation between the sideburns and a mustache.

Mustache: Mustaches shall be kept neatly trimmed and well groomed. Mustaches shall not extend more than one half inch beyond or below the corner of the mouth. They shall not be waxed.

Beards: All facial hair not covered by this regulation shall be prohibited. The Sheriff or his representative may make an exception to this rule if in the line of duty, and if it would be necessary for achievement of a special purpose.

Makeup: The use of facial makeup shall be conservative. Excessive use of lipstick, blush, mascara, and eyebrow pencil shall not be acceptable. Fingernails shall be conservative and functional.

ALL OFFICERS ARE REMINDED THAT ON CERTAIN OCCASIONS THEY MAY BE REQUIRED TO WEAR THE UNIFORM HAT. CONSEQUENTLY, HAIR SHOULD BE STYLED IN SUCH A MANNER AS TO ALLOW WEARING OF THE HAT IN A PRESENTABLE MANNER.

Non-sworn Personnel

Hair: The hair shall be worn in a neat style which does not include extreme hairdos. Hair shall be kept neat, clean, and well styled at all times.
Uniforms, equipment & grooming

Makeup: The use of facial makeup shall be conservative. Excessive use of lipstick, blush, mascara, and eyebrow pencil shall not be acceptable. Fingernails shall be conservative and functional.

ALL PERSONNEL MUST BEAR IN MIND THAT THEY HAVE THE RESPONSIBILITY TO PRESENT AN APPEARANCE THAT IS PROFESSIONAL AND WHICH ALLOWS THEM TO RETAIN THE RESPECT OF THOSE THEY SERVE.
Employee Speech, Expression and Social Networking

1006.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department while on duty or in a representational capacity for either the Sheriff’s Office or the County. Employees may not use social media while on duty except during authorized breaks without the express permission of the Sheriff or his designee.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or deputy associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1006.1.1 APPLICABILITY
This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

1006.2 POLICY
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Jackson County Sheriff's Office will carefully balance the individual employee’s rights against the Department’s needs and interests when exercising a reasonable degree of control over its employees’ speech and expression.

1006.3 SAFETY
Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Jackson County Sheriff's Office employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably
Employee Speech, Expression and Social Networking

be anticipated to compromise the safety of any employee, an employee's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working undercover.
- Disclosing the address of a fellow employee.

1006.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following is prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or deputy associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Jackson County Sheriff's Office or its employees.

(b) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(c) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(d) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Jackson County Sheriff's Office.

(e) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee (or any other act that would constitute a misuse of public information in violation of ORS 162.425).

(f) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Jackson County Sheriff's Office on any personal or social networking or other website or web page, without the express authorization of the Sheriff.

(g) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or
Employee Speech, Expression and Social Networking

department-owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communications may be warranted by the circumstances (e.g., inform family of extended hours).
2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1006.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or deputy associations, employees may not represent the Jackson County Sheriff's Office or identify themselves in any way that could be reasonably perceived as representing the Jackson County Sheriff's Office in order to do any of the following, unless specifically authorized by the Sheriff:

(a) Endorse, support, oppose or contradict any political campaign or initiative.
(b) Endorse, support, oppose or contradict any social issue, cause or religion.
(c) Endorse, support or oppose any product, service, company or other commercial entity.
(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Jackson County Sheriff's Office.

A notice of restrictions on political activities by employees will be posted and maintained by the Department in a place that is conspicuous to all employees as required by law (ORS 260.432).

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or deputy associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).
1006.5 PRIVACY EXPECTATION
Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system.

The Office or the Sheriff's designee reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

This includes records of all key strokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through department computers or networks.

Users are also subject to County IT policy.

1006.6 CONSIDERATIONS
In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1006.7 TRAINING
Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.
Internal Affairs

1007.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the reporting, investigation and disposition of complaints regarding departmental policies or procedures or the conduct of employees of this department.

1007.1.1 DEFINITIONS
COMPLAINT - As used in this SOP, an accusation of misconduct on the part of a department employee.
INTERNAL AFFAIRS AUTHORITY - Those supervisors and outside investigators designated by the Sheriff who possess the authority to investigate complaints of misconduct, to compel statements from department employees, to determine if the allegations are valid or invalid, and to initiate corrective disciplinary action if appropriate.
INVESTIGATION - An official inquiry into an alleged complaint of misconduct and proper documentation of the steps to determine fact.

1007.2 COMPLAINT INVESTIGATION PROCEDURE

(a) Citizen Complaints
1. All citizen complaints pertaining to departmental policies or procedures or that allege employee misconduct shall be documented and investigated by the department.

(a) Complaints may be received in person, electronically, over the telephone, or in writing. When practicable, complainants should be encouraged to submit their complaints in writing.

(b) Anonymous complaints or complaints from citizens who wish their names to be held in confidence shall be accepted and investigated to the extent that sufficient information is provided. However, if the internal affairs authority determines that discipline is warranted, it must provide the accused employee with the name of the complainant upon request if the name of the complainant is known to the internal affairs authority.

2. Citizen complaints shall be accepted by any supervisor of the department who is approached for such assistance.

(a) If the complaining party is satisfied that appropriate action has been taken by a department supervisor of a rank greater than the accused employee, the responsible supervisor shall have the discretion to handle the complaint informally. Informal complaints need not be documented on a personnel complaint form. Complaints regarding use of force, sexual harassment, or racial discrimination shall not be handled informally.

(b) If the complaint is not handled informally, the supervisor shall document the complaint in writing and promptly forward the complaint to the appropriate internal affairs authority (usually the division commander).
Internal Affairs

(c) When the initial inquiry appears to demonstrate that the employee followed policy and did not commit misconduct, the supervisor may attempt to resolve the complaint by an explanation of department policies where applicable. If appropriate, the supervisor may recommend a change in policy.

(b) Internal affairs investigations shall be conducted confidentially in accordance with this policy. An investigation may be initiated following a complaint by a citizen, the initiation of a lawsuit, a complaint by a fellow employee, a request from a superior employee, or at the supervisor’s own initiative. An employee who becomes aware of alleged misconduct shall immediately notify a supervisor.

(c) Responsibilities of Internal Affairs Authority

1. On becoming aware or receiving notification of potential misconduct by an employee, the internal affairs authority shall begin an investigation of the allegations. The investigation shall be conducted in accordance with ORS 236.350 et. seq when applicable.

2. The internal affairs authority shall have primary supervisory responsibility for the review and investigation of all complaints against employees whether initiated by a citizen or the department. While investigating a complaint of misconduct, the internal affairs authority shall be delegated the authority of the Sheriff for the purposes of directing the investigation. The internal affairs authority shall establish a confidential file for the investigation. Investigations of complaints shall be completed in a timely manner.

3. If the complaint is initiated by a citizen, the internal affairs authority shall contact the complainant and advise him that the matter is under investigation and that the complainant shall receive final disposition of the case to the extent permitted by Oregon Public Records law. The internal affairs authority shall advise the complainant of departmental procedures for processing and investigating citizen complaints.

4. All internal affairs investigations shall be conducted in an impartial, non-biased manner and may include police reports, witness statements, accused statements and any other pertinent information. Internal affairs files shall be submitted to the Sheriff upon completion of the investigation and maintained by the Sheriff's administrative staff.

5. If prior to or during the scope of the investigation the internal affairs authority uncovers possible criminal culpability on the part of the employee, the internal affairs investigation shall be suspended, absent direction from the Sheriff to the contrary.

6. Should the internal affairs authority find that legal action against the department may likely result from the misconduct, the circumstances shall be discussed with County Counsel and the investigation conducted at County Counsel's direction. Any employee who is a party to the action shall review only that portion of the file to which he contributed, i.e., his personal reports and/or statement.
1007.3 DISCIPLINARY PROCESS

(a) Basis for Disciplinary Action - Employees are subject to discipline for misconduct as set forth in the Collective Bargaining Agreement (CBA) between Jackson County and the Jackson County Sheriff’s Employees Association. Discipline includes oral reprimands, letters of warning, written reprimands, suspension from duty, demotion, and termination.

(b) Disciplinary Procedure for Reprimands and Letters of Warning - If the internal affairs authority determines that even if the allegations of misconduct are sustained, the misconduct does not warrant suspension from duty, demotion, or termination, the employee may be disciplined without an internal investigation. Before issuing the discipline, the supervisor must provide the employee with the basis for possible discipline and the informal opportunity to explain their actions. Any discipline must be documented in writing and the employee must sign the documentation. The employee’s signature does not necessarily reflect the employee’s agreement with the discipline imposed.

(c) Disciplinary Procedure for Suspensions, Demotions, and Termination - If the supervisor, or internal affairs authority, determines that the misconduct could result in suspension from duty, demotion, or termination, the following procedures and protections are applicable. However, probationary employees may be terminated in accordance with the terms of the CBA and extra-help employees may be terminated at any time.

1. Depending on the totality of the circumstances, the supervisor may place an employee on paid administrative leave or may reassign an employee pending the administration of discipline. During the investigatory process, the employee may be prohibited from communicating with witnesses to the alleged misconduct concerning the misconduct.

2. Procedure for conducting investigatory interviews with the involved employee.

(a) Except as necessary to gain a general overview and sufficient facts of an incident to assess the necessity of an inquiry, or in order to obtain pertinent public safety information, an employee shall not be required to answer questions until he/she has been told of the facts and the general nature of the investigation in a manner that is reasonably sufficient to inform the employee of the circumstances surrounding the allegations. When possible, the information should be provided to the employee in writing at least 48 hours prior to any interview with the employee.

(b) Unless the seriousness of an investigation requires otherwise, interviews of accused employees shall be conducted when the employee is on-duty or during the employee’s normal working hours. If the interview is conducted while the employee is off-duty, the employee shall be appropriately compensated.

(c) The interview shall be tape-recorded and a transcript, if created, shall be furnished to the employee following the hearing.
(d) No more than two interviewers at a time may ask questions of an accused employee. The interviewers shall identify themselves and all persons present during an interview. Interviews may not last an unreasonable amount of time, taking into consideration the gravity and complexity of the matter under investigation. The employee’s physical needs shall be reasonably accommodated during any interview.

(e) The interviewers shall inform the employee of their Garrity rights and the interviewer’s authority to compel a statement. No employee shall be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. An employee being interviewed may not be threatened with punitive action. However, during a compelled interview solely for non-criminal purposes, an employee who refuses to respond to questions or refuses to be interviewed must be informed that refusal may lead to disciplinary action. Nothing administratively ordered may be provided to a criminal investigator.

(f) All employees subjected to interviews that could result in punitive action against them, may have a representative of the employee's choosing present at the interview. However, in order to maintain the integrity of each individual employee's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(g) In a disciplinary or administrative investigation, the employee's chosen representative cannot be required to disclose, or be subject to disciplinary action for refusing to disclose, statements made by the employee to the representative for purposes of the representation.

(h) If the allegations involve potential criminal conduct, the employee shall be advised of his/her constitutional rights. This admonishment shall be given administratively even if the employee was advised of these rights during any separate criminal investigation. Specifically, the employee must be informed of the right to consult with criminal defense counsel with respect to the criminal charge.

3. Following the completion of an investigation, the internal affairs authority shall generate a report finding that each allegation of misconduct was:

(a) Sustained - evidence sufficient to prove the allegation;

(b) Not sustained - insufficient evidence to either prove or disprove the allegation;

(c) Exonerated - incident occurred but was lawful and/or proper;

(d) Unfounded - allegation was false or not factual; or

(e) Policy failure - flaw in policy created the incident.

(d) Pre-Disciplinary Hearing:
1. If the report from the internal affairs authority contains any sustained allegations and if the Sheriff or his designee determines that an employee may be suspended, demoted, or terminated, a pre-disciplinary hearing shall be conducted by a supervisor selected by the Sheriff or his designee from those supervisors not directly in the chain of command of the involved employee. Not less than seventy-two (72) hours prior to the scheduled starting time of the hearing, the Sheriff or his designee shall provide to the employee with a pre-disciplinary letter. The pre-disciplinary letter shall include:

(a) The particular policy(s) alleged to have been violated.
(b) The dates and places where the alleged acts or omissions occurred, as closely as can be determined.
(c) A brief statement of the alleged acts or omissions.
(d) The recommended disciplinary action.
(e) The employee’s right to have a representative at the pre-disciplinary hearing.
(f) The pre-disciplinary hearing date, time and place.

2. Upon request, the employee shall be provided with a copy of the report from the internal affairs authority.

3. At the pre-disciplinary hearing the neutral supervisor shall ask the employee or his representative to respond to the allegations of misconduct which were outlined to the employee. The employee may be represented by any person he chooses and may respond orally or in writing. Failure to respond truthfully may result in further disciplinary action. At the hearing the employee may present any testimony, witnesses or documents which explain whether or not the alleged conduct occurred or which mitigate any conduct that occurred. The employee shall provide a list of witnesses to the supervisor conducting the hearing as far in advance as possible, but not later than one hour prior to the pre-disciplinary hearing. It is the employee’s responsibility to notify witnesses that their attendance is desired. If the employee or their designee chooses not to respond, any disciplinary decisions will be based upon the record before the supervisor. The hearing shall be tape-recorded and a transcript, if created, shall be furnished to the employee following the hearing.

4. Upon the determination of discipline, the supervisor shall prepare and submit to the employee a statement including the following:

(a) Reason for discipline, if any.
(b) Effective date of discipline.
(c) Employee’s right to grieve discipline, if any.
(d) Consequences if actions preceding discipline are not corrected.

5. The Sheriff shall be kept informed of all disciplinary actions.
(e) The employee may appeal or grieve any decision as outlined in state law, county ordinance, collective bargaining agreement, or departmental procedures

Garrity warning voluntary - See attachment: 1007~6 Warning and Assurances voluntary.pdf
Garrity warning required - See attachment: 1007~6 Warning and Assurances required.pdf
Anti-Retaliation

1008.1 PURPOSE AND SCOPE
This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members’ access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

1008.2 POLICY
The Jackson County Sheriff's Office has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1008.3 RETALIATION PROHIBITED
No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.
Anti-Retaliation

1008.4 COMPLAINTS OF RETALIATION
Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Sheriff or the County Personnel Manager.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member’s identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1008.5 SUPERVISOR RESPONSIBILITIES
Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
(b) Receiving all complaints in a fair and impartial manner.
(c) Documenting the complaint and any steps taken to resolve the problem.
(d) Acknowledging receipt of the complaint, notifying the Sheriff via the chain of command and explaining to the member how the complaint will be handled.
(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
(h) Not interfering with or denying the right of a member to make any complaint.
(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.
1008.6 COMMAND STAFF RESPONSIBILITIES  
The Sheriff should communicate to all supervisors the prohibition against retaliation.  
Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:  
(a) Communicating to all members the prohibition against retaliation.  
(b) The timely review of complaint investigations.  
(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.  
(d) The timely communication of the outcome to the complainant.  

1008.7 WHISTLE-BLOWING  
Oregon law protects members who disclose or threaten to disclose information that the member reasonably believes is evidence of (ORS 659A.203):  
(a) A violation of federal, state or local law, rule or regulation.  
(b) Mismanagement, gross waste of funds, abuse of authority or substantial and specific danger to public health and safety.  
(c) A person who is receiving public assistance is subject to a felony or misdemeanor warrant.  
Members are encouraged to report such violations or disclosures of information through the chain of command (ORS 659A.221; ORS 654.062).  
Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Professional Standards Unit for investigation pursuant to the Personnel Complaints Policy.  

1008.8 RECORDS RETENTION AND RELEASE  
The Records Supervisor shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.  

1008.9 TRAINING  
The policy should be reviewed with each new member.  
All members should receive periodic refresher training on the requirements of this policy.
Line-of-Duty Deaths

1009.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of the Jackson County Sheriff's Office in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member’s survivors.

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

1009.1.1 DEFINITIONS
Definitions related to this policy include:

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

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

1009.2 POLICY
It is the policy of the Jackson County Sheriff's Office to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

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

1009.3 INITIAL ACTIONS BY COMMAND STAFF
(a) Upon learning of a line-of-duty death, the deceased member’s supervisor should provide all reasonably available information to the Patrol Sergeant and Dispatch.

1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).

(b) The Patrol Sergeant should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

(c) If the member has been transported to the hospital, the Patrol Sergeant or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
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Line-of-Duty Deaths

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

1009.4 NOTIFYING SURVIVORS

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

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

The Sheriff, Patrol Sergeant or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

(a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.

(b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child’s age, maturity and current location (e.g., small children at home, children in school).

(c) Plan for concerns such as known health concerns of survivors or language barriers.

(d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.

(e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

(f) If making notification at a survivor’s workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

(g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.

(h) Assist the survivors with meeting childcare or other immediate needs.
Line-of-Duty Deaths

(i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.

(j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.

(k) Provide their contact information to the survivors before departing.

(l) Document the survivor’s names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.

(m) Inform the Sheriff or the authorized designee once survivor notifications have been made so that other Jackson County Sheriff's Office members may be apprised that survivor notifications are complete.

1009.4.1 OUT-OF-AREA NOTIFICATIONS
The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

(a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.

(b) The Department Liaison may assist in making transportation arrangements for the member’s survivors, but will not obligate the Department to pay travel expenses without the authorization of the Sheriff.

1009.5 NOTIFYING DEPARTMENT MEMBERS
Supervisors or members designated by the Sheriff are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

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

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

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.
Line-of-Duty Deaths

1009.6 LIAISONS AND COORDINATORS
The Sheriff or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

(a) Department Liaison.
(b) Hospital Liaison.
(c) Survivor Support Liaison.
(d) Critical Incident Stress Management (CISM) coordinator.
(e) Funeral Liaison.
(f) Mutual aid coordinator.
(g) Benefits Liaison.
(h) Finance coordinator.

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

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

1009.6.1 DEPARTMENT LIAISON
The Department Liaison should be a Division Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member’s survivors and the Department. The Department Liaison reports directly to the Sheriff. The Department Liaison’s responsibilities include, but are not limited to:

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

1009.6.2 HOSPITAL LIAISON
The Hospital Liaison should work with hospital personnel to:

(a) Arrange for appropriate and separate waiting areas for:
1. The survivors and others whose presence is requested by the survivors.
2. Department members and friends of the deceased member.
3. Media personnel.

(b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member’s survivors or Jackson County Sheriff’s Office members (except for members who may be guarding the suspect).

(c) Ensure that survivors receive timely updates regarding the member before information is released to others.

(d) Arrange for survivors to have private time with the member, if requested.
1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
2. The Hospital Liaison should accompany the survivors into the room, if requested.

(e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.

(f) If applicable, explain to the survivors why an autopsy may be needed.

(g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member’s residence address, insurance information and next of kin are not included on hospital paperwork.

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

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

1009.6.3 FAMILY SUPPORT LIAISON
The Family Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Family Support Liaison should be selected by the deceased member’s Division Commander. The following should be considered when selecting the Family Support Liaison:
**Line-of-Duty Deaths**

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

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

(a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.

(b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.

(c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.

(d) Providing assistance with travel and lodging arrangements for out-of-town survivors.

(e) Returning the deceased member’s personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
   1. Items should not be delivered to the survivors until they are ready to receive the items.
   2. Items not retained as evidence should be delivered in a clean, unmarked box.
   3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
   4. The return of some personal effects may be delayed due to ongoing investigations.

(f) Assisting with the return of department-issued equipment that may be at the deceased member’s residence.
   1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors’ wishes.

(g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.

(h) Coordinating with the department’s Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).

(i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.
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(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.

(k) Introducing survivors to prosecutors, victim’s assistance personnel and other involved personnel as appropriate.

(l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).

(m) Inviting survivors to department activities, memorial services or other functions as appropriate.

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

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

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

1009.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Sheriff or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

(a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:

1. Members involved in the incident.
2. Members who witnessed the incident.
3. Members who worked closely with the deceased member but were not involved in the incident.

(b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.

(c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.

(d) Coordinating with the Family Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.
Line-of-Duty Deaths

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

1009.6.5 FUNERAL LIAISON
The Funeral Liaison should work with the Department Liaison, Family Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison’s responsibilities include, but are not limited to:

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

1009.6.6 MUTUAL AID COORDINATOR
The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

(a) Traffic control during the deceased member’s funeral.
(b) Area coverage so that as many Jackson County Sheriff’s Office members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.
1009.6.7 BENEFITS LIAISON
The Benefits Liaison should provide survivors with information concerning available benefits and
assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not
limited to:

(a) Confirming the filing of workers' compensation claims and related paperwork (see the
Occupational Disease and Work-Related Injury Reporting Policy).

(b) Researching and assisting survivors with application for federal government survivor
benefits, such as those offered through the:
   1. Public Safety Officers' Benefits (PSOB) Programs.
   2. Public Safety Officers' Educational Assistance (PSOEA) Program.
   3. Social Security Administration.
   4. Department of Veterans Affairs.

(c) Researching and assisting survivors with application for state and local government
survivor benefits.
   1. Public Safety Memorial Fund (ORS 243.950 et seq.)
   2. Education benefit (ORS 348.270)
   3. Life insurance (ORS 243.025)
   4. Death benefit (ORS 238.395; ORS 238A.230)

(d) Researching and assisting survivors with application for other survivor benefits such as:
   1. Private foundation survivor benefits programs.
   2. Survivor scholarship programs.

(e) Researching and informing survivors of support programs sponsored by sheriff's associations and other organizations.

(f) Documenting and informing survivors of inquiries and interest regarding public
donations to the survivors.
   1. If requested, working with the finance coordinator to assist survivors with
      establishing a process for the receipt of public donations.

(g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of
   the summary and benefit application documentation should be provided to affected
   survivors.

(h) Maintaining contact with the survivors and assisting with subsequent benefit questions
    and processes as needed.
1009.6.8 FINANCE COORDINATOR
The finance coordinator should work with the Sheriff and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator’s responsibilities include, but are not limited to:

(a) Establishing methods for purchasing and monitoring costs related to the incident.

(b) Providing information on finance-related issues, such as:
   1. Paying survivors’ travel costs if authorized.
   2. Transportation costs for the deceased.
   3. Funeral and memorial costs.
   4. Related funding or accounting questions and issues.

(c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member’s survivors.

(d) Providing accounting and cost information as needed.

1009.7 PUBLIC INFORMATION OFFICER
In the event of a line-of-duty death, the department’s PIO should be the department’s contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

(a) Collect and maintain the most current incident information and determine what information should be released.

(b) Ensure that department members are instructed to direct any media inquiries to the PIO.

(c) Prepare necessary press releases.
   1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
   2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member’s survivors.

(d) Arrange for community and media briefings by the Sheriff or the authorized designee as appropriate.

(e) Respond, or coordinate the response, to media inquiries.

(f) If requested, assist the member’s survivors with media inquiries.
   1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.

(g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.

(h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.
Line-of-Duty Deaths

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

1009.8 DEPARTMENT CHAPLAIN
The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

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

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

1009.9 INVESTIGATION OF THE INCIDENT
The Sheriff shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

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

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

1009.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL
The Sheriff may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

1009.11 NON-LINE-OF-DUTY DEATH
The Sheriff may authorize certain support services for the death of a member not occurring in the line of duty.
Attachments
Jackson Co Deadly Physical Force Plan.pdf
JACKSON COUNTY
DEADLY PHYSICAL
FORCE PLAN

June 3, 2008

Jackson County, Oregon
Deadly Physical Force Planning Authority
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Members of the Planning Authority

Mark Huddleston, Jackson County District Attorney (co-chair)
Rod Countryman, Jackson County Undersheriff (co-chair)
Chief Jon Zeliff, Central Point Police, police chief representative
Sgt. Jeff Proulx, Oregon State Police, OSP representative
Det. Terry Newell, Medford Police, non-management representative
Jim McKenzie, PSCC, citizen member

On March 18, 2008, this Plan was approved by a unanimous vote of the Planning Authority, and submitted to governing bodies of the following jurisdictions:

Jackson County ................................................................. Approved April 2, 2008
City of Butte Falls .............................................................. Approved April 22, 2008
City of Ashland ................................................................. Approved April 1, 2008
City of Central Point .......................................................... Approved April 10, 2008
City of Eagle Point ............................................................. Approved May 13, 2008
City of Jacksonville ............................................................ Approved May 6, 2008
City of Medford ............................................................... Approved April 17, 2008
City of Phoenix ................................................................. Approved April 7, 2008
City of Rogue River .......................................................... Approved May 22, 2008
City of Shady Cove ............................................................ Approved April 17, 2008
City of Talent ................................................................. Approved April 16, 2008

Upon receiving a vote of approval from all of the above jurisdictions, this Plan was submitted to the Attorney General, who approved the Plan on June 3, 2008.
Preamble

The use of deadly physical force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. The purpose of this Plan is not to set the standards for the use of such force, or to be a substitute for agency policy regarding use of force, but rather to provide a framework for a consistent response to an officer’s use of deadly physical force that treats the law enforcement officer fairly, and promotes public confidence in the criminal justice system.

The investigation of these incidents presents a unique combination of complexities that have potential social, civil, administrative and criminal consequences. Public interest and scrutiny is acute; employee morale rests in tenuous balance, and legal issues compound. Proper resolution requires the trust and confidence of all concerned that the investigation will be conducted impartially, thoroughly and openly; without undue or unlawful infringement on the rights and privacy of those involved. The affected agencies recognize their responsibilities to meet those demands, which can be accomplished only through effective management of the investigation. This requires an approach that is:

Well coordinated, to eliminate confusion;

Knowledgeable and skillful, to ensure thoroughness;

Defined, so that those involved and the public correctly interpret the investigative process;

Informative, without compromise of the investigation or individual’s rights, in order to restrict speculation and rumor by those who have an interest in the investigation.

This Plan has been adopted by the Jackson County Deadly Force Planning Authority, duly constituted pursuant to SB 111, Chapter 842, Oregon Laws, 2007. As such, it sets out, among other things, the manner in which incidents which involve the use of deadly physical force by law enforcement personnel are to be investigated. It is anticipated that each incident will involve unique circumstances, and flexibility must be allowed for minor modifications. This protocol is not intended to increase the civil or criminal liability of member agencies or their employees, and it shall not be construed as creating any mandatory obligations to, or on behalf of, third parties.
SECTION 1: ADMINISTRATION

A. In the event that a member of the Planning Authority is unable to continue to serve, a replacement shall be appointed as provided in Section 2(1) of Senate Bill 111, Chapter 842, Oregon Laws, 2007.

B. There shall be six voting members of the Planning Authority. The approval of the Plan, or revisions thereof, shall be by majority vote.

C. The presence of 2/3 of the voting members shall be required in order to hold any vote.

D. The final Plan shall be incorporated into the Jackson County Cooperative Policing Manual.

SECTION 2: APPLICABILITY OF THE PLAN

A. Invocation of this Plan

1. Automatic and Immediate

   a) This Plan shall be applicable as set forth herein, to any use of deadly physical force by a law enforcement officer, acting in the course of his/her official duties, occurring within Jackson County.

   b) Investigation of these matters must be performed under two separate investigative formats: (1) the criminal investigation; and (2) the internal administrative investigation.

2. Optional

   a) This Plan may be invoked upon the occurrence of any sensitive or critical event involving a law enforcement officer which may have criminal liability attached. Examples include:

      (i) A fatality which did not involve the use of deadly physical force by an officer.

      (ii) An officer-involved motor vehicle incident.
(iii) Any death of a person while in law enforcement custody.

(iv) Anytime when requested by an employer agency.

SECTION 3: DEFINITIONS

A. Law Enforcement Officer or Officer

1. Full-time, part-time and reserve sworn police officers, whether on duty or off duty and when acting in the course of his/her official duties in a law enforcement capacity.

2. Full-time or part-time non-sworn employees who are on duty at the time of an incident.

3. Volunteers who are on duty or are working under the direct control and supervision of a law enforcement officer.

4. Sworn parole and probation officers employed by Jackson County Community Justice, whether on duty or off duty and when acting in the course of his/her official duties.

B. Involved Officer

1. The person who’s official conduct, or official order, was the cause in fact of the death of a person. “Involved Officer” also means an officer whose conduct was not the cause in fact of the death, but who was involved in the incident before or during the use of deadly physical force, and this involvement was reasonably likely to expose the officer to a heightened level of stress or trauma.

2. This definition also applies to a situation in which no death occurs, but where the officer used deadly physical force.

C. Employer Agency

The agency by which the involved officer is employed or with which the person is affiliated.

D. Agency of Primary Responsibility

The agency within whose geographical jurisdiction the incident occurs. When an incident crosses jurisdiction boundaries, or occurs in the unincorporated areas of Jackson County, the agency of primary responsibility shall be jointly decided by the supervisors of the involved agencies.

E. Deadly Physical Force
Means physical force that under the circumstances in which it is used is readily capable of causing death or serious physical injury.

F. Serious Physical Injury

Means physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

G. Criminal Investigators

Those investigators assigned by the agency of primary responsibility, the employer agency, and/or the Major Assault/Death Investigation Unit, to conduct the criminal investigation of the incident.

H. Administrative Investigators

Those investigators assigned by the employer agency to conduct the internal administrative investigation of the incident.

I. Major Assault/Death Investigation Unit or MA/DIU

The Jackson County interagency team that investigates serious assault and murder cases and cases involving the use of deadly physical force by a law enforcement officer.

J. Case Agent

The detective assigned to lead the criminal investigation, issue assignments to other investigators, and gather reports for submission to the District Attorney’s office. The case agent should not be from the employer agency.

K. Companion Officer

An uninvolved officer either assigned by the involved officer’s agency or requested by the involved officer.

L. Plan

Means the final document approved by the Planning Authority, adopted by two-thirds of the governing bodies employing law enforcement officers, and approved by the Attorney General. Any approved revisions shall become a part of the Plan.
SECTION 4: IMMEDIATE AFTERMATH OF A DEADLY FORCE INCIDENT

A. Scene Procedure

1. Emergency life saving measures and protection of the public have first priority.

2. As soon as possible after the use of deadly physical force, the officer shall immediately notify his or her agency of the use of deadly physical force. The employer agency shall ensure that a MA/DIU call-out has been initiated, as described in Section 5.B.

3. If an injured person is transported to a hospital, an officer should accompany that person in the same vehicle in order to:
   a) Locate, preserve, safeguard and maintain the chain of custody of physical evidence.
   b) Obtain a dying declaration, excited utterance or any other statement made by the injured person.
   c) Maintain custody of the person if that individual has been arrested.
   d) Provide information to medical personnel about the incident as it relates to treatment.
   e) Identify relevant people, including ambulance and medical personnel, and obtain from them information that is relevant to the investigation.
   f) Be available for contacts with the injured person’s family, if appropriate.

4. The scene must be secured as soon as possible and a sufficient perimeter established to safeguard evidence. Access to the scene should be limited to those officials who must enter for investigative purposes. A written log should be established to identify all persons entering and leaving the crime scene.

5. Responding officers in shooting incidents should ensure that involved officers maintain their weapons in place, in the same condition as they were at the conclusion of the incident, until surrendered to the evidence officer.

6. A member of the Major Assault/Death Investigation Unit should be designated as evidence officer to ensure that all physical evidence is identified and collected in a legally appropriate manner, providing for an adequate chain of custody.

B. Transporting Involved Officers
1. Officers who were present at the scene at the time of the incident, whether as involved officers or witnesses, will be relieved of their duties at the scene as promptly as possible and shall be taken to their own police station, unless other suitable arrangements are made for them.

2. Prior to transport, the officer(s) should be asked to provide information regarding the circumstances as necessary to protect persons and property, preserve any evidence, and to furnish a framework for the investigation.

C. Assignment of Companion Officer

1. A companion officer shall be assigned by the employer agency to each involved officer, if practicable. The companion officer shall remain with the involved officer until the officer can be interviewed.

2. The companion officer is present to provide for the involved officer’s privacy, to be certain that his/her needs are accommodated, and to ensure the integrity of the involved officer’s later statements to investigators.

3. The companion officer should encourage the involved officer not to discuss the incident until the investigative interview. However, this is not intended to in any way prohibit the involved officer from speaking to family members.

4. The involved officer may also wish to speak to attorneys, union representatives, psychotherapists or other similar professionals.

5. After the involved officer is released from the scene by the officer in charge, the companion officer should remove the involved officer from the scene as soon as possible.

D. For at least 72 hours immediately following an incident in which the use of deadly physical force by a law enforcement officer resulted in the death of a person, a law enforcement agency may not return an involved officer to duties that might place the officer in a situation in which the officer has to use deadly physical force.

SECTION 5: THE CRIMINAL INVESTIGATION

A. Investigation Team Composition and Objective

1. The investigative team will be composed of criminal investigators from the Major Assault/Death Investigation Unit. The participating agencies share responsibility for the integrity of the investigation; however, the agency of primary responsibility has the ultimate authority to decide any irreconcilable investigative issues.
2. The criminal investigation has priority over the administrative investigation and it begins immediately after an incident has occurred.

3. The goal of the criminal investigation is to develop all available relevant information about the incident in such a manner as to minimize further trauma to the involved officer. This information will be used in two ways:

   a) To determine the PRESENCE OR ABSENCE of criminal culpability on the part of all those involved in the incident. Specifically:

      (i) To determine whether the conduct involved is prohibited or authorized by criminal statutes.

      (ii) If criminal conduct does exist:

             (a) Determine the identity of the person(s) responsible for that conduct;

             (b) Determine the type and degree of the crime(s);

             (c) Determine the existence of any factual or legal defenses to the crime; and

             (d) Determine the presence or absence of any factors which would mitigate or aggravate punishment for the crime.

   b) To incidentally provide factual information to the employer agency’s management for its internal use. While the criminal investigators do not direct their investigative attention to administrative concerns, it is recognized that the criminal investigation’s results are of proper interest to agency management for its internal use, and those results are fully available for that purpose.

4. The criminal investigation is performed in a manner that provides both the appearance and the reality of a thorough, fair, complete and professional investigation which is free of conflicts of interest.

B. Call-out procedure

Upon identifying an occurrence as one involving the use of deadly physical force by an officer, the supervisor of the agency of primary responsibility shall make the following notifications as promptly as possible:

1. When the agency of primary responsibility is the Jackson County Sheriff’s Office, the Oregon State Police, the Medford Police Department, Ashland Police Department, Central Point Police Department or Eagle Point Police Department, the supervisor shall determine the number of detectives needed from the Major
Assault/Death Investigation Unit. That supervisor will cause MA/DIU detectives to be contacted.

2. When the agency of primary responsibility is not one of those listed above, the on-scene supervisor of the agency of primary responsibility shall contact the Jackson County Sheriff’s Office or the Oregon State Police and speak directly to a supervisor regarding the call-out of the Major Assault/Death Investigation Unit and will cause the supervisor of those detectives to be contacted. If a supervisor from the Oregon State Police or the Jackson County Sheriff’s Office is unavailable, the on-scene supervisor shall leave a telephone number and wait for a return call, or take other appropriate action.

3. A case agent from the Major Assault/Death Investigation Unit shall be appointed by a supervisor of the agency of primary responsibility when the incident occurs within the jurisdiction of the Jackson County Sheriff’s Office, the Oregon State Police, the Medford Police Department, Ashland Police Department, Central Point Police Department or Eagle Point Police Department. In other jurisdictions, the case agent shall be selected by agreement of the unit members. The case agent should not be from the employer agency.

4. As part of the Major Assault/Death Investigation Unit call-out, the following additional notifications shall be made:

   a) The District Attorney’s Office

   Notification shall be made to the District Attorney first, and if unavailable, the Chief Deputy. If neither is available, notification should be made to a senior member of the District Attorney’s staff.

   b) The medical examiner in the event of a death.

   c) The forensic laboratory division of the Oregon State Police, when this is determined necessary by the case agent.

C. Interviewing involved officers

1. Interviewees will be considered witnesses unless circumstances dictate otherwise.

2. Prior to conducting the interview, the interviewer shall be briefed by the case agent and, if possible, view the scene.

3. The interview shall be conducted by detectives assigned to the Major Assault/Death Investigation Unit. Each interview shall be conducted by two detectives, at least one of whom shall be from an agency other than the employer agency.
4. Interviews will be conducted separately, and in a comfortable setting. Interviewers must remain aware of the perceptual distortions associated with traumatic incidents, and how these distortions may vary between officers. In-depth interviews may have to occur some time after the incident, depending upon the officer’s condition.

5. Interviews should be audio and/or visually recorded.

6. If the interview is custodial in nature, the officer shall be given Miranda warnings.

D. Intoxicant testing:

1. Involved officers have the same rights and privileges that any civilian would have regarding intoxicant testing. Employees should be requested to voluntarily provide blood and/or urine samples for intoxicant testing.

2. If the involved officer refuses to voluntarily provide blood and/or urine, and it is necessary to obtain these, then the District Attorney’s office should be contacted.

E. Autopsy

An autopsy shall be performed whenever a death results. A member of the investigative team shall attend the autopsy. A representative from the Oregon State Police Forensic Laboratory will attend the autopsy when appropriate, as determined by the investigative team.

SECTION 6: MEDIA RELEASES

A. Initial media releases are the responsibility of the agency of primary responsibility, after consultation with the case agent and District Attorney. This responsibility will normally continue until the final police reports are submitted to the District Attorney for review.

B. The District Attorney will assume responsibility for media releases once the final police reports are submitted to the District Attorney’s Office for review. This will assist in minimizing the release of information that may jeopardize the investigation or subsequent prosecution.

SECTION 7: ACCESS TO REPORTS AND EVIDENCE

A. Materials created or collected as a result of the criminal investigation will be made available to the employer agency for purposes of the internal administrative investigation at the conclusion of the criminal investigation, unless otherwise directed by the District Attorney. Materials may also be released to the employer agency while the criminal investigation is pending with prior approval of the District Attorney.
Materials may be made available to other agencies or individuals, including the involved officer and the officer’s attorney, once the District Attorney had determined that no criminal charges will be brought against any individual as a result of the incident. If any criminal charges are filed, no materials will be released while charges are pending, except to the employer agency, without the approval of the District Attorney.

B. The materials may include:

1. Reports
2. Access to physical evidence
3. Photographs and diagrams
4. Audio and visual recordings

C. At the conclusion of the criminal investigation, all reports will be submitted to the District Attorney by the case agent for review.

D. When the District Attorney’s Office concludes that the physical evidence collected by the criminal investigators is no longer needed for criminal law purposes, the employer agency shall be notified of that decision so it can assume responsibility for preservation of such evidence.

SECTION 8: DISTRICT ATTORNEY

A. When an incident involving the use of deadly physical force by an officer occurs, the District Attorney’s Office should be notified by the employer agency, agency of primary responsibility or MA/DIU case agent.

B. The District Attorney’s Office has the following roles in the incident investigation:

1. Participate co-equally with the investigative team performing the criminal investigation. It should be noted that the District Attorney has ultimate authority for the prosecution of criminal cases, and specific shared responsibility with the medical examiner in death investigations.

2. Assist and advise the investigative team on various criminal law issues which may arise, such as Miranda, voluntariness, search and seizure, probable cause to arrest, detentions and releases, elements of crimes, immunity, legal defenses, etc.

3. Upon completion of the criminal investigation, analyze the facts of the incident as well as the relevant law to determine if criminal laws were violated.
a) The District Attorney will normally present these matters to the Grand Jury for determination of criminal liability on the part of the involved officer. However, not all cases covered by this protocol may rise to a level that merits a Grand Jury determination. The District Attorney has the sole statutory and constitutional duty to make the decision whether to present the matter to a Grand Jury.

b) The District Attorney will decide on the issue of criminal liability or present the matter to a Grand Jury as soon as practicable, but not before the District Attorney has determined that sufficient information is available to competently make the decision.

c) When the District Attorney has made a final decision concerning criminal liability, or has presented the case to the Grand Jury, the District Attorney shall promptly communicate the result to the agency of primary responsibility, the employer agency, the involved officer’s representative and the public.

SECTION 9: INTERNAL ADMINISTRATIVE INVESTIGATION

1. Investigation Priority

While both the criminal investigation and the internal administrative investigation are important and should be pursued, it is recommended that the criminal investigation have investigative priority and be completed before commencing the internal administrative investigation. It is intended that this prioritization will preclude competition between the two formats for access to witnesses, physical evidence and the involved parties. Additionally, it will prevent the criminal investigation from being compromised by an untimely exercise of the employer agency’s administrative rights.

2. Information Excluded From the Criminal Investigation

Interview statements, physical evidence, toxicology test results, and investigative leads that are obtained by internal administrative investigators by ordering police agency employees to cooperate, shall not be revealed to criminal investigators.

SECTION 10: DEBRIEFING / MENTAL HEALTH COUNSELING

A. The use of deadly physical force by an officer has the potential to create strong emotional reactions, which may interfere with an officer’s ability to function effectively. These reactions may be manifested immediately, or over time. Further, these reactions may occur not only in an officer directly involved in the incident, but also in other officers within the agency.

B. The requirements of this section provide a minimum framework, and are not intended to take the place of agency policy. Agencies are encouraged to develop formal
procedures to deal with an officer’s stress response following a use of deadly force incident. Such policies should include a procedure that is implemented from the time of the incident and continues as long as necessary.

1. If the incident is of such a magnitude that agency-wide morale is implicated, the agency shall take such steps as it deems necessary to ensure professional police services are provided, and to develop strategies to restore morale.

2. Each agency shall provide for a process for any officer to participate in a facilitated critical stress incident debriefing.

3. If available, agencies should encourage officers to take advantage of employee assistance programs and, if needed, agencies should request assistance from other agencies that may have in place formal programs for dealing with critical incidents.

C. In the six months following a use of deadly physical force incident that results in a death, the agency shall offer each involved officer a minimum of two opportunities for mental health counseling. The officer shall be required to attend at least one session of mental health counseling.

   1. At agency expense, the involved officer(s) shall be scheduled for an appointment with a licensed mental health counselor for a counseling session, with a follow-up session scheduled at a date determined by the mental health professional.

   2. The counseling sessions are not to be considered fitness for duty evaluations, and are to be considered privileged between the officer and counselor.

SECTION 11: AGENCY USE OF FORCE PLANS, REPORTING, TRAINING AND OUTREACH

A. Every law enforcement agency must adopt a policy dealing with the use of deadly physical force by its officers. At a minimum, such policies must include guidelines for the use of deadly physical force.

B. Upon the conclusion of the criminal investigation, the announcement by the District Attorney pursuant to Section 8.B.3.c. of this Plan, and the debriefing, the agency shall complete the Attorney General’s report regarding the use of force, and submit the report to the Attorney General.

C. The Jackson County Deadly Force Planning Authority shall take steps to engage the Jackson County community in a discussion regarding the purpose of the Plan, and the elements contained therein. Such steps may include, but are not limited to, general public release of the draft, discussion with the media, providing the draft to agency
employees, union representatives, elected officials, and members of relevant community groups.

D. Law enforcement agencies within Jackson County are responsible for training their officers on the specifics of their policies regarding the use of deadly physical force. That training should also include information about this Plan. Training may include, but is not limited to, firearms training and shooting scenarios, seminars, briefings, written materials, promulgation of this Plan along with the Patrol Supervisor’s and Companion Officer’s checklist, wallet cards and other written materials. Training should include suggestions for dealing with challenges that officers may encounter when responding to situations involving persons who appear to be suicidal, or who may have other mental health issues. Periodically, such training should be fashioned to include attorneys employed by state and local governments within the county.

E. Public outreach regarding law enforcement use of deadly physical force is also an important component of effective and well-received law enforcement policies and of this Plan. Public outreach may be provided in numerous ways, including seminars, citizen’s police academies, career day sessions at local schools, media releases, and the promulgation of written materials such as flyers. Entities which should take the lead in such outreach include: Jackson County law enforcement agencies, the Law Enforcement Agencies Heads group, MA/DIU, the Jackson County Public Safety Coordinating Counsel and the Deadly Physical Force Planning Authority.

SECTION 12: FISCAL IMPACT

Jackson County law enforcement agencies have incurred no reimbursable out of pocket costs associated with the development of this Plan. It is estimated that there will not be ongoing reimbursable costs associated with the implementation of the Plan. However, if any law enforcement agency covered by the Plan does sustain such costs in the future, that agency shall submit to the Department of Justice, in the fiscal year in which said costs are accrued, a report outlining the fiscal impact of each element of the Plan as described in Section 4 and Sections (a) to (e) of Section 2(4) of Senate Bill 111, Chapter 842, Oregon Laws, 2007.

SECTION 13: PLAN REVISION

If a revision of the Plan becomes advisable, the Planning Authority shall meet and discuss such a revision. Proposed revisions should be discussed with the Law Enforcement Agency Heads group, as well as the MA/DIU. If the Planning Authority adopts a revision, such revision shall be submitted to the Attorney General and included in the Jackson County Cooperative Policing Manual.
POLICE EMPLOYEE-INVOLVED FATAL OR SERIOUS INJURY
Patrol Supervisor’s Checklist

1. Emergency life saving measures and protection of the public have first priority.

2. Request additional patrol officers as necessary.

3. If an injured person is transported to a hospital, an officer should accompany that person in the same vehicle in order to:
   a) Locate, preserve, safeguard and maintain the chain of custody of physical evidence.
   b) Obtain a dying declaration, excited utterance, or any other statement made by the injured person.
   c) Maintain custody of the person if that individual has been arrested.
   d) Provide information to medical personnel about the incident as it relates to treatment.
   e) Identify relevant people, including ambulance and medical personnel, and obtain from them information that is relevant to the investigation.
   f) Be available for contact with the injured person’s family, if appropriate.

4. When the agency of primary responsibility is the Jackson County Sheriff’s Office, the Oregon State Police, the Medford Police Department, Ashland Police Department, Central Point Police Department or Eagle Point Police Department, the supervisor shall determine the number of detectives needed from the Major Assault/Death Investigation Unit and will cause the supervisor of those detectives to be contacted.

5. When the agency of primary responsibility is not one of those listed above, the on-scene supervisor of the agency of primary responsibility shall contact the Jackson County Sheriff’s Office or the Oregon State Police and speak directly to a supervisor regarding the call-out of the Major Assault/Death Investigation Unit. That supervisor will cause MA/DIU detectives to be contacted. If a supervisor from the Oregon State Police or the Jackson County Sheriff’s Office is unavailable, the on-scene supervisor shall leave a telephone number and wait for a call, or take other appropriate action.

6. Determine what responding/scene officers have learned and what they’ve done.

7. LIMIT QUESTIONS of involved officers and other witnesses to those necessary for public safety and scene management.

8. Arrange for radio broadcasts on outstanding suspect, vehicle, witnesses, etc.
9. Protect sensitive investigative information, including names of involved officers. Use caution on radio broadcasts. Use secure phone when possible.

10. Locate, identify, and sequester civilian witnesses for detectives’ interviews.

11. The scene must be secured as soon as possible and a sufficient perimeter established to safeguard evidence. Access to the scene should be limited to those officials who must enter for an investigative purpose. A written log should be established to identify all persons entering and leaving the crime scene.

12. Responding officers in shooting incidents should ensure that involved officers maintain their weapons in place, in the same condition as they were at the conclusion of the incident, until surrendered to the evidence officer.

13. Collect your information and thoughts to brief investigators.
ROLE OF THE COMPANION OFFICER

1. A companion officer shall be assigned by the employer agency to each involved officer if practicable. The companion officer shall remain with the involved officer until the officer can be interviewed.

2. The companion officer is present to provide for the involved officer’s privacy, to be certain that his/her needs are accommodated, and to insure the integrity of the involved officer’s later statements to investigators.

3. The companion officer should encourage the involved officer not to discuss the incident until the investigative interview. However, this is not intended to in any way prohibit the involved officer from speaking to family members.

4. The involved officer may also wish to speak to attorneys, union representatives, psychotherapists or other similar professionals.

5. After the involved officer is released from the scene by the officer in charge, the companion officer should remove the involved officer from the scene as soon as possible.
Notice of Hearing.doc
PROCEDURES FOR THE USE OF STARCHASE

StarChase is a pursuit management system containing a miniature GPS module encased in a tracking projectile/dart that is deployed from a fixed launcher mounted on a law enforcement vehicle. Once the tracker is affixed, its location can be tracked using a computer with an internet connection.

StarChase may be utilized for traffic situations, such as DUII’s, stolen vehicles, failures to yield in extreme matters such as; excessive speeds, careless or reckless driving or other erratic operation of the vehicle, or other criminal investigations when practicable. The time and tactics to deploy StarChase shall be limited to the minimum time and tactics necessary to deploy the device. StarChase deployment as pursuit prevention may require the time and tactics similar to initiating a traffic stop, but shall not meet the criteria for initiating or engaging in a pursuit.

Deployment of StarChase by involved officers during an authorized pursuit is permitted and authorization by a supervisor is not needed. The StarChase systems will not be deployed on motorcycles or other similar un-enclosed vehicles.

If not already involved as a primary or secondary pursuit unit, a patrol vehicle equipped with StarChase is authorized to respond to join a pursuit for potential use of the device only with approval from a supervisor. Once a StarChase equipped vehicle joins a pursuit, it becomes an authorized unit as it relates to the number of authorized pursuit units.

Unless directed otherwise, the StarChase equipped vehicle shall join the pursuit at the rear of the pursuit until cleared to pass by the unit(s) being passed. Safety decisions related to passing other involved vehicles and the actual discharge of the device rest solely upon the operating officer, who should consider:

1. Whether the officer can safely pass any other vehicle involved in the pursuit and will do so only after obtaining specific permission from the unit to be passed.
2. Whether the officer can safely maneuver close enough to the suspect vehicle to come within targeting range; and
3. Circumstances that would indicate the device could be ineffective (e.g. adverse weather conditions, suspect vehicle weaving, etc.).

StarChase shall be deployed in accordance with training. Once successfully deployed, units will consider not actively pursuing the subject vehicle and shall immediately notify the on duty supervisor and ECSO.

Deputies who have an articulable belief the subject vehicle may flee, should consider tagging prior to initiating the stop.

The on duty supervisor shall coordinate the recovery efforts of subject vehicle. Under no circumstance shall the vehicle be allowed to move for tracking purposes. “Hot Pursuit” is a must.
All StarChase deployments will require documentation to include either an offense or incident report and a clear start and stop time for monitoring by ECSO.

ECSO will monitor the pursuit as they normally would and should monitor the suspect vehicle location via Star Chase GPS. If a deputy cancels the pursuit, goes in slack pursuit, or loses sight of the suspect vehicle, the deputy should request updates from ESCO on the vehicles location and direction of travel as needed.

If the need arises to discontinue monitoring the vehicle’s location via Star Chase GPS, the pursuing deputy(s) should notify ECSO as soon as possible.
Transgender and Intersex
Policy search form 062618.pdf
Statement of Strip Search Preference Form for Transgender and Intersex Inmates

Inmate Name: ____________________________________________________

SO Number: ______________

Booking Date: ______________

While in Jackson County Sheriff’s Office custody, I prefer to be searched by a deputy of the below indicated gender. I identify as a transgender or intersex person. I understand that this preference will be respected unless the situation is an emergency.

_____ I have elected to and it is my preference and request to be searched by a female corrections deputy.

_____ I have elected to and it is my preference and request to be searched by a male corrections deputy.

Inmate Signature: ______________________________  Date: ______________

Witnessing Deputy/ Witnessing Sergeant:

Deputy________________________  I.D.#: ______  Date: ____________

Sergeant: __________________________  I.D.#: ______  Date: ____________
Rejected Mail Sender copy.docx
1007~6 Warning and Assurances voluntary.pdf
JACKSON COUNTY SHERIFF’S OFFICE
INTERNAL INVESTIGATION

WARNING AND ASSURANCE TO EMPLOYEE REQUESTED
TO PROVIDE INFORMATION ON A VOLUNTARY BASIS

You are being contacted to solicit your cooperation in an inquiry regarding information pertaining to or allegations of misconduct or improper performance of official duties. In accordance with the Privacy Act of 1974, you are advised that the authority to conduct this interview is contained in Title 28, Code of Federal Regulations, Section 0.137 and 0.85 (c).

The matter under investigation could also constitute a violation of law, which could result in criminal prosecution of responsible individuals.

The inquiry pertains to ____________________________________________

(State the general nature of the inquiry)

You have the right to remain silent if your answers may tend to incriminate you. If you do decide to answer questions or make a statement, you may stop answering at any time.

Although you would normally be expected to answer questions regarding your official duties in this instance, you are not required to do so. Your refusal to answer on the ground that the answers may tend to incriminate you will not subject you to disciplinary action by the Jackson County Sheriff’s Department.

Any statement you furnish may be used as evidence against you in any future criminal proceeding or agency disciplinary proceeding, or both.

WAIVER

I understand the warnings and assurances stated above and I wish to answer questions or make a statement concerning this matter.

_________________________________________  ________________
Employee’s Signature                                  Date/Time

_________________________________________  ________________
Signature of Department Official
Conducting Inquiry                                  Witness

Attachment 3 – SOP 4.2, Eff. 5/10/99
IN THE CIRCUIT/DISTRICT COURTS OF THE STATE OF OREGON FOR JACKSON COUNTY

NO. 97-6

MISCELLANEOUS ORDER REGARDING PRISONER CONTACT WITH THE ALLEGED VICTIM

THIS MATTER coming before the Court for review as it relates to the granting of release of prisoners from pre trial custody and the regulation of inmates incarcerated in a pre trial status and the Court finding that it is in the public interest that those released from custody pending their trial have no contact with the alleged victim pending the resolution of their case. The Court also finds that inmates in pre trial status, who are not released from custody, should also not be allowed to have contact with the alleged victim absent some modifying Order of the Court. Therefore, it is hereby

ORDERED that Defendants in criminal cases may have no pre trial contact with the alleged victim absent some Court authorized waiver of the no contact provision.

DATED: March 12, 1997.

ROSS G. DAVIS, PRESIDING JUDGE

AT THE COURT ADMINISTRATOR

CHIEF COURT ADMINISTRATOR
STATE COURT OF JACKSON COUNTY
BY

ATTACHMENT 1 - SOP 14.2 - EFF. 7-1-97
The goal of this document is to augment the CJIS Security Policy to ensure adequate security is provided for criminal justice systems while (1) under the control or management of a private entity or (2) connectivity to FBI CJIS Systems has been provided to a private entity (contractor). Adequate security is defined in Office of Management and Budget Circular A-130 as “security commensurate with the risk and magnitude of harm resulting from the loss, misuse, or unauthorized access to or modification of information.”

The intent of this Security Addendum is to require that the Contractor maintain a security program consistent with federal and state laws, regulations, and standards (including the CJIS Security Policy in effect when the contract is executed), as well as with policies and standards established by the Criminal Justice Information Services (CJIS) Advisory Policy Board (APB).

This Security Addendum identifies the duties and responsibilities with respect to the installation and maintenance of adequate internal controls within the contractual relationship so that the security and integrity of the FBI's information resources are not compromised. The security program shall include consideration of personnel security, site security, system security, and data security, and technical security.

The provisions of this Security Addendum apply to all personnel, systems, networks and support facilities supporting and/or acting on behalf of the government agency.

1.00 Definitions

1.01 Contracting Government Agency (CGA) - the government agency, whether a Criminal Justice Agency or a Noncriminal Justice Agency, which enters into an agreement with a private contractor subject to this Security Addendum.

1.02 Contractor - a private business, organization or individual which has entered into an agreement for the administration of criminal justice with a Criminal Justice Agency or a Noncriminal Justice Agency.

2.00 Responsibilities of the Contracting Government Agency.

2.01 The CGA will ensure that each Contractor employee receives a copy of the Security Addendum and the CJIS Security Policy and executes an acknowledgment of such receipt and the contents of the Security Addendum. The signed acknowledgments shall remain in the possession of the CGA and available for audit purposes. The acknowledgement may be signed by hand or via digital signature (see glossary for definition of digital signature).

3.00 Responsibilities of the Contractor.

3.01 The Contractor will maintain a security program consistent with federal and state laws, regulations, and standards (including the CJIS Security Policy in effect when the contract is executed and all subsequent versions), as well as with policies and standards established by the Criminal Justice Information Services (CJIS) Advisory Policy Board (APB).

4.00 Security Violations.
4.01 The CGA must report security violations to the CJIS Systems Officer (CSO) and the Director, FBI, along with indications of actions taken by the CGA and Contractor.

4.02 Security violations can justify termination of the appended agreement.

4.03 Upon notification, the FBI reserves the right to:
   a. Investigate or decline to investigate any report of unauthorized use;
   b. Suspend or terminate access and services, including telecommunications links. The FBI will provide the CSO with timely written notice of the suspension. Access and services will be reinstated only after satisfactory assurances have been provided to the FBI by the CJA and Contractor. Upon termination, the Contractor's records containing CHRI must be deleted or returned to the CGA.

5.00 Audit

5.01 The FBI is authorized to perform a final audit of the Contractor's systems after termination of the Security Addendum.

6.00 Scope and Authority

6.01 This Security Addendum does not confer, grant, or authorize any rights, privileges, or obligations on any persons other than the Contractor, CGA, CJA (where applicable), CSA, and FBI.

6.02 The following documents are incorporated by reference and made part of this agreement: (1) the Security Addendum; (2) the NCIC 2000 Operating Manual; (3) the CJIS Security Policy; and (4) Title 28, Code of Federal Regulations, Part 20. The parties are also subject to applicable federal and state laws and regulations.

6.03 The terms set forth in this document do not constitute the sole understanding by and between the parties hereto; rather they augment the provisions of the CJIS Security Policy to provide a minimum basis for the security of the system and contained information and it is understood that there may be terms and conditions of the appended Agreement which impose more stringent requirements upon the Contractor.

6.04 This Security Addendum may only be modified by the FBI, and may not be modified by the parties to the appended Agreement without the consent of the FBI.

6.05 All notices and correspondence shall be forwarded by First Class mail to:

Assistant Director
Criminal Justice Information Services Division, FBI
1000 Custer Hollow Road
Clarksburg, West Virginia 26306

8/9/2012
CJISD-TTS-DOC-08140-5.2
Rejected Mail Inmate copy.docx
LT Review of Findings.doc
Admission application.pdf
APPLICATION FOR
SPECIAL ADMISSION TO
JACKSON CO SHERIFF’S
OFFICE

Full Name: __________________________ Date of Birth: __________________________

Business/Employer: __________________________

Business/Employer Address: __________________________

Business Phone Number: __________________________

Purpose of Admission: __________________________

Immediate Supervisor: __________________________ Phone: __________________________

Requested building access dates: __________________________

The following information is provided for your guidance during the period of time you will be in the Jackson County Sheriff’s Office. Please read the information carefully.

1. You are subject to search of your person and belongings upon entry.

2. Any weapons, alcoholic beverages, drugs or narcotics are forbidden within this facility.

3. You are asked to go directly to and from your designated work area.

4. If you are confused or lost, please seek immediate assistance from a Sheriff’s Office employee. Do not move about the facility any more than necessary.

5. If directed to leave the area or facility by Sheriff’s Office staff, you will comply without question.

6. You are required to wear your temporary building access ID card at all times and make sure it is visible to Sheriff’s Office staff.

ACKNOWLEDGMENT:

I acknowledge that I have read the above instructions and will fully comply with them.

Signed: __________________________ Date: __________________________

Approved: __________________________ by __________________________

Denied: __________________________ by __________________________

Date pass issued: __________________________ Date pass returned: __________________________
Jackson County Emergency Operations Plan.pdf
This document was prepared under a grant from the Office of Grants and Training, United States Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the Office of Grants and Training or the U.S. Department of Homeland Security.
Preface

While no plan can replace the common sense and good judgment of emergency response personnel, department heads, and other decision makers, this Emergency Operations Plan (EOP) does provide a framework to guide Jackson County’s efforts to Prepare for, Mitigate against, Respond to and Recover from major emergencies or disasters.

This plan describes the roles and responsibilities of the departments and certain other agencies, during major emergencies or disasters. The plan sets forth a strategy and operating guidelines using the National Incident Management System’s (NIMS) Incident Command System (ICS) adopted by Jackson County for managing its response and recovery activities during emergencies and disasters. It is the intent of Jackson County to integrate all emergency response systems into a program for comprehensive emergency management.

While the Emergency Management Program Coordinator is primarily responsible for the County’s emergency response and recovery plans, this plan was developed with the assistance of the County’s Emergency Management Advisory Committee (EMAC) and help from various other agencies and individuals in Jackson County. The County’s approach to emergency planning is that such planning is a continuous process. The Emergency Management Program Coordinator will continue to coordinate planning needs for the plan by continuing the involvement of the EMAC and those other individuals and agencies that have responsibilities and interests in these plans.

The County’s EOP consists of various sections and supporting materials. The development and maintenance of this plan is the basis of the County’s Emergency Management Program.

■ Basic Plan. The Basic Plan provides an overview of the County’s emergency organization and policies. It cites the legal authority for emergency operations, summarizes the situations addressed by the EOP, explains the general concept of operations, and assigns general responsibilities for the phases of emergency management.

■ Emergency Support Function Annexes. Each annex focuses on one of the critical emergency functions the County will perform. The type and scope of an incident will dictate which annexes will be needed. Since annexes are to be used in conjunction with the Basic Plan, they should not repeat information that is already addressed.

■ Incident Annexes. Each annex provides additional hazard-specific information that can be used by the emergency management organization in responding to a particular incident.
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Promulgation Order

To all Recipients:

Promulgated herewith is the revised Jackson County Emergency Operations Plan. This plan supercedes any previous versions of the Emergency Operations Plan. It provides a framework in which Jackson County can plan and perform its respective emergency functions during a disaster or national emergency.

This Emergency Operations Plan attempts to be all-inclusive in combining the four phases of emergency management, which are:

- **Mitigation**: activities that eliminate or reduce the probability of disaster;
- **Preparedness**: activities that governments, organizations, and individuals develop to save lives and minimize damage;
- **Response**: activities that prevent loss of lives and property and provide emergency assistance; and
- **Recovery**: short and long-term activities that return all systems to normal or improved standards.

This plan has been approved by the Jackson County Board of Commissioners. It will be revised and updated as required. All recipients are requested to advise the Emergency Management Program Coordinator of any changes which might result in its improvement or increase its usefulness. Plan changes will be transmitted to all addressees on the distribution list.

---

Don Skundrick  
Commissioner

Dennis C.W. Smith  
Commissioner

John Rachor  
Commissioner

DATE  
February 2011
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Plan Administration

The Jackson County Emergency Operations Plan, including appendices and annexes, will be reviewed annually or as appropriate after an exercise or incident response. The EOP will be formally re-promulgated by the County once every five years.

Record of Plan Changes

All updates and revisions to the plan will be tracked and recorded in the following table. This process will ensure that the most recent version of the plan is disseminated and implemented by emergency response personnel.

<table>
<thead>
<tr>
<th>Date</th>
<th>Change No.</th>
<th>Summary of Changes</th>
<th>Initials</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/2006</td>
<td>001</td>
<td>NIMS Compliance and Language changes to reflect ICS. Identification of ESFs</td>
<td>MCC</td>
</tr>
<tr>
<td>11/2006</td>
<td>002</td>
<td>Commissioner Adoption and Promulgation</td>
<td>MCC</td>
</tr>
<tr>
<td>2010</td>
<td>003</td>
<td>Plan Update</td>
<td>MCC</td>
</tr>
<tr>
<td>2/2011</td>
<td>004</td>
<td>Commissioner Adoption and Promulgation</td>
<td>MCC</td>
</tr>
</tbody>
</table>
Plan Distribution

Jackson County’s Emergency Operations Plan is intended to provide guidance to Emergency Service Agencies. It is also public information. As such, it is available to all members of the public in a variety of forms.

- Copies of this plan will be provided to each county department participating in the development of a Functional or Incident Annex. In each instance, one copy is for the director; others are for agency personnel participating in the Emergency Management Advisory Committee (EMAC).

### Plan Distribution – County Departments

<table>
<thead>
<tr>
<th>County Department</th>
<th>Location</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessor’s Office</td>
<td>Fairgrounds and</td>
<td>Roads &amp; Parks</td>
</tr>
<tr>
<td></td>
<td>Exposition Park</td>
<td></td>
</tr>
<tr>
<td>County Counsel</td>
<td>Finance Department</td>
<td>Sheriff’s Office</td>
</tr>
<tr>
<td>County Administrator’s Office</td>
<td>Health and Human Services</td>
<td>Economic and Social Development</td>
</tr>
<tr>
<td>Airport</td>
<td>Information Services</td>
<td></td>
</tr>
</tbody>
</table>

- Several local, state, federal and non-profit organizations have a specific role in emergency response in Jackson County. Each of these cooperating agencies and organizations will receive copies of the plan.

### Plan Distribution – Response Partners

<table>
<thead>
<tr>
<th>Organization</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Red Cross</td>
<td>Region 8 HazMat</td>
</tr>
<tr>
<td>Amateur Radio Emergency Services (ARES)</td>
<td>Oregon Department of Forestry (ODF)</td>
</tr>
<tr>
<td>Rogue Valley Fire Chiefs Association</td>
<td>Rogue Valley Community Organizations Active in Disaster (RVCOAD)</td>
</tr>
<tr>
<td>EMS: Ashland Fire &amp; Rescue; Rogue River Fire District; Mercy Flights; Supervising Physician</td>
<td>ODOT Region 3 Office in Roseburg; ODOT Southern Transportation Operations Center (STOC)</td>
</tr>
<tr>
<td>Bureau of Reclamation</td>
<td>National Guard</td>
</tr>
<tr>
<td>Utilities: PacificCorp; Avista; Qwest; Rogue Valley Sewer Service; Medford Water Commission</td>
<td>Hospitals: Rogue Valley Medical Center; Ashland Community Hospital; Providence Medical Center</td>
</tr>
<tr>
<td>Oregon State Defense Force</td>
<td>Emergency Communications of Southern Oregon (ECSO)</td>
</tr>
<tr>
<td>Oregon State Police (OSP)</td>
<td>National Weather Service</td>
</tr>
<tr>
<td>U.S. Army Corps of Engineers</td>
<td></td>
</tr>
</tbody>
</table>

- Copies will be placed in the primary and secondary Emergency Operations Center (EOC) locations.
Plan Distribution – County EOCs

| Emergency Communications of Southern Oregon (ECSO) | West Main St. backup EOC |

- Copies will be placed in each Public Safety Answering Point (PSAP) in Jackson County.

Plan Distribution – Public Safety Answering Points

| Emergency Communications of Southern Oregon (ECSO) |

- Each city in Jackson County will receive a copy for that jurisdiction’s Emergency Manager.

Plan Distribution – Cities

<table>
<thead>
<tr>
<th>City of Ashland</th>
<th>City of Gold Hill</th>
<th>City of Rogue River</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Butte Falls</td>
<td>City of Jacksonville</td>
<td>City of Shady Cove</td>
</tr>
<tr>
<td>City of Central Point</td>
<td>City of Medford</td>
<td>City of Talent</td>
</tr>
<tr>
<td>City of Eagle Point</td>
<td>City of Phoenix</td>
<td></td>
</tr>
</tbody>
</table>

- One copy of the plan will be sent to the Emergency Manager of each county adjoining Jackson County.

Plan Distribution – Adjoining Counties

<table>
<thead>
<tr>
<th>Josephine County Emergency Services</th>
<th>Klamath County Emergency Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas County Emergency Services</td>
<td>Siskiyou County Emergency Services</td>
</tr>
</tbody>
</table>

- Oregon Emergency Management will receive one copy.
- Copies of the Basic Plan will be provided to the Medford Branch Headquarters for distribution to all branches of the Jackson County Library System.

Plan Availability

The Basic Plan is available to other emergency service agencies and all interested members of the public at the Emergency Management webpage on the Jackson County website, located at [www.jacksoncounty.org](http://www.jacksoncounty.org).

Upon request, the Emergency Management Program Coordinator will provide a copy of the plan to agencies or interested members of the public in electronic format.
### EOP Assignments

Unless otherwise stated, the following table identifies agencies responsible for the review of specific plan sections and annexes. Changes will be forwarded to the Emergency Management Program Coordinator for revision and dissemination of the plan. This does not preclude other departments and agencies with a vital interest in the annex from providing input to the document; such input is, in fact, encouraged.

<table>
<thead>
<tr>
<th>Section/Annex</th>
<th>Responsible Party</th>
</tr>
</thead>
</table>
| **Basic Plan** | Emergency Management Program Coordinator  
                Emergency Management Advisory Committee |
| **Emergency Support Function Annexes** | |
| ESF 1 Transportation | Roads & Parks  
                        Jackson County Sheriff’s Office  
                        Rogue Valley Transportation District |
| ESF 2 Communications | Sheriff’s Office  
                         Emergency Communications of Southern Oregon  
                         Emergency Management Program Coordinator |
| ESF 3 Public Works and Engineering | Roads & Parks  
                                     Emergency Management |
| ESF 4 Firefighting | Fire Defense Board Chief |
| ESF 5 Emergency Management | Emergency Management Program Coordinator  
                               Emergency Management Advisory Committee |
| ESF 6 Mass Care, Emergency Assistance and Housing | American Red Cross  
                                                      Access |
| ESF 7 Logistics Management and Resource Support | County Administration  
                                                   Roads & Parks |
| ESF 8 Public Health | Health and Human Services |
| ESF 9 Search and Rescue | Jackson County Sheriff’s Office  
                           Search and Rescue |
| ESF 10 Oil and Hazardous Materials | Region 8 Hazardous Materials Team  
                                    Emergency Management Program Coordinator |
| ESF 11 Agriculture and Natural Resources | Emergency Management Program Coordinator |
| ESF 12 Energy | Roads & Parks  
                 Public Utilities |
| ESF 13 Public Safety and Security | Sheriff’s Office |
| ESF 14 Long-Term Community Recovery | Planning  
                                      County Administration  
                                      Emergency Management Advisory Committee |
<table>
<thead>
<tr>
<th>Section/Annex</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Support Annexes</strong></td>
<td></td>
</tr>
<tr>
<td><strong>ESF 15 External Affairs</strong></td>
<td>County PIO</td>
</tr>
</tbody>
</table>
| **SA A Alert and Warning** | Sheriff’s Office  
Emergency Communications of Southern Oregon  
Emergency Management Program Coordinator |
| **SA B Damage Assessment** | Roads & Parks  
Public Works                                                                 |
| **SA C Evacuation**    | Sheriff’s Office  
Search and Rescue  
Rural Fire Districts                                                               |
| **SA D Financial Management** | County Auditor  
Finance Department                                                             |
| **SA E Legal**         | County Counsel                                                                    |
| **SA F Animals in Disaster** | Emergency Management Program Coordinator                                        |
| **SA G Special Needs Populations** | Health and Human Services                                                        |
| **SA H Volunteer and Donations Management** | Rogue Valley Community Organizations Active in Disaster  
Emergency Management Program Coordinator                                         |
| **Incident Annexes**   |                                                                                   |
| **IA 1 Drought**       | Watermaster                                                                       |
| **IA 2 Earthquake/Seismic Activity** | Roads & Parks                                                                   |
| **IA 3 Wildland Fire** | Fire Defense Board Chief  
Oregon Department of Forestry  
United States Forest Service                                                      |
| **IA 4 Flood-Dam Failure** | Roads & Parks                                                                 |
| **IA 5 Severe Weather** | Emergency Management                                                              |
| **IA 6 Volcano**       | Emergency Management                                                              |
| **IA 7 Transportation Accidents** | Sheriff’s Office  
Airport  
Roads & Parks                                                                 |
| **IA 8 Fuel Shortage** | Emergency Management                                                              |
| **IA 9 Terrorism**     | Sheriff’s Office                                                                  |
| **IA 10 Bioterrorism** | Emergency Management                                                              |
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</tr>
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<td>3.2.1.1</td>
<td>Board of Commissioners</td>
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<td>3.2.1.2</td>
<td>County Administrator</td>
<td>3-3</td>
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Basic Plan
1 Introduction

1.1 General

This Emergency Operations Plan (EOP) establishes guidance for Jackson County’s (County) actions during response to, and short-term recovery from, major emergencies or disasters. It promulgates a framework within which the County will bring a combination of technical capabilities and resources, plus the sense, judgment, and expertise of its emergency response personnel, department directors, and other decision makers. Specifically, this EOP describes the roles and responsibilities of the County departments and personnel when an incident occurs, and it establishes high level guidance that support implementation of the National Incident Management System (NIMS), including adherence to the concepts and principles of the Incident Command System (ICS).

The County views emergency management planning as a continuous process that is linked closely with training and exercises to establish a comprehensive preparedness agenda and culture. The Emergency Management Program Coordinator (EMPC) will maintain the EOP through a program of continuous improvement, including ongoing involvement of County departments and of agencies and individuals with responsibilities and interests in this plan and supporting annexes.

1.2 Purpose and Scope

1.2.1 Purpose

The County EOP provides a framework for coordinated response and recovery activities during an emergency. This plan is primarily applicable to extraordinary situations and is not intended for use in response to typical, day-to-day, emergency situations. This EOP complements the State of Oregon Emergency Management Plan (EMP) and the National Response Framework (NRF). It also identifies all Emergency Support Functions (ESF) and critical tasks needed to support a wide range of response activities.

The purpose of the Basic Plan is to:

- Provide a description of the legal authorities upon which the County has structured its emergency management organization, including the emergency declaration process, activation of mutual aid agreements, and request for resources and emergency spending powers;
1. Introduction

- Describe the situational context under which the County will respond to an incident, including a community profile and discussion of hazards and threats facing the community;

- Assign and describe roles and responsibilities for the County agencies tasked with emergency preparedness and response functions;

- Describe a concept of operations for the County that provides a framework upon which the County will conduct its emergency operations and coordinate with other agencies and jurisdictions;

- Describe the County’s emergency response structure, including activation and operation of the County Emergency Operations Center (EOC) and implementation of the ICS; and

- Discuss the County’s protocols to maintain and review this EOP, including training, exercises, and public education components.

The Basic Plan is supplemented by ESF Annexes and Incident Annexes (IA)s:

- ESF Annexes focus on critical operational functions and the positions responsible for carrying them out. These annexes clearly describe the policies, processes, roles, and responsibilities that agencies and departments carry out before, during, and after any emergency.

- IAs focus on the special planning needs generated by the particular hazard and contain unique and regulatory response details that apply to a single hazard.

1.2.2 Scope

The County EOP is intended to be invoked whenever the County must respond to an unforeseen incident or planned event, the size or complexity of which is beyond that normally handled by routine operations. Such occurrences may include natural or man-made disasters and may impact unincorporated areas of the County, incorporated municipalities, or a combination thereof.
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Notwithstanding its Countywide reach, this plan is intended to guide only the County’s emergency operations, complementing and supporting implementation of the emergency response plans of the various local governments, special districts, and other public- and private-sector entities within the County but not supplanting or taking precedence over them.

The primary users of this plan are elected officials, department heads and their senior staff members, emergency management staff, leaders of local volunteer organizations that support emergency operations and others who may participate in emergency response efforts. The general public is also welcome to review non-sensitive parts of this plan in order to better understand the processes by which the County manages the wide range of risks to which the County is subject.

1.3 Relationship to Other Plans

Homeland Security Presidential Directive (HSPD)-5 directed the Secretary of Homeland Security to develop, submit for review by the Homeland Security Council, and administer NIMS and NRF. NIMS, including ICS, enhances the management of emergency incidents by establishing a single comprehensive system and coordinated command structure to help facilitate a more efficient response among departments and agencies at all levels of government and, if necessary, spanning across jurisdictions.

The NRF organizes the types of Federal response assistance a state is most likely to need into 15 ESFs. Each ESF has a primary agency assigned for maintaining and coordinating response activities. Oregon’s EMP, Volume II, follows the ESF format in designating similar State Support Functions (SSF).

1.3.1 State of Oregon Emergency Management Plan

The Oregon EMP is developed, revised, and published by the Director of Oregon Emergency Management (OEM) under the provisions of Oregon Revised Statutes (ORS) 401.052, which are designed to coordinate the activities of all public and private organizations that provide emergency services within the state and provide for and staff a State Emergency Coordination Center (ECC) to aid the Governor. ORS 401.035 makes the Governor responsible for the emergency services system within the State of Oregon. The Director of OEM advises the Governor and coordinates the state’s response to an emergency or disaster.

The Oregon EMP consists of three volumes:

- **Volume I: Preparedness and Mitigation**, consists of plans and guidance necessary for State preparation to resist a disaster’s effects. Sections include: disaster hazard assessment, the Emergency Management Training and Exercise Program, and plans to mitigate (or lessen) a disaster’s physical effects on citizens, the environment, and property.
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**Volume II: Emergency Management Plan**, broadly describes how the State uses organization to respond to emergencies and disasters. It delineates the emergency management organization; contains functional annexes that describe the management of functional areas common to most major emergencies or disasters, such as communications, public information, and others; and contains hazard-specific annexes.

**Volume III: Relief and Recovery**, provides State guidance, processes, and rules for assisting Oregonians with recovery from a disaster’s effects. It includes procedures for use by government, business, and citizens.

Activation and implementation of the Oregon EMP (or specific elements of the plan) may occur under various situations. The following criteria would result in activation of the EMP, including the EOP:

- The Oregon Emergency Response System (OERS) receives an alert from an official warning point or agency, indicating an impending or probable incident or emergency.
- The Governor issues a “State of Emergency.”
- A Statewide disaster is imminent or occurring.
- Terrorist activities or Weapons of Mass Destruction (WMD) incidents are occurring or imminent.
- An alert, site emergency, or general emergency is declared at the Washington Hanford Nuclear Reservation in Washington State or at the research reactors at Oregon State University and Reed College.
- A community emergency (or other appropriate Chemical Stockpile Emergency Preparedness Program Emergency Classification Level) involving the Umatilla Chemical Depot occurs.
- A localized emergency escalates, adversely affecting a larger area or jurisdiction and exceeding local response capabilities.
- A geographically limited disaster requires closely coordinated response by more than one State agency.
- An affected city or county fails to act.

### 1.3.2 Continuity of Operations and Continuity of Government Plans

The County has not formalized a Continuity of Operations (COOP) or a Continuity of Government (COG) plan to date. However, should the County...
develop or implement these plans in the future they may be used in conjunction with the EOP during various emergency situations. The COOP/COG plans detail the processes for accomplishing administrative and operational functions during emergencies that may disrupt normal business activities. Parts of these plans identify essential functions of local government, private sector businesses, and community services and delineate procedures developed to support their continuation. COOP/COG plan elements may include, but are not limited to:

- Ensuring the County’s continuous functions and operations during an emergency;
- Maintaining clear lines of authority and, when necessary, implementing the approved line of succession and proper delegation of authority;
- Protecting critical facilities, equipment, vital records, and other assets;
- Reducing or mitigating disruptions to operations and essential community services;
- Reducing loss of life, minimizing property damage, and protecting the local economy from significant impacts; and
- Achieving a timely and orderly recovery from emergencies and resumption of full services to the public.

Preserving vital records helps government to continue operating during and after a disaster. County documents are periodically archived at a location apart from the general county offices. Their retention and transmittal follows guidelines described in Oregon Administrative Rule and County administrative policy. Electronic data is duplicated and archived weekly, in accordance with county policy.

1.3.3 Natural Hazard Mitigation Plan

A mitigation plan seeks to provide resources, information and strategies for risk reduction, while helping to guide and coordinate mitigation activities throughout the County. The plan provides a set of action items to reduce risk from natural hazards through education, outreach programs, the development of partnerships, and the implementation of preventative activities. The Jackson County Natural Hazard Mitigation Plan (NHMP) was adopted in 2005.

1.4 Authorities

Jackson County has a comprehensive Emergency Operations Plan that conforms to the federal National Incident Management System structure. It includes detailed information about how county departments and outside agencies will respond to a disaster to protect the community.
1.4.1 Legal Authorities

The Jackson County Emergency Operations Plan is developed, published and distributed in accordance with Oregon Revised Statutes (ORS), Chapter 401 (Appendix 3), and Jackson County Code, Chapter 244, Organization for Emergency Management (Appendix 1).

Per ORS, Chapter 401, and Jackson County Code, Chapter 244, the Jackson County Board of Commissioners (BOC) is responsible for the emergency services systems within their jurisdiction. The Board has adopted this plan as the Emergency Operations Plan (EOP) for Jackson County. It is effective as of the date of the Promulgation Order at the beginning of this plan.

This plan was prepared by members of the Jackson County Emergency Management Advisory Council (EMAC), under the guidance of the County Administrator and in accordance with Jackson County Code Chapter 244. This plan has been approved by Oregon Emergency Management and fulfills the emergency planning requirements of ORS Chapter 401.

Table 1-1 sets forth the Federal, state, and local legal authorities upon which the organizational and operational concepts of this EOP are based.

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<tr>
<td><strong>Jackson County</strong></td>
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<td>– Jackson County Code, Chapter 244, Organization for Emergency Management</td>
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1.4.2 Mutual Aid and Intergovernmental Agreements

State law (ORS Chapter 402) authorizes local governments to enter into Cooperative Assistance Agreements with public and private agencies in accordance with their needs (e.g., the Omnibus Mutual Aid Agreement). Personnel, supplies, and services may be used by a requesting agency if the granting agency cooperates and extends such services. However, without a mutual aid pact, both parties must be aware that state statutes do not provide umbrella protection except in the case of fire suppression pursuant to ORS 476 (the Oregon State Emergency Conflagration Act).

Existing Mutual Aid Agreements (MAA) and Memorandums of Understanding (MOU) are identified in Appendix D of this plan. Copies of these documents can be accessed through the EMPC. During an emergency situation, a local declaration may be necessary to activate these agreements and allocate appropriate resources.

1.5 Emergency Powers

1.5.1 Declaration of Emergency

Under ORS 401.309, a local state of emergency may be declared by the officials listed in the County Emergency Management Ordinance. The effect of the declaration is to activate the recovery and rehabilitation aspects of the plan and to authorize the furnishing of aid and assistance. When the emergency exceeds local government capability to respond, assistance will be requested from neighboring jurisdictions in accordance with existing Mutual Aid Agreements (MAA) and then through the State.

If the emergency area is within a City, the Chief Executive(s) of that city must process requests for assistance through the County Emergency Management Office. Requests for a State Declaration shall be made by the Executive Officer(s) of the County in which the emergency event is occurring. State assistance will be provided only after a “good faith” effort has been made, local resources are exhausted or nearing depletion and MAAs have been initiated. Local resources include those available under mutual aid or through the County.

The following documents may need to be forwarded to the BOC for action:

- A draft order declaring an emergency, including a description of the disaster event, impacted area(s), loss of life and injuries, damages to property, special powers enacted, and local resources applied to the disaster;

- Supporting documentation or findings as determined necessary by the BOC; and
1. Introduction

- A draft letter to the Governor advising of the County’s declaration and the request for a state declaration as appropriate, as well as any requests for assistance.

Requests for state assistance should be forwarded to OEM as soon as practical. These requests may be sent via FAX as the most expedient (if operable and available) method accessible. The OEM FAX number is (503) 373-7833. The original, signed copy will be either mailed or hand delivered, whichever is most secure and appropriate in a given situation.

Requests for State/Federal assistance need to include:

- Language stating that local and county, mutual aid resources are depleted or nearly so.

- Specific assistance requirements to be requested (e.g., type and quantity of equipment needed, purpose for which it is needed, and location of the area in need). Multiple requests on the same declaration may be necessary. Be as detailed as possible, and explain the requested mission, not “who” could provide the requested resources.

- Time element: expected duration of event or expected time required to gain control

1.5.2 Lines of Succession

Board of Commissioners

The BOC is comprised of three members, elected from the county at-large. The position of Chair rotates between the members on a yearly basis. A Vice-Chair is identified who functions as the Chair in the Chair's absence. The Commissioners exercise powers and authorities granted by state law and local ordinance.

According to Jackson County Code 244.15, the Chair is authorized to declare a state of emergency if timely action by the full BOC is not possible. If the Chair is unavailable or unable to perform these duties, the following persons, in this order, may perform them: Vice-Chair of the Board, the third member of the Board, the County Administrator or his/her designee.

If the entire BOC is unable to perform its duties due to an accident, recall or other event, the Governor of Oregon selects two members under provisions of state law. The third member is selected by agreement of the first two. Until such time as the Governor has done this, the County Administrator will continue to operate according to Chapter 244.15 (a) and Chapter 244.16.

County Administrator

The Office of County Administrator was created by county ordinance to govern administrative responsibilities for county operations. The County Administrator
or his/her designee is the Incident Commander during an emergency or declared disaster and carries out emergency policies established by the BOC.

The County Administrator's designees, in order of succession, are the Senior Deputy County Administrator and the Finance Director.

Table 1-2 provides the policy and operational lines of succession during an emergency for the County.

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<td>County Administrator</td>
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<tr>
<td>BOC Chair</td>
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Each County department is responsible for pre-identifying lines of succession in management’s absence. All employees must be trained on the protocols and contingency plans required to maintain leadership within the department. County Emergency Management will provide guidance and direction to department heads to maintain continuity of government and operations during an emergency. Individual department heads within the County are responsible for developing and implementing COOP/COG plans to ensure continued delivery of vital services during an emergency.

### 1.5.3 Request, Allocation, and Distribution of Resources

Resource requests and emergency/disaster declarations must be submitted by the County EMPC to the Director of OEM according to provisions outlined under ORS Chapter 401. Refer to ESF 7 – Logistics Management and Resource Support for detailed information regarding available resources and coordination procedures established for the County.

The executives of the County’s incorporated cities are responsible for the direction and control of their communities’ resources during emergencies and are responsible for requesting additional resources required for emergency operations. In times of declared disasters, all assistance requests will be made through the County EMPC via the County EOC. The County EMO processes subsequent assistance requests to the State.

In the case of emergencies involving fires threatening life and structures, the Conflagration Act (ORS 476.510) can be invoked by the Governor through the Office of State Fire Marshal, in close coordination with the local Fire Chiefs. The Act allows the State Fire Marshal to mobilize and fund fire resources throughout the State during emergency situations. The local Fire Chiefs assess the status of the incident(s) and, after determining that all criteria have been met for invoking the Conflagration Act, notify the State Fire Marshal via the OERS. The State Fire Marshal reviews the information and notifies the Governor, who authorizes the
act. More information about wildfires in the County can be found in the County Community Wildfire Protection Plan.

### 1.5.4 Financial Management

During an emergency, the County is likely to find it necessary to redirect funds to effectively respond to the incident. The authority to adjust department budgets and funding priorities rests with the BOC. If an incident in the County requires major redirection of County fiscal resources, the BOC will meet in emergency session to decide how to respond to the emergency funding needs and will declare a State of Emergency and request assistance through the County as necessary.

Expenditure reports should be submitted to the Finance Department and managed through the Finance Director to identify budgetary shortfalls. The Finance Department will support procurement issues related to personnel, both volunteer and paid. In addition, copies of expense records and all supporting documentation should be submitted for filing Federal Emergency Management Agency (FEMA) Public Assistance reimbursement requests.

### 1.5.5 Liability Issues

Liability issues and potential concerns among government agencies, private entities, other response partners, and across jurisdictions, are addressed in existing MAAs and other formal memoranda established for the County and its surrounding areas.

Under Oregon law, all local jurisdictions are members of a statutorily created mutual assistance compact (ORS Chapter 402). This compact, meant to streamline the mutual aid process, allows local jurisdictions to request assistance from another local government to prevent, mitigate, respond to, or recover from an event that overwhelms the requesting jurisdiction’s available resources. Assistance may also be requested for training, drills, or exercises.

Requests may be either written or oral, although if a request for assistance is made orally the responding government must document its response within 30 days of the request. Under these provisions, employees from another jurisdiction providing assistance to the County are agents of the County. The County must defend, save harmless, and indemnify these employees as it would its own employees. Should an employee of a responding government sustain injury in the course of providing requested assistance, the person is entitled to all applicable benefits, including workers’ compensation, normally available to the employee while performing regular duties for the responding local government. The County is not obligated to provide resources to the requesting jurisdiction.

This language supplements other State law authorizing local governments to enter into cooperative assistance agreements with public or private entities for reciprocal emergency aid and resources. The County may request and utilize the services, equipment, supplies, and facilities of departments, offices, and agencies of the State and local governments. Except in cases of willful misconduct, gross
negligence, or bad faith, emergency service workers acting under these provisions will not be held liable for the death or injury of any person, or damage or loss of property, as a result of that activity.

Note that under the Emergency Conflagration Act (ORS 476.510-610), the Governor (or other authorized State officer) may make available for use and duty in any county, city, or district, any part of the local fire-fighting forces and equipment in response to fire, a heightened danger of fire, or a significant reduction in available fire-fighting resources. Response personnel acting under these provisions will be considered agents of the State and will not be held liable for any injury to person or property resulting from the performance of their duties.

1.6 Safety of Employees and Family
All department heads or designees are responsible for the safety of employees. Employees should attempt to make contact with their supervisors and managers within the first 24 hours following an incident. 9-1-1 should only be utilized if emergency assistance is needed. Agencies and departments with developed COOPs will establish alternate facilities and staff locations, as applicable. Notification procedures for employee duty assignments will follow required procedures established by each agency and department.

During biological incidents or public health emergencies such as influenza pandemics, maintaining a resilient workforce is essential to maintaining overall response activities required to protect the County and surrounding community from significant impacts to human lives and the economy. Thus, personnel should be provided with tools to protect themselves and their families while also providing health and medical services during a pandemic or other type of public health emergency. Currently, plans formally addressing the safety and protection of medical personnel and response staff during a biological incident and/or contagious outbreak have not been developed. Safety precautions and Personal Protective Equipment (PPE) decisions will be specific to the type of incident occurring and will require just-in-time training among the first responder community and other support staff to implement appropriate procedures.

If necessary, the Oregon Occupational Safety and Health Administration (OSHA) may provide assistance and guidance on worker safety and health issues. Information on emergency procedures and critical tasks involved in a biological emergency incident or disease outbreak is presented in ESF 8 – Public Health and Medical Services.

Processes in support of employees and their families during emergency situations or disasters will be further developed through ongoing COOP/COG planning.
1. Introduction

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Situation and Planning Assumptions

2.1 Situation
Jackson County is exposed to many hazards, all of which have the potential for disrupting the community, causing damage, and creating casualties. Possible natural hazards include droughts, floods, wildfires, and winter storms. There is also the threat of a war related incident such as a nuclear, biochemical or conventional attack. Other disaster situations could develop from hazardous material accidents, health related incidents, conflagrations, major transportation accidents, or acts of terrorism.

2.1.1 Community Profile
Jackson County is located in southwestern Oregon. It is bordered on the north by Douglas County, the south by the state of California, the east by Klamath County and the west by Josephine County. The total area of Jackson County is 2,801 square miles. According to the Oregon Blue Book, the total population of Jackson County is 205,205. Approximately 69% of Jackson County residents live within incorporated cities, the other 31% live in unincorporated and rural areas.

There are eleven cities in Jackson County including Ashland, Butte Falls, Central Point, Eagle Point, Gold Hill, Jacksonville, Medford, Phoenix, Rogue River, Shady Cove and Talent. Medford, the county seat, is the largest, with a population of 76,850. Ashland is the second largest, with a population of 21,485. This value includes the student population of Southern Oregon University, located in Ashland.

Major waterways in Jackson County include the Rogue River, Bear Creek and the Applegate River. The Rogue River originates in the mountains near Crater Lake. It runs southwest through the cities of Shady Cove and Gold Hill to the central portion of the county and then west through the city of Rogue River, located on the west central county border. Bear Creek originates in the Siskiyou Mountains in the southeastern portion of Jackson County. It runs west through several cities, including Ashland and Medford, to the city of Gold Hill where it meets the Rogue River. The Applegate River enters Jackson County from California and runs north and westward through the communities of Applegate and Ruch to Grants Pass in Josephine County.

Mountainous areas within Jackson County are part of the Cascade Range on the east and the Siskiyou Mountains to the south and west. Mt. McLoughlin, altitude
2. Situation and Planning Assumptions

9,459 feet, is a member of the Cascade Range, and Mt. Ashland, altitude 7,539 feet, is a member of the Siskiyou Range. Both of these peaks are dormant volcanoes.

Interstate 5 and the Central Oregon & Pacific Railroad enter Jackson County southeast of Ashland, and extend northwest to the west central county border near the city of Rogue River. Most county residents live along this corridor, with Medford being the largest center of commercial activity.

**Figure 2-1 Map of Jackson County**

2.1.2 Hazards and Threats

Jackson County, and the cities and communities within its boundaries may experience major emergencies that endanger life and property.

The County faces a variety of possible disasters. The OEM Statewide Hazardous Analysis methodology has been applied to the variety of disasters facing the County.
2.1.2.1 Severe Weather

Most common from October through April, snowstorms and windstorms can disrupt the region's utilities, telecommunications and roadway systems. Damage from windstorms is typically related to the toppling of trees and limbs, and consequent downing of utility infrastructure. Significant storms have sustained winds of 40 mph with gusts of 55 mph for more than two hours.

Particularly threatening are wintertime winds from the Cascades that funnel through the Rogue Valley at 50 mph. The region's outstanding historic windstorm, the 1962 "Columbus Day" storm, had winds gusting to 104 miles per hour and was described by meteorologists as a cyclone.

Snowfalls of 6-12 inches in a 24-hour period over the Siskiyou Mountains cause closures of Interstate 5 at the Siskiyou Summit each winter, disrupting the flow of interstate freight and traffic. The American Red Cross opens shelters for stranded travelers several times a year. At times, hailstorms with hail larger than ¼ of an inch may cause property damage in Jackson County.

2.1.2.2 Earthquake

Although no property damage or injury to persons due to earthquakes, have been reported in Jackson County in the past 100 years, the neighboring area of Klamath Falls has experienced three earthquakes since 1993, with magnitudes ranging from 3.4 to 6.0.

Special Paper 29 by the Oregon Department of Geology and Mineral Industries (DOGAMI), entitled "Earthquake Damage in Oregon: Preliminary Estimates of Future Earthquake Losses" (1999), indicates that a severe earthquake, an M8.5 Cascadia Subduction Zone earthquake, is likely to occur off the Oregon Coast sometime in the next 100 years. The study's Executive Summary states that aspects of the computer model resulted in an underestimation of projected economic losses. Nonetheless, the estimates are useful for general planning purposes. The study predicts that economic losses in Jackson County related to damage to buildings, highways, airports, and communications systems could run as high as $552 million. Few of the historic non-reinforced masonry buildings in the region's downtown centers would be left standing.

The study predicts slight to complete damage to 22% of Jackson County's homes, 32% of its educational buildings, 42% of government buildings, 39% of commercial structures and 42% of industrial buildings.

The day after such a quake, it is predicted that 25% of fire stations would be non-operational, as would be 38% of police stations, 30% of schools and 16% of bridges.

2.1.2.3 Utility Failure

Public utilities in the county are supplied through privately owned, publicly regulated companies. Power is provided through a network of above and below
ground pipelines and electrical lines. Power outages can result in the loss of light, heat and, in some cases, well water. PacifiCorp is the primary electrical distribution company in the region. AVISTA supplies natural gas. Qwest serves the telecommunications needs of much of the region. Rogue Valley Sewer Service (RVS) manages waste.

Power failure is most often caused by severe weather that downs trees or their limbs onto power lines and poles. Traffic accidents involving utility poles are another common cause. In the past few years, wildland fires have threatened transmission lines. For example, the Timbered Rock fire of 2002 posed a significant hazard to Shady Cove's power; PacifiCorp brought backup equipment to ensure continued power. With respect to actual power failures in the county, PacifiCorp electric service was interrupted only .06% of the time between 1995 and 2002.

2.1.2.4 Drought

Jackson County has extended hot and dry weather conditions during the summer and early fall months. Sequential years of below normal rainfall result in severe drought conditions. In 1939, 1977, 1992 - 1994, and again in 2001, Oregon suffered extreme drought conditions that adversely affected the availability of water to homes on well water in areas such as Shady Cove. Currently, professionals speak of a 5- to 7-year drought cycle in our region; it was previously considered a 10-year cycle.

Drought can severely impact the availability of water to irrigators. Following the principle of "first in time, first in use", the Watermaster cuts back users with junior water rights when the stream system cannot satisfy all users. At times, this has resulted in no users with rights dating after 1906 receiving their appropriation. The migration of fish is also a significant issue in times of drought.

Population growth and the drilling of many rural wells have increased the demand on the ground water supply. This growth exacerbates the impact of drought years, as more wells have lower yields or go dry.

Drought conditions also increase the risk of wildland fires, thus threatening the safety of the growing number of residents residing in wildland-urban interface areas and rural communities.

2.1.2.5 Hazardous Materials Accidents

Hazardous materials are stored in industrial and manufacturing facilities throughout the county. There are some 935 manufacturing facilities that store or use reportable quantities of hazardous materials. Hazardous materials are transported through the county in freight trucks using the Interstate 5 corridor, state highways and county roadways. The Central Oregon & Pacific Railroad hauls hazardous materials through downtown centers.
in the Rogue Valley. In the valley, orchardists use a variety of chemicals to nurture and protect fruit crops.

The highest potential for hazardous materials accidents in the county is on county roads and state highways. In 1994, the collision of two trucks resulted in the closure of Interstate 5 near Ashland.

2.1.2.6 Floods
Jackson County has a history of flash flooding along several drainages. The county experiences the most severe flooding conditions when the effects of snowmelt and direct, heavy rainfall combine during the winter and early spring months.

There are two prime examples of such conditions leading to landmark floods. The first is the flood of 1964, characterized as a "100 year" flood. This flood was so devastating that it led to the construction of both Applegate Dam and Lost Creek Dam by the Army Corps of Engineers.

The second is the flood known as the New Year's Day flood, which occurred in late December 1996 and early January 1997. The initial damage assessment report indicated that the flood had caused $16 million in damages to housing; $12 million in damages to businesses; $9 million in damages to agriculture; and $13 million in damages to local government in costs and losses. Most of the housing damage occurred along Bear Creek. Nearly all the business damage occurred along Ashland Creek, a tributary of Bear Creek. Agricultural damage was predominantly experienced in the Little Butte Creek and Applegate River watersheds. Infrastructure damage was sustained throughout the county.

2.1.2.7 Wildland Fires
Jackson County has experienced several large wildland fires and urban interface fires in recent years. The growth of residential developments on city peripheries and in rural areas of the county has increased this risk. The suppression of smaller scale fires in forested areas has resulted in vegetation and fuel conditions that support catastrophic fires.

Fires are caused by both human activities and natural events. According to the Applegate Fire Plan, between 1970 and 1999, there were about 78 fires per year in the Applegate watershed. Some 56% of those fires were caused by human activity; lightning started the remaining 44%.

Recent wildfires in Jackson County include: the 1994 Hull Mountain fire which burned 8,000 acres; the 2001 Quartz Mountain fire which burned 6,300 acres; the 2002 Squires Peak fire which burned some 2,000 acres and threatened many homes, and the 2002 Timbered Rock fire which encompassed 27,000 acres.
2.1.2.8 **Terrorism**

As a result of recent national terrorism incidents, local governments must assess a broad range of vulnerabilities and prepare for new types of hazards, including chemical, biological, nuclear/radiological weapons and explosives.

2.1.2.9 **Epidemics**

Epidemics are outbreaks of disease that spread rapidly through a community. The last 30 years history of epidemics in the county is informative. There were outbreaks of hepatitis in the 1970s related to sewage disposal and faulty septic systems in the county's clay soils. There were outbreaks of bacterial infection in the 1980s related to food preparation in restaurants, and illnesses associated with E. coli.

In 1992, between 3,000 and 4,000 people became ill with cryptosporidiosis, a waterborne parasite similar to giardia. Intensive research resulted in the local water source being identified. Over the last 10 years, there have been periodic outbreaks of illnesses, such as the Noro-virus family and salmonella in nursing homes and assisted living facilities. In 2003, there was an outbreak of pertussis, otherwise known as "whooping cough", among children.

One concern is the imminent arrival of West Nile Virus (WNV) in our region. WNV is a mosquito-borne virus that produces mild symptoms in most infected persons. In a very small number of cases, however, encephalitis (inflammation of the brain) may occur.

2.1.2.10 **Landslides**

Most landslides in Jackson County have occurred during flood events. They have been comprised of debris flows along stream channels or slides along hillsides whose soils have become saturated during heavy rains.

The significance of landslides has increased as population growth in the county has encouraged upscale residential growth into hillside areas that previously were uninhabited and the construction of access roads to those areas. Logging roads are also implicated in landslide problems.

During the 1997 "New Year's Day" flood, more than 70 landslides occurred in the county. The majority (70%) of the slope failures that occurred in the county were adjacent to road cuts on steep slopes. Of these, 77% were on south-facing slopes where vegetation has a more difficult time of re-establishing itself.

2.1.2.11 **Transportation Accidents**

With a full complement of railroad, highway, and airport facilities, Jackson County risks a variety of transportation accidents. Interstate highway facility 1-5, other state highways and county roads, the short line Central Oregon & Pacific Railroad, and the Rogue Valley International-Medford Airport serve the county. The risks include airline crashes, train derailments, freight truck and vehicle...
accidents and the associated potential for hazardous materials spills, fires, explosions and mass casualties.

The most frequent transportation accidents involve motor vehicle accidents on the state highway system, city streets and county roads. Highway 62 is dotted with some of the top accident locations, including the highway intersections with Vilas Rd., Delta Waters Rd., and Highway 140.

In 2002, there were approximately 860 motor vehicle accidents on city and county roads alone. Of the 21 traffic fatalities in 2002, 57% involved alcohol or some other drug as a major contributing factor. Single car crashes are most common. Top accident locations in the county include Kirtland Rd., Blackwell Rd., Antelope Rd, and Table Rock Rd. These roads are heavily traveled by freight trucks, en route to the Central Point and Seven Oaks interchanges, however, trucks are seldom involved in accidents.

### 2.1.2.12 Dam Failure

Jackson County has over 80 permitted dams and approximately 600 non-permitted holding ponds used for irrigation, livestock watering and firefighting purposes. There are eight Bureau of Reclamation dams, built during the 1930s, and two Army Corps of Engineers dams.

Total and cataclysmic dam failure is rare, structures more often leak and require repairs. During an earthquake, however, the movement of waters over the top of a dam can create enough stress to cause dam failure. The failure of any one of the ten larger dams in the county could result in significant loss of life, damage to property and interruption of transportation systems. If Hosler Dam above Ashland were to fail, a 27-foot wave of water would descend on the city. The failure of Fish Lake would inundate the city of Eagle Point. The failure of Emigrant Lake Dam would flood the Bear Creek Valley, the corridor where most residents reside.

All in all, there are 15 dams in Jackson County whose failure or disoperation would create high levels of hazard to the nearest downstream communities, such as Ashland, Lincoln, Applegate, Shady Cove, Pinehurst, White City, Brownsboro, Gold Hill, and Lake Creek.

### 2.1.2.13 Volcanic Eruption

Cascadia Subduction Zone movement, the movement of continental plates against each other, generates volcanic activity in the Pacific Northwest. The northern reaches of volcanoes in the Cascade Range have been much more active than those in southern Oregon. Shield and composite volcanoes are present in the region of Jackson County. Mount McLoughlin, a shield volcano, is considered dormant and may never have erupted. It currently presents so little earthquake activity that measurements are not taken. Mount Shasta lies 100 miles to the south of Medford. It last erupted in 1786.
If it were to explode, the strength of the eruption would likely be similar to that of Mount St. Helen, but the winds would likely take most of the ash and flumes to the east.

### 2.1.3 Hazard Analysis

In the Hazard Analysis, each of the hazards and threats described above is scored using a formula that incorporates four independently weighted rating criteria (history, vulnerability, maximum threat, probability) and three levels of severity (low, moderate, and high). For each hazard, the score for a given rating criterion is determined by multiplying the criterion’s severity rating by its weight factor. The four rating criteria scores for the hazard are then summed to provide a total risk score for that hazard. Note that while many hazards may occur together or as a consequence of others (e.g., dam failures cause flooding, and earthquakes may cause landslides), this analysis considers each discrete hazard as a singular event.

### 2.2 Assumptions

The assumptions upon which this EOP is predicated are:

- Jackson County will continue to be exposed to the hazards described in Section 2.1, as well as others that may develop in the future.
- A disaster can occur at any time and any place with little or no warning. In some cases, alerting the public and taking preemptive action may not be possible.
- The executive officer or governing body of the county and each city will commit available resources to protect the health and welfare of their citizens.
- Although it is likely that outside assistance will be available during most disasters, it is necessary for the county to be prepared to carry out short term disaster response and recovery operations on an independent basis.
- County officials, the County Administrator, and department directors and managers will assume their responsibilities in the implementation of this plan.
- Proper implementation of this plan will reduce disaster-related losses.
- All incidents will be managed using NIMS protocols and ICS management structure.
2. Situation and Planning Assumptions

<table>
<thead>
<tr>
<th>Hazard</th>
<th>Rating Criteria with Weight Factors</th>
<th>Total Score</th>
</tr>
</thead>
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<tr>
<td></td>
<td>History (^1) (WF=2)</td>
<td>Vulnerability (^2) (WF=5)</td>
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<tr>
<td>Severe Weather</td>
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<td>10 (\times) 5 = 50</td>
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<tr>
<td>Disease Pandemic</td>
<td>7 (\times) 2 = 14</td>
<td>10 (\times) 5 = 50</td>
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<tr>
<td>Earthquake</td>
<td>4 (\times) 2 = 8</td>
<td>10 (\times) 5 = 50</td>
</tr>
<tr>
<td>Utility Failure</td>
<td>5 (\times) 2 = 10</td>
<td>5 (\times) 5 = 25</td>
</tr>
<tr>
<td>Drought</td>
<td>10 (\times) 2 = 20</td>
<td>(\frac{6 \times 5}{30})</td>
</tr>
<tr>
<td>Hazardous Materials</td>
<td>10 (\times) 2 = 20</td>
<td>4 (\times) 5 = 20</td>
</tr>
<tr>
<td>Flood</td>
<td>10 (\times) 2 = 20</td>
<td>2 (\times) 5 = 10</td>
</tr>
<tr>
<td>Wildland Fire</td>
<td>10 (\times) 2 = 20</td>
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</tr>
<tr>
<td>Terrorism</td>
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</tr>
<tr>
<td>Radiological</td>
<td>1 (\times) 2 = 2</td>
<td>1 (\times) 5 = 5</td>
</tr>
</tbody>
</table>

Notes:
1. History addresses the record of previous major emergencies or disasters. Weight Factor is 2. Rating factors: high = 4 or more events in last 100 years; moderate = 3 events in last 100 years; low = 1 or 0 events in last 100 years.
2. Vulnerability addresses the percentage of population or property likely to be affected by a major emergency or disaster. Weight Factor is 5. Rating factors: high = more than 10% affected; moderate = 1%-10% affected; low = less than 1% affected.
3. Maximum Threat addresses the percentage of population or property that could be affected in a worst case incident. Weight Factor is 10. Rating factors: high = more than 25% could be affected; moderate = 5%-25% could be affected; low = less than 5% could be affected.
4. Probability addresses the likelihood of a future major emergency or disaster within a specified period of time. Weight Factor is 7. Rating factors: high = one incident within a 10-year period; moderate = one incident within a 50-year period; low = one incident within a 100-year period.
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Roles and Responsibilities

3.1 General
Local and County agencies and response partners may have various roles and responsibilities throughout an emergency’s duration. Therefore, it is particularly important that the local command structure established to support response and recovery efforts maintain a significant amount of flexibility to expand and contract as the situation changes. Typical duties and roles may also vary depending on the severity of impacts, size of the incident(s), and availability of local resources. Thus, it is imperative to develop and maintain depth within the command structure and response community.

At the direction of the County Administrator, department directors and managers conduct emergency management activities in addition to their normal duties. These activities include providing appropriate staff support to the Emergency Operations Center (EOC), participating in emergency management planning and training, and establishing emergency management procedures for their departments.

3.2 Emergency Management Organization
The Jackson County Emergency Management Program is responsible for emergency management planning and operations for that area of the county outside the limits of the incorporated municipalities of the county. The Mayor or other designated official, pursuant to city charter or ordinance, of each incorporated municipality in Jackson County is responsible for emergency management planning and operations for that jurisdiction. Those responsibilities may be shared with County Emergency Management under agreement.

Most of the departments within the County have emergency functions in addition to their normal duties. Each department is responsible for developing and maintaining its own emergency management procedures. Specific responsibilities are outlined below as well as in individual functional and incident annexes.

The Emergency Management Organization (EMO) for the County is divided into two general groups – the Executive Group and Emergency Response Agencies organized by function.

3.2.1 Executive Group
The Executive Group is referred to in this plan as a single body but in fact may have several components with representation from each local political jurisdiction
within the emergency management program. Each group is responsible for the activities conducted within their respective jurisdiction. The members of the Executive Group include both elected and appointed executives with certain legal responsibilities. Key general responsibilities for those officials include:

- Establishing strong working relationships with local jurisdictional leaders and core private-sector organizations, voluntary agencies, and community partners;
- Leading and encouraging local leaders to focus on preparedness by participating in planning, training, and exercises;
- Supporting participation in local mitigation efforts within the jurisdiction and, as appropriate, with the private sector;
- Understanding and implementing laws and regulations that support emergency management and response;
- Ensuring that local emergency plans take into account the needs of:
  - The jurisdiction, including persons, property, and structures,
  - Individuals with special needs, including those with service animals,
  - Individuals with household pets, and
- Encouraging residents to participate in volunteer organizations and training courses.

3.2.1.1 **Board of Commissioners**

- Declares and terminates a state of emergency.
- Orders and enforces emergency measures.
- Authorizes activation of the EOC.
- Establishes policy.
- Confers with local/state/federal officials, as required.

3.2.1.2 **County Administrator**

- Declares and terminates a state of emergency when the BOC is unavailable or unable to do so.
- Provides briefings about the emergency to the BOC.
- Orders, implements and enforces emergency measures when the BOC is unavailable or unable to do so.
3. Roles and Responsibilities

- Activates the EOC, as required.
- During a state of emergency, enters into mutual aid agreements, as needed.
- Enters into mutual aid agreements on behalf of the County.
- Organizes, administers and operates the Emergency Management Program.
- Appoints a coordinator to oversee the Emergency Management Program and be responsible for its day-to-day operations.
- Performs the duty of Incident Commander in the County EOC.

3.2.1.3 Emergency Management Program Coordinator

- Coordinates all phases of emergency management.
- Assists other jurisdictions and organizations with emergency management planning.
- Conducts disaster exercises and emergency management training.
- Educates the public, business community and government agencies about disaster preparedness, response and recovery.
- Establishes and maintains an effective public warning system.
- Maintains current EOC call lists and duty assignments.
- Coordinates EOP revisions and distribution.
- Maintains liaison activities with organized emergency volunteer groups and private agencies.
- Prepares and maintains a resource inventory.
- Documents the disaster.

3.2.1.4 Emergency Management Advisory Council (EMAC)

- Members represent county departments, city, state and federal agencies, and voluntary organizations, all of whom are involved in emergency response.
- Reviews and updates the County EOP.
- Develops response plans.
- Participates in and/or designs, as required, disaster exercises.
3. Roles and Responsibilities

- Monitors conditions that may lead to an emergency.
- Recommends EOC equipment.
- Creates and reviews emergency management regional policies.
- Presents information about the emergency management system to the public and other agencies.
- Reviews past events and exercises and determines how to improve EOC activities.
- Acts as a first response team to the EOC.

3.2.2 Emergency Services by Function

Certain important functions must be accomplished during an emergency. This section identifies those major functions, their related tasks and responsible parties. The roles of agencies involved in emergency services generally parallel their normal day-to-day functions. To the extent possible, the same personnel and material resources are employed in both cases. Day-to-day functions that do not contribute directly to the emergency operation may be suspended for the duration of the disaster. Resources for these functions may be redirected to support the emergency operation by the agency concerned.

3.2.2.1 Transportation

*Airport/Roads & Parks Department/Planning*

- Provides access to airport runways for provisioning of emergency supplies.
- Provides hangar for storage and sorting of supplies, as requested.
- Plan for and identify high-hazard areas and numbers of potential evacuees, including the number of people requiring transportation to reception areas (including special needs populations);
- Identify emergency traffic routes;
- Determine optimal traffic flow and movement priority from residences to highways;
- Confirm and manage locations of staging areas and pick-up points for evacuees requiring public transportation;
- Coordinate transportation services, equipment, and personnel using emergency routes;
3. Roles and Responsibilities

- Provide guidance on commuting arrangements for essential workers during the evacuation period;
- Propose locations of roadblocks and patrols for evacuation movement;
- Provide patrols and safety measures in the evacuated area and for reassignment of personnel during the evacuation period; and
- Support the preparation and maintenance of ESF 1 - Transportation, supporting Standard Operating Procedures (SOPs) and annexes.

3.2.2.2 Communications

**Alert and Warning**

EMPC/National Weather Services

- Prescripts emergency alert system and public service announcements.
- Alerts and warns the public.
- Implements the public warning system.
- Activates EOC staff.
- Notifies appropriate emergency response agencies and public officials.
- Supports the preparation and maintenance of ESF 2 – Communications, as appropriate.

**Emergency Communications**

ECSO Director

- Acts as a liaison for coordinating information and resources between the Citizen Hotline Arena and EOC Command.
- Acts as a liaison for coordinating information and resources between 9-1-1/dispatch operations and the Citizen Hotline Arena.
- Coordinates ECSO personnel who have been assigned duties or are acting as resource specialists in EOC Command or the Citizen Hotline Arena.
- Supports the preparation and maintenance of ESF 2 – Communications, as appropriate.

3.2.2.3 Public Works and Engineering

Roads and Parks Department

- Inspects and restores roads and bridges.
3. Roles and Responsibilities

- Assists transportation routing, sign placement and barricading road and bridge hazards.
- Removes debris.
- Provides traffic control.
- Coordinates with the Sheriff’s Department on all matters concerning evacuation and establishing a security perimeter.
- Keeps up-to-date all information on conditions.
- Coordinates resources with cooperating jurisdictions, state agencies, and volunteers.
- Supports the preparation and maintenance of ESF 1 – Transportation and ESF 3 – Public Works and Engineering, as appropriate.

3.2.2.4 Firefighting

County Fire Defense Board Chief

- Conducts fire and rescue operations.
- Performs fire hazards inspections.
- Supports the preparation and maintenance of ESF 4 – Firefighting and ESF 9 – Search and Rescue, as appropriate.

3.2.2.5 Emergency Management

County Administrator/EMPC

- Direct and control local operating forces;
- Maintain contact with neighboring jurisdictions, and the State ECC as appropriate;
- Maintain the EOC in an operating mode at all times or be able to convert EOC space into an operating condition;
- Assign representatives (by title) to report to the EOC and develop procedures for crisis training; and
- Develop and identify duties of staff, use of displays and message forms, and procedures for EOC activation.

3.2.2.6 Mass Care, Emergency Assistance and Housing

American Red Cross

- Directs emergency housing and feeding programs.
3. Roles and Responsibilities

- Conducts shelter registration program.
- Coordinates assisting volunteer agencies and organizations.
- Trains volunteers about mass care and shelter operations.
- Provides food to disaster workers and emergency responders.
- Coordinates welfare inquiries for shelter residents.
- Supports the preparation and maintenance of ESF 6 – Mass Care, Emergency Assistance and Housing, as appropriate.

3.2.2.7 Logistics Management and Resource Support

EMPC/Finance Department

The following tasks are necessary to identify and acquire resources before and during an emergency:

- Establish procedures for employing temporary personnel for disaster operations;
- Establish and maintain a staffing reserve;
- Coordinate deployment of reserve personnel to County departments requiring augmentation;
- Establish emergency purchasing procedures and/or a disaster contingency fund;
- Maintain records of emergency related expenditures for purchases and personnel; and
- Supports the preparation and maintenance of ESF 7 – Resource Support, supporting SOPs and annexes.

3.2.2.8 Public Health

Health and Human Services Department

- Evaluates and informs the public about health hazards.
- Coordinates with the State Public Health Division on all matters requiring massive public immunizations.
- Takes actions to prevent communicable diseases.
- Facilitates assistance to special needs populations.
3. Roles and Responsibilities

- Shelters companion animals.
- Provides assistance to the Medical Examiner.
- Evaluates water systems for use during emergencies.

**Medical Services**

**Supervising Physician/Area Hospitals**

- Provides medical rescue and ambulance transport services.
- During a Mass Casualty Incident, coordinates services with all area hospitals, rescue units and ambulances in southern Oregon.
- Establishes temporary morgue facilities in the event of numerous fatalities.
- Supports the preparation and maintenance of ESF 8 – Public Health

**3.2.2.9 Search and Rescue**

*Sheriff’s Office*

- Coordinate available resources to search for and rescue persons lost in the out of doors;
- Cooperate with and extend assistance to surrounding jurisdictions on request and as resources allow;
- Establish and monitor training standards for certification of Search and Rescue (SAR) personnel; and
- Supports the preparation and maintenance of ESF 9 – Search and Rescue, supporting SOPs and annexes.

**3.2.2.10 Oil and Hazardous Materials Response**

*Region 8 HAZMAT Team*

- Maintains a well-trained and equipped, multi-jurisdictional HAZMAT team and response vehicle.
- Responds to any spill, release, or abandonment of any oil, gasoline, or other petroleum product, any hazardous substance, or radioactive material.
- Serves as a technical resource to the Incident Commander.
- Initiates actions to protect responders and the public.
- Contains the hazardous materials
3. Roles and Responsibilities

- Supports the preparation and maintenance of ESF 10 – Oil and Hazardous Materials, as appropriate.

3.2.2.11 Agriculture and Natural Resources

Animal and Livestock Refuge

Fairgrounds

- Provides space for livestock and other domestic animals, as required.
- Serves as the primary shelter for drivers with large vehicles during an I-5 closure.
- Provides evacuees with space for Recreational Vehicle Parking.
- Supports the preparation and maintenance of ESF 11 – Agriculture and Natural Resources and SA 1 – Evacuation, as appropriate.

Environmental Health

Environmental Health Services, Health and Human Services Department

- Inspects public shelters.
- Monitors air and water quality.
- Provides shelter for companion animals.
- Distributes or coordinates distribution of potable water.
- Inspects food facilities.
- Provides recommended updates to ESF 8 – Public Health, as appropriate.

3.2.2.12 Energy and Utilities

EMPC/Public Utilities

- Works with local energy facilities in restoration of damaged energy utility infrastructure and accompanying systems;

- Coordinates temporary emergency power generation capabilities to support critical facilities until permanent restoration is accomplished. Critical facilities may include primary and alternate EOCs, hospitals/critical care facilities, designated shelters, government offices/facilities, water/sewage systems, and other essential community services; and

- Supports the preparation and maintenance of ESF 12 - Energy, supporting SOPs and annexes.
3.2.2.13 Public Safety and Security

Sheriff’s Office

- Maintains law and order.
- Secures restricted areas.
- Protects vital facilities.
- Provides traffic and crowd control.
- Directs evacuation operations.
- Deploys the Mobile EOC.
- Provides search and rescue.
- Assists with public warning.
- Supports the preparation and maintenance of ESF 2 – Communications, ESF 9 – Search and Rescue, ESF 13 – Public Safety and Security and SA 1 - Evacuation, as appropriate.

3.2.2.14 Long-Term Community Recovery

EMPC/County Administrator/BOC

- Provides for the removal, temporary storage and disposal of disaster-related debris, including hazardous and other contaminated materials.
- Provides for social and psychological counseling for disaster victims, emergency service workers, and disaster recovery workers.
- Provides for relocation of displaced citizens and ensures that emergency, temporary and long-term housing is available throughout the recovery period.
- Provides policies and procedures for and information concerning federal, state, local, private and non-profit disaster assistance programs.
- Provides policies and procedures to facilitate the re-establishment of normal commercial business activities following a disaster.
- Facilitates and coordinates efforts to fully restore utility services (phone, power, water, cable and sanitation) following a disaster.
3. Roles and Responsibilities

- Supports the preparation and maintenance of ESF 6 – Mass Care, Emergency Assistance and Housing, ESF 12 – Energy and ESF 14 – Long-Term Community Recovery, as appropriate.

3.2.2.15 External Affairs

**Public Information Officer**
- Coordinates information with affected jurisdictions and agencies.
- Disseminates emergency public information.
- Provides information and educational materials to the public that will help them during disasters.
- Establishes alternate methods of distributing emergency information to the public.
- Develops and maintains an emergency public information plan with the media.
- Supports the preparation and maintenance of ESF 15 – External Affairs, as appropriate.

3.2.2.16 Evacuation

**Sheriff’s Office**
- Directs evacuation operations.
- Provides information to the public about the need to evacuate and instructs them on procedures that they should follow.
- Manages road closure, traffic control, and transportation activities.
- Coordinates emergency shelter needs with the American Red Cross.
- Provides recommended updates to ESF 6 – Mass Care, Emergency Assistance and Housing and SA C – Evacuation, as appropriate.

3.2.2.17 Damage Assessment

**County Auditor/Finance Director**
- Coordinates the damage assessment process conducted by several county departments, cities, the American Red Cross, and special districts.
- Tracks and reports estimated damages during the event.
- Collects and compiles individual business, public infrastructure, and agricultural damage information.
3. Roles and Responsibilities

- Provides damage assessment and financial information to OEM and other agencies responsible for recovery assistance.
- Provides damage assessment and financial information necessary to support a state or federal disaster declaration.
- Provides recommended updates to SA 2 – Damage Assessment and SA 2 – Financial, as appropriate.

3.2.2.18 Financial Tracking

Finance Director/Finance Department

- Assists with evaluating the need for and supporting augmented financial tracking in support of incident documentation.
- Activates emergency purchasing procedures and/or disaster contingency fund.
- Maintains records of emergency-related expenditures for purchases and personnel.
- Provides recommended updates to SA 3 – Financial, as appropriate.

3.2.2.19 Legal Services

County Counsel

- Provides legal counsel to the EMO.
- Assists in the development of emergency policies, guidelines, and procedures.
- Provides legal advice to the County.
- Resolves legal issues.
- Reviews County contracts.

3.2.2.20 Volunteer and Donations Management

Rogue Valley Community Organizations Active in Disaster (RVCOAD)

- Provides information to citizens about where they can volunteer or make donations during an emergency.
- Acts as liaison with human services and community service organizations.
- Staffs the county’s phone bank for coordinating volunteerism and donated goods.
3. Roles and Responsibilities

- Following an emergency, conducts outreach to affected citizens to determine their circumstances and needs.
- Acts as the County’s Unmet Needs Committee.

3.2.2.21 Information Services

**Information Services Department**

- Makes maps and aerial photographs available, as required.
- Assists overall process with automated information services and expertise.
- Provides computer support to the EOC.
- Updates the county website with emergency information and supports information online.

3.3 Local and Regional Response Partners

The County’s emergency organization is supported by a number of outside organizations, including the incorporated cities, service organizations, and the private sector. A list of supporting local and regional agencies can be found in the individual ESF Annexes to this EOP as well as Appendix E - Agency/Organization-to-ESF Cross-Reference Matrix.

3.3.1 Private Sector

Private sector organizations play a key role before, during, and after an incident. First, they must provide for the welfare and protection of their employees in the workplace. In addition, the County Emergency Management Program must work seamlessly with businesses that provide water, power, communication networks, transportation, medical care, security, and numerous other services upon which both response and recovery are particularly dependent. Essential private sector responsibilities include:

- Planning for the protection of employees, infrastructure, and facilities;
- Planning for the protection of information and the continuity of business operations;
- Planning for responding to, and recovering from, incidents that impact their own infrastructure and facilities;
- Collaborating with emergency management personnel before an incident occurs to ascertain what assistance may be necessary and how they can help;
- Developing and exercising emergency plans before an incident occurs;
3. Roles and Responsibilities

- Where appropriate, establishing mutual aid and assistance agreements to provide specific response capabilities; and
- Providing assistance (including volunteers) to support local emergency management and public awareness during response and throughout the recovery process.

### 3.3.2 Nongovernmental Organizations

Nongovernmental Organizations (NGOs) play enormously important roles before, during, and after an incident. In the County, NGOs such as the American Red Cross provide sheltering, emergency food supplies, counseling services, and other vital support services to support response and promote the recovery of disaster victims. NGOs collaborate with responders, governments at all levels, and other agencies and organizations.

The roles of NGOs in an emergency may include:

- Training and managing volunteer resources;
- Identifying shelter locations and need supplies;
- Providing critical emergency services to those in need, such as cleaning supplies, clothing, food and shelter, and assistance with post-emergency cleanup; and
- Identifying those whose needs have not been met and helping coordinate the provision of assistance.

### 3.3.3 Individuals and Households

Although not formally a part of the County’s emergency operations, individuals and households play an important role in the overall emergency management strategy. Community members can contribute by:

- Reducing hazards in their homes;
- Preparing an emergency supply kit and household emergency plan;
- Monitoring emergency communications carefully;
- Volunteering with an established organization; and
- Enrolling in emergency response training courses.

### 3.4 State Response Partners

Under the provisions of ORS 401, the Governor has broad responsibilities for the direction and control of all emergency activities in a State-Declared Emergency. The administrator of OEM is delegated authority to coordinate all activities and
organizations for emergency management within the State and to coordinate in
emergency matters with other states and the Federal government.

Under the direction and control of department heads, agencies of State
government represent the State emergency operations organization.
Responsibility for conducting emergency support functions is assigned by the
Governor to the department best suited to carry out each function applicable to the
emergency situation. Some State agencies may call upon their Federal
counterparts to provide additional support and resources following established
procedures and policies for each agency.

3.5 Federal Response Partners
Federal response partners are typically requested by OEM in the event that State
resources become limited or specialized services are needed. In most instances,
Federal resources become available following a formal declaration of emergency
by the Governor. Thus, procedures and policies for allocating and coordinating
resources at the Federal level follow the Oregon EMP and, if necessary, the NRF.

3.6 Response Matrix
Table 3-1 provides a matrix, by ESF, of the local, State, and Federal primary
organizations that the City may rely on in the event of an emergency.
### Table 3-1  Jackson County State and Federal Response Partners by ESF

<table>
<thead>
<tr>
<th>ESF</th>
<th>Scope (Federal)</th>
<th>Primary Local Agencies</th>
<th>Primary State of Oregon Agency</th>
<th>Primary Federal Agency</th>
</tr>
</thead>
</table>
| **ESF 1 Transportation**  | - Aviation/airspace management and control  
- Transportation safety  
- Restoration and recovery of transportation infrastructure  
- Movement restrictions  
- Damage and impact assessment | Roads & Parks Department  
Rogue Valley Transportation District | Dept. of Transportation                                        | Dept. of Transportation                                      |
| **ESF 2 Communications**  | - Coordination with telecommunications and information technology industries  
- Restoration and repair of telecommunications infrastructure  
- Protection, restoration, and sustainment of national cyber and information technology resources  
- Oversight of communications within the Federal incident management and response structure | Sheriff’s Office Emergency Management  
Emergency Communications of Southern Oregon | Office of Emergency Management | Dept. of Homeland Security (National Communications System) |
| **ESF 3 Public Works & Engineering**  | - Infrastructure protection and emergency repair  
- Infrastructure restoration  
- Engineering services and construction management  
- Emergency contracting support for life-saving and life-sustaining services | Roads & Parks Department  
Emergency Management | Dept. of Transportation | Dept. of Defense (U.S. Army Corps of Engineers) |
| **ESF 4 Firefighting**    | - Coordination of Federal firefighting activities  
- Support to wildland, rural, and urban firefighting operations | Local Fire Agencies  
Fire Defense Board | Dept. of Forestry, State Fire Marshal | Dept. of Agriculture (U.S. Forest Service) |
| **ESF 5 Emergency Management**  | - Coordination of incident management and response efforts  
- Issuance of mission assignments  
- Resource and human capital  
- Incident action planning  
- Financial management | Emergency Management  
Emergency Management Advisory Committee | Office of Emergency Management | Dept. of Homeland Security (FEMA) |
| **ESF 6 Mass Care, Emergency Assistance and Housing**  | - Mass care  
- Emergency assistance  
- Disaster Housing  
- Human services | American Red Cross  
Dept. of Human Services | Dept. of Homeland Security (FEMA) | |
### Table 3-1  Jackson County State and Federal Response Partners by ESF

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<tbody>
<tr>
<td></td>
<td></td>
<td>County Administration</td>
<td>Dept. of Human Services – Public Health Division</td>
<td>General Services Administration &amp; Dept. of Homeland Security (FEMA)</td>
</tr>
<tr>
<td>ESF 7 Logistics Management &amp; Resource Support</td>
<td>Comprehensive, national incident logistics planning, management, and sustainment capability</td>
<td>Roads &amp; Parks Emergency Management</td>
<td>Dept. of Administrative Services</td>
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<td></td>
<td>Resource support (facility space, office equipment and supplies, contracting services, etc.)</td>
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<tr>
<td>ESF 8 Public Health</td>
<td>Public health</td>
<td>Health and Human Services Department</td>
<td>Dept. of Human Services – Public Health Division</td>
<td>Dept. of Health and Human Services</td>
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<td></td>
<td>Mass fatality management</td>
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<tr>
<td>ESF 9 Search &amp; Rescue</td>
<td>Life-saving assistance</td>
<td>Sheriff’s Office</td>
<td>Office of Emergency Management, State Fire Marshal</td>
<td>Dept. of Homeland Security (FEMA)</td>
</tr>
<tr>
<td></td>
<td>Search and rescue operations</td>
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<tr>
<td>ESF 10 Oil &amp; Hazardous Materials</td>
<td>Oil and hazardous materials (chemical, biological, radiological, etc.) response</td>
<td>Region 8 HAZMAT Team Emergency Management</td>
<td>Dept. of Environmental Quality, State Fire Marshal</td>
<td>Environmental Protection Agency</td>
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<td></td>
<td>Environment short- and long-term cleanup</td>
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<tr>
<td>ESF 11 Agriculture &amp; Natural Resources</td>
<td>Nutrition assistance</td>
<td>Fairgrounds Extension Office Health and Human Services</td>
<td>Dept. of Agriculture</td>
<td>Dept. of Agriculture</td>
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<td></td>
<td>Animal and plant disease and pest response</td>
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<td></td>
<td>Food safety and security</td>
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<td></td>
<td>Natural and cultural resources and historic properties protection</td>
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<td>Safety and well-being of household pets</td>
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<td></td>
<td>Energy industry utilities coordination</td>
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<td></td>
<td>Energy forecast</td>
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<tr>
<td>ESF 13 Public Safety &amp; Security</td>
<td>Facility and resource security</td>
<td>Sheriff’s Office</td>
<td>Dept. of Justice, Oregon State Police</td>
<td>Dept. of Justice</td>
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<tr>
<td></td>
<td>Security planning and technical resource assistance</td>
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<tr>
<td></td>
<td>Public safety and security support</td>
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<tr>
<td></td>
<td>Support to access, traffic, and crowd control</td>
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### Table 3-1  Jackson County State and Federal Response Partners by ESF

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</tr>
</thead>
</table>
| **ESF 14**     | - Social and economic community impact assessment  
                  - Long-term community recovery assistance to States, tribes, local governments, and the private sector  
                  - Analysis and review of mitigation program implementation                                                                                     | Planning Department County Administration Emergency Management Advisory Committee    | Economic and Community Development, Office of Emergency Management                          | Dept. of Homeland Security (FEMA)                                                     |
| **ESF 15**     | - Emergency public information and protective action guidance  
                  - Media and community relations  
                  - Congressional and international affairs  
                  - Tribal and insular affairs                                                                                                                   | County PIO                                                                             | Office of Emergency Management                                                            | Dept. of Homeland Security                                                            |
4 Concept of Operations

4.1 General
Local government has primary responsibility for first response to an emergency and for managing emergency operations in its jurisdiction. A city must exhaust its resources before requesting assistance from the county or mutual aid sources.

Once county resources have been expended, the Jackson County BOC may make an emergency declaration in accordance with County Ordinance Chapter 244.15 and request assistance from the State. If granted, the Governor of Oregon will declare a state of emergency within the county and provide the assistance requested.

Cities must coordinate their requests for state or federal assistance through the county. All requests for state or federal support, including support by the Oregon National Guard or other military services, will be made by the County Administrator or by another official, duly authorized by the County Administrator. These requests will be made to the Oregon Emergency Management office in Salem.

If the state's resources are exceeded, the state may make a disaster declaration in accordance with ORS 401.055, and request assistance from the President of the United States or from a variety of federal agencies.

4.2 Phases of Emergency Management
This plan follows an all-hazards approach, and acknowledges that most responsibilities and functions performed during an emergency are not hazard specific. This plan accounts for activities before, during and after emergency operations. The phases of emergency management are described below:
4.3 Emergency Levels

There are three levels of emergency situations. In general, the County’s response depends on the severity of the event and the potential threat to lives and property.

4.2.1 Routine Emergency

A routine emergency is a type that occurs frequently. It is small and localized in nature, and does not have a significant impact on the health and well being of citizens outside of the confined area of the emergency. The incident may involve several responding agencies.

Routine emergencies do not typically involve County Emergency Management. Most often, they are managed at the scene using the Incident Command System.

Examples of routine emergencies include motor vehicle accidents, small hazardous materials (hazmat) spills, and residential fires.

4.2.2 Major Emergency

Major emergencies are unusual incidents that directly affect a small portion of a community or the county. Conditions exceed normal resource utilization and require well-coordinated public information. The potential for the incident to escalate is minimal.
4. Concept of Operations

The Emergency Operations Center may be activated on a limited basis to assist with logistics and public information needs. The County Administrator, BOC, and cooperating agencies, such as the American Red Cross are notified.

A major emergency may involve evacuating a neighborhood, commercial area or small numbers of people from several separate locations. Examples of major emergencies include hazardous materials spills in populated areas, apartment fires and localized flooding in several areas of the county.

4.2.3 Disaster

During a disaster, a consolidated, centralized response is needed to ensure public safety. County resources are insufficient to meet incident demands, so outside assistance is sought and integrated into the overall response. Coordination of public information is essential. A disaster often affects an entire community or region of the county. Critical infrastructure or services are disrupted or fail. Ongoing public information is essential.

The potential for the situation to escalate may be unknown. A lengthy recovery period is likely. Affected jurisdictions and responding agencies will work together under a unified command concept to determine incident objectives, prioritize resources and coordinate public information.

Examples of disasters include severe winter storms, regional floods, and commercial airline accidents. The most severe disasters are termed catastrophic; they include dam failures, earthquakes and pandemics.

4.4 Response Priorities

1. **Self-Preservation:** Protection of County employees (including dependents) from the effects of a disaster would be the first priority. The expectation would be that the employee’s family would be sufficiently prepared to be self-reliant after the initial incident for the employee to provide timely lifesaving services and other critical operations as effectively and with as little interruption as possible. Self-preservation includes actions taken immediately before, during and after an event.

2. **Lifesaving/Protection of Property:** This is a focus on efforts to save lives of persons other than County employees and their dependents. It may include prevention or mitigation of major property damage if results of such damage would likely present an immediate danger to human life.

3. **Unit Reconstitution:** Unit reconstitution is the recall of critical employees (if the incident occurs during non-working hours, off-duty), and the collection, inventory, temporary repair and allocation of County assets to provide maximum prompt, sustained operations in response to a disaster. This would include activation of the County EOC for the purpose of coordinating emergency response activities.
4. **Emergency Food and Temporary Housing Plan:** Provision of food and temporary housing for disaster victims would become an immediate priority and would be coordinated through the County EMO with support from the American Red Cross.

5. **Restoration of Infrastructure:** Restoration of the County's critical infrastructure (utilities, roads, buildings, etc.) would be a prime concern that would require the coordination of local, County, State, and Federal agencies with the private sector.

6. **Statutory Response:** This includes provision of a partial or full range of County services beyond that of lifesaving and security, law enforcement, during a disaster. Included under statutory response (ORS 401.305) is County support to other units of local government in their assigned missions, i.e., coordinating additional resources, declaring a state of emergency, and requesting County, State, and Federal assistance.

7. **Recovery:** Restoration of lost or impaired capabilities caused by the effects of the disaster or other emergency; return to normal operating conditions and providing non-emergency services to the public are key recovery goals.

### 4.5 Incident Management

#### 4.3.1 Activation

When an emergency situation arises and it is determined that the normal organization and functions of County government are insufficient to effectively meet response requirements, the EMPC, or designee, will activate and implement all or part of this EOP. In addition, the EMPC may partially or fully activate and staff the County EOC based on an emergency’s type, size, severity, and anticipated duration.

#### 4.3.2 Initial Actions

Upon activation of all or part of this EOP, the EMPC or designee will implement the following actions immediately:

- Alert threatened populations and initiate evacuation as necessary in accordance with Annex ESF 2 – Communications;

- Initiate emergency sheltering procedures with the American Red Cross and other community partners if evacuation procedures are activated. Refer to Annex ESF 6 – Mass Care, Emergency Services, Housing and Human Services, for more detailed information and specific procedures associated with sheltering, mass care, and related human services;
4. Concept of Operations

- Instruct appropriate County emergency services to activate necessary resources;

- Assign radio frequencies and communications equipment, implement a communications plan, and confirm interoperability among EOC staff and response agencies. Refer to Annex ESF 2 – Communications for more detailed information and specific procedures;

- When local resources will not meet the need of local and County emergency operations, request the BOC to prepare and submit a formal declaration of emergency to OEM. The official declaration may be preceded by a verbal statement. Refer to Annex ESF 7 - Logistics Management and Resource Support for more detailed information and specific procedures;

- Prepare to staff the County EOC on 12-hour shifts.

4.3.3 Communications, Notification and Warning

Traditional communication lines, such as landline telephones, cellular phones, faxes, pagers, internet/e-mail, and radio, will be used by the County response personnel throughout the duration of response activities. Specific information regarding the County’s communications is provided in ESF 2 – Communications.

A public warning and broadcast system is established for the County to provide emergency information and instructions during a pending or actual emergency incident or disaster. The EMPC shall provide the public with educational/instructional materials and presentations on subjects regarding safety practices and survival tactics for the first 72 hours of a disaster. ESF 2 provides detailed information on how these systems are accessed, managed, and operated throughout an emergency’s duration. Emergency notification procedures are established among the response community, and call-down lists are updated and maintained through each individual agency. External partners can be activated and coordinated through the County EOC.

4.3.4 Direction and Control

Direction and control of County emergency operations will be via the Incident Command System and the Multi-Agency Coordination System as described in Section 5, Command and Control.

The County EMO has the responsibility for maintaining the readiness of the EOC and identifying and training support staff. County departments will be requested to designate personnel who can be made available to be trained by County Emergency Management and to work in the EOC during a major disaster. Other departments may be requested to provide assistance in a major emergency.
4.4  Inter-jurisdictional Coordination

4.4.1  Municipalities
The Chief Executive(s) of the incorporated cities within the County are responsible for the direction and control of their local resources during emergencies, including requesting additional resources not covered under mutual aid for emergency operations. Such requests will be directed to the County EMO. Should the County be unable to support the request, a County Declaration of Emergency will be forwarded to the State.

Under the provisions of ORS 401.305, each City may establish an emergency management agency and appoint an emergency program manager. Cities that do so shall notify the County of the individual responsible for emergency management activities in their respective jurisdictions. Any city not choosing to establish an emergency management agency may develop a cooperative intergovernmental agreement with the County, specifying the emergency management activities to be accomplished at each level. If a City takes no action to increase its emergency management capability, it will be covered under County planning, and County response resources will be deployed under the direction of the County should emergency conditions arise that threaten that city’s residents.

4.4.2  Special Service Districts
These districts provide services such as fire protection and water delivery systems that are not available from City or County government. Each is governed by an elected Board of Directors and has policies separate from City and County government. They often overlap City and County boundary lines and thus may serve as primary responders to emergencies within their service districts.

4.4.3  Private Sector
Disaster response by local government agencies may be augmented by business, industry, and volunteer organizations. The EMPC will coordinate response efforts with the private sector, to include providing assistance as appropriate. Schools, hospitals, assisted living facilities, and other institutional facilities are required by Federal, State, or local regulations to have disaster plans.

The EMPC will work with voluntary organizations to provide certain services in emergency situations, typically through previously established agreements. In the preparedness context, essential training programs will be coordinated by the sponsoring agencies of such organizations as American Red Cross, Salvation Army, faith-based groups, amateur radio clubs, and Community Emergency Response Teams.

Finally, the EMPC shall provide the public with educational and instructional materials and presentations on subjects regarding safety practices and survival tactics for the first 72 hours of a disaster.
4.4.4 State Government
The State emergency organization, as defined in the State of Oregon EMP, can be activated through the Oregon Military Department, Emergency Management Division. This division provides a duty officer at all times. The State provides direct State agency support to the local level and serves as a channel for obtaining resources from within and outside the State structure, including the assistance provided by Federal agencies. Local resources (personnel, equipment, funds, etc.) should be exhausted or projected to be exhausted before a county requests State assistance.

4.4.5 Federal Government
The County shall make requests for Federal disaster assistance to the State OEM Division. Federal resources may be requested and provided prior to the formal declaration of a disaster in emergency response situations. A Presidential Disaster Declaration makes available extensive disaster response and recovery assistance, including financial support to governments, businesses, and individual citizens.

4.5 Transition to Recovery
4.5.1 Demobilization
As the emergency situation progresses and the immediate response subsides, a transition period will occur during which emergency responders will hand responsibility for active coordination of the response to agencies or organizations involved with near- and long-term recovery operations.

4.5.2 Recovery
Recovery comprises steps the County will take after an emergency to restore government function and community services to levels existing prior to the emergency. Recovery is both a short- and long-term process. Short-term operations seek to restore vital services to the community and provide for the basic needs of the public, such as bringing necessary lifeline systems (e.g., power, communication, water and sewage, disposal of solid and hazardous wastes, or removal of debris) to an acceptable standard while providing for basic human needs (e.g., food, clothing, and shelter). Once stability is achieved, the County can concentrate on long-term recovery efforts, which focus on restoring the community to a normal or improved state of affairs. The recovery period is also an opportune time to institute mitigation measures, particularly those related to the recent emergency. This is also the phase for reassessing applications, processes, and functions of all annexes of this disaster plan for deficiencies. Restoration to upgrade damaged areas is possible if it can be shown that extra repairs will mitigate or lessen the chances of, or damages caused by, similar disaster in the future.

Annex ESF-14, Long-Term Community Recovery, summarizes specific procedures and plans to support recovery, mitigation, and economic stabilization for the County following a disaster.
5 Command and Control

5.1 General
The Jackson County BOC is ultimately responsible for emergency management operations within the county's jurisdiction.

The County Administrator, as Emergency Director, is responsible for the organization, administration and operation of the Emergency Management Program, subject to the direction and control of the County governing body and County Ordinance Chapter 244. The County Administrator is responsible for assuring that coordinated and effective emergency response systems are developed and maintained. The County Administrator appoints an EMPC to be responsible for the program's day-to-day operations.

During an emergency, the County Administrator or designee performs the duty of Emergency Manager/Incident Commander.

5.2 Emergency Authority

5.2.1 Extraordinary Measures
In accordance with Jackson County Administrative Code Section 244.16, the BOC or those persons so authorized in Section 244.15, may take extraordinary measures during a declared state of emergency, in the interest of effective emergency management. These powers include, but are not limited to, establishing:

- Wage, price and rent controls and other economic stabilization measures,
- Curfews, blockades and limitations on utility usage,
- Rules governing ingress and egress for the affected area,
- Other security measures.

5.2.2 Use of Public and/or Private Resources during an Emergency
When deemed necessary by the BOC or other authorized persons, Jackson County may utilize private personnel and privately owned equipment to support county resources during a declared state of emergency. Jackson County may assume no
financial or civil liability for the use of such resources. Accurate records of such use will be maintained to ensure proper reimbursement to the property owner for those resources.

5.2.3 Mutual Aid Agreements
On behalf of the county and during a declared state of emergency, the BOC or County Administrator has the authority to enter into mutual aid agreements between the county and cities within the county, or between the county and neighboring counties.

These agreements may provide for the support of the activities of these other jurisdictions during a state of emergency. However, they may not provide for the assumption of control over non-county personnel, equipment or resources.

5.3 Command Structures

5.3.1 Incident Command System
The Incident Command System (ICS) allows emergency organizations to function in a multi-agency environment. The ICS applies to emergency situations in which the county independently responds to an event. The ICS provides a generic structure with five functional areas. Those functions are Command, Operations, Planning, Logistics, and Finance. See below for a more detailed discussion of the Incident Command System.

5.3.2 Unified Command
The unified command is the method by which local, state and federal agencies work with the incident commander to:

- Determine roles and responsibilities for a given incident;
- Determine their overall objectives for management of an incident;
- Select a strategy to achieve agreed upon objectives;
- Deploy resources to achieve agreed upon objectives.

5.3.3 Multi-Jurisdictional Scenarios
The Unified Command Concept is applied during major emergencies or disasters affecting two or more jurisdictions. Such scenarios vary, but there are three basic types, described below.

- A City and the County. In a scenario involving both a city and the county, a unified command system may be implemented either from one EOC facility or from two. If two EOCs are maintained, each jurisdiction stations a liaison in the EOC of the other to ensure inter-agency communication and coordination. In this situation, the city maintains responsibility for its citizens. The county is responsible for
requests for assistance to and communications with state, federal and other agencies with which the city has no pre-existing agreements.

- **Multiple Cities and the County.** If several cities and the county are responding to the same widespread disaster, a cooperative/unified command applies. As in the previous scenario, each city maintains responsibility for response in its own area. However, when the cities request outside assistance and resources from outside agencies with whom they have no pre-existing agreements/contracts, Jackson County Emergency Management coordinates the efforts of outside agencies, as well as the distribution of incoming resources on behalf of the cities. Jackson County Emergency Management becomes the conduit for requests from the cities and resources from outside.

- **A City, the County, and a Federal Agency.** Certain disasters, such as acts of terrorism, call for the direct involvement of federal agencies such as the Federal Bureau of Investigation (FBI). Local emergency services from the affected community provide immediate response to the event. The county provides backup response, as well as assistance with media, logistics and other coordination. The federal agency has legal authority to act as lead agency under such a scenario and relies on the cooperation of local EMOs.

### 5.4 Emergency Operations Center

#### 5.4.1 General
The Emergency Operations Center (EOC) provides a central location for the management of a countywide disaster or emergency. The EOC setting allows for face-to-face communication among the members of the EOC team and others asked to participate in the decision making process. It also provides a setting in which all decision-makers receive the most current status on the emergency situation.

#### 5.4.2 EOC Facilities
The primary EOC is located at:

Jackson County Emergency Communications Center  
400 Pech Road  
Medford, OR 97502

It is equipped such that County officials can receive relevant information on the emergency and provide coordination, direction, and control of emergency operations. The EOC has auxiliary power and is easily secured against intrusion.

Coordination and control of county emergency operations will take place from the EOC as long as environmental and incident conditions allow.
Should it be necessary to relocate, the secondary EOC is located in the office of:

Community Justice Building
West Main Facility, Second Floor
1101 W. Main
Medford, OR 97504

If environmental conditions do not allow direction and control functions to be conducted from either of the above County facilities, alternate locations will be identified, selected, and announced.

5.4.3 EOC Activation
There are three levels of EOC activation, responding to the levels of emergencies described below. They are Standby, Partial Activation and Full Activation. EOC procedures and checklists are included in the Appendices to this plan and in ESF 5 – Emergency Management.

5.4.3.1 Standby

- This is the lowest level of activation. The EMPC will advise EOC members of a situation that could develop into an emergency requiring EOC partial or full activation. They monitor the situation and are ready to report to and staff the EOC, if needed.

- Examples of situations that trigger standby are: issuance of a flood watch; severe winter storm watch; level orange risk of terrorism; and a wildland fire with no risk to structures.

5.4.3.2 Partial Activation

- Partial activation occurs when the emergency situation is one that reoccurs on a relatively regular basis and requires response by multiple agencies.

- Examples of emergencies that trigger partial activation are: closures of Interstate 5 during snowstorms; apartment fires; minor flooding; severe storm warnings; and the evacuation of multiple residences.

5.4.3.3 Full Activation

- Full activation occurs when the emergency requires the participation of multiple and outside agencies, performing the full range of emergency service functions.

- Full activation is triggered by disasters, such as fire in the urban interface, an earthquake, a major flood, or a commercial aircraft accident.
5.5 Incident Command System

In Oregon, implementation of NIMS and ICS is mandatory during an emergency incident. The NIMS is a comprehensive, national approach to incident management applicable to all jurisdicational levels and across functional disciplines. ICS, a standardized, flexible, scalable all-hazard incident management system, is designed to be active from the time an incident occurs until the requirement for management and operations no longer exists.

The ICS structure can be expanded or contracted, depending on the incident’s changing conditions. ICS positions can be staffed and operated by qualified personnel from any emergency service agency and may involve personnel from a variety of disciplines. As such, the system can be utilized for any type or size of emergency, ranging from a minor incident involving a single unit to a major emergency involving several agencies and spanning numerous jurisdictions. The ICS allows agencies to communicate using common terminology and operating procedures and allow for effective coordination and allocation of resources throughout an incident’s duration.

The ICS organization is built around an Incident Commander (IC) and the command and general staff positions. The four primary general staff positions are: Operations, Logistics, Planning, and Finance, which apply in a routine emergency, organizing for a major event, or managing a major response to a disaster. In small incidents, these general staff positions may be managed by the IC. Larger incidents usually require being set up as separate sections within the ICS organization, with each section overseen by a general staff member (commonly referred to as a “Section Chief”) who reports directly to the IC. The County EOC has established a command structure, supporting activation and operational procedures, and position checklists compliant with NIMS/ICS. This information is available through the EMPC and is located at the EOC in hardcopy format. A typical ICS organizational chart for County is presented in Figure 5-1.

In certain instances, more than one ICS position may be managed by a single staff person due to limited personnel and resources available in the County. Thus, it is imperative that all primary and alternate EOC staff are trained on ICS functions other than those in the area of their expertise. Regularly exercising ICS, including sub-functions and liaison roles with volunteers and other support staff, will improve overall EOC operation efficiency and add depth to existing County emergency management and response organizations.

Additional information regarding the County’s EMO command structure is provided in Annex ESF-5, Emergency Management.

Plain language will be used during any multi-jurisdictional emergency response occurring in the County and is essential to public safety, especially the safety of first responders and those affected by the incident. The use of common terminology enables area commanders, State and local EOC personnel, Federal operational coordinators, and responders to communicate clearly with each other.
and effectively coordinate response activities, regardless of the size, scope, or complexity of the incident. The ability of responders from different jurisdictions and different disciplines to work together depends greatly on their abilities to communicate with each other.

Current training and operational requirements set forth under NIMS has been adopted and implemented by County. Training requirements apply to all first responders and disaster workers, including first-line supervisors, middle managers, and command and general staff. See Chapter 6 for a list of identified positions and training requirements.

5.5.1 Command Staff

5.5.1.1 Incident Commander
The Incident Commander is responsible for the operations of the EOC when it is activated and has overall responsibility for accomplishing the EOC mission. In general, the EOC Controller is responsible for:

- Approving and supporting implementation of an Incident Action Plan (IAP);
- Coordination of activities supporting the incident or event;
- Approving release of information through the PIO; and
- Performing the duties of the following command staff if no one is assigned to the position:
  - Safety Officer,
  - PIO, and
  - Liaison Officer.

5.5.1.2 Safety Officer
The Safety Officer is generally responsible for:

- Identifying initial hazards, determining personal protective equipment requirements, and defining decontamination areas;
- Implementing site control measures;
- Monitoring and assessing the health and safety of response personnel and support staff (including EOC staff);
- Preparing and implementing a site Health and Safety Plan and updating the IC on safety issues or concerns as necessary; and
- Exercising emergency authority to prevent or stop unsafe acts.
5. Command and Control

5.5.1.3 Public Information Officer

A lead PIO will most likely coordinate and manage a larger public information network representing local, County, regional, and State agencies, tribal entities, political officials, and other emergency management stakeholders. The PIO’s duties include:

- Developing and coordinating release of information to incident personnel, media, and the general public;
- Coordinating information sharing among the public information network through the use of a Joint Information System and, if applicable, establishing and staffing a Joint Information Center;
- Implementing information clearance processes with the IC; and
- Conducting and/or managing media briefings and implementing media-monitoring activities.

5.5.1.4 Liaison Officer

Specific liaison roles may be incorporated into the command structure established at the City and/or County EOC, depending on the type of emergency incident that has occurred. Liaisons represent entities and organizations such as hospitals, school districts, tribes, public works/utility companies, and volunteer services (American Red Cross). Responsibilities typically included in a liaison role include:

- Serving as the contact point for local government officials, agency or tribal representatives, and stakeholders;
- Coordinating information and incident updates among interagency contacts, including the public information network; and
- Providing resource status updates and limitations among personnel, capabilities, equipment, and facilities to the IC, government officials, and stakeholders.

The annexes attached to this plan contain general guidelines for the City governmental entities, organizations, and County officials/departments to carry out responsibilities assigned at the City EOC or other designated facility where response efforts will be coordinated.

5.5.2 General Staff

5.5.2.1 Operations Chief

The Operations Chief position is typically filled by the lead agency managing response activities for a specific type of incident. The Operations section is organized into functional units representing agencies involved in tactical...
operations. Thus, typical agencies included in the Operations Section are: fire (emergencies dealing with fire, earthquake with rescue, or hazardous materials), law enforcement (incident(s) involving civil disorder/disturbance, significant security/public safety concerns, transportation-related accidents, and/or criminal investigations), public health officials (contamination issues, disease outbreaks, and/or emergency incidents posing threats to human, animal, and environmental health), and public works (incidents resulting in major utility disruptions, damage to critical infrastructure, and building collapse). Private entities, companies, and non-governmental organizations may also support the Operations section. The Operations Chief is responsible for:

- Providing organizational support and directing implementation of unit operational plans and field response activities;
- Developing and coordinating tactical operations to carry out the IAP;
- Managing and coordinating various liaisons representing community response partners and stakeholders;
- Directing IAP tactical implementation; and
- Requesting resources needed to support the IAP.

### 5.5.2.2 Planning Chief

The Planning section is responsible for forecasting future needs and events of the response effort while ensuring implementation of appropriate procedures and processes are accomplished. This section is typically supported by four primary units: Resources, Situation, Documentation, and Demobilization. The Planning Chief is responsible for:

- Collecting, evaluating, and distributing information on the incident, and providing a status summary;
- Preparing and disseminating the IAP;
- Conducting planning meetings and developing alternatives for tactical operations; and
- Maintaining resource status.

### 5.5.2.3 Logistics Chief

The Logistics section is typically supported by units including: Supply, Food, Communications, Medical, Facilities, and Ground Support. Depending on the incident’s type and size, these units can be divided into two branches: Service and Support. The Logistics Chief is responsible for:

- Providing and managing resources to meet the needs of incident personnel;
5. Command and Control

■ Managing various coordinators of particular resources, such as transportation-related equipment, EOC staff support services, supplies, facilities, and personnel;

■ Estimating future support and resource requirements; and

■ Assisting with development and preparation of the IAP.

5.5.2.4 Finance/Administration

The Finance/Administration section is specific to the incident type and severity of resulting impacts. In some instances, agencies may not require assistance, or only a specific function of the section may be needed which can be staffed by a technical specialist in the Planning section. Potential units assigned to this section include: Compensation/Claims, Procurement, Cost, and Time. The Finance and Administration Chief is responsible for:

■ Monitoring costs related to the incident;

■ Maintaining accounting, procurement, and personnel time records; and

■ Conducting cost analyses.

5.5.3 Unified Command

In some incidents, several organizations may share response authority. ICS has the advantage of combining different local, county, regional, state, and Federal agencies into the same organizational system, maximizing coordination of response activities, and avoiding duplication of efforts. A structure called Unified Command (UC) allows the IC position to be shared among several agencies and organizations that maintain jurisdiction. UC members retain their original authority but work to resolve issues in a cooperative fashion to enable a more efficient response and recovery.

In a large incident involving multiple jurisdictions and/or regional, state, and Federal response partners, a UC may replace a single organization IC. Each of the four primary ICS sections may be further subdivided, as needed. In smaller situations, where additional persons are not required, the IC will directly manage all aspects of the incident organization. Figure 5-2 is an example of a UC organizational chart for Jackson County. It provides operational flexibility to expand or contract staffing depending on the incident’s nature and size.
Figure 5-1  Jackson County Sample ICS Structure
Figure 5-2  Jackson County Sample Unified Command Structure
Plan Development, Maintenance and Implementation

6.1 Plan Review and Maintenance

6.1.1 Plan Development
Members of the Emergency Management Advisory Council (EMAC) developed this Emergency Operations Plan under the direction of the County Administrator. EMAC includes representatives from local, state and federal agencies and voluntary organizations that perform emergency service functions.

6.1.2 Role of the EMP Coordinator
The Emergency Management Program Coordinator (EMP Coordinator) provides emergency service agencies with information concerning their role in emergency management and ensures proper distribution of the plan and any revisions. The EMPC coordinates the development and maintenance of the Emergency Operations Plan among all emergency service agencies.

6.1.3 Plan Review
At a minimum, this EOP will be formally reviewed and re-promulgated every five years to comply with State requirements. This review will be coordinated by the County EMPC and will include participation by members from each of the departments assigned as lead agencies in this EOP and its supporting annexes. This review will:

■ Verify contact information;

■ Review the status of resources noted in the plan; and

■ Evaluate the procedures outlined in this plan to ensure their continued viability.

In addition, lead agencies will review the annexes and appendices assigned to their respective departments. A more frequent schedule for plan review and revision may be necessary.
Recommended changes should be forwarded to:

Mike Curry, Emergency Management
Jackson County Courthouse
10 South Oakdale, Room 214
Medford, Oregon 97501

6.1.4 Previous Plan Editions
This Plan supersedes and rescinds all previous editions of the Jackson County Emergency Operations Plan.

6.1.5 Separability
If any portion of this plan is held invalid by judicial or administrative ruling, such ruling shall not affect the validity of the remaining portions of the plan.

6.2 Training Program
The County EMPC specifically coordinates training for County personnel and encourages them to participate in trainings hosted by other jurisdictions throughout the region.

Current training and operational requirements set forth under NIMS have been adopted and implemented by the County. The EMPC maintains records and lists of training received by County personnel. Training requirements apply to all first responders and disaster workers, including first-line supervisors, middle management, and command and general staff. NIMS identifies these positions as follows:

- Emergency Medical Service (EMS) personnel;
- Firefighters;
- Law enforcement personnel;
- Public works/utility personnel;
- Skilled support personnel;
- Other emergency management response personnel; and
- Support/volunteer personnel at all levels.

Table 6-1 provides the minimum training requirements for the County’s emergency personnel.
Table 6-1  Minimum Training Requirements

<table>
<thead>
<tr>
<th>Emergency Personnel</th>
<th>Training Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Managers and Incident Commanders</td>
<td>ICS-100, -200, -300, -400 IS-700, -701, -703, -704, -800</td>
</tr>
<tr>
<td>Other Command Staff, Section Chiefs, and Deputy Section Chiefs</td>
<td>ICS-100, -200, -300 IS-700, -701, -703, -704 (-702 for PIOs)</td>
</tr>
<tr>
<td>All other EOC personnel and first responders</td>
<td>ICS-100, -200 IS-700, -701, -703, -704</td>
</tr>
<tr>
<td>All other emergency response personnel, including volunteers</td>
<td>ICS-100 IS-700</td>
</tr>
</tbody>
</table>

Independent study courses can be found at [http://training.fema.gov/IS/crslist.asp](http://training.fema.gov/IS/crslist.asp).

6.3 Exercise Program

The County will conduct exercises throughout the year to continually test and evaluate this EOP. Whenever feasible, the County will coordinate with neighboring jurisdictions and State and Federal government, to participate in joint exercises. These exercises will consist of a variety of tabletop exercises, drills, functional exercises, and full-scale exercises.

As appropriate, the County will use Homeland Security Exercise and Evaluation Program (HSEEP) procedures and tools to develop, conduct, and evaluate these exercises. Information on the HSEEP program can be found at [http://hseep.dhs.gov](http://hseep.dhs.gov).

The EMPC will work with other County departments to identify and implement corrective actions and mitigation measures, based on exercises conducted through Emergency Management.

6.4 Event Critique and After Action Reporting

In order to document and track lessons learned from exercises, the EMPC will conduct a review, or “hot wash,” with exercise participants after each exercise. The EMPC will also coordinate an After Action Report (AAR), which will describe the objectives of the exercise and document the results of the evaluation.

Similarly, reviews and AARs will be facilitated after an actual disaster that will document activities of the incident to improve the readiness of the County.

6.5 Community Outreach and Preparedness Education

Educational tools are used to teach the public about threats and disasters and what to do when an emergency occurs. The County maintains an active community preparedness program and recognizes that citizen preparedness and education are vital components of the County’s overall readiness.
Information about the County’s public education programs, hazard and mitigation information, and other emergency management and emergency services can be found on the County’s website:

http://www.co.jackson.or.us/SectionIndex.asp?SectionID=28
Jackson County Code, Chapter 244
CHAPTER 244
Organization for Emergency Management

244.01 Repealed.
244.02 Repealed.
244.03 Repealed.
244.04 Repealed.
244.05 Repealed.
244.06 Repealed.
244.07 Repealed.
244.08 Repealed.
244.09 Repealed.
244.10 Repealed.
244.11 Repealed.
244.12 Repealed.
244.13 Statement of purpose and authority.
244.14 Definitions.
244.15 Declaration of state of emergency.
244.16 Authority, control, and management of resources during state of emergency.
244.17 Scope and effect of rules and orders during a state of emergency.
244.18 Responsibility for Emergency Management within Jackson County.
244.19 Jackson County Emergency Operations Plan.
244.20 Emergency Operations Center.
244.21 Termination of state of emergency.
244.22 Penalties.
244.23 Separability.

CROSS REFERENCES

State emergency operations center - see ORS 401.270
Local government emergency services - see ORS 401.305 et seq.
Reciprocal emergency aid and resources, State, counties and cities - see ORS 401.180
Nuclear accidents and catastrophes - see ORS 469.535
Emergency medical services plans - see ORS 682.205
Ambulance Service Advisory Committee - see ADM. Ch. 253
Mass gatherings - see GEN. OFF. Ch. 620
Emergency medical care for prisoners - see S.U. & P.S. 1072.01
Ambulance service areas - see S.U. & P.S. Ch. 1075
244.01  (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)

244.02  (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)

244.03  (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)

244.04  (Ord. 84-13. Passed 5-30-84; REPEALED by E. Ord. 86-28. Passed 11-17-86; P. Ord. 86-3. Passed 11-17-86.)


244.13  STATEMENT OF PURPOSE AND AUTHORITY.

It is the policy of the State of Oregon that preparations for emergencies and governmental responsibility for responding to emergencies be placed at the local government level. Pursuant to State statute, the executive officer or governing body of each county or city is responsible for the emergency services system within the respective jurisdiction. It is the purpose of this
ordinance to comply with these State requirements and to set out procedures for emergency
response so that the County is better able to protect the health and welfare of its citizens.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.14 Definitions.

As used in Sections 244.13 to 244.22:

(a) "Board" means the Jackson County Board of Commissioners.

(b) "Disaster" means an actual or potential emergency that exceeds the capacity of either local
government or the emergency services system to effectively respond and that requires immediate
action in order to protect life and property.

(c) "Disaster response" means a response by organizational units of local government
exceeding mutual aid directed toward any emergency in an attempt to mitigate the effects of the
emergency upon the public welfare. The effects of the emergency, either actual or potential, must
be of such magnitude that available resources must be directed to the response effort.

(d) "Emergency" means any manmade or natural event or circumstances causing or threatening
loss of life, injury to person or property, human suffering, or financial loss and includes, but is
not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills
or releases of oil or hazardous material as defined in ORS 466.605, contamination, utility or
transportation emergencies, disease, blight, infestation, civil disturbance, riot, sabotage, and war.

(e) "Emergency response" means prompt action directed at safeguarding the public’s welfare
through procedures designed to minimize danger to life, health, property loss, or related impacts.
The level of response is a function of the severity of the emergency, the impact or potential
impact upon persons or property, and the ability of government to respond given limitations of
budget, personnel, and equipment.

(f) "Emergency Service Agency" means an organization within a local government that
performs essential services for the public’s benefit prior to, during, or following an emergency.
Emergency service agencies include:

(1) Primary response organizations which are organizations within local governments that
provide law enforcement, fire suppression, responses to spills or releases of oil or
hazardous material as defined in ORS 466.605, medical treatment, and medical
transportation; and

(2) Secondary response organizations which are organizations within local governments
that provide for public works, road engineering and repair, and public health.
(g) "Incident Command System (ICS)" means an all risk system enabling emergency organizations to function in a multi-agency environment through the use of standardized organization, terminology, procedures, and communications. It provides a generic organizational structure with the five functional areas of command, operations, planning, logistics and finance.

(h) "Mutual aid" is a concept that allows resource sharing between two or more response organizations that are separately funded and whose jurisdictional areas do not overlap. Use of the resources is based upon written operational agreements (Mutual Aid Agreements) between two or more response organizations through which resources are shared and the functions of command and control have been agreed upon beforehand.

(i) "State of emergency" is an operational condition of government declared pursuant to Section 244.15 wherein the usual and customary procedures of government may be suspended to enable immediate resource deployment to safeguard life and property in accordance with the Jackson County Emergency Operations Plan.

(j) "Unified Command Concept" means the method by which local, State, and Federal agencies will work with the incident commander to:

1. Determine their roles and responsibilities for a given incident.
2. Determine their overall objectives for management of an incident.
3. Select a strategy to achieve agreed upon objectives.
4. Deploy resources to achieve agreed upon objectives.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.15 DECLARATION OF STATE OF EMERGENCY.

(a) The authority to declare a state of emergency rests with the Board of County Commissioners. If the chairman of the Board finds that circumstances prohibit timely action of the Board, the chairman of the Board is empowered to declare a state of emergency. In the event the chairman of the Board is unavailable or unable to perform his/her duties under this section, the duties shall be performed by the following individuals in the order listed: the vice-chair of the Board, the third member of the Board, or the County Administrator or the County Administrator's designee as set out in writing and filed with the Jackson County Emergency Operations Plan.

(b) A declaration of a state of emergency made other than by majority vote of the Board shall be deemed to be affirmed by the Board unless the Board, by majority vote, sets aside the declaration within forty-eight hours after the declaration was made.
(c) When, in the judgment of the person or persons authorized under subsection (a) hereof, a state of emergency exists, or when a state of emergency has been declared by the President of the United States or the Governor of Oregon, the person or persons thus authorized may declare and publicize the existence of such state of emergency by any means that are deemed appropriate and will achieve notice throughout the County.

(d) Any declaration of a state of emergency must specify the geographical area covered by the declaration and shall state the factors that necessitate such action.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.16 AUTHORITY, CONTROL, AND MANAGEMENT OF RESOURCES DURING STATE OF EMERGENCY.

When a state of emergency has been declared, the Board or those persons then in the position of authority under Section 244.15(a) are empowered, to the extent otherwise authorized by statute, to order and enforce emergency measures, including, but not limited to, the power to:

(a) Redirect County funds for emergency use;

(b) Suspend standard County procurement procedures;

(c) Extend governmental authority to nonpublic resources (i.e. personnel and equipment) required to support regular County resources. When property is taken under such power, the owner of the property is entitled to reasonable compensation;

(d) Enter into mutual aid agreements and agreements with other public and private agencies for use of resources, including police and law enforcement;

(e) Establish a curfew for the emergency area;

(f) Evacuate persons from the emergency area;

(g) Limit the number of persons who may congregate in public within the emergency area;

(h) Restrict and regulate vehicular and pedestrian traffic to, from, and within the emergency area;

(i) Curtail or suspend commercial activity within the emergency area;

(j) Direct all rescue and salvage work, and do all things deemed advisable and necessary to alleviate the immediate condition;
(k) Designate persons to coordinate the work of public and private relief agencies operating in such area and exclude from such area any person or agency refusing to cooperate with and work under such coordinator or to cooperate with other agencies engaged in emergency work;

(l) Control, restrict, and regulate the distribution and use of food, feed, fuel, clothing, other commodities, materials, goods, and services by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation, or other means;

(m) Direct activities in connection with the use, conservation, and salvage of essential materials, services, and facilities. These materials, services, and facilities may include production, transportation, power and/or communication facilities, the training and supply of labor, health and medical care, housing, rehabilitation, education, child care, recreation, and consumer protection; and

(n) Take any other action that may be necessary for the management of resources following an emergency.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.17 SCOPE AND EFFECT OF RULES AND ORDERS DURING A STATE OF EMERGENCY.

(a) The authority to issue or promulgate rules and orders under this chapter may be exercised with respect to the entire area over which the Board has jurisdiction or to any specified part thereof.

(b) All rules and orders issued under authority conferred by this chapter shall have the full force and effect of law during a declared state of emergency. All previously existing ordinances, rules, and orders inconsistent with this chapter shall be inoperative during the period of time and to the extent such inconsistencies exist.

(c) The County Administrator, on behalf of the County, shall have the authority to enter into mutual aid agreements between the County and cities within the County or neighboring counties. These agreements may provide for the support of the activities of these other jurisdictions during a state of emergency but may not provide for the assumption of control over non-Jackson County personnel, equipment, or resources.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)
244.18 ADMINISTRATION CODE

244.18 RESPONSIBILITY FOR EMERGENCY MANAGEMENT WITHIN JACKSON COUNTY.

There is hereby formed in Jackson County an Emergency Management Program. The County Administrator has responsibility for the organization, administration, and operation of the Jackson County Emergency Management Program, subject to the direction and control of the County governing body (ORS 401.305), and this chapter.

The County Administrator shall appoint a Manager to administer the Emergency Management Program. The appointed manager shall be responsible for day-to-day operations defined in ORS 401.025(6).

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.19 JACKSON COUNTY EMERGENCY OPERATIONS PLAN.

The Emergency Management Program shall be responsible for the preparation of an emergency operations plan, hereinafter referred to as "plan." This plan shall be a written document detailing mitigation, preparedness, response, and recovery processes for use in dealing with actual or potential disasters, and shall provide a framework within which emergency response agencies may function to safeguard life and property. The plan is intended to be used only as a guide and does not carry the force of law. All County departments are authorized to take immediate action outside of the plan when human life is threatened. Nothing within this section requires the County to provide services to a city exceeding provisions of the Emergency Operations Plan.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.20 EMERGENCY OPERATIONS CENTER.

(a) To facilitate emergency response, an Emergency Operations Center (EOC) may be established as needed. The EOC will be staffed and equipped to enable radio communications with field units and on-site command posts, and with the State of Oregon Emergency Operations Center, the State of Oregon Emergency Management (OEM), and Emergency Management Program.

(b) The EOC shall be established in one of the following locations:

(1) The Southern Oregon Regional Communications (SORC) board room on the fourth floor of the Jackson County Courthouse;

(2) The State Police Office located at 2700 North Pacific Highway, Medford.
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(c) A mobile EOC will be deployed to field locations as needed. The Sheriff's Department shall be responsible for the deployment of the mobile EOC.

(d) The EOC shall be operated pursuant to the Incident Command System. The County Administrator or his/her designee appointed pursuant to Section 244.15(a) shall perform the duty of incident commander and shall make all personnel assignments according to need. Whenever an emergency affects two or more political subdivisions, the concept of Unified Command shall be put into effect.

(e) The EOC will be staffed by personnel from County government and other public and private entities as needed.

(f) The Emergency Management Program Manager will schedule quarterly training for EOC personnel.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.21 TERMINATION OF STATE OF EMERGENCY.

The Board shall declare the termination of the existence of a state of emergency. A state of emergency shall be terminated at the earliest date conditions warrant. The Board shall publicize said termination throughout the County. Upon such declaration of termination, all emergency rules and orders and extraordinary authority and controls allowed by this chapter shall have no further force or effect and shall cease to exist.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.22 PENALTIES.

Any person, firm, corporation, association or entity that violates any emergency measure taken under authority of this ordinance shall be subject to all of the penalties and provisions of Section 202.99 of these Codified Ordinances.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)

244.23 SEPARABILITY.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

(E. Ord. 94-1. Passed 1-12-94; P. Ord. 94-2. Passed 1-26-94.)
Oregon Revised Statutes: Chapter 401 – Emergency Management and Services
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Chapter 401 — Emergency Management and Services

2009 EDITION

EMERGENCY MANAGEMENT AND SERVICES

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DEFINITIONS

401.025   Definitions. As used in this chapter:

(1) “Emergency” means a human created or natural event or circumstance that causes or threatens widespread loss of life, injury to person or property, human suffering or financial loss, including but not limited to:
(a) Fire, explosion, flood, severe weather, landslides or mud slides, drought, earthquake, volcanic activity, tsunamis or other oceanic phenomena, spills or releases of oil or hazardous material as defined in ORS 466.605, contamination, utility or transportation emergencies, disease, blight, infestation, civil disturbance, riot, sabotage, acts of terrorism and war; and
(b) A rapid influx of individuals from outside this state, a rapid migration of individuals from one part of this state to another or a rapid displacement of individuals if the influx, migration or displacement results from the type of event or circumstance described in paragraph (a) of this subsection.

(2) “Emergency service agency” means an organization within a local government that performs essential services for the public’s benefit before, during or after an emergency, such as law enforcement, fire control, health, medical and sanitation services, public works and engineering, public information and communications.

(3) “Emergency services” means activities engaged in by state and local government agencies to prepare for an emergency and to prevent, minimize, respond to or recover
from an emergency, including but not limited to coordination, preparedness planning, training, interagency liaison, fire fighting, oil or hazardous material spill or release cleanup as defined in ORS 466.605, law enforcement, medical, health and sanitation services, engineering and public works, search and rescue activities, warning and public information, damage assessment, administration and fiscal management, and those measures defined as “civil defense” in 50 U.S.C. app. 2252.

(4) “Local government” has the meaning given that term in ORS 174.116.

(5) “Major disaster” means any event defined as a “major disaster” under 42 U.S.C. 5122(2). [1983 c.586 §2; 1985 c.733 §21; 1987 c.373 §84; 1989 c.361 §8; 1991 c.418 §1; 1991 c.956 §10; 1993 c.187 §1; 1999 c.935 §29; 2005 c.825 §9; 2007 c.97 §10; 2007 c.223 §5; 2007 c.740 §20; 2009 c.718 §17]

401.030 [Amended by 1967 c.595 §1; 1969 c.80 §8; 1975 c.379 §9; 1975 c.624 §1; repealed by 1983 c.586 §49]

RESPONSIBILITY FOR EMERGENCY SERVICES

401.032 Statement of policy and purpose. (1) The general purpose of this chapter is to reduce the vulnerability of the State of Oregon to loss of life, injury to persons or property and human suffering and financial loss resulting from emergencies, and to provide for recovery and relief assistance for the victims of emergencies.

(2) It is declared to be the policy and intent of the Legislative Assembly that preparations for emergencies and governmental responsibility for responding to emergencies be placed at the local level. The state shall prepare for emergencies, but shall not assume authority or responsibility for responding to an emergency unless the appropriate response is beyond the capability of the city and county in which the emergency occurs, the city or county fails to act, or the emergency involves two or more counties. [Formerly 401.015]

401.035 Responsibility for emergency services systems. (1) The emergency services system is composed of all agencies and organizations involved in the coordinated delivery of emergency services. The Governor is responsible for the emergency services system within the State of Oregon. The executive officer or governing body of each county or city of this state is responsible for the emergency services system within that jurisdiction.

(2) In carrying out their responsibilities for emergency services systems, the Governor and the executive officers or governing bodies of the counties or cities may delegate any administrative or operative authority vested in them by this chapter and provide for the subdelegation of that authority. [1983 c.586 §3; 2009 c.718 §24]

401.039 [2007 c.740 §19; 2009 c.718 §29; renumbered 401.198 in 2009]

401.040 [Amended by 1963 c.528 §1; 1967 c.419 §33; 1969 c.80 §9; 1975 c.379 §10; 1975 c.624 §2; 1981 c.615 §4; repealed by 1983 c.586 §49]

401.041 [2002 s.s.1 c.7 §1; renumbered 402.100 in 2009]

401.043 [2002 s.s.1 c.7 §2; renumbered 402.105 in 2009]
EMERGENCY MANAGEMENT BY THE STATE

(Office of Emergency Management)

401.052 Responsibilities of Office of Emergency Management. (1) The Office of Emergency Management is established in the Oregon Military Department.
(2) The office shall be responsible for:
   (a) Coordinating and facilitating private sector and governmental efforts to prevent, prepare for, respond to and recover from emergencies; and
   (b) Coordinating exercises and training, planning, preparedness, response, mitigation and recovery activities with state and local emergency services agencies and organizations.
(3) The office shall prepare a statewide emergency management plan and update the plan from time to time as necessary. [Formerly 401.257]

401.054 Agency liaison with Office of Emergency Management. (1) The following state agencies shall designate a person within each agency to act as a liaison with the Office of Emergency Management:
   (a) The Department of Transportation;
   (b) The State Department of Agriculture;
   (c) The Department of Environmental Quality;
   (d) The Department of Human Services;
   (e) The State Department of Energy;
   (f) The Oregon Department of Administrative Services;
   (g) The Department of State Police;
   (h) The State Department of Geology and Mineral Industries;
   (i) The Oregon Health Authority; and
   (j) The Oregon Military Department.
(2) Each person designated as a liaison under subsection (1) of this section shall assist in the coordination of the functions of the person’s agency that relate to emergency preparedness and response with similar functions of the Office of Emergency Management. [Formerly 401.259]

401.055 [1983 c.586 §4; 1991 c.605 §1; 1993 c.187 §3; 2007 c.408 §1; 2007 c.740 §21; renumbered 401.165 in 2009]

401.060 [Amended by 1963 c.528 §4; 1967 c.595 §3; 1969 c.80 §11; repealed by 1983 c.586 §49]

401.062 Office of Emergency Management; appointment of director. (1) The Office of Emergency Management is under the supervision and control of a director, who is responsible for the performance of the duties, functions and powers of the office.
(2) The Adjutant General, with the approval of the Governor, shall appoint the Director of the Office of Emergency Management, who holds office at the pleasure of the Adjutant General.

(3) The director shall be paid a salary as provided by law or, if not so provided, as prescribed by the Adjutant General, with the approval of the Governor.

(4) For purposes of administration, subject to the approval of the Adjutant General, the director may organize and reorganize the office as the director considers necessary to properly conduct the work of the office.

(5) The director may divide the functions of the office into administrative divisions. Subject to the approval of the Adjutant General, the director may appoint an individual to administer each division. The administrator of each division serves at the pleasure of the director and is not subject to the provisions of ORS chapter 240. Each individual appointed under this subsection must be well qualified by technical training and experience in the functions to be performed by the individual. [Formerly 401.261]

401.064 [1975 c.379 §3; repealed by 1983 c.586 §49]

401.065 [1983 c.586 §5; 2009 c.718 §39; renumbered 401.168 in 2009]

401.066 [1975 c.379 §2; 1977 c.248 §3; repealed by 1983 c.586 §49]

401.068 [1975 c.379 §4; repealed by 1983 c.586 §49]

401.070 [Repealed by 1983 c.586 §49]

401.072 Appointment of deputy director. (1) The Director of the Office of Emergency Management may, by written order filed with the Secretary of State, appoint a deputy director. The deputy director serves at the pleasure of the director, has authority to act for the director in the absence of the director and is subject to the control of the director at all times.

(2) Subject to any applicable provisions of ORS chapter 240, the director shall appoint all subordinate officers and employees of the Office of Emergency Management, prescribe their duties and fix their compensation. [Formerly 401.263]

401.074 [1983 c.586 §6; 2009 c.718 §40; renumbered 401.185 in 2009]

401.075 [1977 c.248 §2; repealed by 1983 c.586 §49]

401.076 Rules. In accordance with applicable provisions of ORS chapter 183, the Director of the Office of Emergency Management may adopt rules necessary for the administration of the laws that the Office of Emergency Management is charged with administering. [Formerly 401.265]

401.080 [Amended by 1953 c.6 §4; 1967 c.595 §4; 1975 c.379 §11; repealed by 1983 c.586 §49]

401.082 Advisory and technical committees. (1) To aid and advise the Director of the Office of Emergency Management in the performance of the functions of the Office of Emergency Management, the director may establish such advisory and technical
committees as the director considers necessary. The committees may be continuing or temporary. The director shall determine the representation, membership, terms and organization of the committees and shall appoint their members. The director is an ex officio member of each committee.

(2) Members of the committees are not entitled to compensation, but in the discretion of the director may be reimbursed from funds available to the office for actual and necessary travel and other expenses incurred by them in the performance of their official duties in the manner and amount provided in ORS 292.495. [Formerly 401.267]

401.085 [1983 c.586 §7; 2009 c.718 §41; renumbered 401.188 in 2009]

401.088 Interagency agreements. The Director of the Office of Emergency Management may enter into interagency agreements with other state agencies that the director determines are necessary to carry out the duties of the Office of Emergency Management. [Formerly 401.269]

401.090 [Repealed by 1983 c.586 §49]

401.092 Duties of director; rules. The Director of the Office of Emergency Management shall be responsible for coordinating and facilitating exercises and training, emergency planning, preparedness, response, mitigation and recovery activities with the state and local emergency services agencies and organizations, and shall, with the approval of the Adjutant General or as directed by the Governor:

(1) Make rules that are necessary and proper for the administration and implementation of this chapter;

(2) Coordinate the activities of all public and private organizations specifically related to providing emergency services within this state;

(3) Maintain a cooperative liaison with emergency management agencies and organizations of local governments, other states and the federal government;

(4) Have such additional authority, duties and responsibilities authorized by this chapter or as may be directed by the Governor;

(5) Administer grants relating to emergency program management under ORS 401.305, seismic rehabilitation, emergency services for the state and the statewide 2-1-1 system as provided in ORS 403.430;

(6) Provide for and staff a State Emergency Operations Center to aid the Governor and the Office of Emergency Management in the performance of duties under this chapter;

(7) Serve as the Governor’s authorized representative for coordination of certain response activities and managing the recovery process;

(8) Establish training and professional standards for local emergency program management personnel;

(9) Establish task forces and advisory groups to assist the office in achieving mandated responsibilities;

(10) Enforce compliance requirements of federal and state agencies for receiving funds and conducting designated emergency functions;

(11) Oversee the design, implementation and support of a statewide 2-1-1 system as provided under ORS 403.415; and

(12) Coordinate the activities of state and local governments to enable state and local governments to work together during domestic incidents as provided in the National

401.094 System for notification of emergencies; emergency management coordinators; rules. (1)(a) The Department of State Police shall maintain a system for the notification and interagency coordination of state resources in response to emergencies involving multijurisdictional cooperation between the various levels of government and private business entities.
   (b) The department shall provide the Office of Emergency Management with a service level agreement that describes the continued daily operations and maintenance of the system, the services and supplies needed to maintain the system 24 hours a day, every day of the year, and the policies and procedures that support the overall notification system.
   (2) The notification system shall be managed by the Office of Emergency Management as a continuously available communications network and a component of the state’s emergency operations center.
   (3) The notification system shall be the primary point of contact by which any public agency provides the state notification of an emergency or disaster, or requests access to state and federal resources.
   (4) Each department of state government, and those agencies of state government identified in the statewide emergency management plan prepared under ORS 401.052 as having emergency service or administrative responsibilities, shall appoint an emergency management coordinator as their representative to work with the Office of Emergency Management on the development and implementation of emergency plans and procedures.
   (5) The Office of Emergency Management shall adopt rules relating to the planning, administration and operation of the notification system maintained under this section. [Formerly 401.275]

401.095 [1983 c.586 §8; renumbered 401.192 in 2009]

401.096 Federal grants for emergency management and services; authority of office. (1) The Office of Emergency Management is designated as the sole agency of the State of Oregon for the purpose of negotiating agreements with the United States Department of Homeland Security or other appropriate federal agency, on behalf of the state, for the acquisition of federal funds for the purpose of providing emergency program management and emergency services. All city or county emergency management programs, emergency service agencies and state agencies applying for such funds shall coordinate with the office on development of proposals and shall submit applications to the department to be reviewed or processed, or both.
   (2) The office is authorized to accept and receive on behalf of the state, counties and cities federal funds for the purposes of emergency program management and emergency services. [Formerly 401.280]

401.100 [Repealed by 1983 c.586 §49]

401.105 [1983 c.586 §9; renumbered 401.204 in 2009]

401.106 [2007 c.223 §1; renumbered 401.962 in 2009]
401.109 Oregon Homeland Security Council. (1) The Oregon Homeland Security Council is created within the Office of Emergency Management. The council shall:
   a. Receive briefings on security matters for which the office is responsible at least annually from state agencies and organizations as determined by the council; and
   b. Advise state agencies with responsibility for security matters on the future direction of the office’s planning, preparedness, response and recovery activities.

(2) The membership of the council shall consist of:
   a. Four members from the Legislative Assembly appointed as follows:
      i. Two members from the Senate appointed by the President of the Senate; and
      ii. Two members from the House of Representatives appointed by the Speaker of the House of Representatives;
   b. The Governor;
   c. The Adjutant General;
   d. The Superintendent of State Police;
   e. The Director of the Office of Emergency Management; and
   f. Additional members appointed by the Governor who the Governor determines necessary to fulfill the functions of the council, including state agency heads, elected state officials, local government officials, a member of the governing body of an Indian tribe and representatives from the private sector.

(3) Each member appointed to the council under subsection (2)(a) and (f) of this section serves at the pleasure of the appointing authority. The membership of a public official ceases upon termination of the office held by the official at the time of appointment to the council.

(4) The Governor shall be chairperson of the council.

(5) Members of the council are not entitled to compensation but, at the discretion of the director, may be reimbursed, in the manner and amount provided in ORS 292.495, from funds available to the office for actual and necessary travel and other expenses incurred in the performance of their duties as members of the council. [Formerly 401.881]

Note: 401.109 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 401 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.
401.135 [Formerly 401.640; 1997 c.14 §1; renumbered 401.234 in 2009]

401.140 [Repealed by 1983 c.586 §49]

401.145 [Formerly 401.650; renumbered 401.178 in 2009]

401.150 [Repealed by 1983 c.586 §49]

401.155 [Formerly 401.660; 2009 c.718 §43; renumbered 401.236 in 2009]

401.160 [Amended by 1953 c.6 §4; 1955 c.451 §1; repealed by 1983 c.586 §49]

(Declaration of State of Emergency)

401.165 Declaration of state of emergency; procedures. (1) The Governor may declare a state of emergency by proclamation at the request of a county governing body or after determining that an emergency has occurred or is imminent.

(2) All requests by a county governing body that the Governor declare an emergency shall be sent to the Office of Emergency Management. Cities must submit requests through the governing body of the county in which the majority of the city’s property is located. Requests from counties shall be in writing and include the following:

(a) A certification signed by the county governing body that all local resources have been expended; and

(b) A preliminary assessment of property damage or loss, injuries and deaths.

(3)(a) If, in the judgment of the Adjutant General, the Governor cannot be reached by available communications facilities in time to respond appropriately to an emergency, the Adjutant General shall notify the Secretary of State or, if the Secretary of State is not available, the State Treasurer that the Governor is not available.

(b) After notice from the Adjutant General that the Governor is not available, the elected state official so notified may declare a state of emergency pursuant to the provisions of subsections (1) and (2) of this section.

(c) If the Adjutant General is unavailable to carry out the duties described in this subsection, such duties shall be performed by the Director of the Office of Emergency Management.

(4) Any state of emergency declared by the Secretary of State or State Treasurer pursuant to this section has the same force and effect as if issued by the Governor, except that it must be affirmed by the Governor as soon as the Governor is reached. However, if the Governor does not set aside the proclamation within 24 hours of being reached, the proclamation shall be considered affirmed by the Governor.

(5) Any proclamation of a state of emergency must specify the geographical area covered by the proclamation. Such area shall be no larger than necessary to effectively respond to the emergency.

(6) The governing body of each county shall establish a procedure for receiving, processing and transmitting to the Office of Emergency Management, in a timely manner, a request submitted by a city that the Governor declare an emergency. [Formerly 401.055]

401.168 Governor’s powers during state of emergency; suspension of agency rules. (1) During a state of emergency, the Governor has complete authority over all
executive agencies of state government and the right to exercise, within the area

designated in the proclamation, all police powers vested in the state by the Oregon

Constitution in order to effectuate the purposes of this chapter.

(2) During a state of emergency, the Governor has authority to suspend provisions of

any order or rule of any state agency, if the Governor determines and declares that strict

compliance with the provisions of the order or rule would in any way prevent, hinder or

delay mitigation of the effects of the emergency.

(3) During a state of emergency, the Governor has authority to direct any agencies in

the state government to utilize and employ state personnel, equipment and facilities for

the performance of any activities designed to prevent or alleviate actual or threatened
damage due to the emergency, and may direct the agencies to provide supplemental
services and equipment to local governments to restore any services in order to provide
for the health and safety of the citizens of the affected area. [Formerly 401.065]

401.170 [Amended by 1963 c.179 §1; 1971 c.766 §1; repealed by 1983 c.586 §49]

401.175 Additional powers during emergency. During the existence of an

emergency, the Governor may:

(1) Assume complete control of all emergency operations in the area specified in a

proclamation of a state of emergency issued under ORS 401.165, direct all rescue and

salvage work and do all things deemed advisable and necessary to alleviate the

immediate conditions.

(2) Assume control of all police and law enforcement activities in such area,

including the activities of all local police and peace officers.

(3) Close all roads and highways in such area to traffic or by order of the Governor

limit the travel on such roads to such extent as the Governor deems necessary and

expedient.

(4) Designate persons to coordinate the work of public and private relief agencies

operating in such area and exclude from such area any person or agency refusing to

cooperate with and work under such coordinator or to cooperate with other agencies

engaged in emergency work.

(5) Require the aid and assistance of any state or other public or quasi-public agencies

in the performance of duties and work attendant upon the emergency conditions in such

area. [Formerly 401.115]

401.178 Removal of disaster debris or wreckage; unconditional authorization of

community; liability for injury or damage. (1) Whenever the Governor has declared a

disaster emergency to exist under the laws of this state, or the President of the United

States, at the request of the Governor, has declared a major disaster or emergency to exist

in this state, the Governor is authorized:

(a) Through the use of state departments or agencies, or the use of any of the state’s

instrumentalities, to clear or remove from publicly or privately owned land or water,
debris and wreckage which may threaten public health or safety, or public or private

property.

(b) To accept funds from the federal government and utilize such funds to make

grants to any political subdivision for the purpose of removing debris or wreckage from

publicly or privately owned land or water.

(2) Authority under subsection (1) of this section shall not be exercised unless the

affected political subdivision, corporation, organization, or individual shall first present
an unconditional authorization for removal of such debris or wreckage from public and
private property and, in the case of removal of debris or wreckage from private property,
shall first agree to indemnify the state government against any claim arising from such
removal.

(3) Whenever the Governor provides for clearance of debris or wreckage pursuant to
subsections (1) and (2) of this section, employees of the designated state agencies or
individuals appointed by the Governor are authorized to enter upon private lands or
waters and perform any tasks necessary to the removal or clearance operation.

(4) Except in cases of willful misconduct, gross negligence or bad faith, any state
employee or individual appointed by the Governor authorized to perform duties
necessary to the removal of debris or wreckage shall not be liable for death of or injury to
persons or damage to property. [Formerly 401.145]

401.180 [Repealed by 1983 c.586 §49]

401.185 Providing temporary housing during emergency. Whenever the Governor
has declared a state of emergency or the President of the United States has declared an
emergency or a major disaster to exist in this state, the Governor, with the concurrence of
the Joint Committee on Ways and Means or the Emergency Board, if the Legislative
Assembly is not in session, is authorized:

(1) To enter into purchase, lease or other arrangements with any agency of the United
States for temporary housing units to be occupied by disaster victims and to make the
units available to local governments of the state.

(2) To assist any local government of this state which requires temporary housing for
disaster victims following the declaration of a state of emergency to acquire and prepare a
site to receive and utilize temporary housing units by:

(a) Advancing or lending funds available to the Governor from any appropriation
made by the Legislative Assembly or from any other source; and

(b) Passing through funds made available by any public or private agency. [Formerly
401.074]

401.186 Waiver of waiting period for unemployment benefits. If the Governor by
proclamation has declared a state of emergency under ORS 401.165, the Governor may
waive the one-week waiting period required by ORS 657.155 for persons making a claim
for unemployment benefits who reside within the geographical area subject to the
proclamation and specified by the Governor. [2008 c.23 §2]

Note: Section 4, chapter 23, Oregon Laws 2008, provides:
Sec. 4. Sections 1 and 2 [401.186] of this 2008 Act and the amendments to ORS
657.155 by section 3 of this 2008 Act become operative when federal law permits
without penalty a waiver under section 2 of this 2008 Act of the one-week waiting period
required by ORS 657.155. [2008 c.23 §4]

401.188 Management of resources during emergency; rules. Whenever the
Governor has declared a state of emergency, the Governor may issue, amend and enforce
rules and orders to:

(1) Control, restrict and regulate by rationing, freezing, use of quotas, prohibitions on
shipments, price fixing, allocation or other means, the use, sale or distribution of food,
feed, fuel, clothing and other commodities, materials, goods and services;
(2) Prescribe and direct activities in connection with use, conservation, salvage and prevention of waste of materials, services and facilities, including, but not limited to, production, transportation, power and communication facilities training, and supply of labor, utilization of industrial plants, health and medical care, nutrition, housing, rehabilitation, education, welfare, child care, recreation, consumer protection and other essential civil needs; and

(3) Take any other action that may be necessary for the management of resources following an emergency. [Formerly 401.085]

401.190 [Amended by 1963 c.528 §5; repealed by 1983 c.586 §49]

401.192 Effect of rules and orders during emergency; scope; effect; termination. (1) All rules and orders issued under authority conferred by ORS 401.165 to 401.236 shall have the full force and effect of law both during and after the declaration of a state of emergency. All existing laws, ordinances, rules and orders inconsistent with ORS 401.165 to 401.236 shall be inoperative during the period of time and to the extent such inconsistencies exist.

(2) The authority exercised under ORS 401.165 to 401.236 may be exercised with respect to the entire territory over which the Governor has jurisdiction, or to any specified part thereof.

(3) When real or personal property is taken under power granted by ORS 401.188, the owner of the property shall be entitled to reasonable compensation from the state.

(4) The powers granted to the Governor by ORS 401.165 to 401.236 shall continue until termination of the state of emergency. The powers granted to the Governor by ORS 401.185 may continue beyond the termination of the state of emergency and shall be terminated by proclamation of the Governor or by joint resolution of the Legislative Assembly. [Formerly 401.095]

401.195 [1981 c.763 §2; repealed by 1983 c.586 §49]

401.198 Seizure of firearms during emergency. (1) As used in this section, “unit of government” means any department or agency of the federal government and any public body as defined by ORS 174.109.

(2) Notwithstanding ORS 401.165 to 401.236, a unit of government may not seize a firearm from an individual who lawfully possesses the firearm during a state of emergency declared under ORS 401.165.

(3) If a unit of government seizes a firearm from an individual during a state of emergency in violation of this section, the individual may recover from the unit of government that seized the firearm all costs incurred in the recovery of the firearm, including attorney fees, court costs and any other costs incurred in the recovery of the firearm. [Formerly 401.039]

401.200 [1981 c.763 §3; 1983 c.586 §27; renumbered 401.355]

401.204 Termination of state of emergency. (1) The Governor shall terminate the state of emergency by proclamation when the emergency no longer exists, or when the threat of an emergency has passed.

(2) The state of emergency proclaimed by the Governor may be terminated at any time by joint resolution of the Legislative Assembly. [Formerly 401.105]
401.205 [1981 c.763 §4; 1983 c.586 §28; renumbered 401.365]

401.210 [Formerly 401.820; 1983 c.586 §29; renumbered 401.375]

401.215 [Formerly 401.830; 1983 c.586 §30; renumbered 401.385]

401.220 [1981 c.763 §5; 1983 c.586 §31; renumbered 401.395]

401.225 [1981 c.763 §6; 1983 c.586 §32; renumbered 401.405]

401.230 [1981 c.763 §7; 1983 c.586 §33; renumbered 401.415]

(Declaration of Major Disaster)

401.232 Federal financial assistance to political subdivision. Whenever, at the request of the Governor, the President of the United States has declared a major disaster to exist in this state, the Governor is authorized:

(1) Upon determination that a political subdivision of the state will suffer a substantial loss of tax and other revenues from a major disaster and has demonstrated a need for financial assistance to perform its governmental functions, to apply to the federal government, on behalf of the political subdivision, for a loan; and to receive and disburse the proceeds of any approved loan to any applicant political subdivision.

(2) To determine the amount needed to restore or resume its governmental functions, and to certify the same to the federal government, provided, however, that no application amount shall exceed 25 percent of the annual operating budget of the applicant political subdivision for the fiscal year in which the major disaster occurs.

(3) To recommend to the federal government, based upon the review of the Governor, the cancellation of all or any part of repayment when, in the first three full fiscal year period following the major disaster, the revenues of the political subdivision are insufficient to meet its operating expenses, including additional disaster-related expenses of a municipal operation character. [Formerly 401.125]

401.234 Federal financial assistance to individuals or families. Whenever the President of the United States, at the request of the Governor, with the concurrence of the Emergency Board or Joint Ways and Means Committee of the Legislative Assembly, has declared a major disaster to exist in this state, the Governor is authorized:

(1) Upon determination that financial assistance is essential to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by a major disaster that cannot be otherwise adequately met from other means of assistance, to accept a grant by the federal government to fund such financial assistance, subject to such terms and conditions as may be imposed upon the grant.

(2) To enter into an agreement with the federal government, or any officer or agency thereof, pledging the state to participate in the funding of the assistance authorized in subsection (1) of this section in an amount not to exceed 25 percent thereof.

(3) To make financial grants to help meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by a major disaster which cannot otherwise adequately be met from other means of assistance. [Formerly 401.135]
401.235 [1981 c.763 §8; 1983 c.586 §34; renumbered 401.425]

401.236 Rules. The Governor is authorized to make rules and regulations necessary to carry out the purposes of ORS 401.165 to 401.236. [Formerly 401.155]

401.240 [1981 c.763 §9; 1983 c.586 §35; renumbered 401.435]

401.245 [1981 c.763 §10; 1983 c.586 §36; renumbered 401.445]

401.250 [1981 c.763 §11; 1983 c.586 §37; renumbered 401.455]

401.255 [1981 c.763 §12; 1983 c.586 §38; renumbered 401.465]

401.257 [2007 c.740 §2; 2009 c.718 §35; renumbered 401.052 in 2009]

401.259 [2007 c.740 §8; 2009 c.595 §224; renumbered 401.054 in 2009]

401.260 [1983 c.586 §10; 1993 c.187 §4; repealed by 2007 c.740 §42]

401.261 [2007 c.740 §3; renumbered 401.062 in 2009]

401.263 [2007 c.740 §4; renumbered 401.072 in 2009]

401.265 [2007 c.740 §5; renumbered 401.076 in 2009]

401.267 [2007 c.740 §6; renumbered 401.082 in 2009]

401.269 [2007 c.740 §7; renumbered 401.088 in 2009]

401.270 [1983 c.586 §11; 1993 c.187 §5; 2003 c.556 §2; 2005 c.526 §10; 2005 c.813 §3; 2005 c.825 §10; 2007 c.740 §22; 2009 c.718 §42; renumbered 401.092 in 2009]

401.271 [2007 c.98 §1; renumbered 401.975 in 2009]

401.272 [2007 c.98 §3; 2009 c.718 §30; renumbered 401.977 in 2009]

401.273 [2007 c.98 §4; renumbered 404.350 in 2009]

401.274 [2007 c.98 §5; 2009 c.718 §31; renumbered 401.978 in 2009]

401.275 [1993 c.187 §8; 2007 c.740 §23; 2009 c.718 §36; renumbered 401.094 in 2009]

401.280 [1983 c.586 §22; 1993 c.187 §6; 2007 c.740 §24; 2008 c.18 §8; renumbered 401.096 in 2009]

401.282 [2005 c.526 §1; renumbered 403.400 in 2009]

401.284 [2005 c.526 §3; renumbered 403.405 in 2009]
401.286 [2005 c.526 §4; renumbered 403.410 in 2009]

401.288 [2005 c.526 §5; renumbered 403.415 in 2009]

401.290 [2005 c.526 §6; renumbered 403.420 in 2009]

401.292 [2005 c.526 §7; renumbered 403.425 in 2009]

401.294 [2005 c.526 §8; renumbered 403.430 in 2009]

401.296 [2005 c.526 §9; renumbered 403.435 in 2009]

401.300 [2005 c.813 §2; 2007 c.740 §25; 2009 c.595 §225; renumbered 401.910 in 2009]

EMERGENCY MANAGEMENT BY CITIES AND COUNTIES

(Emergency Management Agency)

401.305 Emergency management agency of city or county; emergency program manager; coordination of emergency management functions. (1) Each county of this state shall, and each city may, establish an emergency management agency which shall be directly responsible to the executive officer or governing body of the county or city.

(2) The executive officer or governing body of each county and any city which participates shall appoint an emergency program manager who shall have responsibility for the organization, administration and operation of such agency, subject to the direction and control of the county or city.

(3) The local governing bodies of counties and cities that have both city and county emergency management programs shall jointly establish policies which provide direction and define the purpose and roles of the individual emergency management programs, specify the responsibilities of the emergency program managers and staff and establish lines of communication, succession and authority of elected officials for an effective and efficient response to emergency conditions.

(4) Each emergency management agency shall perform emergency program management functions within the territorial limits of the county or city and may perform such functions outside the territorial limits as required under any mutual aid or cooperative assistance agreement or as authorized by the county or city.

(5) The emergency management functions shall include, as a minimum:

(a) Coordination of the planning activities necessary to prepare and maintain a current emergency operations plan, management and maintenance of emergency operating facilities from which elected and appointed officials can direct emergency and disaster response activities;

(b) Establishment of an incident command structure for management of a coordinated response by all local emergency service agencies; and

401.307 Emergency management agency appropriation; tax levy. (1) Each county and city may make appropriations, in the manner provided by law for making appropriations for the expenses of the county or city, for the payment of expenses of its emergency management agency and may levy taxes upon the taxable property within the county or city.

(2) An appropriation made under subsection (1) of this section shall be budgeted so that it is possible to identify it as a distinguishable expense category. [Formerly 401.325]

(Declaration of State of Emergency)

401.309 Declaration of state of emergency by city or county; procedures; mandatory evacuations. (1) The governing body of a city or county in this state may declare, by ordinance or resolution, that a state of emergency exists within the city or county. The ordinance or resolution must limit the duration of the state of emergency to the period of time during which the conditions giving rise to the declaration exist or are likely to remain in existence.

(2) A city or county in this state may, by ordinance or resolution, establish procedures to prepare for and carry out any activity to prevent, minimize, respond to or recover from an emergency. The ordinance or resolution shall describe the conditions required for the declaration of a state of emergency within the jurisdiction.

(3) An ordinance or resolution adopted under subsection (2) of this section may designate the emergency management agency, if any, or any other agency or official of the city or county as the agency or official charged with carrying out emergency duties or functions under the ordinance.

(4) A city or county may authorize an agency or official to order mandatory evacuations of residents and other individuals after a state of emergency is declared under this section. An evacuation under an ordinance or resolution authorized under subsection (2) of this section shall be ordered only when necessary for public safety or when necessary for the efficient conduct of activities that minimize or mitigate the effects of the emergency.

(5) Nothing in this section shall be construed to affect or diminish the powers of the Governor during a state of emergency declared under ORS 401.165. The provisions of ORS 401.165 to 401.236 supersede the provisions of an ordinance or resolution authorized by this section when the Governor declares a state of emergency within any area in which such an ordinance or resolution applies. [1997 c.361 §2; 2009 c.718 §32]

401.310 [Amended by 1953 c.394 §10; 1969 c.80 §12; repealed by 1983 c.586 §49]

401.315 City or county authorized to incur obligations for emergency services; county determination of emergency. In carrying out the provisions of this chapter, counties or cities may enter into contracts and incur obligations necessary to mitigate, prepare for, respond to or recover from an emergency or major disaster. A county shall assess whether an emergency exists. [1983 c.586 §13; 1991 c.418 §2; 2009 c.718 §44]

401.320 [Amended by 1953 c.394 §10; repealed by 1983 c.586 §49]

401.325 [1983 c.586 §14; renumbered 401.307 in 2009]
401.330 [Amended by 1953 c.394 §10; repealed by 1983 c.586 §49]

401.335 Temporary housing for disaster victims; political subdivision’s authority. Any political subdivision of this state is expressly authorized to acquire, temporarily or permanently, by purchase, lease, or otherwise, sites required for installation of temporary housing units for disaster victims, and to enter into arrangements necessary to prepare or equip such sites to utilize the housing units. [Formerly 401.620]

401.337 [1991 c.956 §2; 1993 c.187 §10; 1995 c.511 §1; 1997 c.520 §§1,1a; 2007 c.740 §26; renumbered 401.915 in 2009]

401.340 [Amended by 1953 c.394 §10; repealed by 1983 c.586 §49]

401.343 [1991 c.956 §4; 1997 c.520 §2; 2005 c.813 §4; renumbered 401.918 in 2009]

401.345 [1991 c.956 §§5,6,7; 1995 c.511 §2; 1997 c.520 §3; renumbered 401.920 in 2009]


401.350 [Amended by 1953 c.394 §10; repealed by 1983 c.586 §49]

401.353 [1991 c.956 §9; renumbered 401.925 in 2009]

401.355 [Formerly 401.200; repealed by 2009 c.718 §6]

EMERGENCY SERVICE VOLUNTEERS

401.358 Definitions. As used in ORS 401.358 to 401.368:
(1) “Emergency service activities” means:
(a) The provision of emergency services; and
(b) Engaging in training under the direction of a public body, whether by reason of the training being conducted or approved by a public body, for the purpose of preparing qualified emergency service volunteers to perform emergency services.
(2) “Qualified emergency service volunteer” means a person who is:
(a) Registered with the Office of Emergency Management or other public body to perform emergency service activities;
(b) Acknowledged in writing as a qualified emergency service volunteer, at the time the person offers to volunteer during an emergency, by the Office of Emergency Management or by another public body; or
(c) A member of the Oregon State Defense Force. [2009 c.718 §2]

401.360 [Amended by 1953 c.394 §10; repealed by 1983 c.586 §49]

401.362 Application. ORS 401.358 to 401.368 apply only to a qualified emergency service volunteer who is performing emergency service activities under the direction of a
public body without compensation from the public body other than reimbursement for food, lodging, costs of transportation and other expenses. [2009 c.718 §3]

401.364 Coverage under Oregon Tort Claims Act. (1) A qualified emergency service volunteer is an agent of a public body under ORS 30.260 to 30.300 for the purpose of acts and omissions of the volunteer that are within the course and scope of the volunteer’s duties if the acts or omissions occur:
   (a) While the volunteer is performing emergency service activities under the direction of the public body during a state of emergency declared under this chapter, or during a state of public health emergency proclaimed under ORS 433.441; or
   (b) While the volunteer is engaged in training being conducted or approved by a public body for the purpose of preparing the volunteer to perform emergency services.
(2) A public body shall defend, save harmless and indemnify a qualified emergency service volunteer as required by ORS 30.285 for any tort claim arising out of an act or omission described in subsection (1) of this section. [2009 c.718 §4]

401.365 [Formerly 401.205; repealed by 2009 c.718 §6]

401.368 Workers’ compensation benefits. (1) The Office of Emergency Management shall provide workers’ compensation coverage for qualified emergency service volunteers who are injured in the course and scope of performing emergency service activities under the direction of a public body if the injury occurs:
   (a) While the volunteer is performing emergency service activities under the direction of the public body during a state of emergency declared under this chapter, or during a state of public health emergency proclaimed under ORS 433.441; or
   (b) While the volunteer is engaged in training being conducted or approved by a public body for the purpose of preparing the volunteer to perform emergency services.
(2) Workers’ compensation coverage shall be provided under this section in the manner provided by ORS 656.039. [2009 c.718 §5]

401.370 [Amended by 1953 c.394 §10; repealed by 1983 c.586 §49]

401.375 [Formerly 401.210; repealed by 2009 c.718 §6]

401.378 Leaves of absence for certified disaster relief volunteers; requirements; maximum period; effect on status of employees. (1) State agencies and political subdivisions described in ORS 243.325 (2) to (6) may grant leaves of absence to any public employee who is a certified disaster services volunteer of the American Red Cross to participate in disaster relief services in the State of Oregon. Cumulative leave granted shall not exceed 15 work days in any 12-month period. Such leave granted shall not result in a loss of compensation, seniority, vacation time, sick leave or accrued overtime for which the employee is otherwise eligible. Compensation to an employee granted leave under this section shall be at the employee’s regular rate of pay for those regular work hours during which the employee is absent from work.
(2) As used in this section, “disaster” means those disasters designated at level II and above by the American Red Cross. [Formerly 401.485]

401.380 [1953 c.394 §8; 1959 c.403 §1; 1983 c.586 §39; renumbered 401.535]
401.385 [Formerly 401.215; 1989 c.361 §9; 1993 c.187 §11; repealed by 2009 c.718 §6]

401.395 [Formerly 401.220; 1993 c.187 §12; 2007 c.70 §157; repealed by 2009 c.718 §6]

401.405 [Formerly 401.225; repealed by 2009 c.718 §6]

401.410 [1967 c.480 §1; repealed by 1983 c.586 §49]

401.415 [Formerly 401.230; repealed by 2009 c.718 §6]

401.420 [1967 c.480 §2; repealed by 1983 c.586 §49]


401.430 [1967 c.480 §3; repealed by 1983 c.586 §49]

401.435 [Formerly 401.240; 1993 c.187 §14; repealed by 2009 c.718 §6]

401.440 [1967 c.480 §4; repealed by 1983 c.586 §49]

401.445 [Formerly 401.245; 1993 c.187 §15; 2007 c.740 §29; repealed by 2009 c.718 §6]

401.450 [1967 c.480 §5; repealed by 1983 c.586 §49]

401.455 [Formerly 401.250; repealed by 2009 c.718 §6]

401.460 [1967 c.480 §6; repealed by 1983 c.586 §49]

401.465 [Formerly 401.255; 1993 c.187 §16; repealed by 2009 c.718 §6]

401.470 [1967 c.480 §7; repealed by 1983 c.586 §49]

401.480 [1983 c.586 §15; renumbered 402.010 in 2009]

401.485 [1995 c.70 §1; renumbered 401.378 in 2009]

401.490 [1983 c.586 §16; 2009 c.718 §45; renumbered 402.015 in 2009]

401.500 [1983 c.586 §17; renumbered 402.020 in 2009]

FUNDING OF EMERGENCY SERVICES

401.505 Acceptance of aid for emergency services. Whenever any organization, agency, person, firm, corporation or officer thereof offers to the state or to any county or city, services, equipment, supplies, material or funds by way of gift, grant or loan for
purposes of emergency program management or emergency services, the state, acting through the Governor, or the county or city, acting through its executive officer or governing body, may accept the offer. Upon acceptance, the Governor or executive officer or governing body of a county or city, as the case may be, may authorize any officer thereof to receive the services, equipment, supplies, materials or funds on behalf of the state, county or city, subject to the terms of the offer and any rules of the agency making the offer. [1983 c.586 §19]

401.510 [Repealed by 1983 c.586 §49]

401.515 [1983 c.586 §20; 2005 c.825 §12; repealed by 2009 c.718 §6]

401.520 [Repealed by 1983 c.586 §49]

401.525 Use of moneys and property for emergency services authorized. (1) The expenditure of necessary money and use of state property by any agency in performing duties in an emergency is authorized. Moneys so expended shall be deemed an administrative expense of the agency.

(2) If the Governor finds that funds regularly appropriated to state and local governments are not sufficient to cope with a particular emergency, the Governor may, with the concurrence of the Joint Committee on Ways and Means or the Emergency Board, when the Legislative Assembly is not in session, transfer and expend moneys appropriated for other purposes. [1983 c.586 §21]

401.530 [Amended by 1983 c.586 §39a; renumbered 401.115]

401.532 Oregon Pre-Disaster Mitigation Fund; rules. (1) The Oregon Pre-Disaster Mitigation Fund is established in the State Treasury, separate and distinct from the General Fund. Moneys received from federal grants for pre-disaster mitigation efforts shall be deposited into the Oregon Pre-Disaster Mitigation Fund. Moneys in the fund are continuously appropriated to the Oregon Military Department to be used to:

(a) Help state agencies and local government units with Federal Emergency Management Agency approved mitigation plans in this state prior to the occurrence of natural disasters; and

(b) Ensure, to the extent possible, that state and local agencies and officials are prepared to respond to threats of human-caused disaster, including but not limited to acts of terrorism.

(2) The Oregon Pre-Disaster Mitigation Fund may receive gifts, grants, bequests, endowments and donations from public and private sources for purposes related to the fund.

(3) The Oregon Military Department shall adopt rules for the disbursement of moneys from the Oregon Pre-Disaster Mitigation Fund. [2008 c.18 §4]

Note: 401.532 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 401 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

401.534 Oregon Disaster Response Fund; rules. (1) The Oregon Disaster Response Fund is established in the State Treasury, separate and distinct from the General Fund.
Moneys received from federal grants for disaster response efforts shall be deposited into the Oregon Disaster Response Fund. Moneys in the fund are continuously appropriated to the Oregon Military Department to be used to:

(a) Help state agencies and local government units with immediate disaster response and recovery efforts related to federally declared disasters in this state; and

(b) Implement long-term hazard mitigation measures after a federally declared disaster in this state during the period of immediate recovery from the disaster.

(2) The Oregon Disaster Response Fund may receive gifts, grants, bequests, endowments and donations from public and private sources for purposes related to the fund.

(3) The Office of Emergency Management of the Oregon Military Department shall adopt rules for the disbursement of moneys from the Oregon Disaster Response Fund.

(4) If there are expenditures from the Oregon Disaster Response Fund, the Adjutant General of the Oregon Military Department shall report to the Emergency Board, or to the Legislative Assembly if it is in session, on:

(a) The nature and severity of the disaster;

(b) The actual and projected deposits into the fund;

(c) The sources of actual and projected expenditures from the fund;

(d) The nature of in-kind donations received; and

(e) The rationale for expenditures and allocation of payments to state agencies and local government units.

(5) Following the final expenditure for a particular disaster, the Adjutant General of the Oregon Military Department shall issue a final report to the Emergency Board, or to the Legislative Assembly if it is in session. The report must include an aggregate description of the factors described in subsection (4) of this section. [2008 c.18 §5]

Note: 401.534 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 401 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

401.535 [Formerly 401.380; 1993 c.187 §17; 2005 c.755 §30; 2007 c.740 §30; repealed by 2008 c.18 §7]

401.536 Oregon Local Disaster Assistance Loan Account; Local Disaster Assistance Review Board. (1) The Oregon Local Disaster Assistance Loan Account is established as an account in the Oregon Disaster Response Fund. The account consists of moneys appropriated by the Legislative Assembly and any other moneys deposited into the account pursuant to law.

(2) Moneys in the account are continuously appropriated to the Oregon Military Department for:

(a) Providing loans to local governments, as defined in ORS 174.116, and school districts to match, either in full or in part, moneys from federal programs for federally declared disaster relief that require a match; and

(b) Subject to subsection (4) of this section, paying the department’s expenses for administering the account.

(3) The department shall deposit into the account any amounts repaid on loans made under this section.

(4) The department may not charge the account more than five percent of the maximum amount in the account during a biennium for administrative expenses.
(5) An applicant may apply to the department for a loan from the account. The department shall consider the application, make a recommendation and submit the application and recommendation to the Local Disaster Assistance Review Board established under subsection (6) of this section.

(6) The department shall establish a Local Disaster Assistance Review Board to:
(a) Review the recommendations of the department regarding loans from the account;
(b) Approve, by a majority vote of members, the amount of any loan; and
(c) Approve, by a majority vote of members, the terms and conditions of any loan.

(7) The review board shall include:
(a) Three members of county governing bodies, with at least one member representing a county from east of the crest of the Cascade Mountains, with membership determined by the Association of Oregon Counties;
(b) Three members of city governing bodies, with at least one member representing a city from east of the crest of the Cascade Mountains, with membership determined by the League of Oregon Cities;
(c) A representative of the office of the State Treasurer;
(d) A representative of the Oregon Military Department;
(e) A representative of school districts, with membership determined by the Oregon School Boards Association;
(f) A representative of special districts, with membership determined by the Special Districts Association of Oregon;
(g) A representative of the Oregon Department of Administrative Services; and
(h) Two additional members determined jointly by the department, the Association of Oregon Counties and the League of Oregon Cities.

(8) The Office of Emergency Management of the Oregon Military Department shall adopt rules establishing:
(a) A loan application process and application forms;
(b) Reasonable financial terms and conditions for loans, including interest and the repayment of the loans;
(c) Eligibility requirements for loan applicants;
(d) The maximum amount an applicant for a loan may receive;
(e) The methodology the department will use for charging the account for administrative expenses; and
(f) Procedures for submission of loan recommendations to the review board.

(9) The Oregon Military Department shall provide staff support for the review board.

[2008 c.18 §6]

Note: 401.536 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 401 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

401.537 [1991 c.310 §4; renumbered 455.448 in 1995]
401.538 [2001 c.366 §1; renumbered 401.900 in 2009]
401.539 [1991 c.310 §5; renumbered 455.449 in 1995]
401.540 [Repealed by 1983 c.586 §49]
401.543 [2001 c.366 §2; renumbered 401.902 in 2009]

401.546 [2001 c.366 §3; renumbered 401.904 in 2009]

401.550 [1983 c.586 §23; 1993 c.18 §93; 2009 c.718 §25; renumbered 404.100 in 2009]

401.555 [Formerly 835.075; 2007 c.740 §31; renumbered 404.105 in 2009]


401.570 [1983 c.586 §24; 1993 c.187 §19; 2009 c.718 §22; renumbered 404.115 in 2009]

401.573 [1985 c.470 §2; 1993 c.18 §94; 1993 c.187 §20; 2007 c.530 §2; renumbered 404.120 in 2009]

401.576 [1985 c.470 §3; 1993 c.187 §21; 2007 c.530 §3; renumbered 404.125 in 2009]

401.580 [1983 c.586 §26; 1993 c.187 §22; 2009 c.718 §46; renumbered 404.130 in 2009]

401.582 [2007 c.530 §4; renumbered 404.135 in 2009]

401.584 [2007 c.530 §5; renumbered 404.250 in 2009]

401.590 [1995 c.570 §1; 2009 c.718 §33; renumbered 404.270 in 2009]

401.600 [1975 c.624 §4; repealed by 1983 c.586 §49]

401.605 [1987 c.915 §1; 1993 c.18 §95; renumbered 404.300 in 2009]

401.610 [1975 c.624 §5; repealed by 1983 c.586 §49]

401.615 [1987 c.915 §2; renumbered 404.305 in 2009]

401.620 [1975 c.624 §6; renumbered 401.335]

401.625 [1987 c.915 §4; renumbered 404.310 in 2009]

401.627 [1987 c.915 §3; 2007 c.530 §8; renumbered 404.315 in 2009]

401.630 [1975 c.624 §7; renumbered 401.125]

401.635 [1987 c.915 §5; 1993 c.18 §96; repealed by 2007 c.530 §7]

401.638 [2005 c.651 §1; renumbered 401.930 in 2009]
401.639 [2005 c.651 §2; renumbered 401.932 in 2009]

401.640 [1975 c.624 §11; renumbered 401.135]

401.641 [2005 c.651 §3; 2009 c.718 §47; renumbered 401.935 in 2009]

401.643 [2005 c.651 §4; renumbered 401.938 in 2009]

401.645 [2005 c.651 §5; renumbered 401.940 in 2009]

401.650 [1975 c.624 §§8,9,10; renumbered 401.145]

EMERGENCY HEALTH CARE SERVICES

401.651 Definitions. As used in ORS 401.651 to 401.670:
(1) “Health care facility” means a health care facility as defined in ORS 442.015 that has been licensed under ORS chapter 441.
(2) “Health care provider” means an individual licensed, certified or otherwise authorized or permitted by the laws of this state or another state to administer health care services in the ordinary course of business or practice of a profession. [2003 c.298 §2; 2009 c.382 §1]

401.654 Registry of emergency health care providers. (1) The Oregon Health Authority may establish a registry of emergency health care providers who are available to provide health care services during an emergency or crisis. The authority may require training related to the provision of health care services in an emergency or crisis as a condition of registration.
(2) The authority shall issue identification cards to health care providers included in the registry established under this section that:
(a) Identify the health care provider;
(b) Indicate that the health care provider is registered as an Oregon emergency health care provider;
(c) Identify the license or certification held by the health care provider; and
(d) Identify the health care provider’s usual area of practice if that information is available and the authority determines that it is appropriate to provide that information.
(3) The authority by rule shall establish a form for identification cards issued under subsection (2) of this section.
(4) The authority shall support and provide assistance to the Office of Emergency Management in emergencies or crises involving the public health or requiring emergency medical response.
(5) The authority may enter into agreements with other states to facilitate the registry of out-of-state health care providers in the registry established under this section. [2003 c.298 §3; 2009 c.595 §227; 2009 c.828 §1]

401.655 Practice by out-of-state health care provider during emergency. During a state of emergency declared under ORS 401.165 or a state of public health emergency proclaimed under ORS 433.441, a health care provider who is licensed, certified or otherwise authorized or permitted by the laws of another state to administer health care...
services and who is registered under ORS 401.654 may administer health care services in
this state as if the health care provider were licensed in this state. [2009 c.382 §4]

401.656 Provision of health care services by members of Oregon National Guard
during emergency. When the Governor declares a state of emergency under ORS
401.165 or a public health emergency under ORS 433.441, the Governor, as part of the
declaration of emergency, may authorize members of the Oregon National Guard on
active state duty or Title 32 orders to provide health care services in Oregon without
being subject to the Oregon licensing requirements for health care providers, provided
that each member is qualified by virtue of the member’s military duty position, training
and qualifications to perform the same or similar functions as an Oregon licensed health
care provider for the Armed Forces of the United States under either state or federal
status. [2009 c.346 §1]

Note: 401.656 was enacted into law by the Legislative Assembly but was not added
to or made a part of ORS chapter 401 or any series therein by legislative action. See
Preface to Oregon Revised Statutes for further explanation.

401.657 Emergency health care facility; emergency operations plan;
credentialing plan; rules. (1) The Oregon Health Authority may designate all or part of
a health care facility or other location as an emergency health care center. If the Governor
declares a state of emergency under ORS 401.165, or proclaims a state of public health
emergency under ORS 433.441, emergency health care centers may be used for:
(a) Evaluation and referral of individuals affected by the emergency;
(b) Provision of health care services; and
(c) Preparation of patients for transportation.
(2) The Oregon Health Authority may enter into cooperative agreements with local
public health authorities that allow local public health authorities to designate emergency
health care centers under this section.
(3) An emergency health care center designated under this section must have an
emergency operations plan and a credentialing plan that governs the use of emergency
health care providers registered under ORS 401.654 and other health care providers who
volunteer to perform health care services at the center under ORS 401.651 to 401.670.
The emergency operations plan and credentialing plan must comply with rules governing
those plans adopted by the Oregon Health Authority. [2003 c.298 §4; 2007 c.445 §39;
2009 c.595 §228; 2009 c.718 §7]

401.660 [1975 c.624 §12; 1983 c.586 §40; renumbered 401.155]

401.661 Provision of health care services after declaration of emergency. If the
Governor declares a state of emergency under ORS 401.165 or proclaims a state of public
health emergency under ORS 433.441:
(1) The Oregon Health Authority, in conjunction with the Department of Human
Services for facilities licensed by the department, may direct emergency health care
providers registered under ORS 401.654 who are willing to provide health care services
to proceed to any place in this state where health care services are required by reason of
the emergency or crisis; and
(2) Any emergency health care provider registered under ORS 401.654 or other
health care provider may volunteer to perform health care services described in ORS
401.657 at any emergency health care center or health care facility in the manner provided by ORS 401.664. [2003 c.298 §5; 2007 c.445 §40; 2009 c.595 §229; 2009 c.718 §8]

401.664 Emergency operations plan; credentialing plans. (1) Emergency health care providers registered under ORS 401.654 and other health care providers who volunteer to perform health care services under ORS 401.651 to 401.670 must provide those services in accordance with the emergency operations plan and credentialing plan adopted by the emergency health care center or by the health care facility at which the services are rendered.

(2) An emergency health care center or health care facility may determine the services to be provided by any emergency health care provider registered under ORS 401.654 or other health care provider who volunteers to perform health care services under ORS 401.651 to 401.670. [2003 c.298 §6]

401.667 Coverage under Oregon Tort Claims Act. (1) If the Governor declares a state of emergency under ORS 401.165, or proclaims a state of public health emergency under ORS 433.441, emergency health care providers registered under ORS 401.654 and other health care providers who volunteer to perform health care services under ORS 401.651 to 401.670 are agents of the state under ORS 30.260 to 30.300 for the purposes of any claims arising out of services that are provided under ORS 401.651 to 401.670 pursuant to directions from a public body and that are within the course and scope of the health care provider’s duties, without regard to whether the health care provider is compensated for the services.

(2) If the Governor declares a state of emergency under ORS 401.165, or proclaims a state of public health emergency under ORS 433.441, health care facilities designated under ORS 401.657 and other persons operating emergency health care centers designated under ORS 401.657 are agents of the state under ORS 30.260 to 30.300 for the purposes of any claims arising out of services that are provided through those centers or facilities under ORS 401.651 to 401.670 pursuant to directions from a public body and that are within the course and scope of the duties of the health care facility or other person, without regard to whether the health care facility or other person is compensated for the services.

(3) An emergency health care provider registered under ORS 401.654 participating in training authorized by the Oregon Health Authority under ORS 401.651 to 401.670 is an agent of the state under ORS 30.260 to 30.300 for the purposes of any claims arising out of that training.

(4) The provisions of subsection (2) of this section apply only to emergency health care centers or health care facilities that have adopted emergency operations plans and credentialing plans that govern the use of emergency health care providers registered under ORS 401.654 and other health care providers who volunteer to perform health care services under ORS 401.651 to 401.670. An emergency operations plan and a credentialing plan must comply with rules governing those plans adopted by the authority. [2003 c.298 §7; 2009 c.595 §230; 2009 c.718 §9]

401.670 Rules. The Oregon Health Authority shall adopt all rules necessary for the implementation of ORS 401.651 to 401.670. [2003 c.298 §8; 2009 c.595 §231]

401.706 [2003 c.556 §1; 2009 c.203 §1; renumbered 403.100 in 2009]

401.715 [1989 c.793 §5; 1991 c.743 §2; 2009 c.203 §3; renumbered 403.110 in 2009]

401.720 [1981 c.533 §2; 1989 c.793 §8; 1991 c.743 §3; 1999 c.241 §1; 2009 c.203 §4; renumbered 403.115 in 2009]

401.730 [1981 c.533 §3; 1989 c.793 §9; 1991 c.743 §4; 2009 c.203 §5; renumbered 403.120 in 2009]

401.733 [1991 c.743 §24; 1993 c.808 §5; repealed by 1995 c.79 §205]

401.735 [1989 c.793 §9a; 1991 c.742 §12; repealed by 2009 c.203 §37]

401.740 [1981 c.533 §4; repealed by 1989 c.793 §17]

401.750 [1981 c.533 §5; 1987 c.447 §127; repealed by 1989 c.793 §17]

401.755 [1989 c.793 §4; 1991 c.743 §8; 2009 c.203 §7; renumbered 403.130 in 2009]

401.760 [1981 c.533 §6; 1989 c.793 §10; repealed by 1991 c.743 §22]

401.765 [1991 c.751 §2; 1999 c.1093 §14; 2003 c.382 §1; 2009 c.203 §8; renumbered 403.135 in 2009]

401.770 [1981 c.533 §7; 1985 c.633 §6; 1989 c.793 §11; 2009 c.203 §9; renumbered 403.140 in 2009]

401.773 [1989 c.793 §6; 1995 c.276 §11; 2007 c.70 §159; 2009 c.203 §10; renumbered 403.145 in 2009]

401.775 [1989 c.793 §7; 1991 c.743 §10; 2009 c.203 §11; renumbered 403.150 in 2009]

401.780 [1981 c.533 §8; 1989 c.793 §12; 1991 c.743 §11; 2009 c.203 §12; renumbered 403.155 in 2009]


401.792 [1981 c.533 §10; 1989 c.793 §1; 1991 c.743 §12; 1993 c.808 §1; 1995 c.276 §2; 2001 c.740 §2; 2002 s.s.1 c.5 §1; 2009 c.203 §15; renumbered 403.200 in 2009]
401.794 [1981 c.533 §11; 1995 c.276 §3; renumbered 403.205 in 2009]


401.800 [1981 c.533 §14; 1982 s.s.1 c.16 §22; 1991 c.743 §15; 1993 c.808 §3; 1995 c.276 §6; 2009 c.203 §17; renumbered 403.220 in 2009]


401.804 [1981 c.533 §16; 1991 c.743 §17; 1995 c.276 §8; 1995 c.650 §53; 2009 c.203 §19; 2009 c.797 §7; renumbered 403.230 in 2009]

401.805 [1955 c.679 §1; 1967 c.595 §5; 1969 c.247 §3; 1975 c.379 §13; repealed by 1980 c.19 §6]

401.806 [1981 c.533 §17; 1991 c.743 §18; 1993 c.808 §4; 1995 c.276 §9; 2001 c.740 §2a; 2009 c.203 §20; 2009 c.885 §47; renumbered 403.235 in 2009]

401.807 [1987 c.671 §1; 1989 c.793 §21; renumbered 401.818 in 2003]

401.808 [1981 c.533 §18; 1987 c.218 §1; 1989 c.793 §14; 1991 c.743 §19; 1993 c.707 §11; 1995 c.276 §10; 2001 c.740 §2b; 2009 c.203 §21; 2009 c.758 §3; renumbered 403.240 in 2009]

401.810 [1955 c.679 §§2,3; repealed by 1980 c.19 §6]

401.812 [1987 c.671 §2; 1989 c.793 c.22; 1989 c.1063 §1; 1993 c.441 §1; renumbered 401.821 in 2003]

401.814 [1981 c.533 §20; 1989 c.793 §16; 1991 c.743 §21; 2001 c.740 §2c; 2009 c.203 §22; renumbered 403.245 in 2009]

401.815 [1955 c.679 §11; repealed by 1980 c.19 §6]

401.816 [2001 c.740 §6; renumbered 403.250 in 2009]

401.817 [1987 c.671 §5; renumbered 401.823 in 2003]

401.818 [Formerly 401.807; renumbered 403.300 in 2009]

401.820 [1955 c.679 §5; 1980 c.19 §3; renumbered 401.210]

401.821 [Formerly 401.812; 2009 c.203 §23; renumbered 403.305 in 2009]
401.822 [1987 c.671 §3; 1989 c.1063 §2; renumbered 403.310 in 2009]
401.823 [Formerly 401.817; renumbered 403.315 in 2009]
401.825 [1955 c.679 §18; 1967 c.595 §6; repealed by 1980 c.19 §6]
401.827 [1987 c.671 §6; 2009 c.203 §24; renumbered 403.320 in 2009]
401.830 [1955 c.679 §20; 1967 c.595 §7; 1980 c.19 §4; renumbered 401.215]
401.832 [1987 c.671 §4; 1989 c.1063 §3; 2009 c.203 §25; renumbered 403.325 in 2009]
401.833 [1989 c.1063 §5; 2009 c.203 §26; renumbered 403.330 in 2009]
401.834 [1989 c.1063 §6; 2009 c.203 §27; renumbered 403.335 in 2009]
401.835 [1955 c.679 §4; 1957 c.353 §1; 1973 c.466 §1; repealed by 1980 c.19 §6]
401.836 [1989 c.1063 §7; 2009 c.203 §28; renumbered 403.340 in 2009]
401.837 [1987 c.671 §7; renumbered 401.857]
401.838 [1989 c.1063 §8; 2009 c.203 §29; renumbered 403.345 in 2009]
401.840 [1955 c.679 §9; repealed by 1980 c.19 §6]
401.841 [1989 c.1063 §10; 2009 c.203 §31; renumbered 403.355 in 2009]
401.842 [1987 c.671 §8; 1989 c.793 §23; 2001 c.104 §139; 2003 c.802 §111; 2009 c.203 §32; renumbered 403.360 in 2009]
401.844 [1995 c.333 §36; 2007 c.783 §180; 2009 c.203 §33; renumbered 403.365 in 2009]
401.845 [1955 c.679 §10; repealed by 1980 c.19 §6]
401.847 [1987 c.671 §9; 1991 c.459 §396; 1995 c.333 §33; 2009 c.203 §34; renumbered 403.370 in 2009]
401.850 [1955 c.679 §§6,7; 1965 c.285 §80; repealed by 1980 c.19 §6]
401.852 [1989 c.1063 §11; 2001 c.138 §26; renumbered 403.375 in 2009]
401.855 [1955 c.679 §17; repealed by 1980 c.19 §6]
401.857 [Formerly 401.837; 2009 c.203 §36; renumbered 403.380 in 2009]

401.860 [1955 c.679 §8; repealed by 1980 c.19 §6]

401.861 [2005 c.819 §1; renumbered 401.950 in 2009]

401.863 [2005 c.819 §2; renumbered 401.952 in 2009]

401.864 [2005 c.819 §4; renumbered 401.955 in 2009]

401.865 [1955 c.679 §12; 1967 c.335 §48; 1967 c.637 §§9,9a; repealed by 1980 c.19 §6]

401.870 [1955 c.679 §15; repealed by 1980 c.19 §6]

401.871 [2005 c.825 §3; 2007 c.740 §34; 2009 c.454 §1; 2009 c.595 §232; renumbered 403.450 in 2009]

401.872 [2005 c.825 §4; 2007 c.740 §35; renumbered 403.455 in 2009]

401.874 [2005 c.825 §5; 2007 c.740 §36; renumbered 403.460 in 2009]

401.875 [1955 c.679 §21; repealed by 1980 c.19 §6]

401.880 [1955 c.679 §19; repealed by 1980 c.19 §6]

401.881 [2005 c.825 §8; renumbered 401.109 in 2009]

401.885 [1955 c.679 §16; repealed by 1980 c.19 §6]

401.890 [1955 c.679 §14; repealed by 1980 c.19 §6]

EARTHQUAKES

(Drills)

401.900 State and local agency earthquake drills. (1) Each state or local agency shall drill agency employees working in office buildings on emergency procedures so that the employees may respond to an earthquake emergency without confusion or panic. The agencies shall conduct the drills in accordance with Office of Emergency Management rules. The drills must include familiarization with routes and methods of exiting the building and methods of “duck, cover and hold” during an earthquake. An agency shall conduct the drills annually. The Office of Emergency Management may, by rule or on application, grant exemptions from the drill requirement for good cause.

(2) As used in this section, “state or local agency” means a state or local office, department, division, bureau, board or commission that is assigned, renting, leasing, owning or controlling office space for carrying out its duties. “State or local agency” includes the Legislative Assembly when in regular session. [Formerly 401.538]
401.902 Private employer earthquake drills; exemptions. A person employing 250 or more full-time employees within this state shall drill employees working in office buildings on emergency procedures so that the employees may respond to an earthquake emergency without confusion or panic. The person shall conduct the drills in accordance with Office of Emergency Management rules. The drills must include familiarization with routes and methods of exiting the building and methods of “duck, cover and hold” during an earthquake. The employer shall conduct the drills annually during the month of April. The Office of Emergency Management may, by rule or on application, grant exemptions from the drill requirement for good cause. [Formerly 401.543]

401.904 Rules. The Office of Emergency Management, in consultation with the State Department of Geology and Mineral Industries, shall adopt rules governing the conduct of earthquake emergency drills required by ORS 401.900 and 401.902. In addition to the office submitting the rules for publication pursuant to ORS 183.360, the office and the department shall each post the rules on an electronic bulletin board, home page or similar site. [Formerly 401.546]

(Seismic Rehabilitation)

401.910 Grant program for seismic rehabilitation of certain facilities. (1) The Director of the Office of Emergency Management, pursuant to the authority to administer grant programs for seismic rehabilitation provided in ORS 401.092, shall develop a grant program for the disbursement of funds for the seismic rehabilitation of critical public buildings, including hospital buildings with acute inpatient care facilities, fire stations, police stations, sheriffs’ offices, other facilities used by state, county, district or municipal law enforcement agencies and buildings with a capacity of 250 or more persons that are routinely used for student activities by kindergarten through grade 12 public schools, community colleges, education service districts and institutions of higher education. The funds for the seismic rehabilitation of critical public buildings under the grant program are to be provided from the issuance of bonds pursuant to the authority provided in Articles XI-M and XI-N of the Oregon Constitution.

(2) The grant program shall include the appointment of a grant committee. The grant committee may be composed of any number of persons with qualifications that the director determines necessary. However, the director shall include persons with experience in administering state grant programs and representatives of entities with responsibility over critical public buildings. The director shall also include as permanent members representatives of:

(a) The Department of Human Services;
(b) The State Department of Geology and Mineral Industries;
(c) The Seismic Safety Policy Advisory Commission;
(d) The Oregon Department of Administrative Services;
(e) The Department of Education;
(f) The Oregon Health Authority;
(g) The Oregon Fire Chiefs’ Association;
(h) The Oregon Association Chiefs of Police; and
(i) The Oregon Association of Hospitals and Health Systems.

(3) The director shall determine the form and method of applying for grants from the grant program, the eligibility requirements for grant applicants, and general terms and conditions of the grants. The director shall also provide that the grant committee review
grant applications and make a determination of funding based on a scoring system that is
directly related to the statewide needs assessment performed by the State Department of
Geology and Mineral Industries. Additionally, the grant process may:

(a) Require that the grant applicant provide matching funds for completion of any
seismic rehabilitation project.

(b) Provide authority to the grant committee to waive requirements of the grant
program based on special circumstances such as proximity to fault hazards, community
value of the structure, emergency functions provided by the structure and storage of
hazardous materials.

(c) Allow an applicant to appeal any determination of grant funding to the director for
reevaluation.

(d) Provide that applicants release the state, the director and the grant committee from
any claims of liability for providing funding for seismic rehabilitation.

(e) Provide separate rules for funding rehabilitation of structural and nonstructural
building elements.

(4) Subject to the grant rules established by the director and subject to reevaluation by
the director, the grant committee has the responsibility to review and make
determinations on grant applications under the grant program established pursuant to this
section. [Formerly 401.300]

(Seismic Safety Policy Advisory Commission)

**401.915 Seismic Safety Policy Advisory Commission; members; term.** (1) There is
established a Seismic Safety Policy Advisory Commission consisting of the following
members:

(a) The chief officer or the chief officer’s designee of the following:

(A) Department of Consumer and Business Services;
(B) State Department of Geology and Mineral Industries;
(C) Department of Land Conservation and Development;
(D) Department of Transportation; and
(E) Office of Emergency Management; and
(b) Thirteen members appointed by the Governor as follows:

(A) One representative of local government;
(B) Six members representing the public interest, including:

(i) One representative of a school district, community college or university;
(ii) Two members of the Legislative Assembly; and
(iii) Three members of the general public; and
(C) Six members representing affected industries or stakeholders.

(2) The term of office of each member, except a member of the Legislative Assembly,
appointed under subsection (1)(b) of this section is four years, but a member serves at the
pleasure of the Governor. The term of office of a member of the Legislative Assembly
expires at the end of the term for which the member is elected. Before the expiration of
the term of a member, the Governor shall appoint a successor whose term begins on July
1 next following. A member is eligible for reappointment. If there is a vacancy for any
cause, the Governor shall make an appointment to become immediately effective for the
unexpired term. [Formerly 401.337]

**401.918 Mission of commission.** (1) The mission of the Seismic Safety Policy
Advisory Commission shall be to reduce exposure to earthquake hazards in Oregon by:
(a) Developing and influencing policy at the federal, state and local levels;
(b) Facilitating improved public understanding and encouraging identification of risk;
(c) Supporting research and special studies;
(d) Supporting appropriate mitigation;
(e) Supporting response and recovery; and
(f) Supporting and assisting in the coordination of a grant program for the disbursement of funds for seismic rehabilitation of schools and emergency facilities.

(2) The commission shall utilize and influence existing agencies and institutions in meeting its goals and is in no way intended to replace or compete with existing authorities relative to earthquakes. Emphasis shall be on coordination and linking of existing resources and authorities.

(3) To improve public understanding of earthquake hazards, reduce such hazards and mitigate the possible effects of potentially damaging earthquakes, the commission shall review and advise the Governor and the Legislative Assembly concerning all plans and proposals addressing seismic hazards in the areas of:
   (a) Any legislative proposals.
   (b) Plans and proposals of statewide impact.
   (c) Lists of recommendations for actions and potential rule changes specifically by state agency. [Formerly 401.343]

401.920 Officers; quorum; meetings; compensation and expenses. (1) The Seismic Safety Policy Advisory Commission shall select one of its members as chairperson and another as vice chairperson, for two-year terms and with duties and powers necessary for the performance of the functions of such offices as the commission determines.

(2) A majority of the members of the commission constitutes a quorum for the transaction of business.

(3) The commission shall meet at least once every two months at a place, day and hour determined by the commission. The commission also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the commission.

(4) Each member of the commission, except a member of the Legislative Assembly, appointed under ORS 401.915 (1)(b) shall receive compensation and expenses as provided in ORS 292.495. A legislative member shall receive compensation and expenses as provided in ORS 171.072. [Formerly 401.345]

401.922 Support services. The Office of Emergency Management shall provide technical, clerical and other necessary support services to the Seismic Safety Policy Advisory Commission. The Department of Consumer and Business Services, the State Department of Geology and Mineral Industries, the Department of Land Conservation and Development, the Department of Transportation, the Oregon Health Authority, the Water Resources Department and the Oregon University System shall provide assistance, as required, to the commission to enable it to meet its objectives. [Formerly 401.347]

401.925 Advisory and technical committees; expense reimbursement. (1) To aid and advise the Seismic Safety Policy Advisory Commission in the performance of its functions, the commission may establish such advisory and technical committees as it considers necessary. These committees may be continuing or temporary. The commission
shall determine the representation, membership, terms and organization of the
committees and shall appoint their members.

(2) Members of the committees are not entitled to compensation, but in the discretion
of the commission may be reimbursed from funds available to the commission for actual
and necessary travel and other expenses incurred by them in the performance of their
official duties, subject to ORS 292.495. [Formerly 401.353]

STRUCTURAL COLLAPSE

401.930 Assignment by Governor of local resources under direction of State Fire
Marshal. (1) The Governor may assign and make available for use and duty in any
county, city or district, under the direction and command of the State Fire Marshal or a
designee of the State Fire Marshal, any personnel or equipment resources of a county,
city or district for the purpose of responding to the structural collapse, or the threat of
imminent structural collapse, of a fixture to real property. This section does not authorize
the Governor to assign and make available the fire-fighting resources of a fire district that
possesses only one self-propelled pumping unit.

(2) The Governor may assign and make available local resources under this section
without declaring a state of emergency and without regard to the criteria established in
ORS 401.032 for assuming authority or responsibility for responding to an event. The
State Fire Marshal, or a designee of the State Fire Marshal, may direct and command the
use of the local resources made available by the Governor under this section regardless of
whether the county, city or district to which the resources are made available has declared
a state of emergency under ORS 401.309.

(3) The State Fire Marshal shall prepare plans for effectively carrying out this section
and shall provide advice and counsel to the Governor for the most practical utilization of
local resources under this section. [Formerly 401.638]

401.932 Powers and duties of local personnel acting under direction of State Fire
Marshal. If county, city or district personnel are assigned and used under ORS 401.930
to respond to a structural collapse or threat of imminent structural collapse in another
county, city or district, the personnel have the same powers, duties, rights, privileges and
immunities as they have when performing their duties in the county, city or district in
which they are normally employed. [Formerly 401.639]

401.935 Liability for expenses incurred and for loss or damage to local
equipment; filing claim. (1) If county, city or district equipment is assigned and used
under ORS 401.930 to respond to a structural collapse or threat of imminent structural
collapse in another county, city or district, the state:

(a) Is liable for any resulting loss of, or damage to, the equipment.

(b) Shall pay any expense incurred by the responding county, city or district for
transportation, performance or maintenance of the equipment.

(2) A claim for loss, damage or expense under subsection (1) of this section must be
filed within 60 days after the loss, damage or expense is incurred, or within any extension
of time for filing the claim granted by the Department of State Police. The claim must
include an itemized notice of the claim, signed under oath, and be served by mail or
personally upon the department. [Formerly 401.641]
401.938 Liability for expenses incurred using local personnel. If county, city or district personnel are assigned and used under ORS 401.930 to respond to a structural collapse or threat of imminent structural collapse in another county, city or district and the response prevents the personnel from performing their duties in the county, city or district in which the personnel are normally employed, the state shall reimburse the county, city or district supplying the personnel for the compensation paid to the personnel during the response. The state shall also defray the actual travel and maintenance expenses for responding personnel incurred as a result of the response. [Formerly 401.643]

401.940 Immunity from liability for local personnel acting in line of duty; exception. Personnel assigned under ORS 401.930, the state or a county, city or district is not liable for any injury to person or property resulting from the performance of any duty under ORS 401.930 or an assignment, use or response under ORS 401.930. However, this section does not confer immunity from liability for injury to person or property resulting from intentional misconduct or gross negligence. The immunity from liability provided to responding personnel under this section is in addition to any immunity available to responding personnel under ORS 401.932. [Formerly 401.645]

TSUNAMI

401.950 Definitions. (1) As used in this section:
   (a) “Transient lodging facility” means a hotel, motel, inn, condominium, any other dwelling unit or a public or private park that is made available for transient occupancy or vacation occupancy as those terms are defined in ORS 90.100.
   (b) “Tsunami inundation zone” means an area of expected tsunami inundation, based on scientific evidence that may include geologic field data and tsunami modeling, determined by the governing board of the State Department of Geology and Mineral Industries, by rule, as required by ORS 455.446 (1)(b) and (c).

   (2) The Office of Emergency Management, in consultation and cooperation with the State Department of Geology and Mineral Industries, shall:
      (a) Develop and adopt by rule tsunami warning information and evacuation plans for distribution to transient lodging facilities located in a tsunami inundation zone; and
      (b) Facilitate and encourage broad distribution of the tsunami warning information and evacuation plans to transient lodging facilities and other locations within tsunami inundation zones frequented by visitors to the area.

   (3) The office is not required to carry out the duties assigned under subsection (2) of this section if sufficient moneys are not available under ORS 401.955. [Formerly 401.861]

   Note: 401.950 to 401.955 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 401 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

   401.952 Uniform tsunami warning signal; rules. (1) The Office of Emergency Management, in consultation with the State Department of Geology and Mineral Industries, shall establish by rule a uniform tsunami warning signal, including rules specifying the type, duration and volume of the warning signal and the location of warning signal delivery devices, for use on the Oregon coast.
(2) The office is not required to carry out the duties assigned under subsection (1) of this section if sufficient moneys are not available under ORS 401.955. [Formerly 401.863]

**Note:** See note under 401.950.

### 401.955 Contributions to finance tsunami warning system

The Office of Emergency Management or the State Department of Geology and Mineral Industries may seek and accept gifts, grants and donations from any source to finance all or part of the duties assigned under ORS 401.950 and 401.952. [Formerly 401.864]

**Note:** See note under 401.950.

### ABNORMAL DISRUPTION OF MARKET

**401.960 Definitions**. For the purposes of this section and ORS 401.962, 401.965 and 401.970:

1. “Abnormal disruption of the market” means any emergency that prevents ready availability of essential consumer goods or services.

2. “Essential consumer goods or services” means goods or services that:
   a. Are or may be bought or acquired primarily for personal, family or household purposes, including but not limited to residential construction materials or labor, shelter for payment such as a hotel room, food, water and petroleum products such as gasoline or diesel fuel; and
   b. Are necessary for the health, safety or welfare of consumers. [2009 c.718 §20]

**401.962 Legislative findings**. (1) The Legislative Assembly finds that during an abnormal disruption of the market, some merchants and wholesalers have taken unconscionable advantage of consumers by charging grossly excessive prices for essential consumer goods and services.

(2) To prevent merchants and wholesalers from taking unconscionable advantage of consumers during an abnormal disruption of the market, the Legislative Assembly declares that the public interest requires that charging unconscionably excessive prices be prohibited and made subject to regulation as an unlawful trade practice. [Formerly 401.106]

**401.965 Abnormal disruption of market**. (1) As used in subsections (1) to (4) of this section, the terms “merchant” and “wholesaler” do not include a public body as that term is defined in ORS 174.109, a public utility as defined in ORS 757.005 (1)(a)(A) or an electric utility as defined in ORS 757.600.

(2) A merchant or wholesaler may not sell or offer to sell essential consumer goods or services for an amount that represents an unconscionably excessive price during a declaration of an abnormal disruption of the market under subsections (5) to (7) of this section.

(3) It is a question of law whether a price is unconscionably excessive. Proof that a price is unconscionably excessive may be shown by evidence that:

a. The amount charged for essential consumer goods or services exceeds by 15 percent or more the price at which the goods or services were sold or offered for sale by
the merchant or wholesaler in the usual course of business immediately prior to or during a declaration of an abnormal disruption of the market; or
   
   (b) The amount charged for the essential consumer goods or services exceeds by 15 percent or more the price at which the same or similar consumer goods or services were readily obtainable by other consumers in or near the geographical area covered by the declaration of an abnormal disruption of the market.

   (4) Evidence described in subsection (3) of this section constitutes prima facie proof of a violation of subsections (1) to (4) of this section. Evidence described in subsection (3) of this section is not prima facie evidence of a violation of subsections (1) to (4) of this section if the amount charged by the merchant or wholesaler is:

   (a) Attributable to additional costs imposed by the merchant’s or wholesaler’s suppliers or necessarily incurred in procuring the essential consumer goods or services immediately prior to or during the declaration of an abnormal disruption of the market; or

   (b) The result of increased internal costs or expenses related to the declaration of an abnormal disruption of the market or the result of increased costs unrelated to the declaration of an abnormal disruption of the market.

   (5) If the Governor determines that an abnormal disruption of the market has occurred, the Governor may declare an abnormal disruption of the market by a proclamation, as part of a state of emergency declared under ORS 401.165, or both.

   (6) The Governor’s declaration of an abnormal disruption of the market under subsection (5) of this section shall specify:

   (a) The geographical area covered by the declaration. The area may be no larger than necessary to effectively respond to the abnormal disruption of the market.

   (b) The date and time at which the abnormal disruption of the market commenced. The date of commencement of the abnormal disruption of the market may precede the date on which the declaration is made.

   (c) That the declaration will terminate automatically 30 days after the date on which the Governor makes the declaration unless the Governor extends the declaration in accordance with paragraph (d) of this subsection or unless the Governor or the Legislative Assembly terminates the declaration sooner.

   (d) That the Governor may extend the declaration for additional 30-day periods by subsequent declarations that the abnormal disruption of the market continues to exist.

   (7) The Governor’s declaration of an abnormal disruption of the market is subject to termination:

   (a) By the Governor when the Governor determines that an abnormal disruption of the market no longer exists.

   (b) At any time by joint resolution of the Legislative Assembly.

   (c) Automatically 30 days after the date on which the Governor makes the declaration unless the Governor or the Legislative Assembly terminates the declaration sooner. The Governor may extend the declaration for subsequent 30-day periods by declaring for each such extension that the abnormal disruption of the market continues to exist. An extension the Governor declares in accordance with this paragraph also terminates 30 days after the date on which the Governor declared the extension unless the Governor declares another extension or unless the Governor or the Legislative Assembly terminates the extension sooner. [Formerly 401.107]

   401.970 Applicability of remedies. The remedies provided in ORS 401.965 (1) to (4) and in the amendments to ORS 646.607 by section 6, chapter 223, Oregon Laws
ANIMAL RESCUE

401.975 Legislative findings. The Legislative Assembly finds that:

(1) During an evacuation after a major disaster or an emergency, many pet owners are reluctant to leave their pets and are willing to risk their lives to protect their pets.

(2) Animals are important to their owners and the presence of an animal brings comfort to an owner and may enhance recovery for an owner distressed over injury or damage caused by a major disaster or an emergency.

(3) Significant loss of livestock as a result of a major disaster or an emergency would seriously threaten the economy of Oregon. Therefore, a livestock emergency operations plan will ensure that livestock are provided for during a major disaster or an emergency.

(4) It is essential that the Office of Emergency Management and the State Department of Agriculture work together to develop emergency operations plans for animals and livestock that provide for animals and livestock during a major disaster or an emergency. [Formerly 401.271]

401.977 Animal emergency operations plan. (1) As used in this section:

(a) “Companion animal” means a domestic animal commonly kept as a household pet.

(b) “Service animal” means an animal that assists or performs tasks for a person with a sensory, emotional, mental or physical disability.

(2) The Office of Emergency Management, in cooperation with the State Department of Agriculture and local governments, shall prepare a written animal emergency operations plan that provides for the evacuation, transport and temporary sheltering of companion animals and service animals during a major disaster or an emergency.

(3) The office, in developing the plan, shall emphasize the protection of human life and shall consider:

(a) Allowing owners of service animals to be evacuated, transported and sheltered with their service animals;

(b) Establishing a sufficient number of evacuation shelters equipped to temporarily shelter companion animals and service animals in close proximity to a human sheltering facility;

(c) Allowing owners and their companion animals to be evacuated together whenever possible;

(d) Establishing an identification system to ensure that owners who are separated from their companion animals or service animals during an evacuation are provided with all information necessary to locate and reclaim their animals;

(e) Transporting companion animals or service animals, in cages or carriers that safely and securely confine the animals, in an impending major disaster or emergency;

(f) Recommending that animal shelters, humane societies, veterinary offices, boarding kennels, breeders, grooming facilities, animal testing facilities and any other entity that normally houses companion animals or service animals create evacuation plans for the animals housed at their facilities;

(g) Establishing recommended minimum holding periods for companion animals or service animals that are sheltered during a major disaster or an emergency; and
(h) Creating and promoting an educational campaign for owners of companion animals or service animals that will:
(A) Encourage owners to plan for and incorporate their animals in the owners’ personal plans in the event of a major disaster or an emergency; and
(B) Inform owners of companion animals or service animals about the animal emergency operations plan prepared under this section. [Formerly 401.272]

401.978 Livestock emergency operations plan. (1) As used in this section, “livestock” means cattle, horses, sheep and any other animals designated by the State Department of Agriculture.
(2) The State Department of Agriculture, in cooperation with the Office of Emergency Management and local governments, shall prepare a written livestock emergency operations plan that provides for the evacuation, transport and temporary sheltering of livestock during a major disaster or an emergency.
(3) The department, in developing the plan, shall consider:
(a) Methods for providing adequate food and water for livestock during a major disaster or an emergency;
(b) Methods for providing livestock with adequate shelter or protection from harsh weather conditions during a major disaster or an emergency;
(c) Creating and promoting an educational campaign for owners of livestock that will:
(A) Encourage owners to plan for and incorporate their livestock in the owners’ personal plans in the event of a major disaster or an emergency; and
(B) Inform owners of livestock about the livestock emergency operations plan prepared under this section; and
(d) Any other methods or arrangements that the department determines would protect livestock during a major disaster or an emergency. [Formerly 401.274]

PENALTIES

401.990 Penalties. Any person knowingly violating any provision of this chapter, or any of the rules, regulations or orders adopted and promulgated under this chapter, shall, upon conviction thereof, be guilty of a Class C misdemeanor. [1967 c.480 §8; 1977 c.248 §4; 1983 c.586 §41; 2009 c.718 §48]
Sample Disaster Declaration Forms
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DECLARATION OF STATE OF EMERGENCY

BEFORE THE BOARD OF COMMISSIONERS
FOR JACKSON COUNTY, OREGON

In the Matter of Declaring
A State of Emergency within
Jackson County

RESOLUTION

This matter came before the Board of Commissioners at an emergency meeting on

WHEREAS, __________________________________________________________;

WHEREAS, __________________________________________________________;

WHEREAS, __________________________________________________________;

WHEREAS, __________________________________________________________;

WHEREAS, __________________________________________________________;

WHEREAS, the following conditions, ____________________________________
exist in the impact area.

WHEREAS, the county EOC has been implemented and emergency service
responders are _______________________________________________________; and

BE IT RESOLVED that the Board of Commissioners, under the emergency
powers granted by ORS 401.305, declares that a State of Emergency exists within
Jackson County due to the fact that local resources have been exhausted. Further,
Jackson County's Emergency Services is hereby directed to take all necessary
steps authorized by law to secure the persons and property of the citizens of
Jackson County. State assistance is requested immediately and includes the
following:
Appendix C. Declaration of State of Emergency

* *
* *
* *

Dated at Salem, Oregon, this _____ day of ________________

Jackson County Board of Commissioners

_________________________  _________________________  _______________________
Commissioner                Commissioner                Commissioner
DECLARATION OF EMERGENCY

BEFORE THE CITY COUNCIL
FOR THE COUNTY OF JACKSON, OREGON

To: ___________________________,
    Jackson County Office of Emergency Management

From: ___________________________,
    [CITY], Oregon

At _____________ (time) on ____________ (date),
a/an ___________________________________________________
    (description of emergency incident or event type) occurred in the [CITY] threatening life and property.

The current situation and conditions are:
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

The geographic boundaries of the emergency are:
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

I DO HEREBY DECLARE THAT A STATE OF EMERGENCY NOW EXISTS IN THE [CITY] AND THAT THE CITY HAS EXPENDED OR WILL SHORTLY EXPEND ITS NECESSARY AND AVAILABLE RESOURCES. I RESPECTFULLY REQUEST THAT THE COUNTY PROVIDE ASSISTANCE, CONSIDER THE CITY AN "EMERGENCY AREA" AS PROVIDED FOR IN ORS 401, AND, AS APPROPRIATE, REQUEST SUPPORT FROM STATE AGENCIES AND/OR THE FEDERAL GOVERNMENT

Signed: ___________________________________________________________

Title: ____________________________  Date & Time: __________________

This request may be passed to the County via radio, telephone, or FAX. The original signed document must be sent to the County Emergency Management Office, with a copy placed in the final incident package.
Incident Command System Forms
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Index of Incident Command System (ICS) Forms

The following ICS forms are included in this appendix.

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Emergency Operations Center Position Checklists
Appendix E. Emergency Operations Center Position Checklists

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Index of EOC Position Checklists

The following checklists are included in this appendix.

1. Communication Unit Leader Checklist
2. Compensation/Claims Unit Leader Checklist
3. Cost Unit Leader Checklist
4. Demobilization Unit Leader Checklist
5. Documentation Unit Leader Checklist
6. Facilities Unit Leader Checklist
7. Finance – Administration Section Chief Checklist
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9. Ground Support Unit Leader Checklist
10. Incident Commander Checklist
11. Liaison Officer Checklist
12. Logistics Section Chief Checklist
13. Medical Unit Leader Checklist
14. Operations Branch Director Checklist
15. Operations Section Chief Checklist
16. Planning Section Chief Checklist
17. Procurement Unit Leader Checklist
18. Public Information Officer Checklist
19. Resources Unit Leader Checklist
20. Safety Officer Checklist
21. Service Branch Director Checklist
22. Situation Unit Leader Checklist
23. Staging Area Manager Checklist
24. Supply Unit Leader Checklist
25. Support Branch Director Checklist
26. Time Unit Leader Checklist
Mutual Aid Agreements
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Mutual Aid Agreements

The following is a quick reference list of mutual aid agreements entered into by the City. Copies of these mutual aid agreements can be found in the City EOC.

- Oregon Public Works Emergency Response Cooperative Assistance Agreement; Oregon Department of Transportation and Jackson County. Enables public works agencies to support each other during an emergency, Provides the mechanism for immediate response to the requesting agency when the responding agency determines it can provide the needed resources and expertise and Sets up the documentation needed to seek maximum reimbursement possible from appropriate federal agencies.
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References
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Federal


State

- Oregon Revised Statutes (ORS)
  - Chapter 401 – Emergency Management and Services
  - Chapter 402 – Emergency Mutual Assistance Agreements
  - Chapter 403 – Public Communications Systems
  - Chapter 404 – Search and Rescue

County

- Memoranda of Agreement / Understanding

Other

- All other Public Laws or Executive Orders enacted or to be enacted which pertain to emergencies/disasters.
Acronyms and Glossary
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### Acronyms

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<td>Agency Operations Center</td>
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<td>CERCLA</td>
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<td>Comprehensive Emergency Management Plan</td>
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<td>JIS</td>
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Glossary of Key Terms

**Actual Event:** A disaster (natural or man-made) that has warranted action to protect life, property, environment, public health or safety. Natural disasters include earthquakes, hurricanes, tornadoes, floods, etc.; man-made (either intentional or accidental) incidents can include chemical spills, terrorist attacks, explosives, biological attacks, etc.

**After Action Report:** The After Action Report documents the performance of exercise related tasks and makes recommendations for improvements. The
Improvement Plan outlines the actions that the exercising jurisdiction(s) plans to take to address recommendations contained in the After Action Report.

**Agency**: A division of government with a specific function offering a particular kind of assistance. In ICS, agencies are defined either as jurisdictional (having statutory responsibility for incident management) or as assisting or cooperating (providing resources or other assistance).

**Agency Representative**: A person assigned by a primary, assisting, or cooperating State, local, or tribal government agency or private entity that has been delegated authority to make decisions affecting that agency's or organization's participation in incident management activities following appropriate consultation with the leadership of that agency.

**All Hazards**: Any incident caused by terrorism, natural disasters, or any CBRNE accident. Such incidents require a multi-jurisdictional and multi-functional response and recovery effort.

**Area Command (Unified Area Command)**: An organization established (1) to oversee the management of multiple incidents that are each being handled by an ICS organization or (2) to oversee the management of large or multiple incidents to which several Incident Management Teams have been assigned. Area Command has the responsibility to set overall strategy and priorities, allocate critical resources according to priorities, ensure that incidents are properly managed, and ensure that objectives are met and strategies followed. Area Command becomes Unified Area Command when incidents are multi-jurisdictional. Area Command may be established at an emergency operations center facility or at some location other than an incident command post.

**Assessment**: The evaluation and interpretation of measurements and other information to provide a basis for decision-making.

**Assignments**: Tasks given to resources to perform within a given operational period that are based on operational objectives defined in the IAP.

**Assistant**: Title for subordinates of principal Command Staff positions. The title indicates a level of technical capability, qualifications, and responsibility subordinate to the primary positions. Assistants may also be assigned to unit leaders.

**Assisting Agency**: An agency or organization providing personnel, services, or other resources to the agency with direct responsibility for incident management. See also Supporting Agency.

**Audit**: Formal examination of an organization's or individual's accounts; a methodical examination and review.

**Available Resources**: Resources assigned to an incident, checked in, and available for a mission assignment, normally located in a Staging Area.
**Branch:** The organizational level having functional or geographical responsibility for major aspects of incident operations. A branch is organizationally situated between the section and the division or group in the Operations Section, and between the section and units in the Logistics Section. Branches are identified by the use of Roman numerals or by functional area.

**Chain-of-Command:** A series of command, control, executive, or management positions in hierarchical order of authority.

**Check-In:** The process through which resources first report to an incident. Check-in locations include the incident command post, Resources Unit, incident base, camps, staging areas, or directly on the site.

**Chief:** The ICS title for individuals responsible for management of functional sections: Operations, Planning, Logistics, Finance/Administration, and Intelligence (if established as a separate section).

**Command:** The act of directing, ordering, or controlling by virtue of explicit statutory, regulatory, or delegated authority.

**Command Staff:** In an incident management organization, the Command Staff consists of the Incident Command and the special staff positions of Public Information Officer, Safety Officer, Liaison Officer, and other positions as required, who report directly to the Incident Commander. They may have an assistant or assistants, as needed.

**Common Operating Picture:** A broad view of the overall situation as reflected by situation reports, aerial photography, and other information or intelligence.

**Communications Unit:** An organizational unit in the Logistics Section responsible for providing communication services at an incident or an EOC. A Communications Unit may also be a facility (e.g., a trailer or mobile van) used to support an Incident Communications Center.

**Cooperating Agency:** An agency supplying assistance other than direct operational or support functions or resources to the incident management effort.

**Coordinate:** To advance systematically an analysis and exchange of information among principals who have or may have a need to know certain information to carry out specific incident management responsibilities.

**Corrective Action:** Improved procedures that are based on lessons learned from actual incidents or from training and exercises.

**Corrective Action Plan:** A process implemented after incidents or exercises to assess, investigate, and identify and implement appropriate solutions to prevent repeating problems encountered.

**Critical Infrastructure:** Systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets
would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters. (Department of Homeland Security, National Response Plan (December 2004), 64.)

**Deputy:** A fully qualified individual who, in the absence of a superior, can be delegated the authority to manage a functional operation or perform a specific task. In some cases, a deputy can act as relief for a superior and, therefore, must be fully qualified in the position. Deputies can be assigned to the Incident Commander, General Staff, and Branch Directors.

**Dispatch:** The ordered movement of a resource or resources to an assigned operational mission or an administrative move from one location to another.

**Disciplines:** A group of personnel with similar job roles and responsibilities. (e.g. law enforcement, firefighting, HazMat, EMS).

**Division:** The partition of an incident into geographical areas of operation. Divisions are established when the number of resources exceeds the manageable span of control of the Operations Chief. A division is located within the ICS organization between the branch and resources in the Operations Section.

**Emergency:** Absent a Presidential declared emergency, any incident(s), human-caused or natural, that requires responsive action to protect life or property. Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, an emergency means any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.

**Emergency Management Assistance Compact:** The Emergency Management Assistance Compact is an interstate mutual aid agreement that allows States to assist one another in responding to all kinds of natural and man-made disasters. It is administered by the National Emergency Management Association.

**Emergency Operations Centers:** The physical location at which the coordination of information and resources to support domestic incident management activities normally takes place. An EOC may be a temporary facility or may be located in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction. EOCs may be organized by major functional disciplines (e.g., fire, law enforcement, and medical services), by jurisdiction (e.g., Federal, State, regional, County, City, tribal), or some combination thereof.

**Emergency Operations Plan:** The "steady-state" plan maintained by various jurisdictional levels for responding to a wide variety of potential hazards.

**Emergency Public Information:** Information that is disseminated primarily in anticipation of an emergency or during an emergency. In addition to providing
situational information to the public, it also frequently provides directive actions required to be taken by the general public.


**Evacuation**: Organized, phased, and supervised withdrawal, dispersal, or removal of civilians from dangerous or potentially dangerous areas, and their reception and care in safe areas.

**Evaluation**: The process of observing and recording exercise activities, comparing the performance of the participants against the objectives, and identifying strengths and weaknesses.

**Event**: A planned, non-emergency activity. ICS can be used as the management system for a wide range of events, e.g., parades, concerts, or sporting events.

**Exercise**: Exercises are a planned and coordinated activity allowing homeland security and emergency management personnel (from first responders to senior officials) to demonstrate training, exercise plans, and practice prevention, protection, response, and recovery capabilities in a realistic but risk-free environment. Exercises are a valuable tool for assessing and improving performance, while demonstrating community resolve to prepare for major incidents.

**Federal**: Of or pertaining to the Federal Government of the United States of America.

**Federal Preparedness Funding**: Funding designated for developing and/or enhancing State, Territorial, local, and tribal preparedness capabilities. This includes all funding streams that directly or indirectly support Homeland Security initiatives, e.g. Center for Disease Control and Health Resources and Services Administration preparedness funds.

**Function**: Function refers to the five major activities in ICS: Command, Operations, Planning, Logistics, and Finance/Administration. The term function is also used when describing the activity involved, e.g., the planning function. A sixth function, Intelligence, may be established, if required, to meet incident management needs.

**General Staff**: A group of incident management personnel organized according to function and reporting to the Incident Commander. The General Staff normally consists of the Operations Section Chief, Planning Section Chief, Logistics Section Chief, and Finance/Administration Section Chief.

**Group**: Established to divide the incident management structure into functional areas of operation. Groups are composed of resources assembled to perform a
special function not necessarily within a single geographic division. Groups, when activated, are located between branches and resources in the Operations Section.

**Hazard**: Something that is potentially dangerous or harmful, often the root cause of an unwanted outcome.

**Homeland Security Exercise and Evaluation Program (HSEEP)**: A capabilities- and performance-based exercise program that provides a standardized policy, methodology, and language for designing, developing, conducting, and evaluating all exercises. Homeland Security Exercise and Evaluation Program also facilitates the creation of self-sustaining, capabilities-based exercise programs by providing tools and resources such as guidance, training, technology, and direct support. For additional information please visit the Homeland Security Exercise and Evaluation Program toolkit at http://www.hseep.dhs.gov.

**Improvement Plan**: The After Action Report documents the performance of exercise related tasks and makes recommendations for improvements. The Improvement Plan outlines the actions that the exercising jurisdiction(s) plans to take to address recommendations contained in the After Action Report.

**Incident**: An occurrence or event, natural- or human-caused, that requires an emergency response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, wildland and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.

**Incident Action Plan**: An oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.

**Incident Command Post**: The field location at which the primary tactical-level, on-scene incident command functions are performed. The ICP may be collocated with the incident base or other incident facilities and is normally identified by a green rotating or flashing light.

**Incident Command System**: A standardized on-scene emergency management construct specifically designed to provide for the adoption of an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It is used for all kinds of
emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, to organize field-level incident management operations.

**Incident Commander:** The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.

**Incident Management Team:** The IC and appropriate Command and General Staff personnel assigned to an incident.

**Incident Objectives:** Statements of guidance and direction necessary for selecting appropriate strategy(s) and the tactical direction of resources. Incident objectives are based on realistic expectations of what can be accomplished when all allocated resources have been effectively deployed. Incident objectives must be achievable and measurable, yet flexible enough to allow strategic and tactical alternatives.

**Incident-Specific Hazards:** Anticipated events that may or may not occur that require coordinated response to protect life or property, e.g., pandemic flu, avian flu, etc.

**Initial Action:** The actions taken by those responders first to arrive at an incident site.

**Initial Response:** Resources initially committed to an incident.

**Intelligence Officer:** The intelligence officer is responsible for managing internal information, intelligence, and operational security requirements supporting incident management activities. These may include information security and operational security activities, as well as the complex task of ensuring that sensitive information of all types (e.g., classified information, law enforcement sensitive information, proprietary information, or export-controlled information) is handled in a way that not only safeguards the information, but also ensures that it gets to those who need access to it to perform their missions effectively and safely.

**Interagency:** An organization or committee comprised of multiple agencies.

**Interoperability & Compatibility:** A principle of the NIMS that holds that systems must be able to work together and should not interfere with one another if the multiple jurisdictions, organizations, and functions that come together under the NIMS are to be effective in domestic incident management. Interoperability and compatibility are achieved through the use of such tools as common communications and data standards, digital data formats, equipment standards, and design standards. (Department of Homeland Security, National Incident Management System (March 2004), 55.)
**Inventory**: An itemized list of current assets such as a catalog of the property or estate, or a list of goods on hand.

**Joint Information Center**: A facility established to coordinate all incident-related public information activities. It is the central point of contact for all news media at the scene of the incident. Public information officials from all participating agencies should collocate at the Joint Information Center.

**Joint Information System**: Integrates incident information and public affairs into a cohesive organization designed to provide consistent, coordinated, timely information during crisis or incident operations. The mission of the JIS is to provide a structure and system for developing and delivering coordinated interagency messages; developing, recommending, and executing public information plans and strategies on behalf of the IC; advising the IC concerning public affairs issues that could affect a response effort; and controlling rumors and inaccurate information that could undermine public confidence in the emergency response effort.

**Jurisdiction**: A range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authority. Jurisdictional authority at an incident can be political or geographical (e.g., City, County, tribal, State, or Federal boundary lines) or functional (e.g., law enforcement, public health).

**Lessons Learned**: Knowledge gained through operational experience (actual events or exercises) that improve performance of others in the same discipline. For additional information please visit https://www.llis.dhs.gov/

**Liaison**: A form of communication for establishing and maintaining mutual understanding and cooperation.

**Liaison Officer**: A member of the Command Staff responsible for coordinating with representatives from cooperating and assisting agencies.

**Local Government**: A County, municipality, City, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; an Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation; a rural community, unincorporated town or village, or other public entity. See Section 2 (10), Homeland Security Act of 2002, Pub. L. 107-296, 116 Stat. 2135 (2002).

**Logistics**: Providing resources and other services to support incident management.

**Logistics Section**: The section responsible for providing facilities, services, and material support for the incident.
Major Disaster: As defined under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), a major disaster is:

“any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, tribes, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.”

Management by Objective: A management approach that involves a four-step process for achieving the incident goal. The Management by Objectives approach includes the following: establishing overarching objectives; developing and issuing assignments, plans, procedures, and protocols; establishing specific, measurable objectives for various incident management functional activities and directing efforts to fulfill them, in support of defined strategic objectives; and documenting results to measure performance and facilitate corrective action.

Mitigation: The activities designed to reduce or eliminate risks to persons or property or to lessen the actual or potential effects or consequences of an incident. Mitigation measures may be implemented prior to, during, or after an incident. Mitigation measures are often informed by lessons learned from prior incidents. Mitigation involves ongoing actions to reduce exposure to, probability of, or potential loss from hazards. Measures may include zoning and building codes, floodplain buyouts, and analysis of hazard-related data to determine where it is safe to build or locate temporary facilities. Mitigation can include efforts to educate governments, businesses, and the public on measures they can take to reduce loss and injury.

Mobilization: The process and procedures used by all organizations-State, local, and tribal-for activating, assembling, and transporting all resources that have been requested to respond to or support an incident.

Multiagency Coordination Entity: A multiagency coordination entity functions within a broader multiagency coordination system. It may establish the priorities among incidents and associated resource allocations, de-conflict agency policies, and provide strategic guidance and direction to support incident management activities.

Multiagency Coordination Systems: Multiagency coordination systems provide the architecture to support coordination for incident prioritization, critical resource allocation, communications systems integration, and information coordination. The components of multiagency coordination systems include facilities, equipment, emergency operation centers (EOCs), specific multiagency
coordination entities, personnel, procedures, and communications. These systems assist agencies and organizations to fully integrate the subsystems of the NIMS.

**Multi-jurisdictional Incident:** An incident requiring action from multiple agencies that each have jurisdiction to manage certain aspects of an incident. In ICS, these incidents will be managed under Unified Command.

**Mutual-Aid Agreement:** Written agreement between agencies and/or jurisdictions that they will assist one another on request, by furnishing personnel, equipment, and/or expertise in a specified manner.

**National:** Of a nationwide character, including the State, local, and tribal aspects of governance and policy.

**National Disaster Medical System:** A cooperative, asset-sharing partnership between the Department of Health and Human Services, the Department of Veterans Affairs, the Department of Homeland Security, and the Department of Defense. National Disaster Medical System provides resources for meeting the continuity of care and mental health services requirements of the ESF 8 in the National Response Framework.

**National Incident Management System:** A system mandated by HSPD-5 that provides a consistent nationwide approach for State, local, and tribal governments; the private-sector, and nongovernmental organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. To provide for interoperability and compatibility among State, local, and tribal capabilities, the NIMS includes a core set of concepts, principles, and terminology. HSPD-5 identifies these as the ICS; multiagency coordination systems; training; identification and management of resources (including systems for classifying types of resources); qualification and certification; and the collection, tracking, and reporting of incident information and incident resources.

**National Response Plan:** A plan mandated by HSPD-5 that integrates Federal domestic prevention, preparedness, response, and recovery plans into one all-discipline, all-hazards plan.

**National Response Framework:** A guide to how the Nation conducts all-hazards incident management. It is built upon flexible, scalable, and adaptable coordinating structures to align key roles and responsibilities across the Nation. It is intended to capture specific authorities and best practices for managing incidents that range from the serious but purely local, to large-scale terrorist attacks or catastrophic natural disasters. The National Response Framework replaces the former National Response Plan.

**Non-Governmental Organization:** An entity with an association that is based on interests of its members, individuals, or institutions and that is not created by a government, but may work cooperatively with government. Such organizations serve a public purpose, not a private benefit. Examples of Non-Governmental
Organizations include faith-based charity organizations and the American Red Cross.

**No-Notice Events:** An occurrence or event, natural or human-caused, that requires an emergency response to protect life or property (i.e. terrorist attacks and threats, wildland and urban fires, floods, hazardous materials spills, nuclear accident, aircraft accident, earthquakes, hurricanes, tornadoes, public health and medical emergencies etc.)

**Operational Period:** The time scheduled for executing a given set of operation actions, as specified in the Incident Action Plan. Operational periods can be of various lengths, although usually not over 24 hours.

**Operations Section:** The section responsible for all tactical incident operations. In ICS, it normally includes subordinate branches, divisions, and/or groups.

**Personnel Accountability:** The ability to account for the location and welfare of incident personnel. It is accomplished when supervisors ensure that ICS principles and processes are functional and that personnel are working within established incident management guidelines.

**Plain Language:** Common terms and definitions that can be understood by individuals from all responder disciplines. The intent of plain language is to ensure the clear and accurate communication of information during an incident. For additional information, refer to http://www.fema.gov/pdf/emergency/nims/plain_lang.pdf.

**Planning:** A method to developing objectives to be accomplished and incorporated into an EOP.

**Planning Meeting:** A meeting held as needed prior to and throughout the duration of an incident to select specific strategies and tactics for incident control operations and for service and support planning. For larger incidents, the planning meeting is a major element in the development of the IAP.

**Planning Section:** Responsible for the collection, evaluation, and dissemination of operational information related to the incident, and for the preparation and documentation of the IAP. This section also maintains information on the current and forecasted situation and on the status of resources assigned to the incident.

**Preparedness:** The range of deliberate, critical tasks and activities necessary to build, sustain, and improve the operational capability to prevent, protect against, respond to, and recover from domestic incidents. Preparedness is a continuous process. Preparedness involves efforts at all levels of government and between government and private-sector and nongovernmental organizations to identify threats, determine vulnerabilities, and identify required resources. Within the NIMS, preparedness is operationally focused on establishing guidelines, protocols, and standards for planning, training and exercises, personnel
qualification and certification, equipment certification, and publication management.

**Preparedness Organizations**: The groups that provide interagency coordination for domestic incident management activities in a non-emergency context. Preparedness organizations can include all agencies with a role in incident management, for prevention, preparedness, response, or recovery activities. They represent a wide variety of committees, planning groups, and other organizations that meet and coordinate to ensure the proper level of planning, training, equipping, and other preparedness requirements within a jurisdiction or area.

**Preplanned Event**: A preplanned event is a non-emergency activity. ICS can be used as the management system for events such as parades, concerts, or sporting events, etc.

**Prevention**: Actions to avoid an incident or to intervene to stop an incident from occurring. Prevention involves actions to protect lives and property. It involves applying intelligence and other information to a range of activities that may include such countermeasures as deterrence operations; heightened inspections; improved surveillance and security operations; investigations to determine the full nature and source of the threat; public health and agricultural surveillance and testing processes; immunizations, isolation, or quarantine; and, as appropriate, specific law enforcement operations aimed at deterring, preempting, interdicting, or disrupting illegal activity and apprehending potential perpetrators and bringing them to justice.

**Private Sector**: Organizations and entities that are not part of any governmental structure. It includes for-profit and not-for-profit organizations, formal and informal structures, commerce and industry, and private voluntary organizations.

**Processes**: Systems of operations that incorporate standardized procedures, methodologies, and functions necessary to provide resources effectively and efficiently. These include resource typing, resource ordering and tracking, and coordination.

**Public Information Officer (PIO)**: A member of the Command Staff responsible for interfacing with the public and media or with other agencies with incident-related information requirements.

**Public Information Systems**: The processes, procedures, and systems for communicating timely and accurate information to the public during crisis or emergency situations.

**Publications Management**: The publications management subsystem includes materials development, publication control, publication supply, and distribution. The development and distribution of NIMS materials is managed through this subsystem. Consistent documentation is critical to success, because it ensures that all responders are familiar with the documentation used in a particular incident regardless of the location or the responding agencies involved.
Qualification and Certification: This subsystem provides recommended qualification and certification standards for emergency responder and incident management personnel. It also allows the development of minimum standards for resources expected to have an interstate application. Standards typically include training, currency, experience, and physical and medical fitness.

Reception Area: This refers to a location separate from staging areas, where resources report in for processing and out-processing. Reception Areas provide accountability, security, situational awareness briefings, safety awareness, distribution of IAPs, supplies and equipment, feeding, and bed down.

Recovery: The development, coordination, and execution of service- and site-restoration plans; the reconstitution of government operations and services; individual, private-sector, nongovernmental, and public-assistance programs to provide housing and to promote restoration; long-term care and treatment of affected persons; additional measures for social, political, environmental, and economic restoration; evaluation of the incident to identify lessons learned; post-incident reporting; and development of initiatives to mitigate the effects of future incidents.

Recovery Plan: A plan developed by a State, local, or tribal jurisdiction with assistance from responding Federal agencies to restore the affected area.

Resources: Personnel and major items of equipment, supplies, and facilities available or potentially available for assignment to incident operations and for which status is maintained. Resources are described by kind and type and may be used in operational support or supervisory capacities at an incident or at an EOC.

Resource Management: Efficient incident management requires a system for identifying available resources at all jurisdictional levels to enable timely and unimpeded access to resources needed to prepare for, respond to, or recover from an incident. Resource management under the NIMS includes mutual-aid agreements; the use of special State, local, and tribal teams; and resource mobilization protocols.

Resource Typing: Resource typing is the categorization of resources that are commonly exchanged through mutual aid during disasters. Resource typing definitions help define resource capabilities for ease of ordering and mobilization during a disaster. For additional information please visit http://www.fema.gov/emergency/nims/rm/rt.shtm.

Resource Typing Standard: Categorization and description of response resources that are commonly exchanged in disasters through mutual aid agreements. The FEMA/NIMS Integration Center Resource typing definitions provide emergency responders with the information and terminology they need to request and receive the appropriate resources during an emergency or disaster.

Resources Unit: Functional unit within the Planning Section responsible for recording the status of resources committed to the incident. This unit also
evaluates resources currently committed to the incident, the effects additional responding resources will have on the incident, and anticipated resource needs.

**Response:** Activities that address the short-term, direct effects of an incident. Response includes immediate actions to save lives, protect property, and meet basic human needs. Response also includes the execution of emergency operations plans and of mitigation activities designed to limit the loss of life, personal injury, property damage, and other unfavorable outcomes. As indicated by the situation, response activities include applying intelligence and other information to lessen the effects or consequences of an incident; increased security operations; continuing investigations into nature and source of the threat; ongoing public health and agricultural surveillance and testing processes; immunizations, isolation, or quarantine; and specific law enforcement operations aimed at preemting, interdicting, or disrupting illegal activity, and apprehending actual perpetrators and bringing them to justice.

**Safety Officer:** A member of the Command Staff responsible for monitoring and assessing safety hazards or unsafe situations and for developing measures for ensuring personnel safety.

**Scalability:** The ability of incident managers to adapt to incidents by either expanding or reducing the resources necessary to adequately manage the incident, including the ability to incorporate multiple jurisdictions and multiple responder disciplines.

**Section:** The organizational level having responsibility for a major functional area of incident management, e.g., Operations, Planning, Logistics, Finance/Administration, and Intelligence (if established). The section is organizationally situated between the branch and the Incident Command.

**Span of Control:** The number of individuals a supervisor is responsible for, usually expressed as the ratio of supervisors to individuals. (Under the NIMS, an appropriate span of control is between 1:3 and 1:7.)

**Staging Area:** Location established where resources can be placed while awaiting a tactical assignment. The Operations Section manages Staging Areas.

**Standard Operating Procedures:** A complete reference document that details the procedures for performing a single function or a number of independent functions.

**Standardization:** A principle of the NIMS that provides a set of standardized organizational structures (such as the ICS, multi-agency coordination systems, and public information systems) as well as requirements for processes, procedures, and systems designed to improve interoperability among jurisdictions and disciplines in various areas, including: training; resource management; personnel qualification and certification; equipment certification; communications and information management; technology support; and continuous system
improvement. (Department of Homeland Security, National Incident Management System (March 2004), 2.)

**State:** When capitalized, refers to any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States. See Section 2 (14), Homeland Security Act of 2002, Pub. L. 107-296, 116 Stat. 2135 (2002).

**Strategic:** Strategic elements of incident management are characterized by continuous long-term, high-level planning by organizations headed by elected or other senior officials. These elements involve the adoption of long-range goals and objectives, the setting of priorities; the establishment of budgets and other fiscal decisions, policy development, and the application of measures of performance or effectiveness.

**Strategy:** The general direction selected to accomplish incident objectives set by the IC.

**Strike Team:** A set number of resources of the same kind and type that have an established minimum number of personnel.

**Supporting Technologies:** Any technology that may be used to support the NIMS is included in this subsystem. These technologies include orthophoto mapping, remote automatic weather stations, infrared technology, and communications, among various others.

**Task Force:** Any combination of resources assembled to support a specific mission or operational need. All resource elements within a Task Force must have common communications and a designated leader.

**Technical Assistance:** Support provided to State, local, and tribal jurisdictions when they have the resources but lack the complete knowledge and skills needed to perform a required activity (such as mobile-home park design and hazardous material assessments).

**Terrorism:** Under the Homeland Security Act of 2002, terrorism is defined as activity that involves an act dangerous to human life or potentially destructive of critical infrastructure or key resources and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States in which it occurs and is intended to intimidate or coerce the civilian population or influence a government or affect the conduct of a government by mass destruction, assassination, or kidnapping. See Section 2 (15), Homeland Security Act of 2002, Pub. L. 107-296, 116 Stat. 2135 (2002).

**Threat:** An indication of possible violence, harm, or danger.

**Tools:** Those instruments and capabilities that allow for the professional performance of tasks, such as information systems, agreements, doctrine, capabilities, and legislative authorities.
**Training:** Specialized instruction and practice to improve performance and lead to enhanced emergency management capabilities.

**Tribal:** Any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native Village as defined in or established pursuant to the Alaskan Native Claims Settlement Act (85 stat. 688) [43 U.S.C.A. and 1601 et seq.], that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

**Type:** A classification of resources in the ICS that refers to capability. Type 1 is generally considered to be more capable than Types 2, 3, or 4, respectively, because of size; power; capacity; or, in the case of incident management teams, experience and qualifications.

**Unified Area Command:** A Unified Area Command is established when incidents under an Area Command are multi-jurisdictional.

**Unified Command:** An application of ICS used when there is more than one agency with incident jurisdiction or when incidents cross political jurisdictions. Agencies work together through the designated members of the UC, often the senior person from agencies and/or disciplines participating in the UC, to establish a common set of objectives and strategies and a single IAP.

**Unit:** The organizational element having functional responsibility for a specific incident planning, logistics, or finance/administration activity.

**Unity of Command:** The concept by which each person within an organization reports to one and only one designated person. The purpose of unity of command is to ensure unity of effort under one responsible commander for every objective.

**Volunteer:** For purposes of the NIMS, a volunteer is any individual accepted to perform services by the lead agency, which has authority to accept volunteer services, when the individual performs services without promise, expectation, or receipt of compensation for services performed. See, e.g., 16 U.S.C. 742f(c) and 29 CFR 553.101.

**Source:** [https://nimcast.fema.gov/nimscast/index.jsp](https://nimcast.fema.gov/nimscast/index.jsp)
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Emergency Support Functions
Support Annexes
Incident Annexes
Ride Along Waiver.docx
Attachment

Jackson County SO Policy Manual
LE Policies

DT-1.pdf
# JACKSON COUNTY SHERIFF’S OFFICE
## USE OF FORCE CONTINUUM

<table>
<thead>
<tr>
<th>LEVEL OF FORCE (Justified by the deputy)</th>
<th>METHOD OF FORCE (techniques and safety equipment)</th>
<th>THREAT’S LEVEL OF RESISTANCE</th>
<th>THREAT’S ATTITUDE OR COOPERATION</th>
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</thead>
<tbody>
<tr>
<td>DEADLY PHYSICAL FORCE</td>
<td>ANY FORCE CAPABLE OF CAUSING</td>
<td>LETHAL OR CAPABLE OF</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
</tr>
<tr>
<td></td>
<td>SERIOUS PHYSICAL INJURY OR DEATH - INCLUDES BUT NOT LIMITED TO: FIREARMS, CAROTID RESTRAINT</td>
<td>SERIOUS PHYSICAL INJURY</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
</tr>
<tr>
<td>SERIOUS PHYSICAL CONTROL</td>
<td>ANY FORCE CAPABLE OF CAUSING</td>
<td>LETHAL OR CAPABLE OF</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
</tr>
<tr>
<td></td>
<td>SERIOUS PHYSICAL INJURY. INCLUDES BUT NOT LIMITED TO: IMPACT WEAPONS, FOCUSED BLOWS, TACTICAL CHEMICAL AGENTS (CN/S)</td>
<td>SERIOUS PHYSICAL INJURY</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
</tr>
<tr>
<td>PHYSICAL CONTROL</td>
<td>ANY FORCE CAPABLE OF CAUSING</td>
<td>ACTIVE (Grasping, powering, fleeing/escaping)</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
</tr>
<tr>
<td></td>
<td>COMPLIANCE BY CONTROLLED PAIN. INCLUDES BUT NOT LIMITED TO: HAIR TAKE DOWN, JOINT MANIPULATION, DIVERSIONARY STRIKE, EID (Taser with dart cartridge or contacts), PRESSURE POINTS, ASR.</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
</tr>
<tr>
<td>PHYSICAL CONTACT</td>
<td>ESCORT HOLD/CARRY DIRECTIONAL TOUCHING</td>
<td>PASSIVE (Limp) &amp; VERBAL RESISTANCE</td>
<td>RESISTIVE &quot;No Person&quot; (Clearly NOT cooperative)</td>
</tr>
<tr>
<td>VERBAL COMMANDS</td>
<td>DIRECT ORDER PERSUASION QUESTIONING</td>
<td>NO RESISTANCE</td>
<td>COMPLYING &quot;Yes person&quot;</td>
</tr>
<tr>
<td>PRESENCE</td>
<td>COMBAT STANCE INTERVIEW STANCE OPEN STANCE</td>
<td>NO RESISTANCE</td>
<td>COMPLYING &quot;Yes person&quot;</td>
</tr>
</tbody>
</table>

**PASSIVE** - The threat refuses to comply with the deputy’s verbal commands by going limp, lying down and/or becoming dead weight but uses **NO** physical force to resist.

**ACTIVE** - The threat refused to comply with the deputy’s commands and resists by using physical force such as by guarding a solid object, and or by attempting to gain physical control by powering through a control hold, pulling away, fleeing or escaping.

**OMINOUS** - The threat demonstrates the willingness to engage in combat through verbal challenge, threat, and/or aggressive behavior. (Example: The threat tells the deputy in a menacing tone, “Try it and I’ll kick your teeth out!” Or, the threat strikes, or attempts to strike, the deputy during the contact or an attempt to control or take the threat in to custody.)

**LETHAL** - The deputy reasonably believes he and/or another person is in imminent fear or serious physical injury or death by the behavior of the threat and the force used by the deputy in defense is reasonable and necessary. The threat must normally have the intent, means and opportunity. A threat that uses a fake firearm or knife, but which appears to be real, would be basis of a reasonable belief by the deputy, if the threat intended to place the deputy and/or another person in fear of imminent serious physical injury or death.
INSTRUCTIONS: Any deputy who used force at Physical Control through Deadly Physical Force shall complete the department Use of Physical Force Report; form DT-1, before the conclusion of the shift. Please type or print this form and attach copies of all supplemental information if necessary. Forward it, with a copy of any completed police reports on the incident to the shift’s assigned sergeant.

DATE OF INCIDENT: _______________ TIME OF INCIDENT: _______________

SUSPECT’S NAME: _____________________________________________________

DIVISION: □ POLICE AND CIVIL □ CORRECTIONS

CRIMINAL REPORT #: ___________ CORRECTIONS INCIDENT #: ___________

LEVEL OF FORCE USED
BY THE DEPUTY: □ Deadly Physical Force
□ Serious Physical Force
□ Physical Control

METHOD OF FORCE
USED BY DEPUTY: □ ASR
□ Arm/Shoulder Lock
□ Diversionary Strike
□ Taser □ Dart Pack □ Drive Stun
□ Focused Blows □ Impact □ ASP
□ Tactical Chemical Agents CN/CS
□ Pressure Points
□ Hair Take Down
□ Other or Improvised (List)

THREAT’S LEVEL OF RESISTANCE: □ Active □ Ominous □ Lethal

THREAT’S CLAIMED INJURIES: _____________________________________________
________________________________________________________________________
________________________________________________________________________

WAS FIRST AID GIVEN? □ YES □ NO By: __________________________

THREAT’S KNOWN INJURIES: _____________________________________________
________________________________________________________________________
________________________________________________________________________

STAFF REFERRAL (Enter signatures and date, forward to next level.)
REPORTING DEPUTY __________________________ DATE: ___________
SHIFT SERGEANT __________________________ DATE: ___________
SECTION LIEUTENANT _________________________ DATE: ___________
CAPTAIN ________________________________ DATE: ___________
405 2 Ride along 082416 Spanish.pdf
SOP#: 405.2 Attachment
Asunto: Información para el Solicitante de Ride-Along/Visita a la Cárcel y Contrato de No Litigar
Revisado: 08-24-16
Reemplaza: N/A

Incluye walk-alongs dentro de las instalaciones de la Oficina del Sheriff

INFORMACION:

1. No debe consumir productos intoxicantes dentro de 8 horas antes del ride-along. A ninguna persona se le permitirá participar, quien en la opinión del agente o supervisor, está bajo la influencia de intoxicantes, medicamentos recetados, o está de otra manera impedido.

2. Participantes no pueden tener armas durante el ride-along, incluyendo, pero no limitado al mace químico, spray de pimienta, gas lacrimógeno, cuchillos de cualquier tamaño, tasers, o armas de fuego. La prohibición de armas en el programa incluye personas que estén autorizadas a llevar armas ocultas con licencia. Los supervisores pueden hacer excepciones de este requerimiento solamente para agentes de seguridad pública jurados en Oregon.

3. Participantes deben vestir con camisa sport o de cuello, pantalones, y zapatos cerrados. Los zapatos deben ser cómodos para caminar o estar de pie, sin tacón o tacón bajo. Vestidos, faldas, pantalones cortos, playeras, y/o sandalias no son permitidos. Se permiten bolsas, pero deben ser de tipo pequeño, con sólo artículos indispensables.

4. No hay ninguna garantía de que usted regrese a la estación exactamente a la hora programada para que termine el ride-along. Las necesidades del trabajo que el agente esté realizando tienen prioridad, aunque se hará un esfuerzo razonable para que usted regrese tan pronto como sea posible. Si usted está programado para acompañar al agente menos del turno completo y desea completar el turno completo con el agente, ellos pueden aprobar su petición.

5. No existe ninguna garantía de descansos u hora de comer. Por favor asegúrese de estar suficientemente alimentado antes de comenzar el ride-along y, si es necesario, que usted puede funcionar por horas sin comida y sin molestias significativas. El agente no es responsable por ninguna comida o bebida que usted desee comprar.
6. Aparatos para grabar, ya sea de audio o visual, de cualquier tipo, no están permitidos durante el ride-along. Grabar en cualquier medio a cualquier persona que sea arrestada o cualquier persona que tenga quejas, víctimas, testigos, sospechosos, sujetos, o propiedad de estas personas está expresamente prohibido. Excepciones a esto se podría conceder sólo a miembros autorizados de los medios de comunicación, al criterio del supervisor.

7. Durante su recorrido usted puede ser testigo de eventos que serán metidos al sistema de justicia criminal. Usted puede ser identificado en el reporte de policía como testigo del evento. Es posible que usted sea citado a declarar en los procedimientos legales en cuanto a lo que usted vió. En caso de ser citado a declarar, usted no tiene ni derecho ni recibirá ninguna compensación por parte de la Oficina del Sheriff.

8. En algunos casos, se puede tener conocimiento que el caso al que el agente está respondiendo es peligroso. Amenazas al agente también pueden presentarse sin previo aviso. Su presencia con el agente, o en el vehículo o embarcación de la Oficina del Sheriff, puede aumentar su riesgo de heridas, lesiones o muerte. A pesar de que se tomarán todas las medidas para protegerle, no hay ninguna garantía. Su aceptación del recorrido es su reconocimiento de estos riesgos y su contrato de no hacer responsable al agente, Condado de Jackson, a la Oficina del Sheriff del Condado de Jackson, o a ningún empleado o agente, de daños, morales o económicos, que surjan del ride-along con el agente.

9. Si por alguna razón, el agente o su supervisor determina que existe un conflicto de interés, peligro, o interferencia indebida con el trabajo del agente, ellos pueden terminar el ride-along inmediatamente y regresarlo a la estación. Puede que no se le dé ninguna explicación.

10. La profesión en seguridad pública es un trabajo confidencial. Con o sin el permiso de los involucrados, los agentes se meten en la vida privada de la gente. Usted debe mantener la confidencialidad de todo lo que vea o escuche durante el ride-along.

11. Historia de antecedentes criminales y otros métodos de investigación de rutina serán utilizados para verificar sus antecedentes antes de que se le permita participar en el programa de ride-along.

12. Usted deberá, en todo momento, adherir estrictamente a las instrucciones del agente. Como se mencionó anteriormente, existen riesgos inherentes en seguridad pública. Su seguridad y la seguridad de todos aquellos con los que se interactúa durante el ride-along pueden depender de que usted siga las instrucciones. El incumplimiento de este requisito puede resultar en que el ride-along se dé por terminado inmediatamente.
Yo certifico que he leído y cumpliré con estas regulaciones

Firma: __________________________ Fecha/Hora: __________________________

Supervisor: __________________________

Información del Solicitante:

Nombre: __________________________ Teléfono (Noche): __________________________

Dirección: __________________________ Teléfono (Día): __________________________

Sexo: _____ Fecha de Nacimiento: ___________ No. de Seguro Social: ___________

No. de Licencia para Conducir: __________________________ Estado: __________________________

Por favor marque todo lo que corresponda:

☐ Yo he participado antes en el programa de ride-along de la Oficina del Sheriff. Por favor indique las horas que ha participado durante este año calendario: ___________

☐ Yo no he participado en el programa de ride-along de la Oficina del Sheriff.

☐ Yo tengo alergias o reacciones a medicamentos. (Por favor describa en detalle): ___________

☐ Yo estoy tomando drogas o medicamentos. (Por favor describa en detalle): ___________

☐ Hay la posibilidad de problemas médicos durante el ride-along que la Oficina del Sheriff necesita saber (Ejemplos: epilepsia, hemofilia, diabetes, etc.) (Por favor describa en detalle): ___________
En Caso de Emergencia, Notifique:

Nombre: ___________________________ Teléfono (Noche): ___________________________

Dirección: ___________________________ Teléfono (Día): ___________________________

Relación: ___________________________

Otra Información:

1. ¿Hay alguna información que usted desea proporcionar antes de su ride-along que usted considere importante o que debamos saber?

__________________________________________________________________________

2. ¿A qué hora del día le gustaría a usted participar en el ride-along?

__________________________________________________________________________

Para Uso de la Oficina del Sheriff:

Approved by: ___________________________

Unit Assigned: ___________________________

☐ LEDs
☐ NCIC
☐ Local

(Attach all files and CCH info for Sgt. review)

By: ___________________________

Records Clerk

Deputy/Supervisor Comments: ___________________________
CONTRATO DE NO LITIGAR

(Completar inmediatamente antes de comenzar el ride-along)

Por favor Lea Cuidadosamente

Yo, ______________________________, el firmante por la presente solicito permiso a la Oficina del Sheriff del Condado de Jackson, de participar solamente como observador, en un vehículo autorizado de la Oficina del Sheriff del Condado de Jackson. Por la presente, yo afirmo los términos y condiciones establecidos en la forma que esta adjunta de Información para el Solicitante de Ride-Along/Visita a la Cárcel y Contrato de No Litigar. Esta observación tiene como el propósito mi beneficio educativo. Si se concede permiso, yo afirmo obedecer en todo momento todas las instrucciones, órdenes, y/o mandatos que el agente al mando me dé en cualquier vehículo en el que yo pueda estar.

Yo estoy consciente de que el trabajo de seguridad pública es peligroso. Antes de ejecutar este contrato, se me ha hecho entender y entiendo que con la participación en el programa de ride-along de la Oficina del Sheriff del Condado de Jackson yo me estoy exponiendo a situaciones que podrían resultar en daños a mi propiedad o lesiones o heridas a mi bienestar mental, heridas o lesiones graves o la muerte. Yo también estoy consciente que con la participación en este programa, yo podré ver lugares, personas, o cosas que me son emocionalmente perturbadoras.

Yo afirmo que soy un pasajero invitado en un vehículo de la Oficina del Sheriff del Condado de Jackson. Yo no he ofrecido ningún pago por esta oportunidad a la Oficina del Sheriff del Condado de Jackson o a ninguno de sus empleados.

No obstante de mi conocimiento de los riesgo que implica, yo voluntariamente y con conocimiento asumo cualquier y todos los riesgos asociados con mi participación en el programa ride-along de la Oficina del Sheriff del Condado de Jackson. Yo también afirmo que en caso de un accidente, enfermedad, lesión, herida u otra incapacidad asociada con mi participación en este programa, yo asumiré y pagaré todos mis propios gastos médicos y otros gastos de cuidados.

A cambio del permiso para participar en el programa de ride-along de la Oficina del Sheriff del Condado de Jackson, por la presente, yo afirmo renunciar y no litigar con el Condado de Jackson, sus comisionados, el Sheriff del Condado de Jackson, y cualquier y todos los empleados, agentes y servidores del Condado de Jackson, de cualquier y todas las acciones, reclamos, o demandas de cualquier naturaleza que pudieran surgir de mi participación en este programa. Yo tengo la intención de que este contrato de renuncia, de no litigar e indemnización por siempre me ate a mí y también a mi patrimonio, representantes, custodios, conservadores, padres, herederos, albaceas, administradores o cesionarios.

CON MI FIRMA, POR LA PRESENTE AFIRMO QUE HE HEIDO, ENTIENDO, Y AUTORIZO ESTE CONTRATO Y LA INFORMACION DEL SOLICITANTE DEL RIDE-ALONG Y EL CONTRATO DE NO LITIGAR.
Firma del Participante: ___________________________________ Fecha: ____________

Supervisor que Aprueba al Participante: __________________________ Fecha: ____________
To include walk-alongs within JCSO facilities

INFORMATION:

1. No intoxicants are to be consumed within 8 hours prior to the ride along. No person shall be allowed to ride who, in the opinion of the deputy or supervisor, is under the influence of intoxicants, prescription drugs, or otherwise impaired.

2. Riders may not carry weapons during their ride along, including, but not limited to mace, pepper spray (OC), tear gas, knives of any size, Tasers, or firearms. The prohibition of weapons in the program includes persons authorized to carry concealed weapons by permit. Supervisors may make exception to this requirement only for sworn Oregon law enforcement officers.

3. Riders are expected to wear a sport or collared shirt, pants, and enclosed-toe shoes. Shoes should be comfortable for standing and walking, with low or no heel. Dresses, skirts, shorts, t-shirts, and/or sandals are not allowed. Bags are permitted, but should be of a small type, with essential items only.

4. There is no guarantee that you can be returned to the station exactly at the scheduled time the ride along is to end. The needs of the tasks being performed by the deputy have priority, though every reasonable effort will be made to return you as soon as possible. If you are scheduled to ride for less than an entire shift and desire to complete the remainder of the shift with the Deputy, they may choose to grant this request.

5. No guarantee exists for break or eating periods. Please ensure you are sufficiently fed prior to beginning the ride along that, if need be, you can operate for hours without a significant meal and without significant discomfort. The deputy is not responsible for any food or beverages you wish/ to purchase.

6. Recording devices, whether audio or visual, of any kind, are not permitted during the ride along. Recording in any medium of any person arrested or any complainant, victim, witness, suspect, subject, or property of those persons is expressly forbidden. Exceptions to this provision may be granted only to authorized members of the media, at the discretion of the supervisor.
7. During your ride you may witness events which will be introduced to the criminal justice system. You may be identified in a police report as witness to the event. It is possible that you may be subpoenaed to testify in legal proceedings as to what you saw. Should you be subpoenaed, you are neither entitled to, or will receive, any compensation from the Jackson County Sheriff’s Office.

8. In some instances, it may be known that the call to which the deputy is in route is hazardous. Threats also may approach the deputy unannounced. **Your presence with the deputy, or in the Sheriff’s Office vehicle or boat, may increase your risk of injury or death.** Although every action will be taken to protect you, there are no guarantees. **Your acceptance to ride is your acknowledgment of these risks and your agreement to not hold Jackson County, the Jackson County Sheriff’s Office, or any employee or agent responsible, morally or financially, for damages arising from your ride along with a deputy.**

9. If, for any reason, the deputy or their supervisor determines there to be a conflict of interest, jeopardy, or undue interference with his or her tasks, they may immediately terminate the ride along and return you to the station. No further explanation may be given.

10. Law enforcement is a career of confidentiality. With and without consent of those involved, Sheriff’s deputies enter people’s private lives. You are expected to maintain the confidentiality of all that you see and hear during your ride along.

11. A criminal history check and other routine investigative methods will be utilized to check your background prior to allowing you to participate in the Ride-Along Program.

12. You shall, at all times, adhere strictly to the deputy’s instructions. As mentioned above, there are inherent risks in law enforcement. Your safety, and the safety of all those that you interact with during your ride along, may depend upon your following these instructions. Failure to abide by this requirement may result in the ride along being immediately ended.

**I certify that I have read and will comply with the above regulations**

Signature: ___________________________ Date/Time: ___________________________

Supervisor: ___________________________
Applicant Information:

Name: ___________________________  Evening Telephone #: 

Address: ___________________________  Day Telephone #: 

__________________________________  

Gender: _______ Date of Birth: _______  Social Security #: 

Driver’s License #: ___________  State: 

Please check all that are applicable:  

☐ I have participated in the JCSO Ride Along Program before.  
  Please indicate hours ridden during this calendar year: 

☐ I have not participated in the JCSO Ride Along Program. 

☐ I have allergies or reactions to medication.  (Please describe in detail): 

☐ I am taking drugs or medications.  (Please describe in detail): 

☐ There are potential medical issues JCSO should be aware of during the Ride Along.  
  (Examples: Epilepsy, Hemophilia, Diabetes, etc...)  (Please describe in detail): 

In Case of Emergency, Notify: 

Name: ___________________________  Evening Telephone #: 

Address: ___________________________  Day Telephone #: 

__________________________________  

Relationship:
Other Information:

1. Is there any information you wish to provide before your ride along that you feel is important or should be brought to our attention?

2. What time of day would you like to participate in the ride along?

JCSO Use:

Approved by: ____________________________

Unit Assigned:

☑  LEDs
☑  NCIC
☑  Local

(Attach all files and CCH info for Sgt. review)

By:

    Records Clerk

Deputy/Supervisor Comments:
LIABILITY RELEASE

(To be completed immediately prior to commencement of the ride along.)

Please Read Carefully

I, ____________________________, the undersigned do hereby request permission of the Jackson County Sheriff, to ride as an observer only, in an authorized Jackson County Sheriff’s Office vehicle. I hereby agree to the terms and conditions set forth in the attached Ride-Along Applicant Information and Liability Agreement. This observation is for the purpose of my educational benefit. If permission is granted, I agree to obey at all times all instructions, orders, and/or commands given me by the Deputy in command of any vehicle in which I may be riding.

I am aware that law enforcement work is dangerous. Prior to my executing this agreement, I have been made aware of and understand that by participating in the Jackson County Sheriff’s Office Ride Along Program, I am exposing myself to situations that might result in damage to my property or injury to my mental well-being, serious physical injury or death. I am also aware that by participating in this program, I may see places, people, or things that are emotionally upsetting to me.

I agree that I am a guest passenger in a Jackson County Sheriff’s Office vehicle. I have not offered any payment to the Jackson County Sheriff’s Office, or to any of its employees for this opportunity.

Despite my knowledge of the risk involved, I nevertheless knowingly and voluntarily assume any and all risk associated with my participation in the Jackson County Sheriff’s Office Ride Along Program. I also agree that in the event of an accident, illness, injury, or other incapacity associated with my participation in the program, I will assume and pay for all of my own medical and other care expenses.

In exchange for permission to participate in the Jackson County Sheriff’s Office Ride Along Program, I hereby release and hold harmless the County of Jackson, its Commissioners, the Jackson County Sheriff, and any and all employees, agents and servants of Jackson County, from any and all actions, claims, or demands, whatsoever that may arise out of my participation in this program. I intend this release and hold harmless agreement to forever bind myself as well as my estate, personal representatives, guardians, conservators, parents, heirs, executors, administrators, or assigns.

BY MY SIGNATURE BELOW, I HEREBY REPRESENT THAT I HAVE READ, UNDERSTAND, AND CONSENT TO THIS AGREEMENT AND THE RIDE ALONG APPLICANT INFORMATION AND LIABILITY AGREEMENT.

Signature of Rider: ____________________________ Date: ____________________________

Supervisor Approving Rider: ____________________________ Date: ____________________________
Recording of inmate Disp hearing.doc
Disciplinary findings.doc
Risk Assessment and Hazard Analysis

Jackson County is the sixth largest county in the State of Oregon in population and covers more than 2,801 square miles. The current population is over 200,000 with an average growth rate of approximately 1.5 percent a year for the past ten years. Located in Southern Oregon, Jackson County borders California to the south and is surrounded by the majestic Cascade and Siskiyou Mountain ranges.

Jackson County has rugged terrain, ranging from swift-water rivers to elevations of 9,495' on Mt. McLoughlin. The climate offers 4 “real” seasons ranging from whiteout snowstorms to extremely hot summer days. Jackson County is a visitor and hiker’s paradise offering diverse terrain, seasons, and environments for the outdoor enthusiast. Along with these come dangers and challenges that often result in Search and Rescue missions.

Approximately 32 miles from Medford is the Mt. Ashland Ski area, which routinely draws various levels of skiers and snowboarders each year. In addition to the many established and maintained downhill runs on Mt. Ashland, an extensive network of cross-country ski and snowmobile trails also exist throughout Jackson County.

Within Jackson County, there are many recreational opportunities, varied enough that Search and Rescue calls are possible 365 days of the year. These opportunities include, but are not limited to, camping, mountain biking, hiking, horseback riding, ATV/motorcycle riding, skiing, snowmobiling, snowshoeing, swimming, kayaking, rafting, boating, hunting, and fishing.

Jackson County is bordered by Josephine County, Douglas County, Klamath County, and Siskiyou County (CA).

The approximately 110 volunteers are trained in all aspects of search and rescue, including search techniques, land navigation, tracking, rescue and recovery, and first aid. Many members of the team are emergency medical technicians, and all team members are trained to a minimum level of first responder.

An overhead team trained in incident command systems, command post operations, and search management directs searches in the field.

Each year, the professionals of Jackson County SAR carry out numerous Search and Rescue missions in all weather conditions. Incidents can vary from a missing child in fair weather in a residential neighborhood to a rescue of a trapped skier in blizzard conditions in the harsh wilderness backcountry. Most of our callouts involve wilderness searches in rugged terrain. At
times, Jackson County Sheriff’s Search and Rescue may respond to searches throughout the state and region. This requires members to have above average endurance and to feel comfortable in the great outdoors in extreme conditions. Searching can be very rewarding, but also very draining, both physically and emotionally. Our unit is also called upon to conduct evidence searches for major crimes including homicides.

<table>
<thead>
<tr>
<th>Location</th>
<th>Search Hazard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crater Lake National Park</td>
<td>Crater Lake National Park maintains Exclusive Jurisdiction so they maintain command and control over all searches within their boundaries. Crater Lake National Park has no initial search and rescue resource and they depend on local SAR agencies for initial response to SAR missions. Specific Hazards include: Altitude, Strenuous Trails, Weather, Numerous Search and Rescue Missions, Terrain (cliff, high angle rescue techniques).</td>
</tr>
<tr>
<td>Mt. Ashland Ski Resort</td>
<td>Strenuous Trail Systems, Weather, Numerous Search Missions, Terrain (Cliff, high and low angle rescue techniques).</td>
</tr>
</tbody>
</table>

I. **PURPOSE**

This Search and Rescue Plan was prepared and adopted in accordance with Oregon Revised Statues (ORS) Chapter 404. The purpose of this plan is to define search and rescue authority, organization, activity, and to establish policy.

Use of this plan will provide guidance for the response to search and rescue missions and enhance the effectiveness, efficiency, and safety of search and rescue operations.

II. **AUTHORITY**

The Sheriff of Jackson County is responsible for search and rescue activities within Jackson County. These duties may be delegated to a qualified deputy or emergency service worker.

The Sheriff of Jackson County has delegated that authority to the Lieutenant of the Field Service Division, hereafter referred to as the SAR Program Manager.

The SAR Program Manger may create policies and procedures governing the appointment, training, certification and deployment of personnel, the use of facilities, and the purchase, care and use of equipment.

The SAR Program Manager or his designee may respond to mutual aid requests as necessary, notifying the Sheriff, either directly or through the Operations Bureau Captain as soon as possible.
The SAR Program Manager may enter into informal agreements with other counties and agencies, but formal memorandums of understandings must be approved by the Sheriff.

III. MISSION
It is assumed that people will become lost, injured and/or in need of rescuing from natural or technological danger. The ability to perform search, rescue or recovery may require resources beyond ordinary response. The mission of search and rescue within Jackson County is to ensure that proper resources, in the form of trained volunteers, appropriate equipment, and professional leadership, are available to perform these duties in a safe and timely manner for the maximum preservation of life.

IV. GENERAL OPERATION POLICIES
Jackson County Sheriff’s Office Search and Rescue (hereafter referred to as “JCSOSAR” will provide and maintain adequate facilities, equipment, personnel, training and an annual budget to meet the mandate of the Sheriff to provide Search and Rescue services in Jackson County.

The life safety of all persons is the dedicated goal of the Sheriff’s Office Search and Rescue Program. The protection of human life shall be the paramount ideal about which all policies, training, budget considerations, and activities will resolve.

The process of “Search and Rescue” is defined as “the acts of searching for, rescuing or recovering, by means of ground, air or marine activity, any person who is lost, injured or killed while out-of-doors. The process includes a distinction between “Search and Rescue”.

JCSOSAR volunteers will meet the Oregon State Sheriff’s Association (OSSA) minimum standards for SAR certification, plus any JCSOSAR training and certification standards that may be “above and beyond” the OSSA standards.

JCSOSAR will operate under the NIMS system. All members of Jackson County Sheriff’s Office Search and Rescue will obtain the appropriate NIMS certifications for their position(s) within the organization.

JCSOSAR will be notified on all incidents of lost, missing or overdue persons and those in need of rescue services.

The Sheriff’s Office response level to a “search” will vary with the information available, but shall not be delayed unnecessarily. However, some delays may be experienced due to communications, mobilization, location, or other difficulties. The Sheriff’s Office seeks a timely and measured response to a search, in which the appropriate levels of resources are available in a timely manner.

JCSOSAR will maintain open communications with all of the Fire Districts in Jackson County to establish responsibilities, authority, policies, procedures, and communications.
In cases where a rescue call is received within a designated local Fire District, JCSOSAR will establish a Joint Incident Command with the lead Fire Incident Commander and the rescue will be conducted accordingly. This is especially true in Urban Search and Rescue (USAR) scenarios, including confined space rescues, etc.

In cases where a search occurs, JCSOSAR will be the lead agency, and will establish a Joint Incident Command with any other resources and/or agencies.

JCSOSAR will place a high priority on children and our honored citizens who are reported overdue, lost, missing, or injured.

The Sheriff or his designee shall conduct SAR mission debriefings after all searches and document in writing.

In order to maintain continuity with other agencies, the Sheriff or his designee shall document search and rescue missions on the nationally recognized incident management forms. All members assigned to a search and rescue mission shall complete the appropriate report forms.

Suspension of a search mission for a missing person will be referred to the Sheriff for a decision upon the recommendation of the JCSOSAR Program Manager.

JCSOSAR Volunteers shall maintain a current and appropriate level of training. The SAR units should participate in training events with neighboring counties at least one time per year.

V. COOPERATION WITH OUTSIDE AGENCIES
Search and Rescue in Wilderness on National Forest lands shall be conducted in accordance with "Memorandum of Understanding NFSOR-MU-11062759-013 between Oregon State Sheriff’s Association and USDA Forest Service Pacific Northwest Region”.

The Jackson County Sheriff’s Office will remain an active member of California / Oregon Regional Search and Rescue (CORSAR) and shall assist on missions as requested at the regional level.

VI. IDENTIFIED SEARCH HAZARD AREAS
Search Hazard areas have been identified by evaluating search and rescue missions over several years. A Search Hazard area is identified as a location of unusually high occurrence of lost persons: an area of the County with specific hazards to searchers or citizens or an area of concern due to insufficient communication abilities. These areas change with recreational use, technology, and population. Search Hazard Areas should be evaluated each year and pre-plans updated accordingly.

VII. CONTINGENCY PROTOCOL
Spontaneous Searches: Often, search managers are confronted with untrained volunteers who offer their services to the search. These personnel present several challenges to search managers and can overwhelm management teams, destroy evidence, or become
lost persons themselves. When confronted with spontaneous searchers, the incident commander shall assign a liaison to manage untrained volunteers. The following guidelines should be followed when confronted with spontaneous searchers:

1. Generally, untrained volunteers should be discouraged from participating in the search. The PIO should advise media personnel of the problems associated with these volunteers.
2. The incident commander shall appoint a liaison to educate spontaneous searchers of the problems associated with their participation.
3. In the event the incident commander determines that these volunteers may be used; they should generally be assigned to stationary perimeter assignments.
4. Spontaneous searchers shall sign in at the command post and sign the appropriate release of liability form prior to receiving an assignment.

**Family Liaison:** Whenever a family member is present at or near a search scene, the incident commander shall appoint a volunteer or deputy sheriff as the “family liaison”. The liaison shall keep the family members updated on the progress of the search. Under no circumstance will the family member be allowed access to the command center.

**Public Information Officer:** The Sheriff shall appoint a Public Information Officer (PIO) on search and rescue missions where media are present. The PIO shall have the sole voice on Sheriff Search and Rescue matters. Members shall refer all requests for media interviews to the PIO in a professional and polite manner.

**Multi-Operational Periods:** The Planning Chief shall arrange for relief search personnel and command staff as soon as it becomes apparent that the search may extend beyond one 12 hour operational period. The planning chief shall schedule personnel from Jackson County first. In the event a second operational period may not be staffed with available personnel, the Planning Chief shall request assistance from other search and rescue units.

**Traumatic Incidents:** Often search and rescue missions have tragic results. The incident commander (IC) and the Sheriff shall require a Traumatic Incident Debrief with all involved personnel when the IC determines that the incident was of significant trauma to members. When the IC or the Sheriff designee determines that the search was “traumatic”, all members shall be required to attend the Traumatic Incident Debrief so that no member is discouraged from attending because of peer influence.

**Mutual Aid:** As a member of CORSAR, all members are encouraged to participate in mutual aid requests from other counties. The Jackson County Sheriff agrees to provide mutual aid including support personnel, search personnel, and management staff as requested (while maintaining a response force within Jackson County).

VIII. **VOLUNTEER ORGANIZATIONS AND CONTACT PROCEDURES**

The following volunteer organizations and specialized units are considered primary search and rescue units within Jackson County:

1. Rogue Valley Search and Rescue Unit (RVSAR).
2. Prospect Search and Rescue Unit (PSAR).
3. Jackson County Search and Rescue K-9 Unit.
4. Jackson County Sheriff’s Mounted SAR Unit.
5. Jackson County Sheriff’s Air Support Unit.
6. Jackson County SAR Dive Unit
7. Jackson County Technical Response Rope Team (TRRT)
8. Jackson County Sheriff’s Marine Unit.
10. Civil Air Patrol (Medford).

These volunteer organizations submit a current roster to the Sheriff of Jackson County, or his designee, annually, or when major changes are made. The list shall consist of names and contact numbers for all individuals within the group.

It will be used for the purpose of contacting search and rescue personnel, and for maintaining an accurate accounting of volunteer members involved in search and rescue activities.

A current “SAR Manager call matrix” shall be kept in Dispatch and used to activate volunteers. Requests for other agency assistance may be directed through Dispatch using their call guides.

IX. **CONCEPT OF OPERATIONS**

The search and rescue program is designed to operate utilizing NIMS and ICS (Incident Command System). Designated Incident Commanders shall be employees of the Sheriff’s Office. Volunteers trained in search management may be assigned to work under the appointed incident commander in one of several key search management roles. Search and rescue operations, due to the vast number of variables such as type of mission, physical and mental status of the missing person, known medical problems, clothing, outdoor environment, accuracy of information, etc; can constitute anything from an immediate life threat to a standby only situation.

Incident Commanders implementing search and rescue operations will consider current known facts about the possible mission using established Search and Rescue protocol. In the event of the SAR Program Manager’s absence, a designated alternate, as communicated to Dispatch or listed on the current SAR call-out matrix will implement missions. This person is usually a Jackson County Sheriff’s Sergeant or Deputy. The Sheriff’s command structure shall be available for assistance and support of the search effort as deemed necessary by staff.

**Search and Rescue Notification Protocol**
1. When the Sheriff or his designee is notified of a search and rescue mission, notification protocol shall be conducted in a timely manner.
2. Jackson County Emergency Communication of Southern Oregon (ECSO) shall dispatch a deputy sheriff and/or the Jackson County Sheriff’s SAR Program Manager to the initial
3. Upon receipt of a search and rescue request by dispatch the on-duty patrol supervisor will be advised to determine the validity and location of the call and availability of a deputy for initial response. If no personnel are available for the initial response then the SAR Program Manager or his designee will be contacted to evaluate the request. The deputy or patrol supervisor shall notify the SAR Program Manager and/or the on duty Search Manager.

4. The search and rescue Program Manager or his designee shall notify the Sheriff after evaluating the information available.

5. Initial response actions, call status and other information will be communicated to ensure transition from patrol command to search and rescue command. If a deputy is first to arrive on scene, he will assume command of overall operations. Volunteer search managers have been trained in the management of search operations. These volunteers can, and should be assigned search management responsibilities as soon as it is possible. As soon as the SAR Program Manager or his designee arrives, the patrol deputy, after debriefing, may be released to resume their respective duties as directed by their supervisor.

6. When it is determined that a coordinated search and rescue response is appropriate, the search and rescue Program Manager or his designee shall notify the required personnel by pager or telephone and direct them to respond to the search and rescue station using the search and rescue volunteer roster.

7. The search manager will then implement search and rescue operations, taking into consideration known facts about the proposed mission. Initial responses may range from a phone call, additional investigative processes, or a full-scale search; however, some form of action will be initiated.

8. Establish a plan of operation to successfully complete the mission with due regard to safety, resources available and optimal utilization of search personnel and the NIMS incident command system.

X. ROLES AND RESPONSIBILITIES:
All duties described in ORS Chapter 404 have been retained by the Sheriff of Jackson County.

1. The Sheriff shall have the overall and final authority over Search and Rescue Operations within Jackson County to include, policy, operational plans, mutual aid agreements, discipline of volunteers, and all aspects of the Search and Rescue Unit.

2. The Sheriff or his designee shall have the responsibility of determining if Search and Rescue personnel will be deployed as well as determining when a search and rescue mission will be terminated.

SAR PROGRAM MANAGER:
1. Shall be appointed by the Sheriff.
2. Be responsible for the day-to-day operation of search and rescue.
3. Serve as the Incident Commander of all search and rescue missions.
4. Serve as the liaison to the Sheriff for all Search and Rescue matters.
5. Make necessary notifications of specialized personnel, as needed.
6. Appoint committees and personnel to ensure safe and efficient training and response to search and rescue missions.

7. Advise and coordinate operations with other agencies such as neighboring counties, private forest landowners, Oregon Department of Forestry, and U.S. Park Service.

8. Will coordinate or form a unified command structure as required and ensure timely processing of the operations plan or incident action plan.

9. Will direct the overhead team in its determination of mission objectives, strategies and priorities.

10. Will provide press releases as required.

11. Should attend and successfully complete (at a minimum) the following training: OSSA Basic Search and Rescue Certification; an approved Managing Land Search Operations Course; NIMS ICS Courses 100, 200, 700 and 800.

SHERIFF’S SAR DEPUTY:

1. The Sheriff has elected to accept responsibility for Jackson County’s Search and Rescue Program. To assist him in this undertaking, he has designated a SAR Program Manager.

2. The SAR Program Manager is responsible for overseeing the Search and Rescue Program and for performing the duties required by ORS 404 and managing the Search and Rescue Division.

3. The Sheriff has also assigned specific deputies, known as the SAR Deputy to assist the Search and Rescue Program.

   The SAR Program Manager or a SAR Deputy responds to each reported incident to act as an agency representative of the Sheriff. During this time, the SAR deputy reports to the SAR Program Manager.

4. The Criminal Investigations Division (CID) shall provide investigative support to search and rescue missions. This may involve but is not limited to: witness or family interviewing, cell phone tracking, coordination with other law enforcement agencies, developing and following up leads.

5. Per ORS 404.135, a peace officer may request an investigative subpoena if they believe that an individual is missing or in danger. This subpoena shall be served to an individual believed to have information, documents or physical evidence that may be useful in locating the missing person.

6. SAR Deputies should attend and successfully complete (at a minimum) the following training: OSSA Basic Search and Rescue Certification, an approved Managing Land Search Operations Course and NIMS ICS Courses 100, 200, 700 and 800.

SAR SEARCH MANAGER (VOLUNTEER):

1. Select site for base camp operations.

2. Appoint command staff and assign responsibilities.

3. Oversee assignments of volunteer personnel, including ensuring that each person has been trained and is capable of performing the job that they have been assigned.

4. Request a JCSO incident number and a mission number from Oregon Emergency Management (OEM) for any valid SAR mission.

5. Maintain a log of activities and personnel participating in the operation. Implement search and rescue procedures that are within county policy, safeguard program resources and protect volunteer safety.
XI. December 201

6. Must attend and successfully complete (at a minimum) the following training: OSSA Basic Search and Rescue Certification; an approved Managing Land Search Operations Course; NIMS ICS Courses 100, 200, 700 and 800.

7. Supervising briefings and debriefings.

8. Complete required reports.

SEARCH AND RESCUE TEAM LEADER (VOLUNTEER):

1. The Team Leader is appointed by the JCSO SAR Program Manager.
2. He or she must be an OSSA Certified member; is directly responsible to the SAR Search Manager and/or SAR Program Manager; is directly responsible for supervision of team members on missions and training exercises.
3. Team Leaders should be encouraged to attend a three or five day Managing Land Search Operations (MLSO) course. Team Leaders shall successfully complete (at a minimum): OSSA Basic Search and Rescue Certification; NIMS ICS Courses 100, 200, 700 and 800.

SEARCH AND RESCUE SEARCHER (VOLUNTEER):

1. Searchers are responsible for conducting the search mission in the field.
2. Searchers may be called upon to fulfill ground search; vehicle search; air search; ATV search; track search; K-9 search or water search missions.
3. Searchers may be called upon to fulfill support functions including, logistics, and supply; assisting with mapping, camp functions, maintenance, communications, or any function assigned by a team leader or search manager.
4. Members shall attend and successfully complete (at a minimum): OSSA Basic Search and Rescue Certification; NIMS ICS Courses 100, 200 and 700.
5. Personnel serving as support only functions are not required to be certified members.

SAR Volunteer Mobilization

The JCSO SAR Program Manager and/or the JCSO SAR Search Manager will select necessary volunteer search and rescue unit(s), based on the gathered information and contact the unit(s), as per unit callout procedures. The SAR Search Manager will pass on the information as location of Incident Command Post (ICP), operational period, type of mission, urgency, weather, special equipment needs, etc., to the initial contact person of each group.

If appropriate, a Hasty Response team will be dispatched to the location as soon as possible and start the initial “Type I” search. This search method is designed to check out those areas with a high probability of containing and contacting a responsive subject.

Volunteer search and rescue units will meet for a pre-search briefing at a prescribed time and location. The JCSO SAR Program Manager and/or SAR Search Manager will maintain open communications with Jackson County Sheriff’s dispatch (SORC) for additional information that may become available and/or needed.

When assembled, volunteer search and rescue units will respond to the scene and conduct the search at the direction of the SAR Program Manager and/or SAR Search Manager.
XII. EXPANDED SEARCH/MULTI-COUNTY SEARCH MISSIONS
If additional resources are needed due to either a lack of local resources or an expanded search, in or out of county, the current Incident Commander shall contact other CORSAR counties directly and, if needed, form a unified command or contact Oregon Emergency Management (OEM) for additional resources or mutual aid as needed.

Mutual Aid requests will be controlled and governed by the intergovernmental Agreement for Cooperative Mutual Aid with the Oregon State Sheriff’s.

Volunteer groups within Jackson County who can provide support to search and rescue activities include the rural fire departments, Oregon Department of Forestry, private forest land owners, ARES, U.S. Coast Guard, and the Red Cross. If needed, incident commanders will request assistance directly or through the dispatch center (ECSO).

It is beyond the scope of this policy to list all outside county volunteer organizations that provide support to search and rescue. If additional support is necessary outside of local resources, the request will be made to OEM who will coordinate and call-out the requested resources.

The sheriff who received the initial call shall take charge of a multi-county search until 1) Command has been transferred to the appropriate county or 2) additional coordination can be achieved per NIMS and Homeland Security Presidential Directive 5 of February 28, 2003. Every effort shall be made to establish a unified command with involved Sheriff’s Officers per NIMS/ICS practices.

XIII. SEARCH AND RESCUE MISSION CRITIQUE OR DEBRIEFING

Critique:
The purpose of the critique is:

To provide an open forum for the collection of facts provided by people and organizations directly involved in major SAR missions.

The critique provides an opportunity to capitalize on systems that worked well and identify systems that require improvement.

The critique will also examine the effectiveness of the Sheriff’s Office SAR plan and polices so that amendments can be made.

This process is conducted under the requirements of ORS 404.125 Critique of search and rescue incident required.

Debriefing:
The purpose of the SAR debriefing is:

To focus on items that worked and items that needs improvement from participating individuals or agencies.
To implement the next steps needed based upon those items that need improvement for future training exercises in preparation for search and rescue missions.

The Jackson County Sheriff’s Office SAR Program Manager will conduct debriefings on every SAR Mission within one week after the completion of the mission.

XIV. **MISSING PERSON(s) PROCEDURES**
If a person who has been reported missing has not been located within 30 days after the missing person report is made, the law enforcement agency that accepted the missing person’s report shall attempt to obtain a DNA sample from the missing person’s possession and/or from family members of the missing person in addition to any documentation necessary to enable the agency to use the sample in conducting searches of DNA databases. If the missing person is missing due to suspected criminal action the situation becomes more complicated. JCSO Criminal Investigations Division (CID) will handle procedures for obtaining DNA samples and other documentation.

XV. **JCSOSAR MATERIALS AND EQUIPMENT**
The Jackson County Sheriff’s Search and Rescue Division has an abundance of radio, audio and lighting equipment, maps, survival gear, and first aid and medical provisions. In addition, we have equipment specific to tracking, high angle rescue, mountaineering, winter searching, and swift water rescue and recovery.

JCSOSAR Division has a fleet of emergency response vehicles. These include four-wheel drive pick-ups and utility trucks used for first response and specialized equipment to support the search or rescue efforts. Most of the vehicles are based in White City at Station 7. Some of the vehicles are based in Prospect to facilitate faster response in remote parts of the county.

XVI. **MISSIONS**
**Overdue, missing, and lost persons:** These types of calls might not always be in a “background” environment, as JCSOSAR is often called upon to help search in urban environments for missing children, Alzheimer’s patients, etc.

**Injured or ill persons** for medical evacuations not accessible by conventional emergency medical responses.

**Body Recoveries** from remote or inaccessible land areas or rivers, lakes, and ponds.

**Fire Evacuations** of campgrounds and/or residences in urban interface subdivisions.

**ELT/PLB:** JCSOSAR is the primary for responses to aircraft (ELTs) and Personal Locator Beacons (PLBs). CAP will be our backup on these calls.

**Public Education** on backcountry planning and survival, and water safety programs.

XVII. **VOLUNTEER ORGANIZATIONS AND CONTACT PROCEDURES:**
The primary staffing for Search and Rescue activities in Jackson County is the general volunteer membership of Jackson County Sheriff's Office Search and Rescue.

A number of specialty teams exist within the general SAR membership to address venues such as high-angle rescue, water operations, etc.

Members of a Specialty Medical Team will operate under the guidance and authority of a Physician Advisor, currently a physician on-staff for our county. Any Medical Team Member with specialty training above and beyond that of a Wilderness First Responder (EMT, Paramedic, nurse, etc.) must obtain and maintain current certification under the appropriate state agency and their related standards.
REFERENCES:
ORS Chapter 404
JCSO SOG 426

ATTACHMENTS:
JCSO SAR Resource Summary

Document Prepared by:  
Sgt. Shawn Richards  
Search and Rescue Program Manager  
Jackson County Sheriff’s Office

Shawn Richards, Sgt., SAR Program Mgr.     Date

APPROVAL:  
Sheriff Corey Falls  
Jackson County Sheriff’s Office

Corey Falls, Sheriff     Date

Dissemination:  
OSSA  
OEM
IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

IN THE MATTER OF WAIVER OF JURISDICTION ON JUVENILES FOR TRAFFIC, BOATING, AND GAME VIOLATIONS TO CRIMINAL AND MUNICIPAL COURTS,

# 02-71
ORDER OF WAIVER OF TRAFFIC, BOATING-GAME CASES JURISDICTION

Pursuant to ORS 419C.370, it is hereby

ORDERED that all cases involving violation of a law or ordinance relating to the Oregon Vehicle Code (ORS Chapter 801 through Chapter 826) or any Municipal Code pertaining to traffic laws; all Oregon boating laws; and all Oregon game laws be, and they hereby are, waived to Jackson County Circuit Court or appropriate Municipal Courts. It is further

ORDERED that when it appears to the District Attorney, Circuit Court or Municipal Court that the youth cited appears to be under 18 years of age, and the matter before the court is other than a traffic violation as defined by ORS 801.557, Jackson County Community Justice-Juveniles shall be notified of the fact before any hearing is held. It is further

ORDERED that the Juvenile Court may order that any case described herein may be transferred to Juvenile Court for further proceedings. It is further

ORDERED that this order supercedes and voids any previous order transferring jurisdiction in traffic, boating, and game violations.

DATED this 2^ day of May, 2002.

MARK SCHIVELBEY
Circuit Court Judge

1 - ORDER OF WAIVER
From: Jeanne Burrows  
To: Records Deputies  
Date: 08/15/2006 2:07:07 PM  
Subject: JUVENILES AUTOMATIC REMAND 02-71

FROM THIS DATE: ORDER OF WAIVER OF TRAFFIC BOATING-GAME CASES JURISDICTION  
Per the below-referenced order signed by Judge Schiveley on May 2, 2002

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF JACKSON

IN THE MATTER OF WAIVER  
OF JURISDICTION ON  
JUVENILES FOR TRAFFIC  
BOATING, AND GAME VIOLATIONS TO  
CRIMINAL AND MUNICIPAL COURTS  
ORDER OF WAIVER OF TRAFFIC,  
BOATING-GAME CASES  
JURISDICTION

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(ORS Chapter 801 through Chapter 826) or any Municipal Code pertaining to traffic laws; all Oregon  
boating laws; and, all Oregon game laws by, and they hereby are, waived to Jackson County Circuit Court  
or appropriate Municipal courts. It is further  
ORDERED that when it appears to the district Attorney, Circuit Court or Municipal Court that the youth  
cited appears to be under 18 years of age, and the matter before the court is other than a traffic violation  
as defined by ORS 801.557, Jackson County Community Justice-Juvenile shall be notified of the fact  
before any hearing is held. It is further  
ORDERED that the Juvenile Court may order that any case described herein may be transferred to  
Juvenile Court for further proceedings. It is further  
ORDERED that this order supersedes and voids any previous order transferring jurisdiction in traffic,  
boating, and game violations.  
DATED this 2 day of May, 2002

MARK SCHIVELEY  
CIRCUIT COURT JUDGE

To the best of my knowledge we have never received a copy of this order. We will now process any  
juvenile that falls under the direction of this order, including submitting the fingerprints to the Oregon State  
Bureau. I believe that we should staple a copy of this order with the fingerprints that this order covers, as  
it does not fall under the guidelines of the Oregon State Statue.

At this point, I do not know if this would include an inmate under the age of 18 years, on one of these  
cases being allowed to serve time in the Jackson County Jail. I have as Mick (Michael) Smith the Deputy  
DA assigned to juvenile cases to get back to me on this issue.

Please let me know if there are any problems.
1007~6 Warning and Assurances required.pdf
JACKSON COUNTY SHERIFF’S OFFICE  
INTERNAL INVESTIGATION  

WARNING AND ASSURANCE TO EMPLOYEE REQUIRED  
TO PROVIDE INFORMATION

This is an official administrative inquiry regarding misconduct or improper performance of official duties. In accordance with the Privacy Act of 1974, you are advised that the authority to conduct this interview is contained in Title 28, Code of Federal Regulations, Sections 0.137 and 0.85 (c).

(State the general nature of the inquiry)

The purpose of this interview is to obtain information, which will assist in the determination of whether administrative action is warranted.

You are going to be asked a number of specific questions regarding the performance of your official duties. You have a duty to reply to these questions and agency disciplinary action, including dismissal, may be undertaken if you refuse to answer or fail to reply fully and truthfully.

Neither your answers nor any information or evidence gained by reason of your answers can be used against you in any criminal proceeding, except that if you knowingly and willfully provide false statements or information in your answers, you may be criminally prosecuted for that action. The answers you furnish and any information or evidence resulting therefrom may be used in the course of agency disciplinary proceedings, which could result in disciplinary action, including dismissal.

ACKNOWLEDGMENT

I have read and understand my rights and obligations as set forth above.

_________________________________________________________________________
Employee’s Signature                  Date/Time

_________________________________________________________________________
Signature of Department Official Conducting Inquiry     Witness

Attachment 3 – SOP 4.2, Eff. 5/10/99
Opiate Overdose Response Training – Statement of Completion

This certifies that:

____________________________________

Address:

____________________________________

has completed an approved training program covering recognition of opiate overdose and its treatment, including proper administration of naloxone. This training and treatment is authorized by Oregon Laws 2013, chapter 340 and OAR 333-055-0100 to 333-055-0115 of the Oregon Health Authority, Public Health Division. Under these laws and rules the above-named trained individual is authorized to administer naloxone in an opiate overdose emergency.

Signature of Authorized Trainer Date Trained

Authorization to Obtain Naloxone

To Pharmacist:

The individual listed on this completed form is authorized to obtain an emergency supply of naloxone. This authorization is good for three (3) years from the date on front of form.

________________________ 10/7/15

Signature of overseeing nurse practitioner/physician Date

Jim Shames M.D. 08311 OR.

Printed name of nurse practitioner/physician License #

In accordance with OAR 855-041-2330, the pharmacist who dispenses naloxone doses under this rule shall also generate a written prescription for his or her files, as in the case of an oral prescription for non-controlled substances, and file the same in the pharmacy. The generated prescription is based on the prescriptive authority of the overseeing nurse practitioner or physician. The pharmacist may dispense two (2) unit-of-use doses of naloxone per filling. The pharmacist will generate a new prescription for each filling and document the dispensing on this card up to six (6) times until the card expires (3 years from the date on the front of this form). Return certificate to the trained individual.

Please record dates and number of unit-of-use doses of naloxone prescribed and dispensed below

1. __________ 2. __________ 3. __________ 4. __________ 5. __________
6. __________
Updated Special Admission Request.pdf
# Jackson County Jail Request for Special Admission

**Applicant Information**

<table>
<thead>
<tr>
<th>Date</th>
<th>Date of Birth:</th>
</tr>
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</table>

**Applicant Name:**

<table>
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<tr>
<th>Last</th>
<th>First</th>
<th>M.I.</th>
</tr>
</thead>
</table>

**Other names used:**

**Applicant Address:**

_________  

**Phone:** ________________________  
**E-Mail:** ________________________

**Employer:**

___________________________

**Employer Address:**

___________________________  
**Phone:** ________________________  
**Supervisor:** ________________________

**Facility You will be Visiting:**

___________________________

**Purpose of Visit:**

___________________________

**Will You be Visiting a Specific Prisoner:** Y / N

**Prisoner Name:**

___________________________

**Anticipated Length and Frequency of Visits:**

___________________________

---

The following information is provided for your guidance during the period of time that you will be in the Jail Facility. Please read the information carefully.

1. You are subject to a search of your person and belongings upon entry. Refusal will result in revocation of clearance.
2. You are expected to present a professional appearance during visits.
3. You are asked not to communicate or otherwise correspond with any prisoner, other than those you may be here to see, in carrying out your duties and or functions.
4. Please do not bring anything into the Jail for any prisoner and do not attempt to take anything out of the Jail for a prisoner without having first received approval of the Jail Commander or Sheriff.
5. Any weapons, alcoholic beverages, drugs or narcotics are forbidden within the Jail.
6. You are asked to go directly to and from your concerned area of the facility.
7. If confused or lost, please seek immediate assistance from a uniformed deputy. Do not move about the facility any more than necessary.
8. If directed to leave the area or facility by sworn staff, you will comply without question.
9. JCSO has a zero tolerance policy regarding sexual abuse and sexual harassment. Incidents are to be reported to the on-duty supervisor.
10. Employer MUST notify Jail when approved visitor is separated from employment.

**ACKNOWLEDGMENT:**

I acknowledge that I have read the above instructions and will fully comply with them.

**Applicant Signature:** ________________________  
**Date:** ________________________

**Employer Signature:** ________________________  
**Date:** ________________________

---

**Approval for Admission**

Application **APPROVED** or **DENIED**  
**Jail Access Level:** 1 2 3 4 5  
**ID Card:** Yes/ No  
**PROJECT DATE(S) ONLY** or **LONG TERM (UP TO 2 YEARS)**

**Comments:**

___________________________

**Department Manager Signature:** ________________________  
**Date:** ________________________
Juvenile Custody Log

<table>
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<tr>
<th>Name of Individual</th>
<th>D.O.B</th>
<th>Sex</th>
<th>Race/Ethnicity</th>
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<th>Feature used to detain individual</th>
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<th>Released</th>
<th>Release Placement</th>
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Security Addendum Certification.pdf
CERTIFICATION

I hereby certify that I am familiar with the contents of (1) the Security Addendum, including its legal authority and purpose; (2) the NCIC Operating Manual; (3) the CJIS Security Policy; and (4) Title 28, Code of Federal Regulations, Part 20, and agree to be bound by their provisions.

I recognize that criminal history record information and related data, by its very nature, is sensitive and has potential for great harm if misused. I acknowledge that access to criminal history record information and related data is therefore limited to the purpose(s) for which a government agency has entered into the contract incorporating this Security Addendum. I understand that misuse of the system by, among other things: accessing it without authorization; accessing it by exceeding authorization; accessing it for an improper purpose; using, disseminating or re-disseminating information received as a result of this contract for a purpose other than that envisioned by the contract, may subject me to administrative and criminal penalties. I understand that accessing the system for an appropriate purpose and then using, disseminating or re-disseminating the information received for another purpose other than execution of the contract also constitutes misuse. I further understand that the occurrence of misuse does not depend upon whether or not I receive additional compensation for such authorized activity. Such exposure for misuse includes, but is not limited to, suspension or loss of employment and prosecution for state and federal crimes.

__________________________  _______________________
Printed Name/Signature of Contractor Employee  Date

__________________________  _______________________
Printed Name/Signature of Contractor Representative  Date

Organization and Title of Contractor Representative

8/9/2012
CJISD-ITS-DOC-08140-5.2
# INDEX / TOPICS

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