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Jamestown Police Department GENERAL ORDER

NUMBER: 1.02.01

SUBJECT: RECRUITMENT,
SELECTION, AND
APPOINTMENT
PROCEDURES

EFFECTIVE: APRIL 20, 1990

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I. Purpose

- A. The purpose of this order is to ensure that qualified candidates are selected for hiring as police officers and that the selection process is valid, job-related, non-discriminatory, and appropriately documented.

II. Policy

- A. It is the policy of the Jamestown Police Department to recruit and select candidates for the position of police officer in accordance with the New York State Civil Service Law, as administered by the Chautauqua County Civil Service Commission, and to afford equal employment opportunity to all eligible candidates. To be eligible for appointment, candidates must meet the prescribed standards set forth by the New York State Division of Criminal Justice Services (DCJS) and the Chautauqua County Civil Service Commission. In cases of interagency transfer, only candidates from competitive civil service agencies shall be considered for appointment to the Jamestown Police Department. These candidates must meet all eligibility requirements as set for the by New York State Civil Service Law. It shall be the responsibility of the Operations Commander to coordinate selection activities.

III. Recruitment Procedure

A. Recruitment:

1. Recruitment is the first step in the hiring process. The primary method of recruitment for the position of police officer within the Jamestown Police Department is through the Chautauqua County Civil Service Commission's continuous recruitment testing program. Appointments resulting from sources other than a Civil Service List, such as interagency transfers, must first be advertised. Such notice or advertisement must include the following components:
 - A description of the duties associated with the position to be filled.
 - Requirements that must be met in order to qualify for the position.
 - Information that prospective candidates need to know about the selection process.
 - Notice that the agency is an equal opportunity employer.

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2. Candidates considered for appointment to the Jamestown Police Department must be of good moral character and must satisfy the height, weight, and physical fitness requirements prescribed by the New York State Division of Criminal Justice Services (DCJS) pursuant to S840 of the New York State Executive Law.
3. Candidates considered for appointment to the Jamestown Police Department must conform with established age spans in accordance with Section 58 of the New York State Civil Service Law and/or current applicable law.

B. Testing:

1. All candidates for entry level position as police officer are required to pass a written examination as prescribed the New York State Civil Service Commission and administered by the Chautauqua County Civil Service Commission.
2. All written and verbal tests used in the selection process will be administered, scored, evaluated, and interpreted in a non-discriminatory manner.
3. All candidates for entry level positions as police officers are required to pass an agility test as administered by the Chautauqua County Civil Service Commission.

IV. Selection Procedure

A. Eligible Candidates List:

1. The Chautauqua County Civil Service Commission, upon request, will furnish the Chief of Police with a list of eligible candidates who have successfully passed the civil service examination and agility test.

B. Initial Interview:

1. Candidates meeting all of the requirements specified above will be given an oral interview by the Chief of Police and/or his designee(s). Initial interviews will employ a set of uniform questions and the results obtained will be recorded on standardized forms. The recorded results will be kept on file for a minimum of one year after appointments resulting from any series of interviews.

C. Background Investigation:

1. All candidates must complete and submit the Jamestown Police Department Background Investigation Questionnaire. Upon submission of the completed questionnaire, a thorough background investigation will be conducted which

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will include, but not be limited to, investigation of the candidate's family, education, residences, work record, physical and emotional health, organizations and affiliations, references, social contact, credit record, D.M.V. record, military history, county records such as liens and judgments, and criminal history record. A background investigator's manual will be provided to officers who are responsible for background investigations.

D. Oral Review Board:

1. Candidates will be required to appear before an Oral Review Board. This review board will consist of: The Operations Commander, Administrative Services Commander, one Lieutenant, one Sergeant, and two patrol officers.
2. A basic set of questions will be given to each applicant and the Oral Review Board will evaluate each applicant's answers to the questions. Results of this oral review board will be considered in the selection process and filed in the Operations Commander files.

E. Physical Examination

1. All candidates will be given a physical examination by a licensed physician in accordance with the standards prescribed by the DCJS. When such physical examination has not been conducted in the course of civil service testing, as in the case of some transfer candidates, the same standards and procedures will be applied.

F. Psychological Screening:

1. All candidates will be evaluated by a qualified psychiatrist to establish a level of emotional stability and psychological fitness compatible with the position of police officer. When such psychological screening has not been conducted in the course of civil service testing, as in the case of some transfer candidates, the same standards and procedures will be applied.

V. Probationary Appointment

- A. At the conclusion of the selection process, the Chief of Police will make the appointment to the position of police officer. All appointments will be probationary for a period to be determined by the Chief in accordance with Civil Service Law, usually 52 weeks. At least three employee performance evaluations shall be conducted during this period. Subsequent to the effective date of appointment and prior to commencement of official duties, the appointee will be administered the standard Oath of Office for Police Officers by the Jamestown City Clerk. The original Oath of Office will be filed with the Jamestown City Clerk.

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VI. Maintenance of Records

- A. All records of appointed candidates that are not maintained by the Chautauqua County Civil Service Commission shall be maintained by the Jamestown Police in accordance with the records retention and disposition schedule [MU-1] issued by the Commissioner of the State Department of Education.

VII. Notification

- A. Candidates that were interviewed but not hired will be notified by mail that they were not selected but will remain on the Civil Service List for future consideration.

Revised: August 16th, 2005
September 5th, 2007
October 15th, 2009
September 8th, 2020

Timothy M. Jackson
Chief of Police



Jamestown Police Department

GENERAL ORDER

NUMBER: 1.02.07

SUBJECT: INTERNAL AFFAIRS POLICY

EFFECTIVE: JULY 26, 1995

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I. Purpose

- A. To protect the integrity and reputation of the force, to protect the public interest, and to protect the department and its members from unjust accusation.

II. Definition

- A. Personnel Complaint – the reporting of alleged misconduct or breach of duty by an employee of this department, generated internally or externally, both criminal and non-criminal in nature.

III. Policy

- A. The Jamestown Police Department will investigate all bonafide complaints concerning employee misconduct or breach of duty in a forthright, professional and timely manner, and act upon the findings of those investigations to the best interest of the department and the community it serves.
- B. All supervisors of this department are required to assume the duties and obligations of their rank and assignment in the inspection of all areas of employee activity under their purview. They shall not look to higher authority to initiate action regarding a misconduct or breach of duty by an employee but will immediately take the necessary steps to begin the corrective action.

IV. Procedure

A. Complaint Receipt

1. Any member of this department receiving a complaint regarding any employee will immediately notify an on-duty supervisor.
2. The supervisor shall document the complaint using a numbered police report, which shall be deemed and handled as Personal/Confidential material.
3. The Shift Commander shall be notified of the complaint.
4. The documented complaint will be forwarded directly to the Chief of Police who will assign the Division Commander who will assume command of an internal investigation. The Division Commander will delegate it to the accused employee's Unit Commander for investigation and action if appropriate.

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5. Depending upon the gravity of the complaint, the Shift Commander will immediately notify the Division Commander of the complaint.
6. A line supervisor is empowered and authorized to investigate minor infractions and complaints that are of an internal nature. These incidents may handled and documented on the Unit level in accordance with Civil Service Rules and Regulations. Repeated or serious violations requiring formal disciplinary action must be documented as previously described.

B. Complaint Investigation

1. The responsibility for the investigation of all criminal and non-criminal complaints against an employee lies with the Division Commanders. They will notify and coordinate with the District Attorney's Office in the investigation of the alleged criminal conduct.
2. Investigation of departmental personnel will be conducted in accordance with the Civil Service Rules and Regulations and Article XIV, Section 14, 15 of the current Kendall Club Contract.
3. The involved officer shall be notified in writing that an investigation is being conducted, by whom, the nature of the complaint, and that he/she has the right to contact a union representative prior to questioning or completing a supplemental report.

C. Complaint Adjudication

1. The final authority and responsibility regarding the result of an investigation and any resulting actions rests with the Chief of Police.
2. A complaint may be adjudicated as being in one of the following categories:
 - a. Unfounded – the allegation is false or not factual.
 - b. Exonerated – the incident occurred, but was lawful and proper.
 - c. Not sustained – there is insufficient evidence to either prove or disprove the complaint.
 - d. Sustained – the allegation is supported by sufficient evidence to justify a reasonable conclusion of guilt.
 - e. Misconduct Not Based on Complaint – An offense or violation was committed other than that alleged.

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3. Upon adjudication the Chief of Police holds the final authority and responsibility for the determination of disciplinary action in accordance with the authority of his position.
4. At the completion of the investigation, the Chief or his designee will notify the following people regarding the results of the investigation. However, the decision to divulge disciplinary action will be at the discretion of the Chief of Police.
 - a. The complainant.
 - b. The command officers involved.
 - c. The officer(s) involved.

V. Document Storage

- A. Each Division Commander shall keep and maintain a separate locked file for the purpose of storing the records of any personnel investigation conducted by them in a confidential manner. At the completion of the investigation, the file shall be maintained in the Administrative Assistant to the Chief of Police's office.

[Appendix E](#)

Timothy M. Jackson
Chief of Police

Replaces 1.02.07 Dated 5/2/89
Revised: 07/95
03/00
12/16/08



Jamestown Police Department GENERAL ORDER

NUMBER: 1.02.08

SUBJECT: DISCIPLINARY
PROCEDURE

EFFECTIVE: December 1, 1997

[Home](#)

I. Purpose

- A. To define the authority and responsibility delegated to department supervisors for the maintenance of discipline.

II. Policy

- A. Supervisors are responsible to insure that department members perform their duties in accordance with the policies, procedures, rules and regulations, and authoritative instructions of the department.
- B. Supervisors are required to initiate actions in response to acts of commission or omission of personnel who are either:
1. Assigned to their command, or
 2. Come to their attention, or
 3. Under their supervision (for however brief a period).
- C. Receipt and investigation of complaints will be conducted in accordance with General Order 1.02.07 and Section 75 of Civil Service Law. The Chief of Police shall assign the Divisional Commanders to investigate complaints.
- D. Upon completion of an investigation, the Division Commanders shall submit to the Chief of Police a report of the results of the investigation, with any recommendations they may have for further action.
- E. Charges shall not be recommended unless there is reason to believe that an offense has been committed, and that the facts, standing uncontroverted, establish the validity of the charge or charges.

III. Authority

- A. Supervisors are required to initiate corrective measures to fulfill their responsibility of assuring compliance with department rules, regulations, orders, policies, and procedures. In all cases the supervisor is required to instruct the subordinate on how to correct noted inadequacies and document same.

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- B. Supervisors shall give remedial training/instruction in all instances that are or may be construed to be violations of departmental directives. Such oral instruction to an employee shall be officially documented on a counseling memorandum.
- C. Supervisors may recommend, through the chain of command, to the Chief of Police the referring of departmental charges.
- D. Oral reprimands may be administered at any level to a subordinate without preferring civil service charges.

IV. Emergency Suspension

- A. A supervisor, having the rank of at least sergeant, may impose an emergency suspension from duty against any subordinate member of the department when it appears such action is in the best interests of the department, e.g., intoxication, exhaustion, emotional condition, arrest.
- B. Any member receiving an emergency suspension and the supervisor imposing the emergency suspension shall report to the Chief of Police at 10:00 a.m. on the next business day, unless otherwise directed.
- C. Upon suspension, the suspending supervisor shall have the authority to secure such member's identification card, badge, weapon(s), and any other department equipment as the supervisor deems necessary.
- D. Members under suspension shall not wear their uniform or take any police action.

V. Suspension Pending Hearing

- A. Pending a hearing, an accused member may be suspended without pay after charges have been placed against him.
- B. An accused member may be suspended with pay immediately in an emergency situation, when in the judgment of the Chief of Police or a Divisional Commander the continued status of the member as a working member of the department may constitute a danger to himself or others, and/or the public interest may be seriously jeopardized. In this event, charges will be filed as soon as possible after suspension, and the suspension may then be changed to without pay.
- B. The period of suspension without pay shall not exceed thirty days.

VI. Personnel Contact With Employees Under Suspension.

- A. With the exception of a qualified representative acting in his official capacity, any department employee having contact with a member under suspension, other than casual contact that is completed unrelated to any work issues or matters affecting

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their suspension, shall document the contact on a supplemental report and forward the report directly to the Operations Division Commander.

- B. Department employees/members are prohibited from providing suspended members with information relative to any departmental investigations and/or operational functions.

VII. Reinstatement

- A. An accused member who has been suspended pending a hearing and is found not guilty of the charges filed against him shall be entitled to be immediately reinstated to his position and to receive back pay for the period he was suspended.

VIII. Disciplinary Action

- A. No member shall be removed, reduced in rank, fired, or otherwise punished or disciplined except upon charges as provided in Section 75 of the Civil Service Law.

- B. Charges and specifications defined:

1. The charge is a designation of the specific offense alleged to have been committed by the accused.
2. The specification is a statement of the facts that in law constitute the offense charged. The specification should be drawn in clear and concise language. It should include the following information:
 - a. Name and rank of the accused;
 - b. Date, time, and place of the alleged offense (approximate entries will be accepted);
 - c. If the offense has been committed more than once, or in more than one way, there shall be separate and distinct specifications;
 - d. Each specification shall be complete in itself and not refer to facts or particulars of other specifications;
 - e. The specifications under each charge shall be numbered consecutively.
3. Charges shall include all causes for complaint against the member in existence or arising prior to the preferring of such charges.

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- C. When charges are warranted, the Chief of Police shall prepare a formal Notice of Disciplinary procedure in accordance with Section 75 of the Civil Service Law.

- D. All proceedings and/or departmental hearings shall be conducted in accordance with General Order 1.02.09, Section 75 of the Civil Service Law, and New York State Civil Service Manual of Procedure on Disciplinary Actions.

VIII. Penalties

- A. If, after a formal hearing, or after a waiver for hearing is filed, a member is found to have been in violation as specified in the charges, the Chief of Police may impose any of the following penalties:
 - 1. A reprimand;
 - 2. A fine not to exceed one hundred dollars (\$100), to be deducted from the salary or wages of such member;
 - 3. Suspension without pay for a period not exceeding two (2) months;
 - 4. Demotion in grade and title;
 - 5. Dismissal from the force.
 - 6. Any member designated as an FLSA exempt employee will be subject to unpaid suspensions only as permitted by the FLSA.

IX. Negotiating Settlement

- A. Nothing contained in this order shall preclude the settlement of a disciplinary matter at any time following the service of a notification of charges. Any charged member shall have the right to meet with the Chief of Police, the right to union representation to discuss and effect a settlement. The terms of any agreed upon settlement shall be reduced to writing with copies provided to the employee. A copy of such settlement shall be placed in the member's personnel file.

Timothy M. Jackson
Chief of Police

Replaces G.O. #1.02.08 dated 5/8/90.

Revised: December 22, 2005
December 16, 2008
November 8, 2010



Jamestown Police Department GENERAL ORDER

NUMBER: 1.02.09

SUBJECT: DEPARTMENTAL HEARING
PROCEDURE

EFFECTIVE: APRIL 30, 1990

[Home](#)

I. Purpose

- A. To establish procedures for conducting disciplinary hearings pursuant to Section 75 of the NYS Civil Service Law for actions involving officers of the Jamestown Police Department.

II. Policy

- A. Acts of alleged misconduct or incompetence resulting in departmental charges against officers shall be heard in accordance with the NYS Civil Service Law and the current contract between the City of Jamestown and the Kendal Club Police Benevolent Association, Inc.

III. Departmental Hearing

- A. In those cases that result in charges being preferred, the Chief of Police shall set a date for a hearing and appoint a departmental hearing officer in accordance with Article XIV Section 14 of the collective bargaining agreement.

IV. Conduct of Hearings

- A. All Departmental Hearing Boards will be conducted pursuant to Section 75 of the Civil Service Law of the State of New York and all applicable Rules & Regulations of the Jamestown Police Department, General and Special Orders thereof, and any amendments thereto.
- B. The Hearing Officer shall preside at the hearing, ensuring adherence to procedures set forth in Section 75 of the Civil Service Law of the State of New York. He will present the final report to the Chief of Police forthwith.
- C. The Chief of Police will review each case, may accept or reject the Hearing Officer's findings, and shall then determine appropriate disciplinary action.

Revised: 12/16/08

Harry L. Snellings
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.02.18

SUBJECT: PSYCHOLOGICAL
ASSISTANCE

EFFECTIVE: OCTOBER 1, 1995

[Home](#)

I. Policy

- A. The Jamestown Police Department shall provide assistance to employees exhibiting below standard, unusual or less than professional job performance attributable to critical incident stress, trauma or personal stresses rather than negligence, lack of knowledge, or illegal behavior. Due to the need to avoid harm to themselves, fellow employees or the general public, and because of the scope of responsibility and consequence of error for positions in the department, psychological fitness must be maintained at all times.

II. Purpose

- A. The purpose of this policy is to outline a departmental response to employees whose job performance alters or deteriorates rapidly.

III. Definitions

- A. Counselor: For the purposes of this policy, a "counselor" may be:
1. A licensed psychologist or psychiatrist.
 2. A peer counselor.
 3. A chaplain.
 4. A physician.
- B. Employee: Police officer or civilian employee.

IV. Procedures

- A. Identification of employee needing assistance:
1. Job behaviors that may lead a supervisor or commander to conclude that an individual requires psychological assistance are:
 - a. A series of sustained citizens' complaints.
 - b. Repeated complaints of the same nature.
 - c. Abrupt change in expected police response and/or behavior which may be indicative of severe emotional disturbance (excessive and continuous tardiness, absenteeism, sleeping during duty hours, excessive impatience, violent reactions to others, overeating,

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non-eating, poor personal appearance, smell of alcohol, physical symptoms of drug usage).

- d. A police officer involved in a shooting, accident, or other critical incident that results in death or serious injury to any of the parties involved.
- e. An employee undergoing a personal trauma, e.g., serious illness, death of family member, divorce, etc.

B. Referral:

- 1. An employee may refer himself/herself to psychological services without notice to departmental officials. He/she may voluntarily seek any of the other services available without notice to any department official.
- 2. The platoon commander/unit supervisor is responsible for continuous, daily performance review to enable him to assess when an employee has departed from usual or routine behaviors.
- 3. When the platoon commander/unit supervisor judges that an employee may need psychological assistance, he will prepare a written report and submit it to the Division Commander. If the Division Commander concurs, he shall advise the Chief of Police and will initiate the referral and diagnostic process with departmentally authorized psychological services and determine with the unit supervisor/platoon commander whether or not the employee needs to be removed from his/her current position.
- 4. A supervisor who suspects alcohol and/or drug usage must refer the employee to the Division Commander and the Chief of Police as per current directive, through a written report and telephone notification.

C. Referral Options:

- 1. Departmentally authorized psychological services: These services, including diagnostic testing and treatment, will be supported by medical insurance with any remaining cost paid for by the department when:
 - a. An employee is referred to these services through the Chief of Police.
 - b. An employee refers himself/herself through the Chief of Police.
 - c. An officer is involved in a shooting or accident/incident resulting in death or serious injury to any of the parties involved.
- 2. Employee Assistance Program:
 - a. Any full-time employee may consult with or receive treatment from the Employee Assistance Program without notifying their supervisor or without department referrals.

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- b. Any spouse or children of a full-time employee living in the household may also receive treatment from the Employee Assistance Program.
- c. Initial assessment and two counseling sessions will be provided without cost to the employee. Additional treatment costs shall be supported to the extent medical insurance allows.

3. Chaplains:

- a. Chaplains are available to all police personnel. Employees may seek the counsel of a chaplain without notifying their supervisors.

4. Private physicians/psychological services:

- a. Police employees may consult with or receive treatment from their private physician or psychologist without notifying their supervisor. These services will be supported to the extent the medical insurance allows.

D. Psychological Services Process:

- 1. The Chief of Police will initiate psychological services for an employee who has been referred by a supervisor or self-referred.
- 2. The psychological services will begin the process by administering diagnostic tests to confirm that the employee requires psychological treatment.
- 3. Treatment will be administered upon the advice of the supervisor of psychological services and with the approval of the Chief of Police.
- 4. Periodically, the Chief of Police, the psychologist, and the employee's supervisor will review the recommendations of the psychologist as to the placement and status of the employee.
- 5. If an employee is terminated as a result of his/her inability to regain acceptable job performance, the employee's psychological treatment record will be placed in the employee's personnel file. If the employee regains acceptable job performance, the record of referral will remain in the files of the Division Commander and in the files of the psychological services only.

E. Job Security and Confidentiality:

- 1. All communication between a counselor and an employee will be considered privileged by the department except:
 - a. Matters that involve violations of the law.
 - b. When there is indication that the employee presents an immediate physical danger to himself or others.

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- c. In the event of such occurrences, the Division Commander and the Chief of Police shall be notified, and action taken to ensure the protection of those concerned and the welfare of the department.
2. Job security and promotional opportunities shall not be jeopardized by an employee's participation in psychological counseling services. However, failure to correct deficiencies in job performance may eliminate promotional consideration or jeopardize continued employment.

Replaces G.O. 1.02.18 dated 05/01/90
Revised: 04/08/08

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.04.01

SUBJECT: COMMUNITY
RELATIONS/CRIME
PREVENTION

EFFECTIVE: MAY 24, 1990

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I. Policy

- A. The Jamestown Police Department recognizes the need for mutual respect and understanding between the police department and the community at large. We must actively seek to establish a cooperative relationship between both, and can only do so by keeping the community informed on matters of public interest.
- B. All department personnel should project a positive image and become involved in community needs. The conduct of each employee reflects on the agency as a whole, and the burden of achieving the agency's community relations objectives should be shared by all. Every employee must be aware of the different programs that the agency has so they may inform the community.

II. Responsibility

- A. The community relations function is placed under the Division Commanders.
- B. It will be the responsibility of the Operations Commander or his designee to maintain liaison with all department members to ensure continuous and coordinated response to the furtherance of the department's community relations effort.
- C. It is the responsibility of all department personnel to promote good community relations, recognizing that the actions and demeanor of police department personnel in dealing with the public have a significant effect on the image of the department and ultimately its overall effectiveness and level of acceptance within the City of Jamestown.
- D. This department is committed to correcting actions, practices, and attitudes which may contribute to community tensions and grievances.
- E. It is the responsibility of all personnel to be aware of the agency's crime prevention programs to assist the public in protecting themselves against criminal acts.

III. Community Relations/Crime Prevention Programs

- A. Intern Program:

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1. College Student interns accepted will work with officers to gain experience in law enforcement. All College interns will be required to complete a Release of Liability and that release will be on file with the Operations Division Commander prior to the intern being authorized to ride in a department vehicle, or shadow an officer in any capacity.
 2. Student interns accepted from High Schools may observe and talk with officers to better understand what a career in law enforcement is about. High school student interns are not authorized to ride in department vehicles.
 3. The Chief of Police will approve all requests for internships with the department and preference will be given to City of Jamestown residents.
- B. Neighborhood Watch Program:
1. A program where residents watch for and report serious activity within their neighborhoods.
- C. House Checks:
1. A program where citizens notify the department when they will be out of town and who is responsible for the premises during their absence.
 2. The employee receiving the request for a House Check will complete the House Watch form ([attached](#)) and enter the request into CAD to obtain a CR-number. Employees receiving such requests should advise the property owner that assignment of House Checks is dependent upon call volume and that no guarantee can be made that a check will be conducted.
 3. Completed House Watch forms will be placed in the Squad Room in designated trays for the Patrol Zone in which the residence is located.
 4. Patrol officers assigned to Patrol Zones will check the Squad Room trays daily to familiarize themselves with the current House Check requests. Officers will make checks of the residences located within their patrol zone on an occasional basis as dictated by call volume.
 5. The Receptionist will periodically removed expired House Watch forms from the Squad Room and file expired requests.
- D. Ride-Along Program:
1. A program permitting civilians, under certain circumstances, to accompany officers on routine patrol to observe and better understand the law enforcement function.

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2. Civilians participating in the ride-along program are limited to five (5) Ride-Alongs per year unless they are participating in an approved internship program.
3. Officers are limited five (5) Ride-Along requests per year, excluding authorized internships. Unit Commanders are responsible to ensure individual officers in their command do not exceed the annual limit.
4. A Release of Liability form must be completed each and every time a civilian participates in a Ride-Along. The forms must be approved by the Shift Commander prior to the Ride-Along. The Shift Commander will forward the forms to the Operations Commander for archiving.
5. Civilians under the age of eighteen (18) are prohibited, except:
 - a. A family member of a sworn officer may participate in a Ride-Along program upon prior approval of the Chief of Police or the Operations Commander. A Release of Liability must be completed as outlined in this order, and such Ride-Alongs will be limited to two (2) times per year, per family member.

F. Bicycle Safety Education:

1. A program carried out in grade schools, upon request, geared to promote bicycle safety and registration.

IV. Crime Victims Compensation

- A. The Jamestown Police Department recognizes that many innocent victims suffer personal physical injury, death, or disability, incur financial hardships, or become dependent upon public assistance as a result of violent crime.
- B. Members of the department are required to aid crime victims to avail themselves of assistance as provided for by the New York State Crime Victims Compensation Act, found in Article 22 of the New York State Executive Law.

Revised: 07/31/06
11/22/08

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.04.02

SUBJECT: COMMUNITY SERVICE
ASSIGNMENTS

EFFECTIVE: JULY 1, 1991

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I. Purpose

- A. To establish procedure for the acceptance and scheduling of community service assignments and to insure the accurate recording of all such assignments.

II. Definition

- A. A community service assignment is any act by any member of the department that serves to enhance the image of the department. This includes, but is not limited to, tours of the police department, conducting neighborhood watch meetings, bicycle safety programs, public addresses for civic groups, etc.

III. Policy

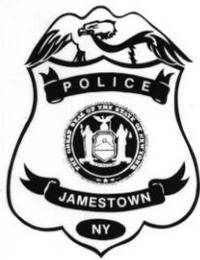
- A. To further cooperation and understanding between the Jamestown Police Department and the community it serves, it is the policy of the department to actively seek out and engage in community service assignments. Any assignment that serves to educate, inform, or acts as a forum for the expression of opinion is of considered value. All members of the department are to strictly adhere to stated department policy during any and all community service assignments.

IV. Procedure

- A. The employee receiving a request will complete a Community Service Assignment form and forward it to the Operations Division Commander.
- B. The Operations Division Commander will direct the assignment to the proper unit for completion. Assignments will be made according to the topic to be covered and the date and time of presentation.
- C. Upon completion of the assignment or presentation, the completed Community Service Assignment form will be returned to the Operations Division Commander for filing.

Revised: 11/22/08

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.04.07

SUBJECT: MINORITY RECRUITMENT &
RELATIONS

EFFECTIVE: May 1, 2000

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I. Goal

To enhance relations with the minority community through proactive efforts to increase staff cultural awareness, develop resources for communication and translation, and promote minority recruitment efforts.

II. Purpose

- A. To increase the effectiveness of the Jamestown Police Department by developing a staff of multi-lingual, culturally diverse personnel representative of the demographic make-up of the City of Jamestown.
- B. To provide opportunities for minorities and enhance minority recruitment within the Police Department through a proactive approach of communication initiatives, community awareness and recruitment.

III. Procedure

- A. Recruitment. The Jamestown Police Department will actively recruit qualified minority candidates. In an effort to recruit qualified minority applicants for employment:
 - 1. When a request is made for a Civil Service Examination for Police Officer, an examination for the position of Police Officer-Spanish Speaking will also be requested.
 - 2. The Jamestown Police Department will advertise for recruitment of qualified minority candidates in regional and national markets when appropriate.
 - 3. The Jamestown Police Department will, whenever practical, participate in job shadowing, internship and mentoring programs in an effort to foster community relationships and promote recruitment efforts.
- B. Communication Initiatives. In order to enhance communication with minority segments of the population and establish opportunities for that communication:
 - 1. The Jamestown Police Department will seek to establish lines of communication with recognized representatives of minority community groups.

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2. The Jamestown Police Department will provide, whenever possible, training opportunities for department personnel in Street Spanish for Police Officers or other appropriate language skills training.
- C. Community Involvement. In order to insure minority relations and policies accurately reflect community needs, the Jamestown Police Department will seek community input and cooperation with initiatives relating to minority recruitment and departmental operations.
1. The Jamestown Police Department will encourage community-based organizations to establish scholarship funds for the purpose of providing financial assistance to local minority applicants interested in a career in local law enforcement. The Jamestown Police Department will promote such programs through the provision of informational materials and recruitment drives. The Jamestown Police Department will not establish, contribute to, or manage any such fund, but will instead support those funds only through informational support in a manner consistent with applicable laws and ethical policies.
 2. The Jamestown Police Department will participate, whenever possible, in community based Cultural Diversity training sessions for sworn and non-sworn employees in an effort to promote an understanding of cultural differences and foster an attitude of acceptance and encourage an open-minded approach to community service.

Revised: 04/20/05
07/31/06
11/22/08

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.10.02

SUBJECT: Conducted Electrical Weapon
(CEW) POLICY

EFFECTIVE: May 1, 2001

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I. Purpose

- A. This order sets forth the Jamestown Police Department's policy regarding deployment of the Advanced Taser M26, Taser X26, Taser X2 and Taser X3 Conducted Electrical Weapon (hereafter referred to as a CEW).

II. Policy

- A. Employees may use only that level of physical force necessary in the performance of their duties within the limits established by Article 35 of the New York State Penal Law, and consistent with the training and policies of the Jamestown Police Department. The appropriateness of force used is dependent on the extent and type of resistance encountered. The use of less-lethal weapons shall be governed by General Orders 1.11.01, 1.11.04, and 1.11.05.
- B. The CEW is deployed as an additional police tool and is not intended to replace firearms or self-defense techniques. The CEW may be used:
1. To control a dangerous or violent subject when deadly physical force does not appear to be justified and/or necessary;
 2. When attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or
 3. When there is reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.
 4. A CEW will not be deployed following the use of O.C. spray. The combination of the O.C. spray with the electricity from a CEW has too great a risk of flammability.

III. Procedure

The following provisions are established:

- A. CEW's shall be issued to and used only by officers who have completed the Department's CEW training program.

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- B. Only properly functioning and charged CEW's shall be issued for field use.
- C. All CEW's and associated equipment shall be secured in the Squad Room storage cabinet when not in use. Additional units may be stored in the SWAT locker or other suitable location for storage until needed. The SWAT Commander or designee shall maintain a current inventory of all CEW devices indicating the Serial Number of the CEW, the officer or vehicle to which assigned, and the Serial Number(s) of the CEW cartridge(s) assigned to that unit.
- D. A log sheet will be maintained on the Squad Room storage cabinet door. Officers will sign each CEW unit out at the beginning of their shift and then sign them back in upon completion of their shift. The storage cabinet will remain locked when not attended in order to prevent unauthorized access to CEW devices. The key will be stored in the Squad Room key cabinet.
- E. Each discharge, including accidental discharges, of a CEW shall be investigated and documented using a Jamestown Police Department Standardized Incident Report.
- F. All CEW's will have their internal electronic storage information downloaded on a semi-annual basis through the digital evidence management system. Members who have been properly trained and authorized to perform the task will conduct this.

IV. Responsibilities

- A. Administrative and Support Services Commander
 - 1. The Administrative and Support Services Commander shall:
 - a. Review each use of a CEW by an officer and document all deployments on the departmental Use of Force log.
 - 2. Ensure training on less-lethal devices is provided as needed.
 - 3. Ensure training for the CEW will be conducted by a department CEW instructor.
- B. Shift Commander
 - 1. Shift Commanders shall be responsible for ensuring that:
 - a. Incidents involving ANY discharge of a CEW are investigated and appropriately documented.
 - b. Ensure only properly trained officer carry or utilize a CEW device.
 - c. Monitor the use of CEW's and related tactics.
 - d. Ensure proper procedures are followed when authorizing CEW's use.
 - e. Ensure that at the end of each duty shift, ALL CEW's and cartridges are accounted for.
 - g. Respond expeditiously to "CEW" requests and deployments.
 - h. Investigate EACH incident in which a CEW is deployed.

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- C. Certified Instructors
 - 1. Certified Instructors shall:
 - a. Receive, inspect and ensure the maintenance and replacement of CEW devices assigned to field operations.
 - b. Return defective or damaged CEW's and cartridges to the supplier.
 - c. Obtain service and/or replacement for defective or damaged CEW components from the supplier.
 - d. Provide training to department personnel as directed.

- D. Field Officers
 - 1. Officers will secure the CEW in an approved holster on their duty belt.

 - 2. Officers deployed with a CEW shall:
 - a. Ensure at the beginning of their shift that the CEW is fully charged. (Check the battery with the cartridge REMOVED.)
 - b. Upon encountering a situation that may require the use of a CEW, request the response of a back-up and a supervisor.
 - c. When practical, avoid escalating the situation prior to the arrival of a back-up officer and supervisor.
 - d. When practical, suspend deployment of CEW until the supervisor arrives on the scene.
 - e. Complete necessary reports, information and associated documentation.

- E. In-Field Use of CEW'S
 - 1. Officers discharging a CEW shall:
 - a. If a supervisor is not present or en-route to the scene, request the response of a supervisor.
 - b. If a supervisor is not available, notify the Command Desk Officer by telephone as soon as practical and advise the Shift Commander of the circumstances of the incident.
 - c. Prior to the use of the CEW, if practical, request that Emergency Medical Personnel respond to the scene.
 - d. Officers will avoid "Drive-stunning" individuals unless absolutely necessary. "Drive-stunning" is described to be when the probes are not deployed from the Taser and the Taser is placed directly against an individual's body while it is activated.
 - e. Persons who have been subjected to the CEW or the probes, shall be treated as follows:
 - 1. Once in custody, if there is an injury, the arresting officer shall advise EMS or the Emergency Room Staff that the person has been subjected to the CEW and relate the approximate time the action occurred. If the probes penetrate the skin, the puncture sites shall be brought to the attention of the on-duty supervisor, paramedics or Emergency Room staff. Only Emergency Room staff may remove CEW probes that are embedded in soft tissue

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areas such as the neck, face and groin. Removal from other areas will be at the discretion of the on-scene supervisor.

2. The arresting officer shall obtain a medical release from the Emergency Room physician before transporting a subject shot by a CEW to a Detention Facility. This can be obtained from the physician if the subject has been treated in the Emergency Room.
3. Officers must be aware that one easily overlooked aspect of injury in shooting a subject with a CEW is that of falling from a standing position. A thorough physical examination with particular emphasis on injuries secondary to the fall should be performed.
4. A person who has been subjected to the CEW will be transported to the city jail only after he or she has been examined by EMS or hospital personnel.
5. A police report and Use of Force Form must be submitted documenting the need and the use of the CEW.
6. The CEW and cartridge that was deployed will be documented in the police report including the serial numbers of each. The cartridge will then be placed into evidence.

F. Use of Multi-shot Taser Smart Weapons (Taser X2 and Taser X3)

1. Members who are properly trained to deploy Multi-shot Taser Smart Weapons will be permitted to carry and deploy them.
2. The Taser X3 will be assigned by the SWAT Team commander or their designee during team deployments or tactical situations.
3. Use of Multi-shot Tasers will be conducted in the same manner as previously mentioned in this General Order, under the guidelines of Sections D & E, "Field Officers" and "In-field use of CEW's".
4. When engaging multiple suspects, the officer shall advance to the next cartridge available and then deploy it as needed until the final cartridge is deployed. After the final cartridge has been deployed, the officer may advance to any of the previously deployed cartridges for additional cycles of that cartridge if required.

Revised: 05/31/05
08/03/06
02/12/07
08/08/08
06/09/09
04/02/13
04/01/16

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.11.01

SUBJECT: USE OF FORCE

EFFECTIVE: FEB. 27, 1990

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I. Policy

- A. Employees may use only that level of physical force necessary in the performance of their duties within the limits established by Article 35 of the New York State Penal Law, and consistent with the training policies of the Jamestown Police Department. The appropriateness of force used is dependent upon the extent and type of resistance encountered. The use of deadly physical force shall be governed by General Orders 1.11.02 and 1.11.03.

It is the responsibility of each employee to be aware of the requirements of Article 35 and to guide his actions based upon that law and department policy and training.

- B. Only issued or approved equipment will be carried on duty and used when encountering resistance, except in extreme emergency situations when an employee may use any justifiable resource at his disposal. The use of an active countermeasure, pressure point control, Conducted Electrical Weapon (CEW), chemical spray, or total body restraint will require a police report and use of force form.
- C. Use of restraining devices is mandatory on all prisoners unless in the employee's judgment, unusual circumstances exist which make the use of restraining devices impossible or unnecessary; i.e., prisoner is very elderly, handicapped, etc. The mere placing of handcuffs on a prisoner will not require a police report. However, if the handcuffs become an appliance to exert pressure necessary to further control a prisoner, or where a suspect physically resists the application of handcuffs, a police report and use of force form must be completed.

II. Procedures

- A. Any employee encountering resistance pursuant to his duties or any off-duty member encountering resistance pursuant to his duty as a police officer shall:
1. Immediately notify his supervisor; i.e., Patrol Supervisor or Shift Commander, of the incident as soon as practical.
 - a. In cases of non-arrest or an un-arrest incident where countermeasures have been used, the employee shall obtain permission from the Shift Commander prior to the release of the subject.
 2. After countermeasures have been used, immediately evaluate the need for medical attention or treatment for that person upon whom the techniques were used and arrange for such treatment when:

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- a. That subject has a visible injury requiring medical attention.
- b. Subject complains of injury or discomfort or request medical attention.
- c. When Oleoresin Capsicum (OC) is used and the subject exhibits breathing difficulties, blistering or if the symptoms of exposure persist.

Persons taken into custody, who require medical treatment, will be transported to the hospital. Persons with a minor injury may refuse medical treatment, however, such refusal will be documented in a police report.

Persons who are to be released should be encouraged to go to the hospital, transported if so requested, but they cannot be compelled to do so unless they are unable to make a rational determination themselves. Subject's acceptance or refusal of medical care will be documented in the police report.

3. Report or cause to be reported all facts relative to the incident on a police report, whether or not an arrest was made. Countermeasures used against crowds or unknowns persons will still be documented recording all possible information.
 4. Attempt to locate and identify any witnesses, documenting their statements.
 5. Prepare and submit required reports.
- B. Patrol Supervisor/Shift Commander shall investigate each use of force incident by:
1. Responding to scene of incident immediately.
 2. Insuring that employees receive any necessary assistance including medical treatment. They shall also insure that any injuries to employees are properly documented on a Police Report, Use of Force Form, and an Employee Incident Report and noted on the Prisoner Data Report.
 3. Insuring that any need for medical treatment for the subject is evaluated per Section II A. 2 of this order.

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4. Insuring that photographs are taken; if necessary request an Evidence Technician via the Administrative and Support Services Division Commander. Photographs should be taken of employees and subjects involved, if any injury or complaint of pain exists. NOTE: A photograph showing lack of injury can be as important as one showing injury.
 5. Insure that a thorough investigation is conducted and that all reports are prepared and submitted. In the event that an employee is unable to complete reports due to injuries, the Shift Commander shall prepare or cause them to be prepared, along with his/her own reports of incident.
- C. All use of force incidents will be forwarded to the Administrative and Support Division Commander.
1. The Administrative and Support Division Commander will:
 - a. Review each Use of Force incident.
 - b. Notify the Chief of Police and Operations Commander of any incident involving what appears to be an excessive use of force.
 - c. Notify the Chief of Police and Operations Commander of identified training deficiencies and needs.
 - d. Notify the Chief of Police and Operations Commander of patterns of inappropriate or repeated use of force incidents by officers.
 - e. At the direction of the Chief of Police, coordinate administrative investigations into allegations of excessive use of force by department employees.
- D. Any excessive use of force by a department employee that could lead to criminal charges being placed against the employee(s) will be investigated by the Investigative Section Commander or an outside agency by the order of the Chief of Police.

Revised: 11/98
03/11/05
06/10/09
02/28/11
04/01/16

Harry L. Snellings
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.11.02

SUBJECT: USE OF DEADLY PHYSICAL
FORCE

EFFECTIVE: FEBRUARY 28, 1990

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I. Policy

- A. Members of the Jamestown Police Department may use deadly physical force only when the use of deadly physical force is necessary to defend the officer or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force, pursuant to Section 35.00 of the New York State Penal Law.
- B. The fact that a police officer is justified in using deadly physical force does not allow reckless conduct by the police officer if the use of deadly physical force may injure innocent persons whom he is not seeking to arrest or retain in custody.

II. Guidelines

- A. Warning shots are prohibited.
- B. Discharge of a firearm from or at a moving vehicle is prohibited unless the member reasonably believes that the occupant(s) of the vehicle are using or are about to use deadly physical force against the member or another person. Therefore, shooting at a fleeing vehicle or a vehicle that is going away from the member and is no longer a threat, is prohibited.
- C. Members may use firearms against:
 - 1. Dogs that are attacking any person.
 - 2. Wildlife that are destructive, injured, or threatening, with supervisory approval when there is time to obtain same.

NOTE: See Deadly Force Policy, General Order 1.11.03, Section V A.4.

- D. Members are justified in removing firearms from holsters, and/or gun mounts, and pointing the firearm if:
 - 1. There is justification to use a firearm against a person or an animal.
 - 2. The member reasonably believes that a person or a situation poses or may pose an immediate threat of death or serious physical injury to either himself or another person.

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III. Procedures

A. Reporting the use of Deadly Physical Force.

1. Any use of deadly physical force, including firearms, will be in accordance with policy set forth in General Order 1.11.03.

Revised: 06/10/08
06/09/09

Harry L. Snellings
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.11.03

SUBJECT: DEADLY FORCE POLICY

EFFECTIVE: MAY 1, 1989

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I. Purpose

- A. To ensure that proper procedures are established and followed in the event of an
- B. “officer-involved” incident involving the use of deadly physical force and to acquaint each officer with these procedures.

II. Definitions

- A. “Deadly Physical Force” means physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury as defined in Section 10.00 (0) of the New York State Penal Law.
- B. The discharge of a firearm will always be considered the use of “Deadly Physical Force”. However, “Deadly Physical Force” can be expanded to include the use of less-lethal weapons and force if the intent is to cause serious physical injury or death or if the result is serious physical injury or death. This shall include, but is not limited to, impact weapons such as flashlights, motor vehicles, and bare hands.
- C. The primary consideration in the employment of deadly physical force is “justification”.

III. Guidelines

- A. Statutory guidelines relative to the use of deadly physical force are covered under Section 35.00 of the New York State Penal Law.

IV. Investigation

There will be two separate, independent, investigations into officer-involved incidents. They are the criminal investigation and the departmental investigation.

- A. The criminal investigation will be conducted by the Investigative Section Commander and will determine what actually transpired, and whether or not there is criminal liability involved.
- B. The departmental investigation will be conducted by the Division Commanders and will determine whether the incident falls within departmental policies and guidelines as set forth in the departmental Rules & Regulations and General Orders.

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V. Firearms

- A. This policy shall apply to ALL firearms discharges while on-duty or off-duty (acting in a police capacity) except for the following instances:
1. Authorized training.
 2. Target practice.
 3. Hunting.
 4. Disposing of a badly injured animal, or a dangerous animal, if the Animal Control Officer is unavailable.
 - a. A report detailing the destruction of an animal shall be prepared by the involved officer for follow-up by the Animal Control Officer.
- B. Authorized Firearms
1. Only department issued service weapons or a personally owned and approved weapon shall be utilized as set forth in the department Rules & Regulations.
 2. Qualification in proficiency of said firearms is also set forth in the departmental Rules & Regulations and General Orders.

VI. Procedures

- A. Discharge of a firearm, no injury involved:
1. ALL discharges of a firearm will be reported by the officer involved to his Patrol Supervisor and Shift Commander. A full report will be prepared by the involved officer. The Patrol Supervisor/Shift Commander will also submit a detailed report of his investigation to the respective Division Commanders.
 2. The involved officer may be assigned to administrative duties or relieved from duty pending the investigation of the incident.
 3. The Operations Division Commander shall be notified by the Shift Commander as soon as practical of the incident.
 4. This section shall also pertain to property damage resulting from the discharge of a firearm.
- B. Discharge of a firearm resulting in injury or death: (For purposes of this section employment of "Deadly Physical Force" shall be considered synonymous.)
1. Whenever an officer discharges a firearm or employs deadly physical force that results in death or injury to a person, he shall immediately:

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- a. Notify Communications of the incident and location.
 - b. Request assistance and emergency medical assistance as needed.
 - c. Administer first aid when safe to do so.
 - d. Notify the Shift Commander.
 - e. Suspect shall be placed into custody by responding officers; i.e., handcuffed.
 - f. Limit further communication regarding the incident to landlines if possible.
 - g. When relieved by the Shift Commander, he shall return to the station and prepare a written report of the incident. He must be accompanied by a supervisor or senior officer.
 - h. He shall refrain from discussing the incident with unauthorized personnel.
2. COMMUNICATIONS OFFICER RESPONSIBILITIES: The Communications Officer will:
- a. Dispatch the Patrol Supervisor and the Shift Commander to the scene immediately.
 - b. Ensure all medical assistance is dispatched as requested.
 - c. Send additional units as requested.
 - d. Notify the Division Commanders and the Chief of Police as requested by the Shift Commander.
 - e. Keep a legible log of all traffic relating to the incident.
 - f. Other duties as assigned.
3. PATROL SUPERVISOR'S RESPONSIBILITIES: The Patrol Supervisor will:
- a. Administer necessary first aid when safe to do so after suspect is secured.

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- b. Establish a perimeter and secure the scene to keep uninvolved persons away from the scene. Initiate a crime scene log as soon as possible.
 - c. Assign an officer to photograph scene as soon as possible.
 - d. Preserve evidence in its original condition and location unless it poses a hazard or may be contaminated.
 - e. Assign an officer to handle communications.
 - f. Direct and assign incoming officers pending arrival of Shift Commander.
 - g. Secure names and addresses of all witnesses and make arrangements for their seclusion and subsequent statements.
 - h. Assign an officer to guard suspect(s) at all times and to accompany same.
 - i. Seclude involved officer. If officer is injured, assign a senior officer to accompany him at all times.
 - j. Other duties as assigned.
4. GUARD OFFICER'S RESPONSIBILITIES: The Guard Officer will:
- a. Secure and preserve all evidence found on suspect's person.
 - b. Remain with suspect at all times. Accompany him in the ambulance and through all stages of medical treatment until properly relieved.
 - c. Upon arrival at the hospital, advise Shift Commander of suspect's condition.
 - d. Obtain clothing from suspect at hospital. Secure the names of all attendants removing clothing and treating suspect. Mark and preserve all evidence.
 - e. Request that toxicology test be performed; i.e., blood/urine, etc. Secure names of persons to whom requests are made.
 - f. Maintain list of all medications administered and by whom. Secure and preserve as evidence all empty medication containers and needles.

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- g. Secure names of all persons involved with suspect and their extent of involvement.
 - h. If suspect is deceased, advise all medical personnel and coroner that all personal items of suspect must be preserved as evidence.
 - i. Remain with suspect until properly relieved.
 - j. Do not discuss incident with unauthorized personnel.
 - k. Other duties as assigned.
5. SHIFT COMMANDER'S RESPONSIBILITIES: The Shift Commander will:
- a. Respond immediately to the scene.
 - b. Assume control of scene until properly relieved. Maintain integrity of scene.
 - c. Request Identification Officer and Duty Detectives to scene.
 - d. Notify the Chief of Police, Division Commanders and Investigative Section Commander.
 - e. Advise involved officer of Miranda Warnings.
 - f. Shift Commander ONLY will relieve involved officer of his firearm, maintaining it in the exact condition as found, securing all magazines, treating same as evidence.
 - 1. Involved Officer will not be given a replacement weapon until he/she is reinstated to an administrative position or returned to full duty.
 - 2. If the weapon is personally owned by involved officer, the Shift Commander will issue a receipt to officer for same.

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- g. Seclude involved officer from others if at scene. Assign another officer, preferably the Patrol Supervisor, to remain with officer at all times.
 - h. Make arrangements for involved officer to be taken to the hospital for examination and required test; i.e., blood/urine, etc.
 - i. Coordinate with Detective Supervisor at scene.
 - j. Ensure that statements and reports are completed by all officers present at scene as to their actions and observations. These will be completed after the officers are relieved at scene.
 - k. Insure that involved officer makes no statements to any unauthorized personnel. See that involved officer is removed from the scene and taken to the Police Department as soon as it is practical, accompanied by a Supervisor.
 - l. Provide whatever support necessary for involved officer including, but not limited to, ensuring that officer's rights are protected, including right to counsel prior to making any statements.
 - m. Turn over officer's weapon to Evidence Custodian for processing after property evidence tag is completed.
 - n. Coordinate press release with Division Commanders.
 - o. Prepare a detailed report as to actions taken, observations, and participation in the investigation.
 - p. Ensure adequate patrol coverage; i.e., call-ins, etc.
6. INVESTIGATIVE SECTION COMMANDER'S RESPONSIBILITIES: The Investigative Section Commander will:
- a. Assume command of the criminal investigation.
 - b. Coordinate with Shift Commander and Operations Commander at scene.
 - c. Assign appropriate personnel to conduct investigation.
 - d. Assign personnel to conduct interviews and take statements.
 - e. Ensure that crime scene is processed and all evidence collected.

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- f. Establish and maintain liaison with District Attorney.
 - g. Ensure that all necessary reports and statements are completed.
 - h. Inform the Chief of Police and the Operations Commander of the status of the investigation.
 - i. Present the case to the District Attorney for review.
 - j. If a criminal liability is revealed, shall prepare necessary charges.
 - k. Coordinate with the Chief of Police and the Operations Commander relative to press coverage of incident.
7. OPERATIONS COMMANDER'S RESPONSIBILITIES: The Operations Commander will:
- a. Coordinate with Investigative Section Commander and Shift Commander at scene.
 - b. Place involved officer on administrative leave with pay.
 - c. Assist in aiding involved officer including, but not limited to, making arrangements for psychological assistance through the Employee Assistance Program or other appropriate counseling service. Shall also make counseling available to family members.
 - d. Make arrangements for involved officer to contact family members and anyone else requested or, if unavailable to do so, make those contacts for him.
 - e. Conduct a separate but concurrent investigation with the Administrative and Support Services Commander to determine if incident falls within departmental policy.
 - f. Prepare a full report to the Chief of Police regarding his investigation and conclusion.
 - g. Coordinate with the Investigative Section Commander and the Chief of Police relative to press coverage of incident.
 - h. Keep involved officer and his Shift Commander apprised of status of investigation.

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8. CHIEF OF POLICE RESPONSIBILITIES: The Chief of Police will:
 - a. Immediately be notified of any officer-involved incident.
 - b. Be in overall command of entire investigation, delegating appropriate assignments to Division Commanders.
 - c. Be responsible for press coverage of incident.
 - d. At the conclusion of both the criminal and internal investigation, he will make the final determination of action to be taken.
 - e. Review policies, training, equipment, etc., with Division Commanders for possible improvement.
 - f. Notify Corporation Counsel and Mayor / City Council as appropriate.

9. INVOLVED OFFICER'S RESPONSIBILITIES: The involved officer will:
 - a. Brief Patrol Supervisor and Shift Commander of incident after being advised of rights to counsel.
 - b. Surrender duty weapon to Shift Commander.
 - c. Be assigned an accompanying officer, normally the Patrol Supervisor.
 - d. Submit to toxicology tests at the hospital; i.e., blood/urine tests.
 - e. Be placed on administrative leave with pay by Division Commander.
 - f. Be allowed to communicate with family members, PBA representative, chaplain, attorney, or anyone else required.
 - g. Prepare necessary reports of incident and will cooperate with investigative personnel during investigation.
 - h. Only discuss incident with authorized personnel. AUTHORIZED PERSONNEL ARE AS FOLLOWS:
 1. Chief of Police
 2. Division Commanders
 3. Patrol Supervisor/Shift Commander of involved officer
 4. Assigned Investigative personnel
 5. District Attorney
 6. Departmental/PBA/attorney
 7. Privately retained attorney of involved officer

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8. Department psychologist
 9. Chaplain
 10. PBA representative
 11. Doctor/private psychologist
-
- i. Advise Chief of Police of ANY discussions with authorized personnel, outside of department.
 - j. Be available at reasonable times for official interviews/statements and evidence gathering.
 - k. Submit to counseling with a department-approved psychologist. This is to help involved officer and family members cope with incident. This will not be related to any investigation. Patient/doctor confidentiality will prevail.
 - l. While on administrative leave is subject to recall to duty at any time pending approval of doctor or psychologist and may be assigned to non-field duties.

Revised: 5/95
08/03/06
05/12/08
06/12/09

Harry L. Snellings
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.11.05

SUBJECT: USE OF OLEORESIN
CAPSICUM AEROSOL SPRAY

EFFECTIVE: FEBRUARY 20, 1996

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I. Purpose

- A. To define a policy regarding the use of an organic inflammatory agent, Oleoresin Capsicum (OC), as a mid-level force option to temporarily incapacitate violent or potentially violent subjects allowing department members to bring them under physical control. It is the intention of this department that the use of OC shall prevent the escalation of force for both the offender and the department member.

II. Policy

- A. Employees may use only that level of physical force necessary in the performance of their duties within the limits established by Article 35 of the New York State Penal Law, and consistent with the training and policies of the Jamestown Police Department. The appropriateness of force used is dependent on the extent and type of resistance encountered. The use of non-lethal weapons shall be governed by General Orders 1.11.01, 1.11.04, and 1.11.05.
- B. The use of OC shall be authorized for those situations in which a subject must be taken into custody and is either physically violent or potentially violent and will not submit to verbal commands to comply with officer's directions, and does not justify the use of deadly physical force. The goal of the officer shall be the use of the minimum force necessary to overcome the resistance presented. Officers shall only carry or utilize a department authorized type or brand of OC. Officers shall be issued OC spray only after successful completion of OC training provided by this department.

III. Procedure

- A. The target zone to be sprayed shall be the facial area so that the mucous membrane areas that include the eyes, nose, and mouth shall be affected immediately.
- B. OC shall ideally be dispensed at a distance of 4 to 6 feet using short quarter second bursts. Caution should be taken to insure that innocent bystanders are not subjected to the spray because of wind conditions or crowds. OC should not be sprayed near any open flame.
- C. Verbal commands and directions should be used in conjunction with OC spray.

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- D. Once the subject is sprayed, the officer should shuffle step (preferably to the side).
- E. Officers shall handcuff the contaminated subject from the back to insure maximum control of the subject and to insure that the subject does not rub his/her eyes causing further contamination or damage to eyes.

IV. Decontamination

- A. Have contaminated subject remove contact lenses, if applicable, prior to rinsing the eye area.
- B. Contaminated subjects should be taken to the decontamination area located in the city jail. Flush the contaminated area with large amounts of cold water.
- C. Do not apply salves, creams, oils, or lotions, which can trap the OC causing skin blisters.
- D. Transport subject to medical facility at the request of the subject if symptoms or inflammation persists. Symptoms should be minimal after an approximate period of 45 minutes.

V. Reporting

- A. In all cases where Oleoresin Capsicum is utilized, a supervisor will be notified as soon as practically possible.
- B. A police report and use of force form must be submitted regarding the incident prior to the end of the officer's tour of duty in which OC was used, in compliance with General Order 1.11.01.

Revised: 03/11/05
02/12/09
04/01/16

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 1.11.07

SUBJECT: CHEMICAL MUNITIONS

EFFECTIVE: May 31, 2003

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I. Purpose:

The purpose of this policy is to provide Jamestown Police Department S.W.A.T. officers with guidelines for the proper use of chemical munitions.

II. Policy:

The use of chemical munitions is an effective less lethal tool in subduing armed and/or dangerous persons, forcing a barricaded subject from a stronghold or dispersing a riotous crowd. It shall be the policy of the Jamestown Police Department S.W.A.T. Team that officers will only deploy chemical munitions with the authorization of designated S.W.A.T. command personnel and in accordance with the proper escalation of force. Officers responsible for the deployment of such munitions shall be trained, tested, and certified on an annual basis.

III. Procedures:

1. S.W.A.T. command personnel shall have full control of all chemical agents and their use.
2. S.W.A.T. command personnel shall consult with the scene commander on the deployment of chemical munitions.
3. Evacuation procedures shall be followed if non-participatory people are at risk of being contaminated.
4. All officers involved in the deployment of chemical munitions shall be equipped with gas masks and gloves.
5. Medical personnel shall be staged and prepared to render first aid to contaminated suspects, officers, and/or civilians.
6. CN, CS, OC, and Smoke are the only authorized agents utilized by S.W.A.T.
7. Chemical munitions use within a structure:
 - A. Only non-burning type grenades and projectiles should be used, unless the suspect's threat to human life is such that lethal force would be

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justified, and the device used is designated to minimize a potential fire hazard, and is contained in an accepted manner.

- B. Deployment of all chemical munitions shall be accomplished in the safest manner possible.
 - C. S.W.A.T. command personnel, in conjunction with the chemical munitions officer, shall determine what type and amount of chemical munitions are to be deployed.
 - D. The chemical munitions officer shall keep accurate records in regard to:
 - 1. Type of chemical munitions used and recovered.
 - 2. Type of chemical munitions issued.
 - 3. Results of the deployment of chemical munitions.
 - 4. Photographic records of damages sustained and munitions where they came to rest.
 - 5. Contamination time.
 - 6. Decontamination time.
 - 7. Known or discovered medical problems of suspects, officers, or civilians.
 - 8. Time suspect was released from medical care.
 - E. Fire department personnel shall be staged and prepared to control any fire that may be initiated.
 - F. Medical personnel shall be staged and prepared to render first aid to contaminated suspects, officers, and/or civilians.
8. Chemical munitions in outdoor use:
- A. S.W.A.T. commanders shall designate what formations are to be used by officers on the strike or riot line.
 - B. Pyrotechnic projectiles are acceptable for use in an outdoor environment.
 - C. S.W.A.T. command personnel, in conjunction with the chemical munitions officer, shall determine what type and amount of chemical munitions are to be deployed.
 - D. Chemical munitions canisters are to be thrown on the ground or launched behind the strikers or rioters. Projectiles are to be fired behind the strikers or rioters. Wood or foam rubber is to be fired at the ground, causing them to “skip” or ricochet towards the strikers or rioters.

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- E. In the event that the suspect(s) present serious risk of death or injury to any person including himself, specialty impact weapons (less lethal munitions) may be directly fired at the suspect(s).
 - F. Any person struck with less lethal munitions by a Jamestown Police Department S.W.A.T. member shall be, when possible, transported to the nearest hospital for evaluation.
9. Decontamination Procedures:
- A. At the completion of the incident, the chemical munitions officer shall be responsible for initiating decontamination procedures as appropriate.
 - 1. Photograph and log location(s) of expended munitions and damages, if any has occurred.
 - 2. Policing area for expended munitions.
 - 3. Preparing area for ventilation.
 - 4. Complete and distribute decontamination documentation.
10. The chemical munitions officer shall evaluate each incident where agents were deployed and prepare a written report addressing training and procedure.

Revised: 02/12/09

Timothy M. Jackson
Chief of Police



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NUMBER: 2.02.08

SUBJECT: INVESTIGATION OF HATE
CRIMES

EFFECTIVE: August 24th, 2020

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I. Purpose

This policy is designed to assist employees in identifying and investigating hate crimes and assisting victimized individuals and communities. A swift and strong response by law enforcement can help stabilize and calm the community as well as aid in a victim's recovery.

II. Policy

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias and designed to infringe upon the rights of individuals are viewed very seriously by this agency and will be given high priority. This agency shall employ necessary resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this agency shall be mindful of and responsive to the security concerns of victims and their families.

III. Definitions

A. New York State Penal Law §485.05 Hate crimes.

1. A person commits a hate crime when he or she commits a specified offense and either:
 - (a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
 - (b) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of

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both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of subdivision one of this section.

For purposes of this section:

- (a) the term "age" means sixty years old or more;
- (b) the term "disability" means a physical or mental impairment that substantially limits a major life activity.

The crimes that can be charged under the Hate Crime statute are listed in attachment A.

B. Penal Law § 240.31 Aggravated harassment in the first degree.

A person is guilty of aggravated harassment in the first degree when with intent to harass, annoy, threaten or alarm another person, because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct, he or she:

1. Damages premises primarily used for religious purposes, or acquired pursuant to section six of the religious corporation law and maintained for purposes of religious instruction, and the damage to the premises exceeds fifty dollars; or
2. Commits the crime of aggravated harassment in the second degree in the manner proscribed by the provisions of subdivision three of section 240.30 of this article and has been previously convicted of the crime of aggravated harassment in the second degree for the commission of conduct proscribed by the provisions of subdivision three of section 240.30 or he or she has been previously convicted of the crime of aggravated harassment in the first degree within the preceding ten years; or
3. Etches, paints, draws upon or otherwise places a swastika, commonly exhibited as the emblem of Nazi Germany, on any building or other real property, public or private, owned by any person, firm or corporation or any public agency or instrumentality, without express permission of the owner or operator of such building or real property;
4. Sets on fire a cross in public view; or
5. Etches, paints, draws upon or otherwise places or displays a noose, commonly exhibited as a symbol of racism and intimidation, on any building or other real property, public or private, owned by any person, firm or corporation or any public agency or instrumentality, without express

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permission of the owner or operator of such building or real property.

Aggravated harassment in the first degree is a class E felony.

C. Penal Law § 240.30(3) Aggravated harassment in the second degree.

A person is guilty of aggravated harassment in the first degree when with intent to harass, annoy, threaten or alarm another person, he or she:

- (3) Strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct.

Aggravated harassment in the second degree is a class A misdemeanor.

The additional crimes that can be charged under the Hate Crime statute are listed in Attachment A.

III. Procedure

A. Goals

1. Officers shall conduct a thorough and complete investigation in all suspected and confirmed hate crime incidents and assist the local prosecutor.
2. Officers should make every effort to become familiar with organized hate groups operating in the community and police contacts should be documented.

B. Initial Response Procedures

Initial responding officers at the scene of a suspected hate crime shall take preliminary actions deemed necessary, including, but not limited to, the following:

1. Secure the scene. Steps should be taken so that the initial situation does not escalate. This includes but is not limited to:
 - a. Stabilizing injured victims and requesting medical aid.
 - b. Providing protection to victims and witnesses by increased police presence.
 - c. Protect the crime scene and have technician collect and photograph physical evidence such as hate literature, spray paint cans, and symbolic objects used by hate groups, such as swastikas and crosses.

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2. Identify criminal evidence on the victim if applicable.
3. Request the assistance of a translator or counselor when necessary.
4. Request the assistance of an investigator and supervisor.
5. Conduct a preliminary investigation and record information on;
 - a. the identity of suspected perpetrators,
 - b. the identity of witnesses, including those no longer at the scene,
 - c. prior bias-motivated occurrences in the immediate area or against the same victim. (check with Crime Analyst, NYSIC (518) 786-2100 and/or Regional Crime Analysis Center if one exists),
 - d. statements made by suspects; exact language is critical.
6. Arrest suspected perpetrators if probable cause exists.
 - a. Conduct interview and attempt to establish motive
 - b. Consult with prosecutor if there is a question as to proper criminal charges
7. Take measures to ensure that necessary preliminary actions have been taken and brief the responding supervisor as to those action

During your investigation, look for possible signs that the incident may be a hate crime:

- The motivation of the perpetrator or lack of motive.
- Statements made by the perpetrator.
- The presence of multiple perpetrators.
- The display of offensive symbols, words or acts.
- Was any hate literature found in the possession of the suspect?
- Is the victim the only person of a particular group at a park or facility?
- Is the victim from a different racial, ethnic, religious group than the perpetrator?
- The absence of any motive. The brutal nature of a particular incident could denote a hate crime, particularly when the perpetrator and victim don't know each other.
- The perpetrator's perception of the victim, whether accurate or not.
- The date, time or circumstances of the occurrence, such as on a religious holiday, or an event occurring at a gathering of a group of people affiliated by ethnicity, religion, sexual orientation, etc.

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- Multiple incidents occurring in a short time period and all the victims were of the same identifiable group.
 - Were the real intentions of the perpetrator racial, color, religious or ethnic oriented, or were there other reasons such as pranks, unrelated vandalism, or a dispute arising out of a non-bias related disagreement?
 - Incident occurred in proximity to an establishment that could be associated with one of the protected classes.
 - The perpetrator targeted a particular portion of the victim's body; i.e. Sikh victims forcibly having his hair cut, or a victim targeted for his/her sexual orientation being attacked near or around his or her genitalia.
 - The victim's perception that he/she was selected because they are a member of an identifiable group.
8. The mere mention of a bias remark does not make an incident bias motivated, just as the absence of a remark does not make an incident without bias. Even the mere perception that the incident may be motivated by bias shall necessitate a notification to a patrol supervisor.
9. Be cognizant of dual motivation by some suspects. Example: A suspect may be looking to commit robberies but specifically targets elderly victims.
10. Note that an attack against a transgender victim could be covered under sexual orientation or gender.

C. Supervisory Responsibilities

The supervisor shall confer with the initial responding officer(s), take measures to ensure that necessary preliminary actions have been taken, and make appropriate departmental notifications as necessary. The supervisor shall request any appropriate additional personnel necessary to accomplish the following:

1. Provide immediate assistance to the crime victim.
 - a. Express the law enforcement agency's official position on the importance of these cases, and describe the measures that will be taken to apprehend the perpetrators.
 - b. Express the department's interest in protecting victims' anonymity whenever possible.
 - c. Allow the victim a period in which to express his or her immediate concerns and express his or her feelings.
 - d. Communicate with concerned community-based organizations, civic groups,

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and religious institutions regarding the suspected or confirmed bias incident.

- e. Identify individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, a family clergyman or departmental chaplain, as well as community service agencies that provide victim assistance, shelter, food, clothing, child care, or other related services. Provide information regarding New York State Crime Victims Board (Attachment B).
 - f. Tell the victim about the probable sequence of events in the investigation and prosecution.
 - g. Explain security measures and precautions to the victim.
2. Ensure that officers and investigator conduct a thorough preliminary investigation.
 3. Ensure that all relevant facts are documented on an incident or arrest report or both and make an initial determination as to whether the incident should be classified as a hate crime.
 4. Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
 5. Take preventive measures to ensure the safety of the victim.

D. Investigators' Responsibilities

In responding to the scene of an alleged hate crime, investigators shall assume control of the follow-up investigation to include the following:

1. Ensure that the scene is properly protected, preserved, and processed and that all physical evidence of the incident is removed as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall), the owner of the property shall be contacted to do all that is possible to ensure that the graffiti is removed as soon as possible. The officer or investigator shall follow-up to ensure that this is accomplished in a timely manner.
2. Conduct a comprehensive interview with all victims and witnesses (and depose) at the scene, or as soon as possible thereafter, and canvass the neighborhood for additional sources of information.
3. Work closely with the prosecutor's office to ensure that a legally adequate case is

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developed for prosecution.

4. Coordinate the investigation with agency, state, and regional crime analysis centers. These sources shall provide the investigative officer with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.
 5. Coordinate the investigation with other units of the agency and with outside agencies where appropriate.
 6. Maintain contact with the initial responding officer and keep him or her apprised of the status of the case.
 7. Recommend to Commanding Officer whether the incident should be classified as a hate crime.
 8. Investigative officers shall take steps to ensure that appropriate assistance is being provided to hate crime victims, to include the following measures:
 - a. Contact the victim periodically to determine whether he or she is receiving adequate and appropriate assistance.
 - b. Provide ongoing information to the victim about the status of the criminal investigation.
 - c. Attempt, whenever possible, to conduct all interviews with victims at their convenience and minimize, to the degree possible, interactions in which victims have to relate the incident.
- E. Recommended Steps When Suspect is Not in Custody or Has Not Been Identified
1. Coordinate investigation with other department units.
 2. Work with Analyst or Regional Crime Analysis Center to research leads and prepare bulletins.
 3. Conduct extensive canvass and distribute bulletins in area of the incident.
 4. Debrief individuals arrested in the area.
 5. Work with media to attempt to garner witnesses and investigative leads.
 6. Follow-up leads in timely manner.
- F. Incident Report Preparation
- Incident reports should clearly indicate the following information:
- Offense – Hate Crime designated Penal Law

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- Victim age, gender, race, and ethnicity (when victim(s) is an individual(s))
- Offender age, gender, race, and ethnicity (when available)

The narrative portion of the Incident report should document that the victim(s) was intentionally selected or that the act was intentionally committed because of a belief or perception regarding such victim's race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. The specific bias motivation of the perpetrator should be documented (Ex: selected victim because he was Hispanic, Jewish, Muslim, etc...)

Arrest Processing

The Hate Crimes law is a sentencing enhancement statute. Thus, when the specified crime is a misdemeanor or a class C, D, or E, felony, the hate crime shall be deemed to be one category higher. For example, if a defendant is alleged to have committed an Assault in the second degree, which is a "D" felony and it is alleged that the assault was a hate crime, then upon a conviction the assault is deemed to be a "C" felony and the sentence imposed will be based upon the sentencing range for a "C" felony. "A" and "B" felonies charged as hate crimes stay the same but are subject to higher penalties.

It is important to realize that a class A misdemeanor charged as a hate crime is deemed a class E felony. This may affect the manner in which the case is handled (e.g., arraignment, bail, grand jury).

Reporting of hate crime arrests is statutorily required. It is essential that if an individual is being charged with a hate crime, the arrest is properly coded.

When an arrest is being processed for a hate crime, you are required to use the penal law code with the letter "H" to highlight and make the distinction. The letter "H" is applied to the subdivision of the PL section. In those cases where no subdivision exists, a double zero is used with the letter "H". Use caution when using automated booking system to ensure that the correct offense is selected.

Examples:

PL section 120.00, subdivision 1 – Assault 3rd
• 120.00(01**H**), when it is a Hate Crime

PL Section 140.15 – Criminal Trespass 2nd
• 140.15 (00**H**), when it is a Hate Crime

Note: Do not use the letter H when you are not charging a hate crime or the arrest will be reported as a hate crime arrest by DCJS.

Accusatory Instrument

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1 As the Legislature made clear in the language of Penal Law section 485.00, the victim of a hate crime is society as a whole. It is apparently for that reason that the hate crime statute does not require specification of any particular person, only “a person.” It is the attribute of the protected class (i.e., sex, race, sexual orientation, etc.), not the name of any particular individual member or members of that class which is of importance. Accordingly, the manner in which to allege a hate crime is to set forth the particular attribute of the protected class which is claimed to have motivated the defendant, and not name any particular person or persons. The indictment can simply allege that the defendant committed the underlying crime in whole or in substantial part because of a belief or perception of the race, or sex, or sexual orientation, etc, of “a person.” Likewise, when alleging aggravated harassment in the first degree, the accusatory instrument need only allege prohibited conduct directed toward a class of individuals.

2 The accusatory paperwork filed with the court should also list the “H” designator. The narrative portion of the accusatory incident must include the elements and facts of the crime that demonstrate that the victim was intentionally selected or the act was intentionally committed because of a belief or perception regarding such person’s race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation.

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Records Management Section

1. Assist department in complying with state hate crime reporting requirements.
 - a. Submit all incidents of reported hate crimes to DCJS each month using the State form 3294 (see Attachment A). Forms must be submitted each month. If no hate crimes were reported, departments must complete the form by checking the “Nothing to Report (NTR)” box.
 - b. Report monthly, by submitting a duplicate copy of form 3294, to the Regional or County Crime Analysis Center in accordance with any county or local laws.

G. Community Relations and Crime Prevention

Hate crimes are viewed in the community not only as a crime against the targeted victim(s), but also as a crime against the victim’s identification group as a whole. Working constructively with segments of this larger community after such crimes is essential to help reduce fears, stem possible retaliation, prevent additional hate crimes, and encourage any other previously victimized individuals to step forward and report those crimes. This is particularly important if an upward trend has been identified in these crimes. Towards this end, this agency’s community relations function, or officers so assigned, shall perform the following:

- 1 Provide victim(s) with a point of contact in the department to whom they can direct questions or concerns, and keep them informed of the case progress including the end result of the investigation or prosecution.
- 2 Protect the privacy of the victim and their families as much as possible.
- 3 Provide any direct assistance reasonably possible and referral assistance to the victim and the family of the victim.
- 4 Meet with neighborhood groups, residents in target communities and other identified groups, to allay fears, emphasize the agency’s concern over this and related incidents, reduce the potential for counter-violence and reprisals, and provide safety, security, and crime prevention information.
- 5 Engage the media as partners in restoring victimized communities through sensitive and accurate reporting. Information regarding hate crimes should be prepared for the media in an accurate and timely manner.
- 6 Conduct public meetings or forums designed to address the community-wide impact

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of hate crime and violence in general.

- 7 Establish liaisons with formal community-based organizations and leaders to mobilize resources that can be used to assist victims and prevent future hate incidents and crimes.
- 8 Expand, where appropriate, preventive programs such as hate, bias, and crime reduction seminars for school children.

Sources: International Association of Chiefs of Police (IACP) Model Policy

New York State Police Policy

Clinton County Sheriff's Department General Order

State of New York Attorney General's Hate Crime: Manual for Prosecutors

Nassau County Police Department Procedure

New York City Police Department Hate Crimes Task Force

Westchester County Department of Public Safety Crime Analysis Unit Section

273.01 (3) of the Laws of Westchester County

New York City Anti-Violence Project

Westchester District Attorney's Office

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 2.02.12

SUBJECT: Psychiatric
Evaluation/Transports

EFFECTIVE: January 15, 1997

[Home](#)

I. Policy

- A. Members of the Jamestown Police Department will take into custody and transport to the appropriate mental health facility, persons requiring mental health treatment.

II. Definitions

- A. Involuntary evaluation will mean any set of circumstances as defined in Section 9.41 of the Mental Hygiene Law where a person “appears to be mentally ill and is conducting himself in a manner which is likely to result in serious harm to himself or others” which results in a member taking a person into custody and transporting him to a mental health facility for evaluation.
- B. Ordered evaluation will mean any set of circumstances in which a signed mental health pick-up order from a County Mental Health Officer or designee (section 9.45 of MHL) is executed by a member by taking that person into custody and delivering him to the designated mental health facility.
- C. Transportation for involuntary commitment will mean any set of circumstances which results in a member transporting a person who has been evaluated by and ordered to a psychiatric facility by a County Mental Health Officer for the purpose of further evaluation and/or confinement.
- D. Arrest and Evaluation will mean any set of circumstances which necessitates a member to obtain a warrant of arrest based on a valid 9.45 pick-up order to take the named person into custody for evaluation as defined in section 9.43 of the Mental Hygiene Law.

III. Procedure

- A. Involuntary Evaluation - The member will:
 - 1. Have personal knowledge of conduct by the individual that satisfies Section 9.41 of the Mental Hygiene Law, e.g., attempted or threatened suicide, actions or threats that endanger others.
 - 2. Take such persons into custody utilizing minimal force necessary to protect the subject, members of the public and the member himself.

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3. Restrain such person as required to protect the subject, members of the public and the member's safety.
 4. Immediately transport the subject to WCA Hospital Emergency Department for medical clearance. Once the subject is securely in the custody of hospital personnel, the member may return to service.
 5. In the case of extremely violent persons, the member may be required to accompany the subject through medical clearance at the Emergency Department and to transport the subject to Jones Memorial Health Center Psychiatric Unit.
 6. Document his/her action in a Police Report. In addition, the Request for Examination of Person (form MH-150) shall be completed. One copy shall stay with the hospital and one copy will be returned with the Police Report.
 - a. If it is a "voluntary" transport, complete the MH-150 Form as indicated, however, cross out section 9.41 and write in "voluntary".
 - b. If the subject is transported by ambulance, a copy of the MH-150 Form should be given to the ambulance crew.
 - c. A copy of the 9.41 Transport Form is attached.
 7. NOTE: If the member does not observe the conduct of a potentially ill person, involuntary evaluation would be inappropriate. Even with a written order by a physician who is not a County Mental Health Officer, detention would still be inappropriate.
- B. Ordered Evaluation - The member will:
1. Have personal knowledge of the existence of a signed mental health pick-up order. A direct order from a supervisor will satisfy this section. Any order over twelve (12) hours old should be verified with the issuing agency to confirm its validity prior to service. If there is a question as to the person's mental state, and where an evaluation is still necessary, members from the Crisis Intervention Team may be summoned to the location to re-evaluate the person.
 2. Take such persons into custody utilizing minimal force necessary to protect the subject, members of the public, and the member himself.

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- a. In cases when the person is uncooperative or obviously out of control, may be damaging property or he is a threat to himself or someone else (violent) the 9.45 order will be sufficient authority to take him into custody.
 - b. In cases where a pick-up order has been issued and the person is not acting violent or does not pose a threat to himself or someone else, and he is in a private premises it may become necessary to call the Crisis Intervention Unit. Another option is the member will take the 9.45 order to the nearest available magistrate. That order will be used as the basis of information to apply for a warrant as described in Section 9.43 of the Mental Hygiene Law. The member will then affect an arrest of the person, take the person before the magistrate and the magistrate will order the evaluation after which time the member will transport the person to the mental health facility.
3. Restrain such person as required to protect the subject, members of the public, and the member's safety.
 4. Transport the subject to WCA Hospital Emergency Department for medical clearance. Once the subject is securely in the custody of hospital personnel, the member may return to service.
 5. In the case of extremely violent persons, the member may be required to accompany the subject through medical clearance at the emergency department and to transport the subject to Jones Memorial Health Center Psychiatric Unit.
 6. Document his/her actions in a Police Report. NOTE: This procedure will apply to those circumstances in which a mental health evaluation has been ordered by a court of competent jurisdiction.
 7. A Request for Examination of Person (MH-150) Form should also be completed for subjects transported under ordered evaluations. This will assist medical personnel in assessing the patient by documenting the officer's observations at the time of service of the 9.45 order. In such cases, "9.41" should be crossed out and "9.45" written in on the MH-150 Form where appropriate.
- C. Transportation for Involuntary Commitment:
1. Whenever the Jamestown Police Department is required by law to transport city residents to an out-of-town psychiatric facility, the transport will be conducted by off-duty personnel whenever possible.
 2. The off-duty personnel will be compensated at the contractual service rate as agreed to by Chautauqua County Mental Health.

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3. Two members will be sent on all transports and one member along with one matron for females when a matron is available.
4. Upon receiving a request for transport, the Communications Officer will:
 - a. Create an incident in the computer system
 - b. Canvass personnel from call-out list.
 - c. Initiate Mental Patient Transport Form ([Appendix N](#)).
 - d. Complete transport form upon completion of transport and forward same to the Chief of Police.
5. Transporting members will insure that all appropriate paperwork is delivered along with the patient to the admissions office of the designated psychiatric facility.

Issued: 04/21/90
Revised: 04/93
01/97
11/08/07
1/30/15

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 2.02.17

SUBJECT: RACIAL PROFILING/
DISCRIMINATORY
PRACTICES

EFFECTIVE: June 1, 2000

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I. Purpose

The purpose of this directive is to ensure that race, ethnicity, age, gender or sexual orientation of an individual shall not be the sole basis for the detention, interdiction or other disparate treatment of an individual by any member of the Jamestown Police Department.

II. Policy

It shall be Department policy to prevent and prohibit the practice of racial profiling and any other discriminatory practice by members of the Jamestown Police Department.

III. Procedure

A. Definition – Racial Profiling

1. The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.

B. Racial Profiling/Discriminatory Practices

1. Racial profiling of individuals is strictly prohibited by members of the Jamestown Police Department.
 - a. In the absence of a specific report, race or ethnicity of an individual shall not be a factor in determining the existence of probable cause to place in custody or arrest an individual, or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a motor vehicle.
 - b. In response to a specific credible report of criminal activity, race or ethnicity of an individual shall not be the sole factor in determining the existence of probable cause to place in custody or arrest an individual.
2. Stops or detentions based on race, age, gender or sexual orientation or any other prejudicial basis by any member of the Jamestown Police Department are prohibited.
 - a. The detention of any individual that is not based on factors related to a violation of federal law, state law, city code violations or any combination thereof is prohibited.

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IV. Authority & Responsibility

- A. Each Shift Commander or supervising officer will continually examine all areas of police action under his/her purview in an effort to discover any racial profiling or discriminatory practices.
- B. Any employee who believes there is, or is made aware of, any violations of this General Order shall immediately contact his/her immediate supervisor.
- C. All complaints of racial profiling or discriminatory practices shall be received, documented and investigated in accordance with department policy.

V. Training

- A. All Police Department members shall receive training on the harms of racial profiling and discrimination, including the review of this policy.

VI. Disciplinary Procedure

- A. Failure to report any observed or known violations of this General Order by any member of the Department shall result in disciplinary action.
- B. Observed violations will be reported immediately to a duty supervisor who will document same and forward the report to the violator's Division Commander for investigation.

Revised: 12/11/08

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 2.02.31

SUBJECT: CIVIL DISORDER RESPONSE

EFFECTIVE: JUNE 5, 1990

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I. Policy

- A. The Jamestown Police Department shall establish procedures for dealing with civil disorder or disturbances.

II. Discussion

- A. It is the responsibility of the police department to preserve the peace while protecting the rights of demonstrators to assemble peacefully and exercise free speech.
- B. Members will make reasonable efforts to employ non-arrest methods of crowd control, but as required, shall make arrests for violations of the law.
- C. Officers shall display an attitude of neutrality and shall not engage in demonstration-related discussion with participants.

III. Procedures

- A. Upon observing a situation likely to produce tension that could result in disorder, an officer shall immediately notify communications.
 - 1. The shift commander shall respond to the area to assess the situation, obtaining as much information as possible.
- B. Shift Commander's Responsibilities:
 - 1. Assign adequate personnel to maintain crowd control.
 - a. If necessary, utilize a Phase I or II mobilization and ensure that the Chief of Police and Division Commanders are advised of the situation. Also, requests for neighboring agencies and the Sheriff's Department can be made, i.e., several cars, not a full mobilization.

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2. If it becomes necessary to disperse the crowd, and the shift commander determines he has adequate personnel to do so safely, he shall utilize the following:
 - a. Verbal persuasion to request the disbursement.
 - b. Issuance of warnings.
 - c. Arrests if necessary.

 3. If the situation escalates beyond the control of the officers at the scene, the shift commander shall establish an inner perimeter to isolate the disturbance and shall request the response of the Chief of Police and/or the Patrol Commander.
 - a. Notifications and responses shall be utilized according to General Order 2.02.29 (Emergency Mobilization) and General Order 2.02.30 (Disaster Response).
 - b. A field command post, an outer perimeter, and a staging area shall be established as per General Order 2.02.30.
- C. Incident Commander:
1. The Chief of Police or the Operations Commander shall be in overall command of the incident. The Administrative and Support Services Commander shall respond to the police department and coordinate the department response.
 2. Responding personnel shall report to the staging area to receive their assignments, i.e., perimeter, arrest teams, etc.
 3. Responding personnel from outside agencies shall be logged in on an Emergency Operations Personnel Log, including name, department, a list of weapons and equipment (including number and type of rounds of ammunition), and assignments.
 4. Supervisors will be assigned to each phase of the operation and shall be responsible for same.
 5. A secure area near the command post shall be provided for interested civic and government leaders and they shall be kept informed as to the status of the disturbance and measures in use to control it.
 6. A secure area shall also be provided and designated as a "Press area".
 - a. Representatives of the press will be required to remain in this area.

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- b. NO information shall be released to the press except by the designated public information officer, as per policy.
- c. Updated information on numbers of arrests, charges placed, injuries sustained, and status of efforts to control the disturbance will be made available to the press as it becomes available.
- d. If a temporary news “blackout” would assist in controlling the disturbance, this would be a command decision and the cooperation of the news media will be solicited. News released will be cleared through the incident commander.
- e. Casualty information shall be released only in accordance with existing policy.

D. Arrest Procedures:

- 1. Personnel will be used in sufficient numbers to assure success in attaining the objective of containment, mass arrests, securing the area, etc. NO movement will be allowed until a sufficient force is available.
 - a. Arrest teams will be assigned under the direct command of a supervisor.
 - 1. All personnel assigned as an arrest team will act in concert with their team members. No officer shall act independently.
 - 2. The arresting officer(s) will, as soon as possible, transport the arrested individuals to the processing area, where:
 - a. A thorough search, subsequent to the street search, shall be conducted. Any evidence/physical property shall be secured as per departmental policy.
 - b. A photograph (video, digital or 35 mm) shall immediately be taken of the arrested individual.
 - c. Required portions of a Prisoner Data Sheet shall be completed, including charges(s).

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- b. Prisoner custody/transport teams shall be assigned to receive prisoners, assist with processing and transport to the holding facility. Injured prisoners shall be taken for medical treatment as per departmental directives.
- c. Teams shall also be assigned to traffic control, perimeters, security details, i.e., public facilities, etc., and other duties which may arise.
- d. Equipment:
 - 1. All officers assigned shall report to the staging area in uniform with all issued equipment.
 - 2. Additional equipment, i.e., riot helmets, special weapons, etc., shall be issued to selected personnel and a log kept of same.
 - 3. First aid supplies shall be maintained at the field headquarters. A written record shall be maintained relative to injuries reported (police and rioters), date, time, place, name, address, extent of injuries, circumstances, medical assistance, etc.
 - 4. Extra equipment, i.e., batteries, lights, etc., shall be provided at the command post.
 - 5. Camera equipment, i.e., video, 35 mm, digital, shall be available at the command post.
- e. Chemical Agents:
 - 1. Chemical agents shall only be utilized by specialized personnel upon authorization of the incident commander.
 - a. All gas supplies shall be maintained at a central and secure place.
 - b. Adequate security for weapons and ammunition shall be provided. Vehicles carrying such supplies shall be routed around the scene of the disturbance when responding.
- f. Deadly Force:
 - 1. Deadly force shall not be used except to counter a direct assault made with deadly physical force. No weapons shall be used except at the discretion of the incident commander and only within departmental policy.

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g. Transportation:

1. Transportation needs shall be met utilizing available departmental vehicles and, if necessary, buses, ambulances, etc.

E. Support Personnel Duties:

1. Evidence Technician(s) shall be available to record incident and to provide photographic services at the scene and at the jail.
2. Investigators shall be assigned to:
 - a. Verify information relative to disturbance and persons involved, their intentions, times and locations of planned incidents (intelligence).
 - b. Check criminal charges to insure correct charges are filed.
 - c. Secure evidence/personal property turned in.
 - d. Assure proper procedures in each arrest regarding photos, names, and I.D. of arrestees and arresting officers.
 - e. Interview arrestees and witnesses.
 - f. Assist in processing prisoners, if necessary, listing status, arraignment, bail, etc.
 - g. Other duties as assigned.
3. Other agencies as needed, i.e., fire department, public utilities, local government, etc., as requested.

F. Communications:

1. Upon notification of a disturbance, dispatchers shall:
 - a. Assign one frequency, normally frequency 4.
 - b. Maintain a log detailing all pertinent information.
 - c. Dispatch appropriate fire and rescue response.
 - d. Insure that shift commander is advised.
 - e. Notify appropriate personnel as requested.

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- f. Contact adjoining agencies and the NYSP to respond to calls outside the disturbance area. NOTE: The New York State Police cannot respond to a civil disturbance unless so authorized by the Governor.
 - g. Other duties as assigned.
- G. Military Support:
- 1. Military support shall be requested if necessary, pursuant to Section 209-f of the General Municipal Law.
- H. Chain of Command:
- 1. The normal chain of command shall prevail.
- I. After disbursement, de-escalation of the scene will be accomplished by the authority of the incident commander.
- 1. All personnel involved shall document their assignments and activities utilizing the proper reports.
 - 2. Supervisors assigned to various functions will also document their activities and will ensure that all reports are filed.
 - 3. As personnel are relieved from the scene of the incident, they shall be reassigned to their normal duties.
- J. A thorough investigation of the incident shall be made by the Division Commanders and the Chief of Police.
- 1. As soon as possible, after the emergency phase is concluded, the incident commander shall secure all statistics available and information relative to damage, arrests, status of injured and arrestees, location and status of evidence, and will advise the District Attorney's Office of arrests.
 - 2. A thorough review shall be made in order to revise existing policy and training if necessary.

Revised: 10/19/07

Harry L. Snellings
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 4.02.05

SUBJECT: PRISONER CUSTODY –
TRANSPORT & TREATMENT

EFFECTIVE: FEBRUARY 1, 1990

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I. Purpose

- A. To define the City of Jamestown Police Department's policy relative to the handling, movement, and treatment of persons in lawful physical custody of this department.

II. Policy

- A. It is the duty of all personnel involved in the chain of custody to ensure the safety of arrested persons and their property, as well as, the safety of other police personnel.
- B. Only authorized individuals will be permitted into the booking area of the city jail.
- C. Visitors will only be allowed in the detention area when all prisoners are secured in the cell block, and then only in the visitation booths.

III. Procedures for Transporting Prisoners

- A. Vehicle and prisoner searches.
 1. Every prisoner will be searched for weapons and contraband by an officer prior to being transported. This search will include, but is not limited to:
 - a. A pat-down of all body and clothing surfaces, and
 - b. A search of all clothing pockets, shoes, purse, etc., where a weapon or contraband could be readily accessible or concealed.
 - c. Any weapon, dangerous article, or contraband found will be immediately secured, and subsequently either logged and secured in the evidence locker or accompany all other property with the prisoner to the booking area and appropriate reports filed.
 2. Officers will search their vehicles at the beginning and end of each shift, as well as, after transporting any prisoner.

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B. General Guidelines

1. Prisoners will generally be transported in a marked patrol vehicle equipped with a protective cage unless:
 - a. injuries necessitate immediate transport to a medical facility by an ambulance, or
 - b. The prisoner is physically disabled to the extent other arrangements would be appropriate.
2. Unless injuries or physical deformities interfere, all prisoners will be handcuffed before being transported. Handcuffs will be applied behind the prisoner's back with palms of hands outward and will be double locked.
3. Prisoners will not be left unattended and will be transported directly to the city jail without unnecessary delay.
4. Smoking by prisoners during transport is prohibited.
5. Officers will not engage in any type of pursuit or emergency driving while transporting a prisoner. They will not respond to any other calls for service unless there is a clear risk of grave injury to another person and the safety of the prisoner will not be put at risk.
6. Officers will secure all firearms in the weapons locker located inside the first secured door leading into the detention area.
7. All prisoners will be properly turned over to the jail officer for processing, and all pertinent information about the prisoner relayed (including any medical or mental problems) prior to the transporting officer(s) securing from the jail.

C. Female Prisoners

1. Male officers performing a female transport will
 - a. Notify communications of the transport, destination, starting and ending location and mileage.
 - b. Proceed without delay and by the most direct route to their destination. The dispatcher will be notified immediately of any delay encountered while en route.
2. Male and female prisoners will be transported separately unless:
 - a. They are members of the same immediate family and not a threat to each other.

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- b. Insufficient manpower makes it unfeasible AND sufficient measures can be taken to protect the female from the male prisoners.

D. Ill, Injured, and Mentally Disturbed Prisoners

1. Any prisoner with apparent injuries, complaint of injury that requires medical treatment, or who is unconscious or semi-conscious due to drug or alcohol consumption will be treated at a hospital before being transported to the jail for processing.
2. If the prisoner must be admitted to the hospital, an officer will remain with the prisoner until he is discharged, issued an appearance ticket, arraigned, or until relieved by the shift commander.
3. Mental hygiene arrestees and other prisoners who demonstrate signs of mental imbalance to a degree that indicates they are a threat to themselves or others will be transported to WCA Hospital emergency room for evaluation and/or treatment.
4. All prisoners who are to be incarcerated in the city jail for any period of time must first be screened in accordance with the departmental Forensic Suicide Prevention Program prior to being placed in the cell block.
5. If a prisoner becomes ill or injured while in the jail, the shift commander will be notified immediately, and the prisoner will be transported to the WCA emergency room for examination/treatment by the following criteria:
 - a. If the illness/injury is minor, the prisoner will be transported by officer(s) in a caged patrol car or prisoner transport van.
 - b. If the illness/injury is of a more serious nature, the Jamestown Fire Department ambulance will be utilized.
 1. Whenever a prisoner is transported via JFD ambulance, an officer will accompany the prisoner in the ambulance.
 2. If the JFD ambulance is unavailable, WCA ambulance will be summoned.
 - c. If the illness/injury is life threatening, WCA ambulance may be summoned, along with EMT's from JFD.
 1. Whenever a prisoner is transported via WCA ambulance, an officer will accompany the prisoner in the ambulance.

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2. When a prisoner is examined in the jail by EMS personnel or transported to the hospital, a Jail Incident Report shall be completed documenting the reasons for the examination / transport and the times in and out of the jail.

E. Violent Prisoners

1. If a prisoner is being transported by ambulance and is violent, an officer will ride in the ambulance patient compartment if requested to do so by the ambulance crew. If not, the officer will closely follow the ambulance to the hospital. Such prisoners will be handcuffed during transport and as necessary at the hospital.
2. Violent prisoners will remain restrained during all medical and mental health evaluations. If a medical supervisor or treating physician requires the removal of restraints, the officer will do so only after advising the requesting person of the potential for injury to others.
3. Removing violent / combative prisoners from a caged patrol vehicle prior to arriving in the city prisoner drop shall be avoided. Violent / combative prisoners may be removed during transport for medical or safety reasons only.

F. Juvenile Prisoners

1. Juvenile prisoners will be brought to the Juvenile Bureau for any questioning.

G. Communicable Diseases

1. When coming in contact with prisoners known to be or suspected of being infected with AIDS, Hepatitis B, or any other communicable disease, precautions should be taken to avoid exposure to the disease. Isolation masks and latex surgical gloves are provided and should be utilized.
2. If it is suspected that a prisoners bodily fluid(s) (Blood, Feces, Urine, Semen) have been secreted in a jail cell, the cell in which said prisoner was housed will be sealed and remain unused until such time as appropriate decontamination procedures can be carried out.

H. Escape of Prisoners

1. In the event of a prisoner escaping, the transporting officer will:
 - a. Immediately notify the dispatcher of the description of the escapee and any other pertinent information, which will aid in recapture.

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- b. Notify the shift commander.
 - c. File a police report and appropriate criminal charges.
 2. The shift commander or his designee will:
 - a. Coordinate a thorough search of the area of escape.
 - b. Request any necessary additional assistance from other units or outside agencies.
 - c. Conduct an investigation into the circumstances of the escape.
 3. If the escape occurs in another jurisdiction, the transporting officer will immediately notify the law enforcement agency of that jurisdiction and notify his commanding officer as soon as possible. Upon returning here, the officer will complete the necessary police report documenting the details of the incident.
- I. Transporting Prisoners to and from County Jail, Mayville
 1. Effective March 7, 1994, the Chautauqua County Sheriff's Department will transport all court committed prisoners to and from the County Jail. The CCSD will not guard, book, or process any prisoners. Prisoners shall be turned over to the custody of the jailer for City Court appearances.
 2. The jailer will notify the CCSD Booking Room at 661-7939 or FAX 661-7778 as soon as he/she is reasonably sure a transport will be necessary. A jailer can be reasonably sure that all D Felony and above arrestees will be remanded to CCSD after their arraignment. The jailer will notify CCSD Booking Room the number of prisoners and where they are to be picked up (city jail, town court).
 3. The jailer will notify the CCSD Booking Room of all unusual prisoner transports (female, injuries, large amount of prisoner property).
 4. The jailer will have the following papers ready prior to the arrival of CCSD:
 - a. Valid commitment for each prisoner.
 - b. Prisoner property receipt form to accompany the prisoner's property.
 - c. Suicide Prevention Screening Form.
 5. The Jamestown City Court will FAX a request to the CCSD Booking Room, FAX 661-7778, for all prisoners the court would like transferred from the

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CCSD jail to the Jamestown jail. The Jamestown City Court will also notify the JPD of their request so proper arrangements to receive the prisoners can be made.

6. In the event that CCSD is unable to transport the prisoners in a timely manner, the Shift Commander shall be notified and can authorize JPD personnel to transport. The date, time, and reason that JPD personnel transport court committed prisoners to or from CCSD will be documented by memo to the Chief of Police or his designee.

Revised: 04/02/09

Timothy M. Jackson
Chief of Police



Jamestown Police Department GENERAL ORDER

NUMBER: 4.05.01

SUBJECT: SUICIDE PREVENTION
PROGRAM DEVELOPMENT

EFFECTIVE: APRIL 15, 1994

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I. Policy

- A. The Jamestown Police Department, in conjunction with the New York State Office of Mental Health, the New York State Commission of Corrections and the Chautauqua County Mental Health Service Staff, has developed the local forensic suicide prevention program. Such program is in conformance with NYS Commission of Correction Minimum Standards and nationally accepted detention practices. This department will implement this program as a supplement to other mandates, codes, rules and regulations governing the operation of our lockup facility.

II. Purpose

- A. To assure that suicidal prisoners with serious mental health problems are identified and treated in a timely manner.
- B. To significantly reduce the incidence of suicide among persons incarcerated within the lockup.
- C. To stabilize acutely mentally ill and/or suicidal prisoners and to provide for facility safety.
- D. To provide seriously mentally ill prisoners with timely access to psychiatric inpatient care.
- E. To facilitate continuity of care for all mentally ill prisoners upon their release from the lockup.
- F. To foster cooperative working relationships between the police department and local medical/mental health service providers.

Timothy M. Jackson
Chief of Police

Revised: 12/11/08



Jamestown Police Department GENERAL ORDER

NUMBER: 4.05.08

SUBJECT: SUICIDE PREVENTION
PROGRAM REFERRALS OF
PRISONERS FOR MENTAL
AND MEDICAL HEALTH
SERVICE

EFFECTIVE: APRIL 15, 1994

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I. Policy

- A. The Jamestown Police Department policy and procedures for referring prisoners who require treatment during detention will be developed jointly by this department and appropriate mental health service agencies.

II. Purpose

- A. To assure that suicidal prisoners and prisoners with serious mental health problems receive timely access to emergency treatment services.

III. Definitions

- A. Medical Emergency – any situation in which a prisoner is:
1. In danger of dying or sustaining serious bodily harm due to a physical problem or injury (including self-inflicted).
 2. Incapacitated by drugs or alcohol to the degree that the prisoner may be a danger to self, others, or property.
- B. Mental Health Emergency – Any circumstance where, due to mental illness, a person is at substantial and imminent danger to self or others.

IV. Procedure

- A. Shift Commander Actions:
1. Shift Commander, upon being notified that a prisoner may be suicidal, will take the following actions:
 - a. Verify the information through visual and verbal contact with the prisoner.

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- b. Advise the jail officer of any further actions necessary to ensure the safety and general welfare of the prisoner. If the prisoner does not require emergency medical or mental health services, explain to the referring officer why the referral was not appropriate and clarify procedures, as necessary.
 - c. Personally interview and observe prisoner to determine if prisoner warrants an emergency referral, and initiate the required referral if appropriate.
 - d. Ensure that appropriate supervision is given to any prisoner that is believed to be a threat to himself.
 - e. Assure that the jail staff provides suitable first aid until relieved by qualified medical staff.
 - f. Forward the Questionnaire: Suicide Screening Form with the inmate if he/she is being referred to a health care provider.
 - g. Document any action taken in the appropriate log and by submission of a police report detailing the incident and actions taken.
- B. Referral Procedures: The following procedures shall be utilized for all referrals, 7 days a week, 24 hours a day.
- 1. Emergency Medical Referrals
 - a. Upon reviewing the screening form and interviewing the prisoner, the Shift Commander may determine that the prisoner requires an emergency medical referral.
 - 1. Situations requiring an emergency medical referral include but are not limited to:
 - a. Prisoner experiencing drug or alcohol withdrawal.
 - b. Prisoner in an unconscious or semi-conscious state.
 - c. Prisoner seriously injured during a suicide attempt.

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- d. Any physical injury or illness that the Shift Commander determines to be serious enough to warrant an emergency medical referral.
 - b. Emergency medical referrals will take priority over all other types of referrals.
 - c. To make referrals for any emergency medical procedure at any time of the day, the Shift Commander will direct that the prisoner be transported to the emergency room of WCA Hospital.
 - d. Emergency medical transports will be conducted by Jamestown Fire Department ambulance. If unavailable, WCA ambulance may be utilized. Any time a prisoner is transported he will be accompanied by at least one police officer. Accompanying officer will remain with prisoner until properly relieved by the Shift Commander.
 1. Non-emergency medical transports will continue to be made by patrol vehicle with a uniformed officer accompanying the prisoner.
2. Emergency Mental Health Referrals
- a. Upon reviewing the screening form and interviewing the prisoner, the Shift Commander may determine that the prisoner requires an emergency mental health referral.
 1. Situations which require emergency mental health referrals include but are not limited to:
 - a. Prisoners who are believed to be suicidal.
 - b. Prisoners who pose an immediate threat to themselves, as exhibited on the screening form or by actions or attempts which indicate that they are a high risk.
 2. To make referral for emergency mental health services the Shift Commander will:
 - a. Direct that the person be turned over to WCA Hospital Emergency Room for evaluation.

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- b. Insure that WCA Hospital Emergency Room is notified that the prisoner is en route to their facility for evaluation.
 - c. A police officer will stay with the prisoner until properly relieved by the Shift Commander.
 - 3. The Shift Commander will insure that the prisoner's Questionnaire: Suicide Screening Form will be provided to the mental health personnel performing the evaluation, along with the Chautauqua County Request for Examination of Person Form or 9.45 Pickup Order as appropriate.
- C. Pre-release Referrals:
 - 1. Police department personnel will encourage prisoners with identified mental health problems to seek and continue appropriate mental health, alcohol, drug abuse or mental retardation services after their release from custody. This will include providing the prisoner with the name and address of the appropriate treatment agency. This department will maintain and update a list of local mental health agencies which will be available to jail personnel.
 - 2. If a non-emergency pre-release referral is made to a mental health facility based on our information received during screening, the yellow copy of the screening form will be forwarded to the appropriate agency.

Revised 4/06/09
3/21/12

Timothy M. Jackson
Chief of Police