





# AMHERST POLICE DEPARTMENT



## Handbook

1. The FTO assists the trainee through all FTEP phases to become a well-trained, professional officer.
2. Evaluation and feedback information on the trainee shall be emphasized to facilitate additional training, counseling, positive reinforcement and/or recognition.
  - a. Trainees with no prior law enforcement experience, which shall be limited to sworn enforcement duties, shall be required to participate in a minimum 100-hour compulsory evaluation process. In the event of indicated deficiencies, inhibiting the trainee officer from completing routine tasks as determined by Departmental requirements, an additional 2 (two) week evaluation period may be provided. This extended evaluation period shall be at the discretion of the Chief or his designee, for the purpose of assisting the trainee officer in successful completion of the training program.
  - b. Trainees with prior law enforcement experience and currently certified as police officers through the Commonwealth of Virginia, shall be required to participate in a minimum 100-hour compulsory evaluation process (part time officers have the same requirements). During this evaluation process certified trainee officers will be required to complete training tasks as determined by the FTO. Release from the FTEP shall be conducted as directed by policy.
3. Trainees that exhibit capabilities to complete daily tasks without instruction or direct supervision of an FTO or Trainer, shall be permitted to work independently, but shall remain assigned to the FTEP and work adjacent to an assigned FTO. All daily and weekly evaluation reports shall be completed until the trainee completes the mandated course of training.
4. Trainees entering the FTEP must have successfully completed the Department of Criminal Justice Services compulsory minimum training standards. Trainees hired prior to the commencement of formal Academy Training, shall be permitted to participate in the FTEP and shall be evaluated utilizing established methods.
5. Upon successful completion of the FTEP, the trainee shall be deemed released from training status and shall be assigned to a position designated by the Chief of Police. In the event of unsuccessful completion of the FTEP, the trainee shall be released from probationary employment.

### B. Field Training Officer Selection Process

The minimum requirements for Field Training Officers shall include the following:

1. Three years of experience as a Certified Police Officer
2. No active disciplinary actions for the following offenses:
  - a. Moral turpitude



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- b. Excessive use of force
  - c. Conduct unbecoming an officer
- C. Training for Field Training Officers
1. Once appointed, FTO's shall complete the DCJS required FTO Basic Training Course prior to being assigned a trainee.
  2. FTO's may be required to attend additional training as determined by the Chief of Police who supervises the field training officers.
  3. All FTO's will complete recertification training as required every three years after appointment.
  4. Each trainee will evaluate the FTO at the end of each training phase. The Chief of Police will review the evaluations and identify any strengths or weaknesses in the program or FTO and initiate corrective measures if warranted.
  5. FTO's will be instructed on proper procedures for completing trainee evaluations, managing disciplinary problems, encouraging or discouraging trainee behavior and compiling documentation related to the training process.
- D. Field Training Officer
1. Primary roles of the FTO are as follows:
    - a. Certified Patrol Officer completing regularly assigned duties
    - b. Instructor of trainee personnel
  2. FTO's must have the necessary skills to reliably evaluate trainee personnel, write daily evaluations, develop and submit additional required documentation, competently relay tactics and information and embrace the importance of complete and necessary documentation for the purpose of retention or release of recruit personnel.
  3. FTO's are charged with the responsibility of recommending retention, remedial training, or termination of trainee personnel (termination is not recommended). In the event termination is recommended, the recommendation shall include the reasons or events to substantiate the request. The recommendation shall be immediately forwarded to the Chief of Police through the chain of command. The Chief shall take immediate action to uphold the recommendation, order remedial training or change the training assignment of trainee personnel. The order for remedial training or re-assignment shall be directed to the Chief of Police. In any case involving a recommendation by an FTO for termination, no further training action shall occur between the affected FTO and recruit officer.
  4. The FTO is responsible for the evaluation of new recruits by compiling a Performance



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Outcome form at the discretion of the Chief of Police. After the Performance Outcome form is completed in its entirety, it is to be submitted to the Chief of Police.

5. General responsibilities of FTO's and Trainers are as follows:
  - a. Familiarization with all Department policies, procedures and training materials
  - b. Completion of daily observations
  - c. Develop and implement remedial training
  - d. Communicate problems to supervisors and other FTO personnel
  - e. Ensure the completion of daily training tasks by recruit officers
  - f. Progressive movement of training objectives
  - g. Maintain security of FTEP files – Chief or designee keeps these after completion
  - h. Positive promotion of the FTEP program
  - i. Document deficiencies and positive attributes of trainee's performance in a confidential manner. The required skills, knowledge, and abilities (SKAs) of new officers are evaluated.
  - j. Maintain a high level of integrity through personal appearance, adherence to Departmental regulations and display a positive attitude towards the FTEP, assigned duty and Department
  - k. Attend all required functions with trainees, including court
  - l. Expend every effort to complete the training process of recruit personnel in an impartial manner
  - m. Objectively offer suggestions to trainees that will assist in the successful completion of the FTEP

### Attachments:


- Form B-13 to be filled out and kept on file
- Form FTO/OJT to be filled out and sent to DCJS
- DOR (Daily Observation Report) Receipt
- Performance Outcomes
- Daily Call Report
- Field Training Questionnaire



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Amherst Police Department – GENERAL ORDER		Effective Date: May 18, 2020
<b>PER.302</b>	<b>Performance Evaluations</b>	Revised Date:
<u>Original Signature on file maintained in APD Records</u> <u>Division</u>  , Chief of Police		VLEPSC Standards: OPR.05.01, PER.06.01, PER.06.02

*NOTE: This Rule and Regulation is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then*

### I. POLICY

*only in a non-judicial administrative setting.*

### I. POLICY

The Chief of Police is responsible for the performance evaluations of all personnel of the Amherst Police Department. The performance evaluation procedures are set by the Town of Amherst.

### II. PURPOSE

To establish policy and procedures for performance evaluations of the police department personnel.

### III. PROCEDURE

A. Objective: The objective of the performance evaluation is to keep all personnel informed of various areas of their jobs that they are strong in, as well as areas they may need improvement in. The following are examples of areas that will be evaluated during this process (not limited to):

1. Job Knowledge
2. Work Quality
3. Attendance/Punctuality
4. Initiative
5. Communication/Listening Skills
6. Dependability
7. Adherence to Policy
8. Interpersonal Relationships
9. Any other areas set by the Chief of Police or the Town Manager

B. Frequency: The performance evaluation will be conducted on an annual basis. A



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performance evaluation, as required by the Town of Amherst Personnel Manual, will also be conducted upon the following occasions:

1. By the end of the first ninety (90) days of employment (Introductory Period)
  2. Generally when a promotion has been made within the department, the Chief will place the employee on a six (6) month probationary period
  3. When an employee is transferred or promoted to a new job
  4. At the time of disciplinary action or termination of an employee
  5. At the time of salary review
- C. Reporting: Per the Town of Amherst Personnel Manual, the Chief of Police will prepare a written appraisal of each employee's job performance, and this should include the Chief's comments and recommendations to be placed in the employee's personnel file.
- D. Level of Performance Expected: Departmental personnel will be evaluated by rating criteria. The employee is normally rated on a scale of 1-5, with 1 being the lowest level and 5 being the highest level. They will be rated on such items as mentioned in section A of this policy & procedure.





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- D. Private Citizens and civic groups that have rendered unusual or extraordinary assistance to the Department in the apprehension of a criminal, helping during an emergency, putting themselves in harm's way, etc. may also qualify for a Civilian Commendation. Nominations for Civilian Commendations will be forwarded to the Chief of Police.
- E. New personnel will be reviewed to see which awards they qualify for and will be recognized by the Chief of Police.

### III. CLASSIFICATION AND DESCRIPTION OF AWARDS

- A. Medal of Honor – Awarded to a member of the Department who distinguishes himself/herself in the line of duty or in action against an armed adversary by performing an act of gallantry involving imminent personal risk of injury with prior knowledge of the risk involved.
- B. Medal of Valor – Awarded to a member of the Department for performing an act of outstanding personal bravery in the line of duty. The act should include some degree of hazard to life and limb to the nominee.
- C. Life Saving Medal – Awarded to a member of the Department for performing an act in the line of duty that, by prompt and alert action, results in the saving of a life.
- D. Meritorious Service Medal – Awarded to a member of the Department for a creditable or meritorious act in the line of duty that meets some, but not all, of the requirements of other medals. This act must be unusual in nature and the nominee must display initiative in the handling of it. The act must bring public acclaim to the nominee, the Department, and/or the police profession in general.
- E. Purple Heart – Awarded to a member of the Department wounded while in the performance of their official police duties.
- F. Excellent Police Medal – Awarded to a member of the Department for specific acts resulting in the apprehension of a criminal, solving a particularly difficult case, etc.
- G. Police Commendation Medal – Awarded to a member of the Department, civilian, or citizen's group for specific acts resulting in extraordinary police service.
- H. Community Service Award – Awarded to a member of the Department for outstanding development of a service or program that benefits the community and enhances the quality of life for Amherst citizens.
- I. Civilian Community Service Award – Awarded to persons or groups other than members of the Department recognizing outstanding or extraordinary community service. This service must be law enforcement related and must enhance the quality of life for the citizens of the Amherst community.





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- J. Educational Achievement Award – Awarded to a member of the Department who completes degree requirements and award degrees from accredited colleges and/or universities.
- K. Advanced Certification Award – Awarded to members of the Department who have completed 200 hours of documented law enforcement training excluding Basic Law Enforcement Training.
- L. Basic Certification Award – Awarded to members of the Department who have completed Commonwealth of Virginia Basic Law Enforcement Certification Standards and have completed one (1) year of service with the Amherst Police Department.
- M. Emergency Communications Officer Award – Awarded to members of the Department who have completed Department of Criminal Justice Services Basic Communications Certification Standards and have completed one (1) year of service with the Amherst Police Department.
- N. Emergency Medical Dispatcher Award – Awarded to members of the Department who have completed Department of Criminal Justice Services Emergency Medical Dispatch Certification Standards and have completed one (1) year of service with the Amherst Police Department.
- O. Emergency Medical Technician Award – Awarded to Department employee certified as Emergency Medical Technicians with the Commonwealth of Virginia. The employee must maintain the certification. An employee maintaining EMT certification for minimum of 15 years is eligible to wear the award permanently.
- P. Instructor Award – Awarded to Department employees who have been certified by the Department of Criminal Justice Services as instructors. The employee must maintain instructor certification.
- Q. Basic Jailor Award – Awarded to members of the Department who have completed Commonwealth of Virginia Basic Jailor Certification Standards and have completed one (1) year of service with the Amherst Police Department.
- R. Good Conduct Award – Awarded to Department employees without a founded complaint resulting in disciplinary action excluding accidents. Subsequent awards will have numerals placed on the bar to signify 6, 9, 12, etc. years of good conduct. The employee's hire date will serve as the anniversary date for determining the years of service.
- S. Safe Driving Award – Awarded to Department employees who have 3 years of safe driving without a non-preventable accident. The date of graduation from the academy or hiring date if the employee was certified shall serve as the anniversary date for determining the years of safe driving. Subsequent awards will have numerals placed on the bar to signify 6, 9, 12, etc. years of safe driving.



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- T. Field Training Officer Award – Awarded to employees who have completed DCJS approved training and have received department accreditation as field training officers (FTO).
- U. S.W.A.T. Award – Awarded to employees who have completed the Department of Criminal Justice Services S.W.A.T. Certification Standards and have completed one (1) year of service with the Amherst Police Department.
- V. K-9 Award – Awarded to members of the Department who have completed an approved course of instruction and been assigned as the Department K-9 unit.
- W. Bicycle Unit Award – Awarded to members of the Department who have completed an approved Police Bicycle Course and been assigned to the bicycle patrol duties.
- X. Title of Officer First Class – Awarded to department employees that have no less than five (5) years of consecutive law enforcement service and having no disciplinary action within the last 18 months of service prior to the award and hold at least two 40 hour DCJS specialized training certifications. The department designated chevrons for Title shall be worn on both long sleeve and short sleeve uniforms as directed by department **Uniform Policy, ADM.128**.

#### IV. PRECEDENCE OF AWARDS

- A. Precedence of the awards shall be in the order as listed in Section IV, A – X.
- B. Awards shall be worn in the order of precedence from top to bottom, left to right and centered above the right pocket flap or right breast area.
- C. Awards from other agencies/organizations will be worn in precedence determined by the Chief of Police.

#### V. WHERE WORN

Award ribbons, decorations, service medals and training ribbons may be worn on the following uniforms:

- A. Coat of the dress uniform,
- B. Long sleeve shirts.

#### VI. HOW WORN

- A. Awards will be worn in the order of precedence from the wearer's left to right in one or more rows with no space between rows. No more than three (3) awards will be worn in any one row. A second row will not be started unless the individual is authorized to wear four (4) or more ribbons. The fourth (4) and fifth (5) awards will be centered on the first row of three. The first and second rows will contain the same number of awards (3) before starting



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a third row. The third and succeeding rows will contain the same as the first two rows. The top will be centered on the row beneath.

- B. Awards will be worn centered, with no space above, the right breast pocket on the long sleeve shirt, in as many rows as necessary. A nameplate will be centered on the pocket flap  $\frac{1}{4}$  inch below the topstitching.
- C. On the dress coat, the awards are worn over the right breast area in the same fashion as worn on the long sleeve shirt.





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- a. Job description,
  - b. Eligibility requirements of the position,
  - c. A description of the selection process, and
  - d. Closing date for filing letter of intent.
2. All officers meeting the eligibility of the position may be entered into the selection process.
  3. Interested personnel who meet eligibility requirements for a given position shall submit a letter of intent to the Chief of Police no later than the filing deadline.
  4. All components of evaluation and determination shall be job related and non-discriminatory in content and be conducted by the Chief of Police or anyone the Chief designates. The final decision shall be made by the Chief of Police.

### C. Promotional Criteria

In order to participate in the selection process for rank within the Amherst Police Department, personnel must meet the following criteria:

1. Personnel must have received no more than one written reprimand during the six (6) months prior to the closing date of the vacancy announcement.
2. Personnel must not have been suspended from duty for disciplinary reasons during the twelve (12) months prior to the closing date of the vacancy announcement.
3. Personnel must not be in probationary status due either to the fulfillment of official requirement or for remedial purposes.
4. Personnel must not be under active administrative probation for disciplinary reasons.
5. Personnel must not currently be under administrative or criminal investigation.
6. Personnel may participate in a selection process only for the position for which they are eligible.

### D. Eligibility Requirements for Ranking Positions

1. Education - A degree in a criminal justice related curriculum is desirable, but not mandatory.
2. Experience – Five years of qualified law enforcement experience, immediately preceding the closing date for filing a letter of intent.
3. Good overall performance in a current position, which is to be determined by past employee evaluations.



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4. Must be a Virginia Certified Police Officer.

5. Refer to **PER.311** and **PER.311A**

### E. Assessment of Candidates

1. A promotional candidate shall be assessed in five main areas:

- a. Review of the letter of intent;
- b. Position Interview conducted by the Chief of Police or his designees;
- c. Practical Experience and/or Education;
- d. Seniority; and
- e. Education.

2. Upon completion of reviewing the five categorical areas of the assessment, the determination for the candidate's position will be decided by the Chief of Police.

## IV. ELEMENTS USED IN PROMOTIONAL PROCESS

### A. Reviewing of the letter of Intent

1. The Chief of Police and/or designee shall review all of the letters of intent and will evaluate each applicant as to his/her eligibility and criteria requirements.
2. An interview time will be set for each applicant that meets the eligibility and criteria requirements set forth in sections C & D of this order. If an applicant does not meet the eligibility requirements he or she shall be notified in person as to the reasons that they will not be allowed to continue with the promotional process.

### B. Position Interview

1. An interview will be given to qualified applicants by the Chief of Police or his designee.
2. During the interview the applicant will be able to discuss his/her qualifications and career development within the department

### C. Practical Experience and/or Education

During the promotional process the Chief of Police or designee shall take into account each eligible applicant's law enforcement experience and professional education. Special consideration shall be taken into account for those applicants with specialized education and experience related to the position they are applying for. Officers must utilize and fill out the Career Progression application to be considered for Police Officer II and Police Officer III status.



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### D. Seniority

During the promotional process the eligible applicant shall be given consideration based on the amount of time the employee has worked within the department.

## V. SELECTION FOR PROMOTION

### Results


1. The Chief of Police and/or designee shall review the results of the five areas of the elements used in the promotional process to determine the best candidate for the position.
2. An employee promoted to the ranking position by the Chief of Police shall:
  - a. Receive an appointment letter,
  - b. Serve a six-month (6) probationary period with performance evaluations conducted as directed by the Chief of Police,
  - c. Be sent to the next available school that deals with management/training skills or a training that pertains to the newly appointed position.
3. Unsatisfactory performance evaluations and failure to show improvement will be cause for termination of the promotion during the probationary period. Personnel in this category may be reassigned to his/her former status/rank or to another position at the discretion of the Chief of Police.



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Amherst Police Department – GENERAL ORDER		Effective Date: May 18, 2020
<b>PER.305</b>	<b>Employee Discipline</b>	Revised Date:
<u>Original Signature on file maintained in APD Records</u> <u>Division</u>  , Chief of Police		VLEPSC Standards: PER.09.02

*NOTE: This Rule and Regulation is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. POLICY

It is the Amherst Police Department's policy to impose disciplinary action fairly and impartially and to offer adequate appeal procedures to ensure that the rights of employees are protected. Discipline is a process of imposing informal and formal sanctions which will help train or develop an employee, preferably through constructive rather than punitive measures. It is the role of each supervisor to extract the proper performance of duty from every officer under their command and to take proper disciplinary action when required. Discipline in the Department will involve positive reinforcement, training, and counseling to keep policies and procedures followed. Actions involving the use of punitive measures should be used as a last resort.

### II. PURPOSE

The purpose of this order is to establish procedures concerning counseling and disciplinary practices within the department. By adopting a prompt, consistent, standardized, and fundamentally fair process, the department maintains a high level of integrity, fairness, and service to the citizens of the Town of Amherst and members of the department. The Chief of Police is the final authority to approve and recommend all discipline in the Amherst Police Department.

### III. PROCEDURE

A. The purpose of discipline is to correct inappropriate behavior. Commanding officers should not take any single fact out of context but should consider all of the facts prior to assessing discipline.





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- The primary purpose of discipline is to correct, not to punish. Therefore, the least intrusive measure that serves to correct the inappropriate behavior should be used whenever possible.
- The department must strive for consistency in its application of discipline.
- Decisions on minor policy infractions should be handled and documented by the supervisor of the member involved.
- Recommendations for disciplinary actions on repeat or more serious infractions will be made in accordance with the philosophy of progressive discipline.
- Escalating factors may raise the original category to any level deemed necessary. These factors include:
  1. Type and extent of injury, if any;
  2. Amount of damage, if any;
  3. Intent;
  4. Seriousness of infraction; and
  5. Past employee record.

### B. Positive Discipline

Positive discipline is oriented toward seeking voluntary compliance with established policies, procedures, and orders. Methods of positive discipline include:

1. Recognition of excellent job performance through rewards or awards.
  - a. When positive feedback concerning an employee's performance is received from people outside the Department, the person who receives the information shall make a record of the comments that will be passed to the employee and the employee's supervisor. Normally, when the Chief receives positive comments about an employee, the Chief will write an acknowledgment thanking the citizen. Copies of the citizen's statement and the Chief's response are sent to the Officer involved and the supervisor, and a copy of all correspondence are placed in the employee's Personnel File.



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- b. Truly exceptional acts should be clearly and promptly identified to the Chief of Police. Such acts may be the basis for special awards or for special recognition by citizen-community groups or media coverage.
  2. Discussion and counseling.
  3. Training.
- C. Consistency in Discipline
- The Department abides by the philosophy that discipline must be applied consistently and uniformly. This order provides discussion of employee recognition and penalties for various infractions.
- The Department does not generally provide employees with lists of specifically prohibited behavior. One list of examples of such behavior can be found in **ADM.104, General Rules of Conduct**, but no list can be all-inclusive. Employees are expected to have a reasonable perception of what constitutes proper behavior based on academy training and the observance of the behavior of field training officers and their supervisors.
- D. Recommendations for disciplinary action may include consideration of mitigating and/or aggravating factors such as:
1. Employee motive
  2. Degree of culpability
  3. Truthfulness
  4. Disciplinary history
  5. Severity of infraction
  6. Acknowledgement of error/mistake by employee
  7. Other pertinent factors
- E. Punitive disciplinary action shall be undertaken in compliance with the *Code of Virginia* [§ 9.1-502](#) and in the interest of discipline. Disciplinary measures shall include:
1. Informal Counseling



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- a. Informal counseling is an open, friendly, and stimulating interaction between the concerned supervisor and employee regarding a matter that could evolve into a disciplinary action.
- b. Supervisors are expected to counsel employees regularly without oral reprimands. Most counseling is informal, positive, supportive, and often undocumented.

Supervisors are responsible for counseling employees concerning job-related matters, within their capabilities. Many things can affect the job and an employee's performance; therefore, job-related counseling may involve family and other individuals. Counseling may include identification of the unacceptable behaviors or actions; specifically, what was done wrong and the desired or acceptable performance. Counseling can attempt to determine the reason for the particular behavior, determine and recommend how to correct or improve performance or how to solve the problem.

- c. The employee shall be advised at the time of the counseling that an informal written record of the informal counseling is being kept and that the employee has a right to review the record.
- d. The employee shall be further advised of his/her right to file a statement, setting forth his/her position, if he/she disagrees with the contents of the counseling record.

## 2. Oral reprimand

Oral reprimands, while informal, require documentation with an employee's acknowledgment of such record. The following steps shall be observed:

- a. At the time of an Oral Reprimand, the employee receiving it shall be counseled as to correct behavior and further advised that a written record shall be maintained concerning the oral reprimand and that the employee will receive a copy of the recorded form.
- b. The employee shall be further advised that he or she has the right to file a statement in his/her personnel file setting forth his/her position, in case of disagreement.
- c. The reprimanding superior shall record the reprimand on a Record of Oral Reprimand (Attachment A) which may contain the following information:
  - 1) Employee's name;
  - 2) Date of oral reprimand;
  - 3) Summary of reasons for oral reprimand;
  - 4) Violations cited;
  - 5) Suggestions for improvement or specific actions suggested; and



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- 6) Name and signature of supervisor, as well as those of the receiving employee.
  - d. Remedial training may be deemed necessary to rectify the improper behavior. Remedial training may include attendance of basic academy classes, in-service, or other training specially created to accomplish the Department's recommended employee actions to correct or modify behavior. Remedial training is reasonably offered until the employee can demonstrate proficiency in the corrected behavior. All training shall be documented.
  - e. Oral Reprimands shall be included in the employee's agency personnel file.
  - f. Oral Reprimand forms shall be retained in the employee's personnel file for a period of time not to exceed one (1) year.
3. Written reprimand

A Written Reprimand cautions an employee about poor behavior, sets forth the corrected or modified behavior mandated by the Department, and specifies the penalty in case of recurrent poor behavior. A Written Reprimand becomes a permanent part of the employee's personnel record.

4. Loss of Leave
5. Suspension without pay

If the situation warrants, the Chief of Police, in consultation with the Town Manager, may suspend without pay or demote an employee.

- a. Suspensions without pay will normally apply for a period of up to thirty (30) days, as determined by the Chief of Police and Town Manager.
- b. If an employee shall become a candidate for suspension a second time within one (1) year after the first suspension, the employee shall be dismissed.
- c. Suspensions resulting from criminal investigations may be prolonged beyond thirty (30) days pending court action.
  - 1) In no case shall an employee convicted of a felony continue to work for the Department.
  - 2) If an employee is acquitted of criminal charges, the employee may yet be disciplined at the discretion of the Chief of Police or reinstated with full or partial back pay.



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- d. Any member suspended for a period five (5) days or longer shall at the Chief's discretion return all Department-owned property to the Department. On any suspension, the Officer must return to the Chief his/her badge, identification card, and issued firearm(s).
- e. During a suspension, the employee shall not undertake any official duties.
- f. An employee may protest a suspension in accordance with the Town Handbook procedures.
- g. The Town Manager may reinstate a suspended employee at any time with back pay, benefits, and original rank or position in accordance with procedures.

### 6. Demotion

Demotion shall be to the next lowest rank

### 7. Termination

Dismissals are made in cases of extreme misfeasance, malfeasance, or nonfeasance of duty. All persons having knowledge of the misbehavior shall make a complete record of the circumstances of the misbehavior. In accordance with the Town Employee Handbook, any employee being dismissed will be provided a written statement citing the reasons for the dismissal and the effective date of the dismissal.

Employees may protest or appeal a dismissal according to the procedures of the Town Manual.

Upon the decision to dismiss an employee, the Chief of Police shall send the dismissed employee by certified mail, receipt requested, a letter which states the grounds for the dismissal and the employee's rights. Upon receipt, the letter will precede by at least ten (10) calendar days the effective date of dismissal.

### F. Appeals Process

Members of the Department may appeal a disciplinary decision through the Town of Amherst Grievance Procedure (see Town of Amherst Employee Handbook).

- The Chief of Police shall coordinate the Town of Amherst grievance procedure as outlined in the Town's grievance procedure. A copy of all written department reports that are pertinent to the specific grievance shall be maintained and controlled in the employee's personnel file located in the office of the Chief of Police. The Town of Amherst's Department of Human Resources shall maintain and control external written documents generated in accordance with the Town's grievance procedures.



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- In addition, sworn police officers may avail themselves to the use of either the Town of Amherst Grievance Procedure of the Law Enforcement Officers' Procedural Guarantees or *Code of Virginia* § 9.1-500 through § 9.1-507, **but not both**.
- The Law Enforcement Officer's Procedural Guarantees
  - The Chief of Police shall coordinate the grievance procedure in accordance with appropriate code sections. A copy of all documentation and/or transactions shall be maintained under strict control in the employee's personnel file located in the Office of the Chief of Police.
  - The Law Enforcement Officer's Procedural Guarantees addresses the following provisions:
    - Definitions ([§ 9.1-500](#))
    - Conduct of Investigation ([§ 9.1-501](#))
    - Notice of charges; response; election to proceed under grievance procedure of the local governing body ([§ 9.1-502](#))
    - Personal assets of officers ([§ 9.1-503](#))
    - Hearing, hearing panel of recommendations ([§ 9.1-504](#))
    - Immediate suspension ([§ 9.1-505](#))
    - Informal counseling not prohibited ([§ 9.1-506](#))
    - Chapter accords minimum rights ([§ 9.1-507](#))

### G. Supervisory Roles and Responsibilities

The role of the supervisor is critical in the disciplinary process. Supervisors have the best opportunity to observe conduct and behavior and detect incidents where disciplinary actions are appropriate.

1. The primary responsibility for maintaining and reinforcing member conformance with standards of conduct of this department shall be with the supervisors.
2. Supervisors shall familiarize themselves with the officers in their unit and closely observe their general conduct and appearance daily.



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3. Supervisors should remain alert for indications of behavioral problems or changes that may affect a member's normal job performance. Such information should be documented by the supervisor.
4. When a supervisor perceives that a member may be having or causing a problem, the supervisor should assess the situation and determine the most appropriate action.
  - a. Supervisors may handle minor infractions without formal charges, prepare documentation to support formal charges, and/or recommend to a superior officer that an employee be relieved of duty.
  - b. A supervisor, when the situation warrants, may relieve a member from duty with pay. When a supervisor relieves a member from duty, he/she shall notify the Chief of Police. Written documentation on the disciplinary incident shall be completed before the expiration of the current tour of duty.
  - c. A supervisor is authorized to review specifications and charges that have been filed against his/her subordinate officers and forward them with comments attached to the Chief of Police.
  - d. Final department disciplinary authority and responsibility rests with the Chief of Police.
5. Any member of the Department who has been relieved from duty for disciplinary purposes shall report to the office of the Chief of Police as directed.

### H. Reporting Arrests

Any employee arrested for, charged with, or convicted of any crime or required to appear as a defendant in any criminal or civil proceedings must so inform the Chief of Police in writing as soon as possible. Employees do not have to report parking tickets or minor traffic offenses. Employees must report citations or arrests for Reckless Driving, Driving under the Influence (DUI), second or more violations for Speeding within a year, or any other traffic offenses with penalties over \$50.00. Failure to notify the Department of the foregoing shall be cause for discipline.

### I. Degree of Violations and Disciplinary Options

Violations are classified into broad categories of infractions based on progressive degrees of severity. Category I articulates the lowest level violation. Category II is the middle level, and Category III the highest.

### J. Sexual Harassment and Other Discrimination



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Employees found to have engaged in discrimination based on race, color, religion, national origin, political affiliation, sexual orientation, disability, age, or sex (including sexual harassment) may be counseled or disciplined with a Category I, II, or III Offense, depending upon the specific facts and circumstances surrounding the incident. Sexual harassment is defined in the Town personnel rules and regulations.

#### IV. INFRACTIONS AND PUNISHMENTS

- A. Except for gross breaches of discipline, supervisors shall attempt to begin employee discipline with the least punitive measures. If these do not work, then increasingly more severe measures may be required. While this process may take some time, it is important that each employee be dealt with justly, and in a manner that clearly indicates that positive, constructive measures to change behavior or performance preceded the imposition of more negative sanctions.
- B. Employees are reminded that all appeals are governed by law, as specified under the *Law Enforcement Officers' Procedural Guarantees Act* (in accordance with the *Code of Virginia*).
- C. Unacceptable conduct is divided into three categories according to severity of misbehavior.

##### 1. Category I:

Category I offenses are of minor severity yet require correction in the interest of maintaining a productive and well-managed Department. Category I offenses normally result, in the first offense, in informal measures such as counseling, or perhaps oral reprimand. Two Category I offenses within a one-year period of time of each other results in a written reprimand or suspension of up to five days. A third instance in a one-year period of time shall provide grounds for longer suspension or dismissal.

Examples:

- a. Excessive absences, tardiness.
- b. Abuse of duty time (too much time away from established duties; work time used for personal business).
- c. Abusive or obscene language.
- d. Inadequate or unsatisfactory job performance.
- e. Disruptive behavior.

##### 2. Category II:

Category II offenses include more severe acts and misbehavior. Category II offenses normally result, in the first instance, in issuance of a Written Reprimand. A subsequent infraction within a two-year period of time of each other shall result in suspension of up to ten days or demotion or dismissal.





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Examples:

- a. Failure to follow supervisor's instructions, failure to perform assigned work, or failure to otherwise comply with written policy.
  - b. Violating safety rules. (i.e. Failure to wear seat belts)
  - c. Unauthorized time away from work assignments without permission during duty hours.
  - d. Unauthorized use or misuse of Department property.
  - e. Sleeping while on duty.
3. Category III:

Category III offenses include acts of such severity as to merit Suspension or Dismissal at a single occurrence. Category III offenses may be punished by Suspension for fifteen (15) days (or longer, with approval of the Town Manager) or dismissal.

Examples:

- a. Absence in excess of one day without notice to a superior.
- b. Use of alcohol or unlawful possession or use of a controlled substance while on duty.
- c. Reporting to work under the influence or when ability is impaired by alcohol or the unlawful use of controlled substances.
- d. Insubordination or serious breach of discipline.
- e. Falsification of any reports such as, but not limited to, vouchers, official reports, time records, leave records, or knowingly make any false official statement.
- f. Willfully or negligently damaging or destroying Town property.
- g. Theft or unauthorized removal of Departmental records or Town or employee property.
- h. Gambling on Town property or while on duty.
- i. Acts of physical violence or fighting (except official Police actions).
- j. Violating safety rules when there is a threat to life.
- k. Participating in any kind of work slowdown or sit-down, strike or any other concerted interference with Town operations.



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- l. Unauthorized possession or use of firearms, dangerous weapons, or explosives.
- m. Threatening or coercing employees or supervisors.
- n. Criminal convictions for acts of conduct occurring on or off the job, which are plainly related to or may affect job performance and consequently to continue the employee in the assigned position would constitute negligence regarding the agency's duties to the public.
- o. Failure to take physical or mental examinations as required. The Chief of Police may require mental or physical examinations of a member or employee by a designated psychiatrist, psychologist, or physician when, in the Chief's estimation, it is in the best interest of the member, employee, or the Department.
- p. Using public office for private gain.
- q. Engaging in criminal conduct on or off the job.
- r. Engaging in dishonest or immoral conduct that undermines the effectiveness of the agency's activities or employee performance, whether on or off the job.
- s. Willful disobedience of a lawful command of a supervisor.
- t. Disclosure of confidential information to any person except those who may be entitled to such information.
- u. Taking any action that will impair the efficiency or reputation of the Department, its members, or employees.
- v. Acceptance of any bribe, gift, token, money, or other things of value intended as an inducement to perform or refrain from performing any official act, or any action of extortion or other means of obtaining money or anything of value through their position.
- w. Manifesting cowardice, feigning illness, or otherwise attempting to shirk official duty.
- x. Involvement in any civil action or compromise between persons accused of crime and the person or persons who may have suffered from criminal acts with the purpose of allowing the accused to escape punishment.
- y. Failure to answer questions specifically directed and related to official duties or job fitness. (Unless criminal prosecution is contemplated.)
- z. The use of unnecessary force during an arrest/custody procedure.



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aa. Deviation from established procedures in the disposition of summons or arrest cases.

bb. Willfully testifying untruthfully in any court proceeding or whenever under oath.

### D. Probationary Employees

Probationary employees shall be dismissed, suspended, or otherwise disciplined according to the foregoing. The only difference is that a probationary employee has no right of appeal. In the case of a dismissed probationary employee, the official record will merely indicate that the person was dismissed during probationary employment.

## V. Records

A. The Officers' immediate Supervisor will maintain records of Informal Counseling. Records of Oral Reprimands and disciplinary action will be maintained in the Office of the Chief, in accordance with records retention schedules governed by the *Library of Virginia*.

B. Records of Oral Reprimands and disciplinary action will also be forwarded to the Town Human Resources Department for insertion into the employee's personnel file and shall be maintained in accordance with records retention schedules governed by the *Library of Virginia*.

C. The *Town Employee Handbook* Policies shall be considered to have priority over this Rule and Regulation and any conflicts shall be settled with the *Handbook* being considered the higher source.

### Attachments


- Attachment A – Record of Oral Reprimand
- Attachment B – Disciplinary Action Report
- Attachment C – Counseling – Discipline Checklist



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Amherst Police Department – GENERAL ORDER		Effective Date: May 18, 2020
<b>PER.306</b>	<b>Leave</b>	Revised Date:
<u>Original Signature on file maintained in APD Records</u> <u>Division</u>  , Chief of Police		VLEPSC Standards: PER.03.02

*NOTE: This Rule and Regulation is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. POLICY

It is the policy of the Amherst Police Department to follow the Town Handbook regarding leave.

### II. PURPOSE

The purpose of this policy is to direct personnel to the proper place for the guidelines for leave.

### III. PROCEDURES


Please refer to the Town of Amherst Handbook Section VII. *Holidays and Leave* for the Town's policies regarding holidays, annual leave, sick leave, military leave, military leave without pay, civil leave, workers' compensation leave and return to work, and leave without pay which includes family and medical leave, extended leave without pay, and disciplinary leave without pay.



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Amherst Police Department – GENERAL ORDER		Effective Date: May 18, 2020
<b>PER.307</b>	<b>Outside Employment</b>	Revised Date:
<u>Original Signature on file maintained in APD Records</u> <u>Division</u>  , Chief of Police		VLEPSC Standards: PER.04.01, PER.04.02

*NOTE: This Rule and Regulation is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. POLICY

It is the policy of this department to allow employees to seek outside or additional employment upon the approval of the Chief of Police.

### II. PURPOSE

The purpose of this policy is to clarify the process of gaining approval for outside employment with the understanding that the employee's first priority is to this Department.

### III. PROCEDURE

A. Before engaging in any outside employment or business activity, all full-time sworn employees shall submit a written request for permission for off-duty or extra -duty employment to the Chief of Police, who will grant approval or decline. Off-duty/extra-duty employment activities of employees are subject to the following regulations:

- The employment shall not render the officer unavailable during an emergency, or physically or mentally exhaust the officer to the point that his performance on duty will be affected.
- Employment shall not in any way conflict with the objectives of the department, impair its reputation, or compromise law enforcement authority.
- The police uniform shall not be worn, nor police equipment used unless so authorized by the Chief of Police.

B. Each employee while engaged in off-duty or extra-duty employment shall conduct himself in accordance with department standards and is under the control of department supervisors.

C. A member or employee, at the discretion of his/her supervisor may be called on-duty at any time irrespective of his off-duty or extra-duty employment.



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- D. The Chief of Police is responsible for the coordination of off-duty/extra-duty employment in relation to on duty employment and adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency.
- E. This documentation shall be kept in the personnel file kept in the Chief of Police's office.
- F. The Chief of Police shall be responsible for reviewing and oversight of adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency. The Chief of Police is responsible for the revocation process pertaining to an officers' off-duty or extra-duty employment.



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Amherst Police Department – GENERAL ORDER		Effective Date: May 18, 2020
<b>PER.308</b>	<b>Health and Fitness</b>	Revised Date:
<u>Original Signature on file maintained in APD Records</u> <u>Division</u>  , Chief of Police		VLEPSC Standards: PER.03.05, PER.03.06

*NOTE: This Rule and Regulation is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. PURPOSE

The purpose of this policy is to establish physical fitness practices for police officers employed by the Amherst Police Department.

### II. POLICY

The Amherst Police Department requires that its sworn personnel adhere to a standard of physical fitness commensurate with the demands of the law enforcement profession. The department encourages its members to lead healthy and active lifestyles to support its goal of fit personnel.

### III. PROCEDURES

- A. All sworn personnel shall maintain a level of physical fitness that allows them to meet all of the demands associated with police work.
- B. All officers must understand that police work often involves running, engaging in protracted physical struggles, and other physically and emotionally stressful activities. Physically fit officers promote a positive image for the department, while physically unfit officers have the opposite effect. Unfit officers run the risk of jeopardizing their safety as well as those around them.
- C. In order to meet these varied physical challenges and to help deal with stress in a positive manner, it is suggested that officers should practice healthy lifestyle habits. These include the following:
  - 1. Regular aerobic exercise
  - 2. Strength training
  - 3. Healthy diet
  - 4. Abstinence from smoking and other tobacco products
  - 5. Abstinence or moderate consumption of alcoholic beverages



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- D. If a supervisor observes that an officer is not capable of meeting physical demands or does not present a fit and professional image, he/she shall counsel the officer and recommend lifestyle changes to remedy the situation.
  
- E. If, after a reasonable period of time, the officer is still not capable of meeting all physical demands or continues to present an unfit and/or unprofessional image, the matter will be referred to the Chief of Police. The Chief of Police may order that the employee take a physical examination to help to determine the physical state of the employee. The examination will be provided at no cost to the employee. The Chief of Police can then order the employee to have a physical agility test performed to verify if the employee is fully capable of handling the job requirements. If the situation remains unchanged, the Chief of Police may initiate disciplinary proceedings against the officer and/or relieve him/her of duty.







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following procedures are set forth. One point bears repeating: officers have no way to determine with certainty if a citizen is infected with a communicable disease.

The department shall provide employees continuously with information and education on prevention of communicable diseases as well as safety equipment and procedures to minimize the risks of exposure. The department has instituted post-exposure reporting, evaluation, and treatment for all members exposed to communicable diseases.

Finally, the department advises all personnel that they shall not receive discriminatory treatment nor bear any stigma if they contract a communicable disease which becomes known to the department. Legally, a communicable disease is a handicap under Federal law, making discrimination against infected persons illegal.

The department expects officers to become educators in their law enforcement work. Officers can advise children, drug users, or prostitutes of the risks of infection and can further distribute educational literature. Additionally, officers may refer citizens to health agencies such as the American Red Cross and the local health department. Department personnel may set an example in demonstrating rationality and confidence in dealing with communicable diseases.

## II. PURPOSE

The purpose of this policy is to establish guidelines and procedures to be followed when a member of the department is exposed to a communicable disease with a risk of major illness or death and to establish procedures for handling of evidence or property that may be contaminated.

## III. DEFINITIONS

A. Communicable Disease – an infectious disease capable of being passed on to another by contact with an infected person or his/her body fluids.

B. AIDS (Acquired Immune Deficiency Syndrome) – a blood-borne and sexually-transmitted disease that attacks and destroys the body's immune system. It makes people susceptible to infections, malignancies, and diseases not generally life-threatening to persons with normal immune systems. AIDS also causes disorders of the central nervous system. There is no vaccine against the virus. Personnel are advised that AIDS is not transmitted through any of the following (according to the Centers for Disease Control):

1. Sneezing, coughing, spitting;
2. Handshakes, hugging, or other non-sexual physical contact;
3. Toilet seats, bathtubs, or showers;
4. Various utensils, dishes, or linens used by persons with AIDS;
5. Articles worn or handled by persons with AIDS, i.e., doorknobs, pens, or cups;
6. Being near someone with AIDS frequently or over a long period of time;



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7. Riding the same transportation;
  8. Eating in the same public place with an AIDS-infected person; or
  9. Working in the same office.
- C. ARC (AIDS-Related Complex) – a condition caused by the AIDS virus (HIV) and has a specific set of symptoms. Such symptoms include persistent fever, weight loss, skin rashes, diarrhea, and swollen lymph nodes. Although these symptoms may be debilitating, they are generally not life-threatening.
- D. HIV (Human Immunodeficiency Virus) – the virus that causes AIDS. HIV infects and destroys certain white blood cells, undermining the body’s ability to combat infection. (Also named HTLV-III or LAV). Technically speaking, this policy aims to reduce the chance of HIV transmission, the virus that causes AIDS.
- E. Seropositivity – refers to a person having antibodies to HIV, meaning that infection has occurred at some time in the past. A seropositive person can be infected with HIV for years without ever developing symptoms of AIDS. Infected persons can transmit the virus even though they may not have symptoms of AIDS.
- F. Hepatitis B (HBV) – a viral infection that can result in jaundice, cirrhosis, and sometimes cancer of the liver. The virus is transmitted through exposure to blood, semen, or vaginal secretions. Two vaccines are currently available against hepatitis B [Recomb Ivax (synthetic) of Heptivax (serum derived)].
- G. Tuberculosis – a bacterial disease that can be transmitted through saliva, urine, blood, and other body fluids by persons infected with it. Tuberculosis is spread primarily through inhaling airborne droplets from infected coughing people. It can enter the body through infected mucous on the skin (as from coughing) or from droplets that are inhaled. It is an airborne opportunistic disease, and it primarily causes lung infection. Although no vaccine against tuberculosis exists, medications are available to treat the disease.
- H. Exposure Control Program – a written agency plan available to all employees which details the steps taken to eliminate or minimize exposure incidents and which identifies at-risk tasks and assignments (in Attachments).
- I. Personal Protective Equipment (PPE) – consists of specialized clothing or equipment worn or used by employees for protection against infection. PPE does not include uniforms or work clothes without specialized qualities.
- J. Universal Precautions – includes controls or procedures advised by the Centers for Disease Control (CDC) that emphasize precautions based on the assumption that blood and body fluids are potentially infectious.

## IV. GENERAL RESPONSIBILITIES



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- A. The Amherst Police Department will adopt the Amherst County Fire and EMS Infection Control Plan and will follow its written exposure control plan, which provides the overall strategy for limiting exposure to HIV and HBV viruses, and for handling exposure incidents. The plan is available to all employees. Any employee who may be exposed during their scheduled work time shall immediately report the exposure to a supervisor.
1. The plan adheres to the principles and procedures for the prevention of HIV and HBV exposure as detailed in the universal precautions prescribed by the CDC plus other federal agencies.
  2. All employees, supervisors particularly, are responsible for the maintenance of a clean, sanitary workplace and shall inspect workplaces daily to ensure that these conditions are met.
- B. The Chief of Police or Major shall ensure that adequate supplies are available for communicable disease control within the department. Supervisors are responsible for maintaining continuously an adequate supply of disease control supplies for all affected personnel within their supervision. Further, supervisors must ensure that:
1. Personal protective equipment (PPE) can be found in sufficient quantities at advertised locations (such as in police vehicles); and
  2. Hypoallergenic gloves and other materials are available for employees allergic to standard-issue gear; and
  3. Supplies are routinely inspected, replaced, and cleaned; and
  4. First Aid supplies and disinfectants are available always.
- C. The Chief of Police shall ensure that the department vehicles will each contain the following PPE supplies at all times:
- Disposable latex gloves
  - Leather gloves
  - Disposable face mask
  - Disposable towels
  - Disposable plastic bags with contaminated label
  - Alcohol-based cleanser
  - CPR shield/mask
  - Wrap-around safety goggles
  - Disposable shoe coverings
  - Puncture-resistant, leakproof container for needles and other sharp objects



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- Waterproof bandages
- First Aid Kit

D. Officers using supplies in their vehicles shall replace them or arrange to have them replaced as soon as possible. Officers shall maintain disposable gloves in their personal possession at all times.

E. The Chief of Police or designee shall cause to be maintained at the department office the following:

- Coveralls (different sizes)
- Supply of disposable latex gloves
- Orange/red plastic biohazard bags with id and tape, or plastic bags and sealing ties
- Liquid household bleach
- Disposable towels/towelettes
- "Isolation Area – Do Not Enter" signs
- Buckets, mops
- Shower (available at Amherst County Sheriff's Office)

F. Personnel shall use protective equipment under all appropriate circumstances unless the officer can justify otherwise.

Officers who, for whatever reason, do not use protective gear when appropriate shall document the incident as soon as practicable for department review.

G. All personnel whose skin comes into contact with body fluids of another shall begin disinfection procedures immediately: these procedures range from single soap-and-water washing to the use of alcohol or antiseptic towelettes. All open cuts and abrasions shall be covered with waterproof bandages before personnel report for duty.

## V. GENERAL PRECAUTIONS

A. General – Whenever possible, officers shall wear disposable latex gloves when doing any of the following:

1. Handling persons or items with any blood or body fluid products (hypodermic needles, syringes, or surfaces soiled with blood or body fluids, gun or knife wounds).
2. Packaging and handling such items as evidence.
3. Cleaning up blood or other secretions which appear on floors, seats, equipment, handcuffs, shoes, clothing, pens, pencils, etc.



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### B. Specialized Devices

1. Masks shall be worn whenever any splashes, spray, spatter, or droplets of potentially infectious fluids endanger contamination through the eyes, nose, or mouth. Masks may be worn with other protective devices such as goggles.
2. Gowns, jackets, coats, or aprons shall be worn as determined by the degree of exposure anticipated.
3. All employees have available a one-use-pocket disposable mask for performing CPR. The mask should be disposed of immediately after use.

### C. Handling People

1. Wash hands thoroughly for thirty seconds with warm water and soap after removing gloves (when handling evidence) or after contact with the subject (if bleeding or vomiting). To remove gloves, grasp the cuffs and pull them off inside out. If water is unavailable, use pre-moistened towelettes found in the communicable disease control kit to decontaminate skin.
2. Leather gloves or their equivalent shall be worn when searching persons or dealing in environments such as accident scenes where sharp objects and bodily fluids may reasonably be encountered. Search techniques shall be used that require suspects to empty their own pockets or purses and remove sharp objects from their persons.
3. When transporting prisoners:
  - a. Do not put fingers in or near any person's mouth.
  - b. Transport persons with body fluids on their persons in separate vehicles from other persons. A person who is bleeding or producing a fluid may have to wear a protective covering.
  - c. Notify other support personnel or law enforcement officers during a transfer of custody that the suspect has fluids on his/her person or that the suspect has stated that he/she has a communicable disease. Booking forms should so state.
  - d. Be aware of open wounds, and other bodily fluids.
  - e. Disinfect working area appropriately with disinfectant.
  - f. Dispose of gloves, clothing, wipes, etc. that are contaminated in appropriate biohazard containers.



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### D. Handling Objects

1. Objects contaminated with body fluids shall be completely dried, double bagged, and marked to identify possible disease contamination.
2. Contaminated items to be disposed of shall be autoclaved.
  - a. To autoclave, items must be treated in special (biohazard) bags at a high temperature. Local laboratories or hospitals can assist.
  - b. Before burning, the bags must be closed with autoclave tape which turns purple when appropriate processing has taken place to kill microbes.
3. Officers shall use extra care when handling any sharp objects. If officers find syringes, they shall not bend, recap, or otherwise manipulate the needle in any way but shall place them in puncture-resistant containers provided by the department.

### E. Handling Fluids

1. There is a Virucidal spray provided which should be stored in the vehicles. This Virucidal spray is used to clean up blood spills or other body fluids. If no virucidal spray is available, clean up blood spills or other body fluids with regular household bleach diluted 1part bleach to 10 parts water (or use undiluted bleach if easier). Bleach dilutions should be prepared at least every 24 hours to retain effectiveness.
  - a. Wear latex gloves during this procedure.
  - b. A soiled uniform (by blood or body fluids) should be changed as soon as possible. Wash in hot water and detergent or dispose of after autoclaving. All employees shall keep an extra change of clothing at the office to change into. The soiled clothing shall be put in the red biohazard bag to be professionally dry-cleaned.
2. Departmental vehicles within which body fluids are spilled require immediate disinfection procedures. Employees who have the vehicles assigned to them shall notify their supervisor of the spill and arrange for a thorough cleaning as soon as possible. Affected vehicles should bear an "Infectious Disease Contamination" sign upon arrival at a service center and while awaiting disinfection. All police vehicles will be cleaned with disinfectant as part of a routine scheduled washing and maintenance check.

### F. Precautions when Bitten

The danger of infection through bites is low. The victim cannot be infected with HIV through the blood of the biting person unless that person has blood in his/her mouth which comes into contact with the victim's blood. HIV cannot be transmitted through saliva. With



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HBV however, transmission takes place through infected blood or blood-derived fluids. Infection takes place by exposure of the eyes, mouth, or mucous membranes to the virus. Precautionary procedures to minimize the risk of infection include:

1. Encouraging the wound to bleed by applying pressure and gently “milking” the wound.
2. Washing the area thoroughly with soap and hot water.
3. Seeking medical attention at the nearest hospital.
4. Advise your supervisor, make a report, or follow any other policy for reporting injuries, including the filing of appropriate Worker’s Compensation forms.

### G. Precautions when Punctured by Needles or Knives

If an officer is cut or punctured by a needle or knife or other instrument while searching a suspect or handling contaminated evidence, follow these general guidelines:

1. Allow the wound to bleed (unless severe bleeding occurs) until all flow ceases. Then cleanse the wound with alcohol-based cleanser (or pre-moistened towelettes) and then with soap and water. Do not rely exclusively on towelettes: wash wounds thoroughly with soap and water.
2. Seek medical attention as soon as possible after the injury. A physician will then decide the proper treatment.
3. Advise your supervisor, make a report, or follow any other policy for reporting injuries, including filing of appropriate Worker’s Compensation forms. Copies of the report will be forwarded to the Chief and the Administrative Assistant.

### H. Precautions at Major Crime Scenes

At the crime scene, officers and crime scene technicians confront unusual hazards, especially when the crime scene involves violent behavior such as homicides where large amounts of blood have been shed.

1. No person at any crime scene shall eat, drink, smoke, or apply make-up.
2. The best protection is to wear disposable latex gloves. Any person with a cut, abrasion, or any other break in the skin on the hands should never handle blood or other body fluids without protection.
3. Latex gloves should be changed when they become torn or heavily soiled or if an officer leaves the crime scene (even temporarily).





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4. If cotton gloves are worn when working with items having potential latent fingerprint value, wear cotton gloves over latex gloves.
5. Hands should be washed after gloves are removed, even if the gloves appear to be intact.
6. Always keep a plastic bag in the communicable disease control kit to be used only to collect contaminated items (gloves, masks, etc.) until they can be disposed of properly. Clearly mark the bag "Contaminated Material."
7. Shoes and boots can become contaminated with blood. Use the disposable protective shoe/boot coverings. Wash with soap and water when leaving the crime scene or use protective disposable shoe coverings.
8. Wrap-around eye safety goggles and face masks should be worn when the possibility exists that dried or liquid particles of body fluids may strike the face. Particles of dried blood, when scraped, fly in many directions; wear goggles and masks when removing the stain for laboratory analysis.
9. While processing the crime scene, be constantly on the alert for sharp objects such as hypodermic needles, razors, knives, broken glass, nails, etc. Use of mirrors may be appropriate while looking under car seats, beds, etc.
10. Use tape—never metal staples—when packaging evidence.
11. If practicable, use only disposable items at a crime scene where blood or other body fluids are present. Even those items (gloves, masks, shoe coverings, pens, pencils, etc.) must be decontaminated before disposal. Items must be covered with a bleach solution (one-part bleach to ten parts water, or undiluted bleach).
12. Before releasing the crime scene, advise the owner of the potential infection risk and suggest that the owner contact the local health department for advice.
13. All contaminated protective items will be removed before releasing the crime scene.
14. Warning labels must be placed on all plastic evidence bags to go to the crime laboratory.

## VI. VACCINATIONS

The Department affords all employees who have occupational exposure to hepatitis B the opportunity to take the HBV vaccination series at no cost within 10 working days of assignment to an occupationally exposed duty. The vaccination shall be provided only after



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the employee has received departmental training in communicable diseases, is medically fit for the vaccinations, and has not previously received them.

All employees have a choice as to whether or not they wish to take the vaccination. This is not mandatory. If any employee decides not to take the vaccination a waiver must be signed. If any medical problems/conditions exist where an employee is unable to take the vaccination, a signed statement from the employee's doctor must be obtained and turned in along with the signed waiver.

There is a possibility that Workman's Compensation may not cover any employee who refuses to take the vaccination for any reason other than medical.

## VII. OCCUPATIONAL EXPOSURE TO COMMUNICABLE DISEASES

### A. Notification

1. All employees shall, as soon as practicable, document possible exposure to infectious fluids or materials. In any case, employees shall immediately notify their supervisor of possible exposure. *Code of Virginia § 32.1-45.2* requires public safety employees to immediately notify their agencies “of any possible exposure prone incident.”
2. Examples of such exposure are:
  - a. Direct contact with body fluids on chapped or open areas (cuts, scratches) on the skin or on mucous membranes (i.e., eyes, mouth).
  - b. Direct mouth-to-mouth resuscitation (CPR) without use of a one-way valve.
  - c. Receiving a cut or puncture wound as a result of searching or arresting a suspect or handling contaminated evidence.

### B. Testing

If a member of the department is exposed to the body fluids of a person who has or is suspected to have a communicable disease, the member must be evaluated for evidence of infection by the department physician.

1. The person whose body fluids came into contact with an officer may state that he/she has AIDS. Often, a person may try to prevent police from withdrawing blood for drug screening (as in a DUI arrest), although, in fact, he or she is not infected at all. While the department cannot coerce a citizen—suspect or otherwise—to take periodic tests for infection, the department will try to convince the citizen who may have transmitted infection to do so.



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- a. *Code of Virginia* [§ 32.1-45.2](#) states that if any person or employee has been exposed to body fluids, the person or employee whose fluids were involved will be requested by the agency to consent to HBV or HIV testing and disclosure of results.
  - b. *Code of Virginia* [§ 18.2-62](#) provides measures whereby a person charged with any crime involving sexual assault or particular offenses against children may be ordered to submit to HIV testing.
2. Personnel should understand the difficulty of transmitted HIV and hepatitis B. If infection control measures have been followed, the risk is very low.
  3. Testing for presence of infection shall be done if indicated by a medical assessment (after an incident involving the possible transfer of blood or other body fluids). The following information details testing methods and their reliability.
    - a. AIDS/ARC/HIV:
      - 1) Blood tests can detect HIV antibodies (produced by the body's immune system).
      - 2) The two common tests for HIV antibodies are the ELISA (Enzyme-Linked Immunosorbent Assay) and the Western Blot. Since the ELISA is less expensive and easier to perform, it is usually used as a first screen for HIV. If ELISA identifies the person as seropositive, a second ELISA is performed. If the second test is also positive, a Western Blot is usually performed to confirm the results.
      - 3) Since HIV antibodies may not develop for some months after a person has been infected, an initial negative result may not mean freedom from infection. High false positive rates also occur with the use of only ELISA test.
      - 4) One must be tested immediately after the incident (for a baseline) and then six and twelve months later.
      - 5) The department shall ensure that the employee receives qualified counseling during the testing period.
      - 6) The Virginia State Public Health Department provides free confidential or anonymous testing (both ELISA and Western Blot) in every health district. The results are given only to the person tested. State law, under Section [32.1-36.1](#) provides confidentiality and prescribes a penalty.
    - b. Hepatitis B – a blood test can confirm the presence of Hepatitis B virus six to eight weeks after exposure.



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- c. Tuberculosis – this disease is detected first by a skin test, then confirmed by an x-ray. The department physician can order this test for the department employee. (Some local health departments may do the test).

### C. Confidentiality

Confidentiality of information concerning test results is paramount. The victim has a right to privacy in employer-maintained information about his/her health. No need exists for a supervisor routinely to know that a person tests positive (for HIV or hepatitis B). The department views a breach of confidentiality as a serious disciplinary problem which may result in suspension or termination of employment.

Under most circumstances, medical authorities will retain confidential records unless the employee requests differently or state law requires it.

### D. Positive Test Results

1. Any person who tests positive for HIV or hepatitis B shall not be summarily removed from duty. The department shall make no restrictions simply because of diagnosis. These diseases are not spread by casual contact (as between coworkers in the department). The department shall alter an employee's assignment only when he/she can no longer perform the required duties.

The department shall ensure continued testing, if necessary, of members for evidence of infection and shall provide psychological counseling if necessary.

2. Any person who tests positive for tuberculosis may be restricted from working for a period of time. The medical evaluation will determine the stage and type of disease the person has contracted and if he/she is contagious. A tuberculosis-infected person requires medical attention and shall not return to work until the doctor says he/she is non-communicable. (Tuberculosis is easily transmitted and incidence in Virginia has recently shown a slight increase. After exposure to tuberculosis, a person may, after a medical evaluation, take medicine to help prevent the disease.)

### E. Documentation

An IBR report must be filled out after dealing with any of the above described policy. An Exposure form should also be filled out. (**PER.309, Possible Exposure**)

### F. Job Performance



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Communicable disease-infected employees shall continue working as long as they maintain acceptable performance and do not pose a safety or health threat to themselves or others in the department.

1. Where feasible, an employee who has medical complications from a communicable disease will either be reassigned to another job or have his/her job restructured so that he/she can remain employed. As necessary, medical documentation shall support requests for job restructure or reassignment. All personnel shall treat such employees in the same manner as employees who suffer from other serious diseases or handicaps; that is fairly, courteously, and with dignity.
2. The department may require an employee to be examined by the department physician to determine if she is able to perform his/her duties without hazard to himself/herself or others.

### G. Federal Law

Employees infected by communicable diseases are generally protected by the federal Rehabilitation Act of 1973. (A medical standard that is not job-related constitutes a prohibited personnel practice.)

### H. Discrimination

The department expects all personnel to continue working relationships with any fellow employee recognized as having AIDS/ARC, Hepatitis B, or non-communicable tuberculosis. The department will consider appropriate corrective or disciplinary action against an employee who threatens or refuses to work with an infected employee or who disrupts the department's mission.

### I. Records

The agency maintains a record for each employee detailing incidents of occupational exposure, including information on vaccination status, the results of examinations and tests, health care professionals' written opinion, and any other relevant information. These records are maintained by the Chief in a secure storage for the duration of tenure of employees and shall not be disclosed or reported without the express written consent of the employee or by court order.

## VIII. TRAINING

- A. Education on communicable diseases shall be continuous in the department. The training officer shall ensure that all members of the agency with occupational exposure shall receive a course of instruction on bloodborne diseases before their initial assignment. Further, each



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affected employee will receive annual refresher training plus any additional training appropriate to the particular employee assignment.

- B. The training officer shall retain complete records on instruction of employees to include dates of training, content of sessions, names and qualifications of trainers, and names and job titles of attending employees.
- C. The Chief of Police or designee is responsible for dissemination of updated information to all personnel and for appropriate educational programs about communicable diseases. These programs shall include at a minimum:
  - 1. Written information concerning AIDS/ARC/HIV, Hepatitis B, and tuberculosis in the form of brochures, bulletins, memorandums, or fact sheets.
  - 2. Group and/or individual presentations and discussions provided by adequately trained personnel or experts from outside the department.
  - 3. Local resources for further medical and law enforcement information.
  - 4. For more information, personnel may at any time contact:
    - a. National Hotline for AIDS – 1-800-273-AIDS or 415-434-AIDS
    - b. Virginia AIDS Info Hotline – 1-800-533-4148
    - c. Department of Health and Human Services – 800-533-4148 or 24/hr. hotline 800-232-4636 or 888-232-6348
    - d. AIDS Clearinghouse (America Responds to AIDS) – 1-800-322-7432
    - e. National AIDS Clearinghouse – 1-800-367-AIDS
    - f. Amherst County Public Health Department – 434-946-9408
    - g. Local American Red Cross – 434-845-1234
    - h. Forensic Laboratories – 804-786-2281
    - i. Local Health Departments
    - j. Vendors

## IX. APPENDIX – AIDS-RELATED CONCERNS OF PERSONNEL

- A. Human Bites A person who bites is typically the one who gets the blood; viral transmission through saliva is highly unlikely. If bitten by anyone, gently milk the wound to make it bleed, wash the area, and seek medical attention.
- B. Spitting: Viral transmission through saliva s highly unlikely.
- C. Urine/feces: Virus isolated in only very low concentration in urine; not at all in feces; no cases of AIDS or HIV infection associated with wither urine or feces.



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- D. CPR/First Aid: To eliminate the already minimal risk associated with CPR, use masks/airways; avoid blood-to-blood contact by keeping open wounds covered and wearing gloves when in contact with bleeding wounds.
- E. Body Removal: Observe crime scene rule: do not touch anything; those who must come into contact with blood or other body fluids should wear gloves.
- F. Casual contact: No cases of AIDS or HIV infection attributed to casual contact.
- G. Contact with blood/body fluids: Wash thoroughly with soap and water; clean up spills with 1:10 solution of household bleach.

\*Source: Adapted from: AIDS and the Law Enforcement Officer: Concerns and Policy Responses by Theodore M. Hammett, Ph.D., National Institute of Justice, U.S. Department of Justice, June, 1987.

### Attachments

- Possible Exposure Form
- Exposure Control Program (Bloodborne Pathogens Town Policy)







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- a. Notification of survivors in the immediate family shall be made in person and, whenever appropriate, with another person. Whenever the health of immediate survivors is a concern, emergency medical services personnel shall be requested to stand by.
  - b. If the opportunity to get the family to the hospital exists prior to the officer's death, notification officers shall inform the hospital liaison officer that the family is on its way. In such cases, immediate transportation should be provided for survivors rather than waiting for any other members of the departmental delegation to arrive. If the officer has died, notification should be made to the survivors in as forthright and empathetic manner as possible.
  - c. Communication of information concerning the officer and the incident shall, whenever possible, be restricted to the telephone to avoid interception by the media or others. Should the media obtain the officer's name prematurely, the ranking officer should request that the information be withheld until proper notification of survivors can be made.
  - d. The notification officer shall be responsible for identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.
- B. Assisting survivors at the hospital whenever possible, the Chief of Police shall join the family at the hospital in order to emphasize the agency's support. The Chief of Police or next highest-ranking officer to arrive at the hospital shall serve as or designate a hospital liaison officer who shall be responsible for coordinating the arrival of immediate survivors, departmental personnel, the media and others and assume the following responsibilities:
1. Arrange for waiting facilities for immediate survivors and a separate press staging area. The desires of the surviving family members should be followed regarding their accessibility to other officers and friends.
  2. Ensure that medical personnel provide pertinent medical information of the officer's condition to the family before any other parties.
  3. Assist family members, in accordance with their desire, in gaining access to the injured or deceased officer.
  4. Provide hospital personnel with all necessary information on billing for medical services. The liaison officer should ensure that all medical bills are directed to the appropriate departmental authority and that they are not forwarded to the officer's family or other survivors.



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5. Arrange transportation for the family and other survivors upon their departure from the hospital.

C. The Chief of Police or his designee will:

1. Make additional personnel assignments to assist in handling incoming telephone calls and inquiries and to direct the public to appropriate personnel.
2. Ensure that the officers are provided the opportunity to participate in critical incident stress debriefings.
3. Providing oversight of travel and lodging arrangements for out-of-town family members.
4. Identifying alternative churches and reception halls that will accommodate the law enforcement funeral. These alternatives will be presented to the family, who will make the final decision.
5. Coordinating all official law enforcement notifications and arrangements to include liaison with visiting agencies.
6. Assisting family members in dealing with general media inquiries and informing them of limitations on what they can say to the media specifically.
7. Providing liaison with the media to include coordination of any statements and press conferences.

D. The HR Department of the Town shall be responsible for the following:

1. Filing workers' compensation claims and related paperwork.
2. Presenting information of all benefits available to the family.
3. Preparing all documentation of benefits and payment due survivors to include the nature and amount of benefits to be received by each beneficiary, the schedule of payments, and the name of a contact person or facilitator at each benefit or payment office.
4. Filing all benefits paperwork and maintaining contact with the family in order to ensure that benefits are being received. A copy of benefits documentation should be provided to all survivors affected and explained to each of them.
5. The PD will be responsible, in partnership with HR, for the following:
  - a. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions, as appropriate.



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- b. Advising the surviving family of the role of the police associations and organizations and the nature of support programs that they sponsor for law enforcement survivors.

### E. Benefit Information

1. Social and Fraternal Organizations
2. The Military Order of the Purple Heart
3. The Knights of Columbus
4. Fraternal Order of Eagles
5. National Sheriffs' Association
6. National Guard
7. NRA Death Benefit
8. Credit Card Travelers Insurance
9. Virginia Association of Chiefs of Police (VACP)
10. Other Organizations

### F. Fallen Officers


Anytime the department is asked to wear badge shrouds for a fallen officer the shroud should be worn for seven (7) days after the day of the funeral.



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Amherst Police Department – GENERAL ORDER		Effective Date: May 13, 2021
<b>PER.311</b>	<b>Career Progression Program</b>	Revised Date:
<u>Original Signature on file maintained in APD Records Division</u>  , Chief of Police		VLEPSC Standards: PER.05.01, PER.05.02

*NOTE: This Rule and Regulation is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. Purpose

The purpose of this directive is to establish full-time sworn officer career progression procedures for the Amherst Police Department

### II. Policy

It shall be the policy of the Amherst Police Department to promote professional skills and career experience development through providing full-time sworn officers with structured means to pursue career progression within generalized, specialized, and supervisory career paths. Career progression program requirements and criteria will be job-related and nondiscriminatory.

### III. Procedure

#### A. Responsibilities

1. The Chief of Police will be responsible for the administration of the department career progression program, and may utilize the assistance of:
  - a. The Town Manager;
  - b. Department command staff members at the Major, and other levels as required;
  - c. Consultants;
  - d. Other persons deemed appropriate by the Chief of Police.
2. The Chief of Police has approved the procedures outlined within this directive to regulate the sworn officer career progression program as described within this directive.
3. Application for rank advancement through the career progression procedures outlined within this directive will be voluntary.
  - a. Officers will not be required to apply for career progression to Police Officer II or to Police Officer III rank.



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4. The Chief of Police will have the final authority in all career progression selection procedures and decisions.
5. Compensation assigned to career progression ranks will be subject to approval by the Town Manager in accordance with Town of Amherst compensation policies.

### B. General Procedures

1. The department transitioned during May 2021 to a structure containing three police officer ranks:
  - a. Recruit Police Officer – a non-sworn position assigned from the point of employment as a non-certified trainee until completion of basic police training and swearing-in as an APD Police Officer.
  - b. Police Officer – a sworn police officer rank assigned on swearing-in as a APD Police Officer.
  - c. Police Officer II – an advanced rank attainable through the career progression program.
  - d. Police Officer III – an advanced rank attainable through the career progression program.
2. Subject to established eligibility and performance requirements, department sworn officers may apply for career progression as follows:
  - a. Employees at the Police Officer rank may apply for career progression to Police Officer II.
  - b. Employees at the Police Officer II rank may apply for career progression to Police Officer III.
3. Officer application for career progression advancement will be made by completing a career progression advancement form maintained by the Amherst Police Department.
  - a. Instructions on how to access and use the career progression application will be available to officers and supervisors within the department.
    - i) Additional guidance and assistance will be available from an officer's supervisor.
  - b. The career progression application will be reviewed by the Major and forwarded to the Chief of Police. After review, the application will be placed in the applicant's personnel file.



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4. An officer may apply for career progression at any time that the officer believes that he or she has met all established eligibility criteria.
5. Applications for career progression to Police Officer II and to Police Officer III rank will be accepted and reviewed on a schedule approved and communicated by the Chief of Police.
  - a. Applications for career progression to Police Officer II rank will be accepted for review and action at six-month intervals.
    - i. Officers may develop and complete Police Officer II career progression applications at any time during the year.
    - ii. Police Officer II career progression applications will be accepted for review and action during the months of June and December.
      - I. Prior written notice will be provided to officers by the Chief of Police detailing the specific time frame during which applications will be accepted for review.
      - II. Prior written notice will be provided to officers by the Chief of Police in the event that the June/December application timetable is changed.
  - c. The Chief of Police will convene with the Major and review for purposes of:
    - i. Reviewing submitted applications for completeness and accuracy;
    - ii. Ascertaining whether each applicant has met all eligibility criteria for career progression;
    - iii. Recommending approval or denial of each career progression application based upon specific criteria outlined within this directive and the related Addendum.

### C. Eligibility Criteria for Career Progression

1. Established career progression eligibility criteria will be maintained an accessible for officer review.
  - a. Eligibility criteria to apply for career development progression to Police Officer II rank will be set forth within the current Addendum to this directive.
  - b. Eligibility criteria to apply for career development progression to Police Officer III rank will be set forth within the current Addendum to this directive.
  - c. Listings of courses and programs currently approved by the Chief of Police to meet career progression eligibility requirements will be maintained within the career progression application system.





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- a. identify the applicant by full name, the career progression rank applied for, and by the date on which career progression assessment was conducted;
  - b. be signed by all assessment panel members.
5. In cases where the career progression review panel recommends application denial, the panel will note on the *Career Progression Assessment* form a written explanation of the specific reason(s) for the panel's recommendation.
- E. Approval of Applicants for Career
1. The Chief of Police will approve officer career progression applications, related rank and compensation changes:
    - a. on deeming that all eligibility requirements have been met, and
    - b. on verifying that funding is available at that time to support the compensation increase related to rank progression.
  2. An officer approved for career progression will receive an appointment letter detailing the effective date of career progression, the rank earned and the related compensation increase.
  3. An officer whose career progression application is denied:
    - a. will receive a copy of the review panel's written explanation citing the reason(s) for application denial;
    - b. will be eligible to reapply at any time that all eligibility criteria have been met;
    - c. may appeal denial of the career progression application
- F. Career Progression Process Review Procedures
1. Officers who believe that their application for career progression has been adversely affected, by either the selection process as a whole or some specific component thereof, may make a direct appeal to the Chief of Police.
    - a. Any such appeal must be initiated within five business days of the date on which the applicant received notice that his or her application for career progression was denied.
    - b. The applicant must submit a *Memorandum* to the Chief of Police, outlining the specific career progression program event(s) or action(s) which, in the officer's opinion, adversely affected his or her career progression opportunity.
    - c. The Chief of Police will:
      - i. review the information provided in the appeal *Memorandum*
      - ii. conduct any additional inquiries regarding the career progression program process that he deems necessary





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- iii. consult with the Major, or other persons involved in developing or administering aspects of the career progression program
    - iv. meet with the affected officer to discuss the officer's outlined concerns and the Chief's decision regarding the officer's appeal.
  2. *Career Progression Assessment* forms and attachments submitted for review will be maintained in a secure location approved by the Chief of Police. Access to filed *Career Progression Assessment* forms and attachments will be subject to prior approval by the Chief of Police.
  3. The Chief of Police, assisted by the Major, or other persons at the Chief's discretion, will be responsible for reviewing the career progression program procedures annually, and for making necessary program revisions as deemed appropriate.



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Amherst Police Department – GENERAL ORDER		Effective Date: May 13, 2021
<b>PER.311A</b>	<b>Career Progression Program Eligibility</b>	Revised Date:
<u>Original Signature on file maintained in APD Records Division</u>  , Chief of Police		VLEPSC Standards: PER.05.01, PER.05.02

*NOTE: This Rule and Regulation is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. Eligibility Criteria for Progression to Police Officer

#### A. Five years of cumulative service from the completion of Field Training

- 1) Officers who were hired as DCJS-certified police officers with previous law enforcement training will not be eligible to apply for Police Officer II progression while serving during their initial employment period.
- 2) Certified Officers may be considered for progression if they have a minimum of three years cumulative experience as a Police Officer from the date they completed Amherst Police Field Training and meet all other career progression criteria for POII.

#### B. Must possess at least an Associate's Degree.

#### C. Demonstrated supervisor-verified functional competency in use of the following equipment:

- 1) Radar
- 2) Preliminary Breath Test Meter
- 3) Window Tint Meter
- 4). Firearm proficiency of a minimal score of 85

#### D. Successful completion of forty hours of approved training courses.

- 1) A listing of approved training courses will be maintained within the career development policy. Refer to **PER.311A Attachments**
  - a) Approved training courses may be completed at any time during an Officer's career prior to application for career progression.



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- b) The same course may not be used to establish eligibility for both Police Officer II and Police Officer III career progression.
  - 2) Training that encompasses the abilities that enhance Officer skills in the following areas:
    - a) Handling service calls, conducting preliminary investigations, effecting arrests, interacting with other persons;
    - b) Handling situations involving persons under the influence of alcohol or other drugs, or involving persons with mental or physical impairments;
    - c) Handling crime-in-progress situations;
    - d) Problem identification and problem solving at the patrol officer operational level
    - e) Capability to detect and recognize evidence of criminal activity/criminal offenses;
    - f) Knowledge of applicable law and legal issues;
    - g) Competency and expertise in handling situations encountered in patrol service delivery functions;
    - h) Officer safety skills;
    - i) Use of specialized equipment applicable to service delivery functions.
  - 3) Officers may request command staff review and approval of additional courses through the career development application system.
- E. Completion of twenty hours of approved APD program participation per fiscal year.
- 1) Officers will be notified by the Chief of Police of approved APD program activities.
  - 2) Officers may request command staff review and approval of additional program activities.
  - 3) Addition or deletion of program activities approved to meet career progression eligibility criteria will be contingent upon consideration of factors to include, but not be limited to, the following:
    - a) the program's perceived value in furthering the department's mission;
    - b) the program's purpose, scope, duration, and perceived community impact – program participation must extend beyond the scope of regular duty assignment activities;
    - c) the type and reputation of other agencies or organizations partnering in or served by the program;



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- d) the practicality of involving department employees in the program.
  - 4) The time credited for approved program participation will depend upon the nature of the program and the scope of the applicant's activities.
  - 5) Approved program participation since May 13, 2021, may be counted toward Police Officer II career progression eligibility requirements.
  - F. No disciplinary action above the level of a written reprimand, either imposed or recommended with final determination pending, within the prior six-month period.
  - G. Job performance that acceptably meets supervisory and review panel expectations within the prior six-month period.
2. Eligibility criteria to apply for progression to Police Officer III rank
- A. Three years of cumulative service in the rank of Police Officer II:
    - 1) Officers must hold Police Officer II rank to be eligible to apply for Police Officer III progression.
    - 2) Certified officers may be considered for progression if they have at least 6 months of experience in the rank of a Police Officer II with the Amherst Police Department, overall law enforcement experience of 5 years and meet all other career progression criteria for Police Officer III.
    - 3) Officers will not be eligible to apply for Police Officer III progression while serving in an initial employment period.
  - B. Must possess at least a Bachelor's degree.
  - C. Successful completion of forty hours of approved Specialized Skills Training courses:
    - 1) A listing of approved Specialized Skills Training courses will be maintained within the career development policy. Refer to **PER.311 Attachments**
      - a) Approved training courses may be completed at any time during an officer's career prior to application for career progression.
      - b) The same course may not be used to establish eligibility for both Police Officer II and Police Officer III career progression.
    - 2) Specialized Skills that encompass training that serves to enhance the skills and effectiveness of officers assigned to specialized department job functions.
    - 3) For the purposes of this directive, "specialized department job functions" will be defined as functions outside the scope of responding to calls for service and conducting initial investigation as a patrol officer, to include:
      - a) developing or enhancing an officer's basic knowledge, capabilities and skills related to performing specialized assignment functions



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- b) developing or enhancing an experienced officer's basic knowledge, capabilities and skills related to serving as a training instructor for other employees or agency representatives within CVCJA, APD, or other regional criminal justice training environments.
- 4) Officers may request command staff review and approval of additional training courses through the career development application system.
- D. Completion of forty hours of approved APD program coordination, or completion of forty hours of approved APD, CVCJA, or other regional criminal justice course instruction
  - 1) A listing of approved program coordination or course instruction activities will be maintained within the career development policy. **PER.311A Attachments**
  - 2) Officers may request command staff review and approval of additional program coordination or course instruction activities through supervisors.
  - 3) Addition or deletion of program coordination or course instruction activities approved to meet career progression eligibility criteria will be contingent upon consideration of factors to include, but not be limited to, the following:
    - a) the program or course's perceived value in furthering the department's mission;
    - b) the program or course's purpose, scope, duration and perceived community impact – program participation must extend beyond the scope of regular duty assignment activities;
    - c) the type and reputation of other agencies or organizations partnering in or served by the program or course;
    - d) the practicality of involving department employees in the program or course.
  - 4) The time credited for approved program coordination or course instruction will:
    - a) depend upon the nature of the program and the scope of the applicant's responsibilities.
    - b) not exceed a maximum of 20 hours credited time for any single activity unless an exemption to the 20-hour maximum is noted.
  - 5) Approved program coordination or course instruction since May 13, 2021, may be counted toward Police Officer III career progression eligibility requirements.
- E. No disciplinary action above the level of a written reprimand, either imposed or recommended with final determination pending, within the prior twelve-month period
- F. Job performance that acceptably meets supervisory and review panel expectations within the prior twelve-month period.



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3. The following department staff member is currently assigned to monitor and maintain information within the career progression program:
  - a. the APD Off Duty Assignment Coordinator.