



HSPD

General Order Number 4.01

Computer Use

Issue Date:

07/01/23

Revised Date: _____

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures of the Habersham Schools Police Department regarding the guidelines and procedures for the use of department-owned computing equipment, software, data, electronic mail, and the Internet.

STATEMENT OF PROCEDURE

It will be the procedure of the Habersham Schools Police Department to allow employees access to and usage of department-owned computers (hardware and software), internal and external mail (e-mail), and Internet access for the purpose of conducting the day-to-day operations of the police department and for conducting research and other related activities. All computers, on-line accounts, e-mail facilities, and the e-mails themselves are the property of the Habersham Schools Police Department.

DISCUSSION

The internal communications systems, as well as the equipment and data stored, are and remain at all times the property of the Habersham Schools Police Department. Accordingly, all messages and files created, sent, received or stored within the system should be related to police department business and are and will remain the property of the police department. System or police department-wide distributions of e-mail require approval of the Chief prior to distribution.

The Habersham Schools Police Department reserves the right to monitor and audit all internal and external e-mail messages, including any message or file composed, sent or received. It should be noted that although a message or file is deleted or erased, it is still possible to recreate the message. Therefore, the ultimate privacy of messages cannot be assured to anyone. Although electronic mail may allow the use of passwords for security, confidentiality cannot be guaranteed. It is possible for messages to be retrieved and viewed by someone other than the intended recipient. Furthermore, all passwords are known due to the fact that the system may need to be accessed in the absence of an employee.

I. PROHIBITED CONDUCT

The computer system owned and operated by the Habersham County School System and the Habersham Schools Police Department is a very expensive system and must be maintained with care by each and every user. Access to the Internet and e-mail through



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I. PROHIBITED CONDUCT

The computer system owned and operated by the Habersham County School System and the Habersham Schools Police Department is a very expensive system and must be maintained with care by each and every user. Access to the Internet and e-mail through

the network is a privilege and carries certain requirements reflecting responsible and ethical use. The following are general prohibited conduct with respect to computing resources:

1. Dissemination, copying or printing of copyrighted materials, including articles and software, in violation of copyright laws.
2. Sending, receiving, printing or otherwise disseminating confidential information in violation of Habersham Schools Police Department policy.
3. Modifying county-owned software without approval (e.g. access to operating system prompts or executing operating system commands).
4. Damage to or disruption of operation of computing equipment, data communications, equipment or data communications lines.
5. Offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, and disability, religious or political beliefs.
6. Sending or soliciting sexually oriented messages or images.
7. The circulation of jokes, comics or non-related computer graphics that are offensive in nature.
8. Using school system resources for external purposes or personal gain (e.g. job searches, research for or the advertisement of personal business).
9. Using electronic means to ascertain confidential information by invading the privacy of an individual.
10. Copying or altering another user's software or data without permission from that user.
11. Accepting or using software or data which has been obtained by illegal means.
12. Allowing unauthorized persons access to the system.
13. Using the county system in the commission of a crime.
14. Engaging in any other activity in violation of local, state or federal law.

II. USER ID AND PASSWORD

1. The Habersham County School System computer system requires that each user have a unique identity, referred to as a "user-id" protected by a "password", to gain access to the system. A computer identity is another instrument of identification and its misuse constitutes forgery or misrepresentation.

2. Conduct, which involves misuse of computer identities, includes but is not limited to:

- A. Allowing another individual to use your identity and password.
- B. Using another individual's computer identity and password, even if the individual has neglected to safeguard his computer identity.

III. PURCHASE AND USE OF COMPUTERS

- 1. The Habersham Schools Police Department recognizes the computer as a productivity tool with virtually unlimited capabilities.
- 2. Justifiable uses for computers in the typical office setting are those that effectively solve a school system-related problem involving productivity or information availability.
- 3. All computer hardware, software and services must be approved and ordered through the office of the Chief of Police.

IV. USE OF THE INTERNET

- 1. The Habersham County School System provides Internet services to employees for research and other business-related purposes.
- 2. The display of any kind of obscene image or document on any school system computer is prohibited, unless approved and involved with a criminal investigation. In addition, obscene material may not be archived, stored, distributed, edited, or recorded using the school system network, printing, or computing resources, except as part of a criminal or administrative investigation.

Each employee using the school system's Internet facility will identify themselves honestly, accurately, and completely when corresponding or participating in interactive activities, and will not send unsolicited mass electronic mail.

Employees should not have any expectation of privacy as to his Internet usage. It is possible to monitor Internet usage patterns and the school system may inspect any files stored on school system resources to the extent necessary to ensure compliance.

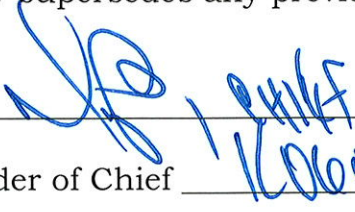
RESTRICTIONS

Computer capabilities create a special environment in which certain restrictions must be observed. The following will apply to all police department users:

- 1. Authorized Use: Computer resources are provided for police department business only. Personal and other non-police department uses must be pre-authorized.

2. Only software purchased, acquired, or approved by the Habersham Schools Police Department or Habersham County School System is to be operated on computers owned by the police department.
3. Copyright Protection: Through the acquisition of hardware and software, the County automatically comes under the provision of the copyright laws. These laws, to which all computer users must adhere, are found directly on the equipment or in accompanying software manuals. These laws generally prohibit the copying of programs for use on other computer installations.
4. Knowingly running or installing on any computer system or network, or giving to another user, a program intended to damage or to place excessive load on a computer system or network.
5. Giving your password to another user for the purpose of sharing your personal account.
6. No employee may use the school system's Internet facilities to deliberately propagate any virus, program code, or knowingly disable or overload any computer system, network, or to circumvent any system intended to protect the privacy or security of another user.

This policy supersedes any previous policy



By order of Chief



HSPD

General Order Number 4.02

Seat Belt Usage

Issue Date:

07/01/23

Revised Date: _____

PURPOSE

The purpose of this written directive is to establish a policy on the use of Occupant Safety Devices (Seat Belts) by members of the Habersham Schools Police Department

STATEMENT OF PROCEDURE

It will be the procedure of the Habersham Schools Police Department that all personnel will properly use seat belts when operating a school system-owned vehicle (40-8-76.1). All personnel will ensure that passengers in school system-owned vehicles, including pick-up trucks, utilize proper occupant safety devices.

DISCUSSION

The use of seat belts can have a significant effect on reducing the number of deaths and the severity of injuries resulting from traffic crashes, and can assist officers in maintaining proper control of their vehicles during pursuit or emergency high-speed operations.

I. USE OF OCCUPANT SAFETY DEVICES (SEAT BELTS)

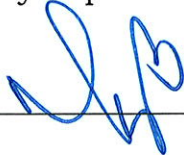
1. It is mandatory, when operating a school system-owned vehicle, for all Habersham Schools Police Department personnel to properly use seat belts (40-8-76.1).
2. It is the responsibility of the officer driving the school system-owned vehicle to ensure that all passengers traveling in said vehicle properly use the occupant safety devices.

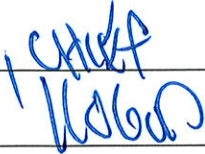
II. EXCEPTIONS

1. This policy does not apply when the vehicle is being used to perform an emergency service such as, but not limited to, officer rescue, barricades, roadblocks, etc. (40-8-76.1).
2. At the officer's discretion, prisoners or arrestees may be exempt from being secured with an occupant safety device in the following circumstances:
 - A. The physical condition or size of the prisoner prohibits the use of a seat belt.

- B. The prisoner is unruly and the officer is unable to secure the seat belt.
- C. In any other circumstance where the officer can articulate a justifiable reason that it would be unsafe or impractical to use the seat belt.

This policy supersedes any previous policy



By order of Chief _____



HSPD

General Order Number 4.03

Community Engagement

Issue Date:

07/01/23

Revised Date: _____

PURPOSE

The purpose of this directive is to establish guidelines for community relations based upon the principle that, in our society the police are an integral and indivisible element of the public they serve. Community relations are manifested by positive interactions between the community and the police and represent unity and common purpose. A system of law and its enforcement is not superimposed upon an unwilling public in a free society; the law is created by the people themselves to control the behavior of those who would seek to interfere with the community's welfare and existence.

STATEMENT OF PROCEDURE

It is the procedure of the Habersham Schools Police Department that Community Policing is an organizational strategy that promotes a partnership between people in the community and police. The community policing concept is an integrated working partnership between the police and the community to identify, prioritize, and resolve contemporary social problems such as crime, the use and sale of drugs, the incidence and fear of crime, social disruption, and overall neighborhood decay. The goal of community policing is improving the quality of life.

DISCUSSION

1. RESPONSIBILITY OF THE DEPARTMENT

The Department must strive to establish a climate where officers may perform their duties with the community's acceptance, understanding, and approval. The Department must be responsive to the community's needs while working collaboratively in helping them solve problems. While the Department's duties are governed by law, the policies developed to guide the enforcement of the law must consider the public will and community needs. This responsiveness must manifest at all levels of the Department by a willingness to listen with genuine concern for individuals or a group's problems. The community's collective needs must become an integral part of the programs designed to carry out the Department's mission.

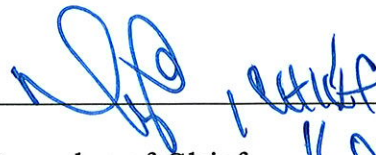
2. RESPONSIBILITY OF EMPLOYEES

Community policing is manifested in its most common form in the numerous daily encounters between individual officers and civilian employees and the citizens we

serve. It is at this level, that reality is given to the unity of the people and the police, and where the greatest burden for strengthening community relations is laid.

In dealing with people, each officer and civilian employee of the Department must attempt to make his/her contact inspire respect for himself/herself as a professional. The contact must also generate the cooperation and approval of the public for the Department's efforts on community relations and crime prevention. Each employee must strive to view all situations objectively, not allowing personal beliefs to impair impartiality and effectiveness.

This policy supersedes any previous policy



By order of Chief 



HSPD
Standard Operating Procedures and Guidelines
General Order Number 4.04
Secondary Employment

Issue Date:

07/01/23

Revised Date: _____

PURPOSE

To establish guidelines and procedures to govern secondary employment (both extra-duty and off-duty) by both sworn and civilian employees of the Habersham Schools Police Department.

STATEMENT OF PROCEDURE

It shall be the procedure of the Habersham Schools Police Department to provide guidelines for employees to follow and to adhere to as it relates to any form of secondary employment. These guidelines will also establish procedures to be followed to maintain accountability for the welfare of the Police Department. These requirements are essential for the efficient operation of the Police Department, to maintain a professional image as a law enforcement agency, and to maintain the community's trust.

DISCUSSION

Employees of the Habersham Schools Police Department are first, foremost, and always viewed as an employee of the Police Department. Habersham Schools Police Department employees are also expected to place their employment emphasis on their full-time duties as a Police Department employee. Consequently, all secondary employment authorization is subject to approval, must satisfy the conditions outlined below, and may be withdrawn at any time. Employees may engage in secondary employment as long as the work does not present a conflict of interest with the various law enforcement activities and responsibilities of the Police Department; does not interfere with the employee's work schedule; does not interfere with training; does not prevent the employee from receiving sufficient rest to competently and safely perform their duties as a HSPD Police Officer; does not impair or otherwise interfere with the employee's on-duty performance or ability to respond to emergency situations or otherwise detract from readiness; and does not damage the reputation of the Habersham Schools Police Department or the community's perception of the integrity of the agency.

DEFINITIONS

EXTRA-DUTY EMPLOYMENT — Any secondary employment that is conditioned on the actual or potential use of law enforcement powers conferred to the Officer.

OFF-DUTY EMPLOYMENT — Any secondary employment that is not conditioned on the actual or potential use of law enforcement powers conferred to the employee.

I. LEGAL REQUIREMENTS

The Criminal Code of Georgia requires that a Peace Officer obtain approval, in writing, from the agency head for secondary employment. §16-10-3(c)(1) "Nothing contained within this Code section shall be deemed or construed so as to prohibit an Officer of the state or any political subdivision thereof: From being employed by private persons, firms or corporations during his off-duty hours when such employment is approved in writing by the Chief, Assistant Chief, or their duly designated agent of the law enforcement agency by which such law enforcement officer is employed; or ..." To comply with the above stated law, each employee of the Police Department shall be required to obtain prior approval from the Chief for every secondary employment he/she engages in.

II. PROCEDURES

1. The Assistant Chief or his designee is responsible for:
 - A. The coordination of all secondary employment opportunities;
 - B. Overseeing employee adherence to the secondary employment authorization process; and
 - C. Maintaining the database and files related to secondary employment.
2. Each employee wishing to engage in secondary employment (extra-duty or off-duty) must comply with the following procedures:
 - A. Employees will comply with all applicable Habersham Schools Police Department policies and procedures.
 - B. Work hours per week must be scheduled in a manner that does not conflict or interfere with the employee's performance of duties. Officers must not be scheduled to work off duty or extra duty employment for a minimum of 8 hours before their shift begins unless prior approval has been given by the Chief of Police.

- C. Such employment shall not interfere with the employee's regular duties as a member of the HSPD.
- D. Officers will not be allowed to work any secondary employment when such employment presents a potential or actual conflict between their duties as a Habersham Schools Police Officer and their duties for the secondary employer.
- E. Each employee must receive written permission to engage in secondary employment by submitting a Secondary Employment Authorization Form through the applicable chain of command.
- F. Each employee must list the responsibilities expected of him/her by the secondary employment entity or employer.
- G. The employee must submit the completed forms through the Assistant Chief of Police. The Assistant Chief will review the form, indicate approval by initials or reason for disapproval, and forward the same to the Chief for his review.
- H. Once received by the Chief Of Police, he will review the form and either approve or disapprove the request. If approved, the original of the request will be filed in the personnel file of the employee. A copy of the request will be returned to the employee with approval or disapproval noted, date, and signature of the Chief Of Police.
- I. In emergency situations, after hours, when there is no time for the above procedures, such as when an Officer is needed, the Assistant Chief or Chief Of Police may approve the Secondary Employment Authorization Form.

3. Each employee will be expected to comply with this General Order at all times while participating in any secondary employment activity.

4. Failure to comply with this General Order shall be considered a violation of Habersham Schools Police Department policy and procedure and result in disciplinary action, up to and including termination of employment with the Police Department.

III. ELIGIBILITY

Extra Duty Employment - Any secondary employment that is conditioned on the actual or potential use of law enforcement powers conferred to the Officer by the Chief Of Police of Habersham Schools Police Department.

A. To be eligible for approval of extra-duty employment, officers must meet the following criteria:

- a. Officers must have completed Basic Mandate and completed their Field Training Program.
- b. Officers on medical leave due to sickness, temporary disability or an on-duty injury shall not be eligible to engage in any extra-duty employment.
- c. Any employee engaged in any secondary employment is subject to call-out in case of emergency, and will be expected to leave their secondary employment in such situations, if necessary. Emergency duty for Police Department employees shall always have priority over secondary employment.
- d. Permission for Habersham Schools Police Department employees to engage in outside employment may be revoked when it is determined that such outside employment is not in the best interest of the Police Department.
- e. Sworn and certified employees may only engage in extra-duty employment for government, profit- making, or non-profit organizations within the geographic boundaries of Habersham County; or outside the county when the employment is in support of legitimate public service functions that benefit the citizens of Habersham County and when the activities originate within Habersham County.

B. Types of extra-duty services which may be performed in or out of uniform are

- a. Traffic and pedestrian control (uniform only);
- b. Crowd control (uniform only);
- c. Security and protection of life and property; and/or (uniform only)
- d. Plain clothes assignments

C. Requests to perform such duties that may go outside the geographic

boundaries of Habersham County or originate outside Habersham County and come into the county will be considered on a case-by-case and must be submitted through the chain of command to the Chief of Police for final review and action. [SEP]

- D. The use of agency equipment (i.e. radios, vehicles, word-processing) may be authorized, when available, with the prior approval of the Chief of Police. Uniforms and accessories shall not be considered equipment within the meaning of this provision.

2. Off-Duty Employment - Any secondary employment that is not conditioned on the actual or potential use of law enforcement powers conferred to the employee by the Chief of Police. This includes self-employment.

To be eligible for approval, Police Department employees must:

- A. Be in good standing within the Police Department.
- B. Employees on medical leave due to sickness, temporary disability or an on-duty injury shall not be eligible to engage in any off-duty employment.
- C. Remain subject to call-out in case of emergency and be expected to leave their secondary employment in such situations, if necessary. Emergency duty for HSPD employees shall always have priority over secondary employment.
- D. Understand that permission or authorization for HSPD employees to engage in outside employment may be revoked at any time when it is determined that such outside employment is not in the best interest of the Habersham Schools Police Department.

IV. PROHIBITED ACTIVITIES

1. Habersham Schools Police Department personnel are prohibited from engaging in any of the following secondary employment:

- A. A place of illegal operation;
- B. For a proprietor or company previously convicted of illegal sale of liquor after hours, or for a non-licensed establishment;
- C. For a proprietor or company previously convicted for the illegal sale of contraband or narcotics;

- D. For a bail bond company;
- E. Any establishment that sells pornographic books, magazines, sexual devices, videos or that otherwise provide entertainment or services of a sexual nature;
- F. For insurance agencies, private guard services, private investigative services, or collection agencies;
- G. As a process server, bill collector, or repossessions;
- H. As an employee for any night club, bar, "honky-tonk," or dance hall; ^[1]~~SEP~~
- I. As an employee for any establishment that is involved in the sale, manufacture, transport or dispensing of beer, alcohol or wine (extra-duty employment) where such employee is directly responsible for the preparation (mixing and/or determination of alcohol content) of any alcoholic beverage.
 - a. Employees are permitted to serve (defined as transporting an alcoholic beverage that has been completely prepared and is simply waiting for delivery to the patron) beverages containing alcohol as part of the employee's regular duties of serving food and other items to patrons of the establishment.
 - b. (Employees of HSPD that are authorized to work in this area of secondary employment understand and agree that it is within their sole discretion to make the determination whether a patron they are serving should be allowed to continue to be served beverages containing alcohol. Any employee who permits a patron to continue to consume beverages containing alcohol, when that employee has reason to believe that the patron is intoxicated and could commit a violation of Georgia law if that patron leaves the establishment and operated a vehicle, will be considered to have violated his or her oath of office and will be subject to appropriate disciplinary action, up to and including termination of employment with the Police Department.)
- J. Any work that requires access to police records, files or information not normally available to the general public;
- K. Activities that assist, in any manner, the case preparation for the defense in any criminal or civil action or proceeding within or against Habersham County;

- L. For a business or labor group that is on strike (unless specifically approved by the Chief Of Police as a matter of public interest);
- M. As an employee for any establishment where their job duties involve accepting tickets/monies for entrance into the business (extra-duty employment);
- N. As an employee for any public facility where their job duties involve allowing/denying entrance into said facility (extra-duty employment);
- O. Other employment in which law enforcement authority might be used to collect money or merchandise for private purposes;
- P. Which detracts from the employee's efficiency in their normal on-duty functions or creates a conflict of hours or availability for assigned duties;
- Q. Any establishment declared "Off Limits" to outside employment by the Chief of Police or in any capacity which may be construed as a conflict of interest or which damages the reputation of the Habersham Schools Police Department.

V. TERMINATION OF SECONDARY EMPLOYMENT

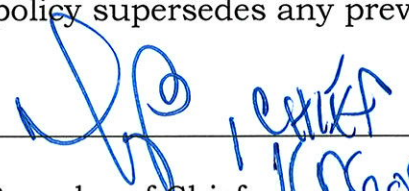
1. Any supervisor may order an employee to cease working a secondary employment when the employee is observed in violation of this general order or the employee is physically, mentally, or otherwise unable to properly perform their full-time duties.
2. In such instances, the supervisor will report the incident in writing to the Assistant Chief who will, in turn, report the matter through the chain of command to the Chief of Police for necessary follow-up action. ^[L]_[SEP]
3. When appropriate, the Chief or Assistant Chief may direct the Internal Affairs to conduct an administrative review of the incident(s) and render a written report, upon which a determination for further action will be made.
4. If, in the sole discretion of the Chief, any secondary employment creates a conflict of interest or would bring discredit to the Police Department, the employee will be expected to resign one of the positions he/she holds.

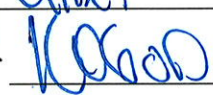
VI. HANDLING OF INCIDENTS

1. Whether employed in a regular off-duty or extra-duty position, Habersham Schools Police Department sworn and certified employees shall respond to and take appropriate action when there is reasonable belief that the life or safety of another is threatened or when it is necessary to prevent the commission of a forcible felony.

A. All personnel engaged in secondary employment are subject to call-out in case of emergency, and may be expected to leave his/her secondary employment location in such situations.

This policy supersedes any previous policy



By order of Chief _____



HSPD

General Order Number 4.05

Alarm Response

Issue Date: 07/11/23 Revised Date: _____

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures of the HSPD when responding to all alarms within the Habersham County School System, both while school is in session and when school out of session. It is to be understood that school means all schools or school-owned buildings and property.

STATEMENT OF PROCEDURE

It is the procedure of the HSPD that all reports of alarms will be handled by dispatching personnel to the incident scene to verify the situation and to take appropriate follow-up action.

DISCUSSION

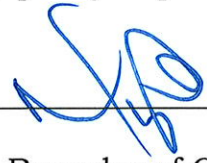
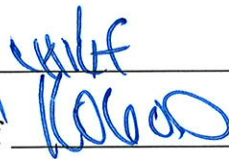
Many of the alarm calls answered by HSPD personnel will turn out to be a false or unfounded alarm. However, responding personnel must treat every call as if it is an actual situation and be prepared to take action.

1. If notified alarm is false, the 911 Dispatch Center will:
 - A. When requested by on-scene personnel, a request will be made through the alarm company that a key employee (key holder) of the facility respond to the scene and meet with the SRO to verify the false alarm.
 - B. Obtain the name and physical description of the key employee and instruct the key employee where to meet HSPD personnel.
 - C. Cancel other response units when directed by on-scene personnel.
 - D. If school(s) are in session with an SRO already on the scene, the SRO will advise dispatch of the false alarm and advised an administrator to contact the alarm company.

SCHOOL ALARMS

- A. One SRO unit will be dispatched and will do an outside check of the premises.
- B. If there is no SRO on-duty, dispatch will advise the agency of that jurisdiction and request them to respond.
- C. If notification is received from an alarm company, the dispatcher will attempt to obtain name of key-holder and communicate all information to responding unit.
- D. For both silent and audible alarm situations, the SRO or responding law enforcement officer will determine whether there are any signs of forced entry into the school(s) by checking all doors and windows.
- E. If the school is secure and there are no signs of forced entry, the SRO or responding law enforcement officer may notify the dispatcher and return to service.
- F. If the school is not secure or there are signs of forced entry, the school will be checked only after backup is present and, upon clearing, the SRO or responding law enforcement officer will notify the Chief of Police.
- G. If forced entry was made into a school it will be the decision of the Chief of Police or the Assistant Chief of Police to notify another agency for assistance from their criminal investigation division or to utilize HSPD personnel to conduct the investigation.

This policy supersedes any previous policy


By order of Chief 



HSPD

General Order Number 4.06

Duty to Intervene

Issue Date:

07/01/23

Revised Date: _____

PURPOSE

It is the purpose of this general directive to explain the legal and moral obligation Habersham Schools Police Department police officers have regarding their duty to intervene. This duty is embodied in the law enforcement officer's code of ethics, and in the law. Agency members shall have a clear understanding of this agency's expectations pertaining to conduct while on- and off-duty.

STATEMENT OF PROCEDURE

This Agency is committed to protecting officers who act on their duty to intervene to prevent or minimize misconduct by another agency member or public safety associate.

DISCUSSION

Officers of this agency must recognize and act upon the duty to intervene to prevent or stop any member or public safety associate from conducting an act that is unethical, or that violates the law or an agency policy in dealing with the way the members treat the public (i.e. Excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, inappropriate behavior, etc.). Intervention may be verbal and/or physical. Failure to intervene may subject an officer of this agency to disciplinary and/or legal action.

Excessive Use of Force: Officers of this agency have an affirmative duty to intervene if they witness a use of force that is clearly unreasonable. Any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances shall, when in a position to safely do so, intervene to prevent the use of unreasonable force. An officer who observes another employee or public safety associates' use of force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

Officers of this agency must recognize and act upon the duty to intervene to prevent or stop any member or public safety associate from conducting an act that is unethical, or that violates the law or an agency policy in dealing with the way the members treat the public (i.e. Excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, inappropriate behavior, etc.). Intervention may be verbal and/or physical. Failure to intervene may subject an officer of this agency to disciplinary and/or legal action.

Civilian members are required to report any act that is unethical, or violates the law or an agency policy, to a supervisor immediately upon witnessing the act.

DEFINITIONS

Intervene: To come between, whether verbally, or physically, so as to prevent or alter a result or course of events

Affirmative Duty: An obligation to act in a certain way. [L]
[SEP]

DUTY TO INTERVENE

1. A law enforcement officer has an affirmative duty to intervene on behalf of a citizen whose constitutional rights are being violated in his or her presence by other officers.
2. This agency is committed to protecting officers who act on their duty to intervene to prevent unreasonable use of force by another agency member or an officer with a different agency.
3. Officers of this agency have an affirmative duty to intervene if they witness a use of force that is clearly unreasonable by another officer or an officer with a different agency. Any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances shall, when in a position to safely do so, intervene to prevent the use of unreasonable force.

REQUIRED ACTION

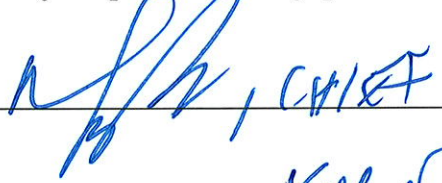
1. AGENCY EMPLOYEE

- I. Officers should take a preventive approach toward misconduct. When an officer observes behavior that suggests another officer is about to conduct illegal, unethical, or inappropriate behavior, the officer should intervene verbally or physically depending on the circumstances.
- II. If verbal interventions are not sufficient to stop the act, come between the offending officer and the other individual involved.
- III. Notify a supervisor after conducting any type of intervention, when safe to do so.
- IV. When a physical intervention was performed, document the incident in writing.
- V. Render aid if any person is injured and requires medical attention. Officers of this agency will render aid in accordance with their training and request medical assistance when necessary.

2. Supervisor Responsibilities:

- I. Once learning of an incident involving an officer intervening with another officer, separate all officers involved in the incident.
- II. Conduct a preliminary investigation to gather any pertinent information that would coincide with the reason for the intervention (e.g., witnesses, BWC footage, videos, area canvass, etc.).
- III. Ensure all parties involved in the incident complete a report detailing the circumstances that led to the Intervention and what, if anything, occurred once the member intervened.
- IV. Determine whether the actions leading to the intervention constitute misconduct, unethical behavior, or potential criminal conduct and prepare a report of all findings.

This policy supersedes any previous policy



By order of Chief 



HSPD

General Order Number 4.07

Search & Seizure/Search Warrants

Issue Date:

07/01/23

Revised Date: _____

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures of the Habersham Schools Police Department regarding Search and Seizure.

STATEMENT OF PROCEDURE

It will be the procedure of the Habersham Schools Police Department that all searches and seizures of individuals and/or private property on school property will be performed following standards set out in State v. Young and New Jersey vs. TLO, in addition to all other case law and applicable federal and state statutes.

DISCUSSION

The members of the Habersham Schools Police Department place the highest priority on maintaining the Constitutional rights of all individuals.

The authority to search and seize property and individuals is a responsibility that must not be taken lightly. In addition to the requirement that the Constitution guarantees be complied with, searches and seizures will also be conducted in a manner that provides for the highest degree of safety for all individuals concerned and in a way that minimizes the level of intrusion experienced by those whose person or property is being searched.

In any situation where the resulting consequence will be disciplinary rather than criminal, the officer should allow the school administration to take the lead and, if warranted, be present only to ensure safety. If the situation may result in possible criminal charges, the office will take the lead and follow all legal mandates to complete the investigation.

Whenever circumstances and facts dictate, the search of an individual's property will be conducted with a search warrant (i.e., cell phone).

Officers are authorized to search without a search warrant in certain circumstances. It must be recognized that the burden for thoroughly justifying these exceptions falls on the individual officer and that any misuse of authority may result in criminal or civil liability or the possible contamination of a criminal investigation.

DEFINITIONS

Exigent Circumstances - A limited search authorized without a search warrant if the exigencies of the situation make the needs of law enforcement so compelling that the warrantless search is objectively reasonable under the Fourth Amendment.

Probable Cause - A set of facts and circumstances that would cause a person of reasonable caution to believe that the evidence sought is in the place described.

Reasonable Suspicion - Suspicion that is based upon articulable facts and circumstances which, taken together with reasonable inferences in light of an Officer's training and experience, would cause an Officer to conclude that a person has been, is, or is about to be, involved in criminal activity or that a person is armed with a quickly accessible weapon that constitutes a danger to the Officer or to others.

Search Warrant - A judicial command document to "search a place or person particularly described in the warrant and to seize the instruments, articles, or things particularly described in the warrant" (O.C.G.A. 17-5-23)

Seizure of Property - A meaningful interference by law enforcement authorities with a person's interest in the item taken.

Stop and Frisk - A brief detention of a person to verify or dispel a reasonable/articulable suspicion of criminal activity and a "pat-down" of the subject's outer garments if there is a need for an Officer's safety because of a reason to believe weapons are involved.

I. SEARCH WITH A WARRANT General Provisions

1. Only a Georgia P.O.S.T. Certified Officer can obtain or execute a search warrant. (O.C.G.A. 17-5-21/24)
2. Any judicial officer authorized to hold a court of inquiry in Habersham County can issue a search warrant. The search warrant must be issued and executed within the geographic boundaries of Habersham County, the only exception being a warrant signed by a Superior Court Judge who has authority in Stephens and Rabun Counties as well as Habersham County.
3. A search warrant can be issued for the following:
 - A. Any things which are designed or intended for use, or have been used, in connection with a crime.
 - B. Any person who has been kidnapped or any human fetus or corpse.
 - C. Stolen or embezzled property.
 - D. Anything which it is unlawful to possess.

E. Anything that is tangible evidence of the commission of a crime except private papers unless those private papers are instruments of a crime.

4. All search warrants will be based upon probable cause with a written affidavit in the format prescribed by the presiding judicial official. If the probable cause is based upon information received from a confidential source, the identity of the informant will not be listed in the affidavit for the warrant.
5. All non-uniformed personnel will be clearly identified by wearing appropriate Sheriff's Office clothing that identifies them as law enforcement personnel and they will be armed.
6. Search warrants will be executed within 10 days from the time of issuance. If the warrant is not executed within the 10-day period it will be void and returned to the court of issue.
7. When the warrant is executed, the duplicate copy will be left with any person from whom property is seized.
8. If no person is available, a copy of the warrant and inventory of items seized will be left in a conspicuous place on the premises. (O.C.G.A. 17-5-25)
9. A search warrant may be executed at any reasonable time, day or night. (O.C.G.A.17-5-26)
10. Before performing the actual search, the requesting officer will verify the information in the warrant and will attempt to determine if any circumstances have changed that make executing the warrant unjustifiable or undesirable. Special care will be taken to confirm what is authorized to be searched

II. SEARCHES WITHOUT A WARRANT - GENERAL

1. It must be emphasized that searches of private property without the prior approval of a judge or magistrate, are considered unreasonable under the Fourth Amendment.
2. Exceptions to the warrant requirement have evolved based upon precedents established by the courts. Many of these exceptions are interrelated and more than one exception may be applicable in any situation such as the case with vehicle searches. Examples of legal exceptions to the warrant requirement include:
 - Stop & Frisk
 - Plain View
 - Consent to Search

- Search Incident to a Lawful Arrest
- Exigent Circumstances
- Hot Pursuit
- Abandoned Property
- Open Fields
- Administrative/School Searches
- Search of a Motor Vehicle – Probable Cause
- Crime Scene Search
- Inventory Searches
- Stop and Frisk

A. STOP AND FRISK

1. In 1968 the Supreme Court of the United States declared in the case of *Terry v. Ohio* that a police Officer may stop a person for questioning if the Officer reasonably suspects that the person has committed, is committing, or is about to commit a crime. It is not necessary that the Officer have probable cause to arrest the individual at the time that the stop is made. All that is required is that the Officer has a reasonable suspicion that the individual is involved in criminal activity. To be reasonable, this suspicion must be based on articulable facts that would lead a reasonable person to suspect the individual being stopped of being involved in criminal activity. Feelings or gut instincts are not sufficient. The stop must be based on observable facts that can be described to others in order to be lawful.
2. The Supreme Court further declared in *Terry v. Ohio* that a Officer who has stopped a suspect may "... search for weapons for the protection of the Officer, where he has reason to believe that he is dealing with an armed and dangerous individual."
3. A legal stop or field interview is a brief investigative detention that must be based upon reasonable, articulable suspicion. There are many factors, that when viewed in the totality of the circumstances, may establish reasonable suspicion to justify a stop of an individual, including:
 - A. Appearance – which would include the observation of what appears to be a concealed weapon, a probable match to a "BOLO" or look-out, or sight of an object that appears to be contraband;
 - B. Conduct – which would include driving in a manner as if intoxicated, or reactions to police presence such as immediately hiding an object, fleeing what appears to be the scene of a crime, or evading a traffic check point.
 - C. Environment – which would include a hand-to-hand transaction in a high drug trafficking area, driving slowly, late at night, with no headlights in a new or unoccupied subdivision, or being found on the premises late at night when a burglar alarm sounds.

- D. Report of a crime – which would include tips with specific details of criminal activity from known sources with unknown reliability, or known reliable informants with information not specific enough to fully establish probable cause.
4. A legal frisk is limited to a pat-down of the outer clothing of a suspect for weapons only. It is not a full-scale search. During a frisk Officers may not reach into the suspect's clothing or pocket unless and until a weapon has been detected by the initial pat-down search. Containers such as sacks, briefcases, handbags, or other containers that a suspect may be carrying should not be searched as part of a frisk. In order to legally search such containers, other authority is required such as consent or probable cause. For safety, any containers not searched should be placed out of the reach of the suspect during the field interview.

If the initial stop is not valid the frisk or pat-down search is also invalid.

The right to stop a suspect for questioning does not automatically give the Officer the right to conduct a frisk. The frisk must be justified by factors known by the Officer at the time of the stop. There are many factors that when viewed in the totality of the circumstances may establish reasonable suspicion to justify a frisk of an individual, including:

- a. The type of crime the Officer believes to be committed.
- b. The circumstances of the stop (number of suspects, number of Officers present, the time of day, location of the stop, and the commission of any criminal activities in the presence of the Officer).
- c. The behavior of the suspect such as furtive or evasive movements, belligerence, vague answers to questions or refusal to identify himself.
- d. Any visual indication that the suspect may be carrying a weapon such as a bulge in the clothing or inappropriate attire, carrying suspicious objects, appearing to be out of place.
- e. Any prior knowledge that the Officer may have that this particular individual carries weapons or is prone to violence.

The Officer's belief that the suspect may be armed and dangerous must be both reasonable and actual. Whenever possible, the frisk should be conducted by Officers of the same gender as the suspect.

B. PLAIN VIEW

1. It should be noted that plain view is a seizure exception as opposed to a search exception because it does not authorize any type of search. Any item discovered and seized as a result of plain view is not discovered as

a result of a search therefore no warrant is required.

2. In addition to items seen by an Officer under plain view, courts have recognized plain feel, plain smell, and plain hearing as a legal basis for a seizure.
3. In order for an Officer to legally seize an item under the plain view doctrine:
 - a. The Officer discovering the item must have *a legal right to be where he is at the time of discovery*. The Officer must be engaged in a lawful activity at the time and have lawful access to the object.
 - b. It must be *immediately apparent* to the Officer that the item is stolen property, contraband, or fruits of a crime or evidence of a crime. The Officer must be able to articulate this in detail.

C. CONSENT TO SEARCH

1. When dealing with an adult, any time an officer conducts a search, and it is safe and reasonable to do so, he should attempt to obtain prior consent. Even when the search is legal under other authority, such as probable cause, the addition of consent will not only serve to strengthen future prosecution but it helps create a spirit of cooperation between the suspect and the officer.
2. In order for consent to search to be valid, it must be given voluntarily, without threat or coercion and by an individual who has the authority to give the consent.
3. The burden of proof in court that consent was voluntarily given rests with the officer obtaining the consent and will be based upon the totality of circumstances surrounding the encounter. It is important that all facts and circumstances concerning the consent be fully documented in the Incident Report and that whenever possible, a recorded or signed waiver is obtained from the individual authorizing the search. The granting of consent to search and the signing of the waiver should be witnessed by another Officer at the scene.
4. The consent to search can be withdrawn by the consenting party at any time following the initiation of the search. When this occurs, the search will immediately stop.
5. The consenting party may give restrictions as to the areas to be searched. If no restrictions are given, it can be assumed that all areas can be searched to include locked containers as long as the consenting party has common authority over the locked container.

6. There is no necessity to give Miranda warnings before requesting consent or to advise the person that he has the right to refuse consent.
7. Anyone who has the right to be in a location and authority over the premises can grant the consent.
8. When 2 or more individuals jointly occupy the area to be searched, any one of the individuals has the authority to permit an inspection of the area as long as that individual has full access to the area to be searched. However, if another joint occupant having full access to the same area refuses to consent to a search or contests the other individual's authority to consent to a search of the area, the search is not authorized under "consent".
9. A search will not be performed based upon the consent of a juvenile unless it is necessary to proceed with the search prior to the arrival of an adult. When a juvenile is confronted, the following consent factors should be considered to determine the validity of the search:
 - a) Whether the minor lives on the premises.
 - b) Whether the minor has right of access and the right to invite others into the premises.
 - c) Whether the minor is of an age at which he could be expected to exercise at least minimal discretion.
 - d) Whether the Officer reasonably believes the minor has sufficient control over the premises to give a valid consent to search.

Except for circumstances that clearly satisfy the above-referenced requirements established in *Atkins v. The State*, 173 Ga.App. 9 (1984) for consent from a juvenile, the Habersham Schools Police Department considers anyone under the age of 17 unable to give consent and requires officers to obtain consent from the juvenile's parents or legal guardian prior to conducting a search.

D. SEARCH INCIDENT TO A LAWFUL ARREST

1. If the arrest of an individual is not valid the search incident to the arrest is also invalid.
2. When police department personnel make an arrest they will conduct a full search of the person and the area within the person's immediate control or within his lounging area for the purpose of self-protection and the protection of others from attack, preventing the escape of the arrestee, discovering and seizing the fruits of the crime for which the person is arrested, or discovering and seizing any instruments, articles, or items which were used in the

commission of the crime for which the arrestee is charged. (O.C.G.A. 17-5-1)

3. If the individual is arrested within a building or dwelling, the area where the arrest occurs may be automatically swept to check for persons. This sweep is to protect the enforcement personnel from any individuals who may be hiding. This is not a full search, but only a visual inspection of immediately adjoining areas where individuals may be hiding. The protective sweep may last no longer than is reasonably necessary to dispel a reasonable suspicion of danger.
4. Other areas in the building such as the basement may also be swept for the presence of individuals if there is reasonable suspicion that a person is in hiding.
5. If the arrest occurs outside a building then no search may be conducted in the building unless a search warrant or consent is obtained or exigent circumstances are present.
6. When an arrest has been made of an occupant of a vehicle, Officers may search the vehicle's passenger compartment as a search incident to that arrest. The contents of any containers, whether open or closed, found within the passenger compartment may also be searched.
7. All searches incident to an arrest must be conducted immediately following the arrest. Searches that are not occurring with the arrest are not legally authorized under "search incident to arrest".

D. EMERGENCY (EXIGENT CIRCUMSTANCES)

1. A search without a warrant may be conducted in certain emergency situations where there is an immediate necessity to search and no opportunity to obtain a warrant, if the exigencies of the situation make the needs of law enforcement so compelling to be objectively reasonable under the Fourth Amendment. In order to establish the existence of an emergency situation, the following basic elements must be present:
 - A. The Officer must have reasonable grounds to believe that there is an emergency at hand and an immediate need for their assistance for the protection of life or property.
 - B. The search must not be primarily motivated by intent to arrest and seize evidence.
 - C. There must be some reasonable basis, approximating probable cause, to associate the emergency with the area or place to be searched.
2. Contraband searches justified under exigent circumstances are scrutinized by the courts on a case-by-case basis according to the totality of the

circumstances. Circumstances which have been considered relevant to the courts include:

- A. The degree of urgency involved and the amount of time necessary to obtain a warrant.
 - B. The reasonable belief that the contraband is about to be removed or destroyed.
 - C. The possibility of danger to Officers guarding the site of the contraband while a search warrant is being sought.
 - D. Information indicating the possessors of the contraband are aware that law enforcement is in pursuit.
 - E. The ready destructibility of the contraband and in the case of illegal drugs, the knowledge that efforts to dispose of illegal drugs and to escape are characteristic behavior of persons engaged in the distribution of illegal drugs.
3. When a search is conducted under exigent circumstances, the scope and duration of the search is strictly limited by the specific exigent circumstances that justify its initiation. Examples are:
- a) The warrantless sweep of a residence when there is a reasonable belief that inside the residence there may be a victim in immediate need of assistance or an individual in immediate danger.
 - b) The search must be limited to a quick sweep of the residence to locate people and the search must stop as soon as the sweep can reasonably be completed. During this limited sweep, the plain view doctrine is applicable and any items located under the guidelines of plain view may be seized.
 - c) The search of the pockets of a person found lying unconscious in a public place to learn his identity and to obtain information about his medical history.
 - d) The search must be limited to places where pieces of identification and medical history may reasonably be located and must stop as soon as it is reasonable to believe that all necessary items have been located, are not present, or other sources of this information become available such as a credible witness. During this limited search, the plain view doctrine is applicable and any items located under the guidelines of plain view may be seized.

The warrantless entry into a residence when there is probable cause to believe that contraband is inside the residence and unexpected circumstances create probable cause to believe the contraband is about to be destroyed.

The search must be limited to a quick sweep of the residence to locate and secure people for the purpose of seizing the premises while a search warrant is sought. The search must stop as soon as the sweep can reasonably be completed. During the limited sweep, the plain view doctrine is applicable and any items located under the guidelines of plain view may be seized.

4. As soon as the exigency of the situation diminishes or the emergency is over, the justification to search under exigent circumstances also ends, at which time it will become necessary to obtain a search warrant or other legal authority in order to continue searching.

E. HOT PURSUIT

1. A search without a warrant may be conducted in certain situations where speed is essential and Officers may endanger their lives or the lives of others if they were to delay in the course of the investigation. In the hot pursuit of a suspect, Officers are permitted to conduct a search for persons and weapons to ensure that the Officer can gain control of all weapons that could be used against them or to affect an escape.
2. The courts have ruled that when an arrest for a serious crime has been set in motion in a public place, the suspect cannot defeat the arrest by escaping to a private place. In order for a search to be valid under hot pursuit the following factors must be present:
 - A. There must be probable cause to believe that the suspect being pursued committed either a felony offense, or an offense of such a serious nature to create the reasonable belief that the public would be endangered if the person is not apprehended quickly.
 - B. The pursuit of the suspect must be continuous, with no significant break in contact between the suspect and the pursuing Officer, from the scene of the crime or from the scene where the arrest process began.
 - C. The Officer must have been in pursuit when the suspect entered the place to be searched, and there must be probable cause to believe the person being pursued is still inside the place to be searched.
3. A search conducted under hot pursuit must be limited to a quick sweep of the location for the suspect being pursued and any weapons the suspect may have discarded. The search must stop as soon as the sweep can reasonably be completed, at which time it will become necessary to obtain a search warrant or other legal authority in order to continue searching. During the limited sweep, the plain view doctrine is applicable and any items located under the guidelines of plain view may be seized.

F. ABANDONED PROPERTY

A search and seizure without a warrant may be conducted in certain situations where it can be shown that the suspect relinquished his interest in the property to the extent that he no longer has a reasonable expectation of privacy at the time of the search. Abandonment is primarily a question of intent, which may be inferred from all relevant facts and circumstances existing at the time of the alleged abandonment. Some examples include:

- a) A vehicle that is abandoned by the driver (suspect) during a pursuit.
- b) Contraband that is dropped or thrown by a defendant while he is being followed or approached by law enforcement.
- c) An object or container in which the defendant denies ownership or any interest.
- d) Discarded garbage, provided that the garbage is either in a public location such as beside the street, or a location where the Officer has a legal right to be, such as a hotel trashcan in a vacated room with the consent of the hotel manager.

G. OPEN FIELDS

- 1. A search and seizure without a warrant may be conducted in certain unoccupied or undeveloped areas outside of the private curtilage of a residence, regardless of how remote the land is and regardless of the efforts of the property owner to keep others out.
- 2. The extent of the curtilage of a residence is determined by factors that bear upon whether an individual reasonably may expect that the area in question should be treated as the home itself and whether the area harbors the intimate activity associated with the sanctity of a person's home and the privacies of life. Factors to consider include:
 - A. The proximity of the area to the home.
 - B. Whether the area is included within an enclosure surrounding the home.
 - C. The nature of the uses to which the area is put.
 - D. Steps taken by the resident to protect the area from observation by people passing by.
- 3. The expectation of privacy in the curtilage of a residence does not prevent a Officer from going to the front door of a house by the same route that would be used by any guest, deliveryman or other caller.

H. ADMINISTRATIVE/SCHOOL SEARCHES

1. When entering school property, Officers are subject to the full range of Fourth Amendment requirements applicable to searches of adults or within other private areas.
2. In order for consent to search to be valid, the child's permission to search must be knowingly and intelligently given, not the result of trick or fraud, and must be given by a competent student (the younger the child, the less likely the consent will be held valid).
3. Searches by school officials:
 - A. A school search conducted at the request of law enforcement requires probable cause, a search warrant, or other legal exception justifying a warrantless search.
 - B. When acting alone, school officials may conduct a search based upon reasonable suspicion, taking into consideration the child's age, history, record in school, the prevalence and seriousness of the problem to which the search is directed, and the exigency to perform the search without delay.
4. The use of canines to conduct a random search for drugs, firearms, or explosives is considered valid, provided the search is of things such as vehicles, lockers, and other public areas and not a search of a person (student or faculty member).

I. CRIME SCENE SEARCH

1. When an Officer has probable cause to believe that a crime has been committed, the Officer has authority to seize the scene of the crime for the purpose of protecting the crime scene by preventing the destruction or contamination of evidence and controlling the movement of persons into or out of the crime scene.
2. Searching or further processing of the crime scene requires a search warrant unless other legal authority exists, including but not limited to an emergency exigent circumstances, a protective sweep incident to arrest, plain view, or consent to search.
3. In the case of an entry authorized under exigent circumstances, as soon as the exigency of the situation diminishes or the emergency is over, the justification to search under exigent circumstances also ends, at which time it will become necessary to obtain a search warrant or other legal authority in

order to continue searching.

4. While awaiting the issuance of a search warrant for the crime scene, Officers will maintain control over the crime scene area. No unauthorized individuals will be allowed entry into the crime scene and no item within the crime scene will be moved without the approval of the case Investigator or Supervisor.

J. SEARCH OF A MOTOR VEHICLE – PROBABLE CAUSE

1. A Officer may conduct a full search of a motor vehicle, including locked containers and the trunk of the vehicle, if probable cause exists to believe the vehicle contains contraband, stolen property, or evidence or fruits of a crime.
2. The probable cause must be based upon objective facts, when viewed in the totality of the circumstances, could justify the issuance of a search warrant.
3. A complete search can be conducted of areas of the vehicle where the item may reasonably be located.
4. Motor homes may be searched if they are located in places not regularly used for residential purposes. If a motor home is parked in a space designated for such vehicles or is connected to power and water and not readily moveable, the motor home is protected as a residence and cannot be searched without first obtaining a warrant.

K. ADMINISTRATIVE INVENTORY OF IMPOUNDED VEHICLES

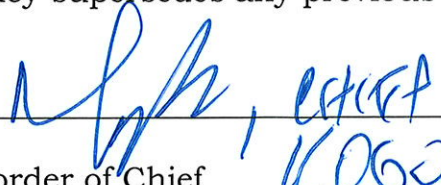
1. When a vehicle is lawfully impounded, a thorough inventory of the entire vehicle will be conducted and all items will be documented on the inventory form.
2. The purpose of the inventory is to:
 - A. Protect the owner's property while he is in custody or elsewhere.
 - B. Protect the Officer against claims of the owner for alleged missing property.
 - C. Protect the public and the Officer from illegal weapons which might be contained in the vehicle.
 - D. Determine whether the vehicle has been stolen.
3. A vehicle is not impounded if it is merely towed by a private towing service to their facility with no law enforcement interference with the owner's property

rights. A vehicle is impounded when it is seized and placed into the custody or under the control of law enforcement.

4. If the vehicle impoundment is not valid, the inventory is also invalid.
5. Unless the vehicle is evidence, stolen or is subject to seizure, the Officer should make a reasonable attempt to properly dispose of the vehicle without having to resort to impoundment, such as another vehicle occupant present that can be trusted with the vehicle and is capable of lawfully driving the vehicle. Sheriff's Office personnel will have a motor vehicle towed when the owner/driver has been arrested and
 - A. There is no one present who is authorized and capable of removing the vehicle.
 - B. The vehicle is not located on the subject's property.
 - C. It is illegal to operate the vehicle for improper equipment, no current license plate, or no insurance.
6. Sheriff's Office personnel will impound a vehicle when the owner/driver has been arrested and the vehicle is considered evidence or reported stolen.
7. Impounded motor vehicles will be transported by a local wrecker service to the Sheriff's Office Impound Lot.
8. All personal property and vehicle accessories such as radios and any other electronic audio device, etc. will be listed on the inventory form.
9. All containers will be unlocked, opened, and inspected including the glove compartment, the trunk, the console, under seats and floor mats, packages, luggage, and any other location in which it may reasonably be expected that items of personal property may be located. All items will be itemized and the condition of each will be described on the form.
10. All inventories will be conducted and witnessed by at least one other party, such as the wrecker operator or another officer.
11. The original copy of the vehicle inventory form will be attached to the Incident Report.
12. During the course of the inventory, all suspected contraband, stolen property, or other fruits of a crime may be seized. When such a seizure is made, normal evidence handling procedures will be followed. Following the seizure, the inventory will be resumed and completed.
13. Impounded motor vehicles will not be released unless authorized by the

impounding Officer or Supervisor and the requesting individual can produce proof of ownership and insurance.

This policy supersedes any previous policy



By order of Chief 110620



HSPD

General Order Number 4.08

Critical Incidents_

Issue Date: 07/01/23 Revised Date: _____

PURPOSE

The Critical Incident general order is to establish guidelines for responding to natural disasters, emergencies, critical incidents or situations that may occur in/on School District property, facilities and modes of transportation. The purpose of this plan is to expedite the mobilization of department personnel in an effective and efficient manner during an emergency or disaster situation.

STATEMENT OF PROCEDURE

It will be the procedure of the Habersham Schools Police Department that all necessary employees will report for duty at the time and place required when notified in the event of a major natural disaster, civil disturbance, riot/prisoner up-rising, or other unusual emergency occurrence.

DISCUSSION

During an emergency situation, the Police Department is confronted with the dual objectives of simultaneously continuing its normal operations and responding to the unusual occurrence. Depending upon the situation, the Police Department may be faced with the extreme possibility of having to manage a major unusual occurrence, while at the same time, responding to schools for assistance or responding to bus incidents.

Such events require an adjustment that completely changes the manner in which the Police Department works. In place of its normal decentralized structure for performing day-to-day activities under the supervision of the Chief of Police and the Assistant Chief of Police, unusual occurrences require highly centralized command and control, whereby employees from many organizational elements, including the possibility of personnel from outside agencies, are brought together to handle the emergency, while others continue to provide normal law enforcement services.

Depending upon the nature of the unusual occurrence and the time required to properly handle the emergency, one or more of the following sources of additional manpower may have to be considered:

1. The holding over of on-duty personnel beyond the time they would normally terminate their duties.
2. Directing a partial mobilization of some Police Department personnel.

3. Directing full mobilization of all Police Department personnel.

4. Obtaining outside agency assistance under the provisions of Mutual Aid.

DEFINITIONS

Officer - Any person employed by the Habersham Schools Police Department in a sworn capacity as confirmed by certification through Georgia Peace Officers Standards and Training with official powers of arrest.

Agency - The Habersham Schools Police Department.

Natural Disaster - Any event or force of nature that has the potential for catastrophic consequences. Examples include but are not limited to:

- Earthquake.
- Flooding.
- Severe weather.
- Large scale fire.

Manmade Disaster - A specific event where a manmade danger or hazard has come to fruition. Examples include but are not limited to:

- Incidents of Possible Terrorism.
- Deployment of Weapons of Mass Destruction.
- Violence at Educational Facilities.
- Civil Disturbances

Emergency - A situation or incident that requires a sudden need for action. The emergency will most likely not require the activation of the School District's Emergency Operation Center.

Crisis - An unstable or critical incident/situation that requires immediate action to prevent and/or minimize a highly undesirable outcome. The critical incident/situation will most likely require the activation of the School District's Emergency Operation Center.

RULES AND REGULATIONS

Emergency Planning

The Habersham County School System is in compliance with Georgia Code O.C.G.A. 20-2-1185 in that every school has prepared a school safety plan to help curb the growing incidence of violence in schools, to respond effectively to such incidents, and to provide a safe learning environment for children, teachers and other school personnel.

The Director of School Safety/Chief of Police, or his/her designee, will coordinate emergency management planning and act as a liaison to the designated Emergency Management Agency and other city and county emergency services to develop and maintain emergency operations plans for the law enforcement department. The Habersham Schools Police Department shall utilize the National Incident Management System (NIMS) and Incident Command System (ICS) for response, command and control of incidents.

The School Safety Plan addresses the following areas:

1. Preparedness for Natural Disasters (ex: Earthquakes, Tornados, Floods, Hurricanes, Thunderstorms)
2. Hazardous Materials/Hazmat (ex: Biological Threats, Airborne/Blood- borne Pathogens, Chemical Threats)
3. Radiological/Nuclear Incidents
4. Acts of Violence/Terrorism (ex: Bomb Threats, Suspicious Packages, Explosions, Civil Disturbance, Hostage Situation, Barricaded Situation, Intruder, Suspicious Person, Missing Person, Kidnapping, Weapon on School Property)
5. Accidents/Illnesses (ex: Injury/Illness, Suicide/Death, Heart Attack, Fire, Gas Leak, Utility Failure)

Each School Safety Plan is prepared with input from parents/legal guardians, teachers, community leaders, other school employees and law enforcement, fire service, public safety and emergency management agencies and is updated annually. All plans are updated annually and are submitted to the Habersham Emergency Management Agency/E911 Center. These plans are sent to Georgia Emergency Management Agency for review and acceptance of meeting minimum standards established in O.C.G.A. 20-2-1185.

School Safety Plans are retained by each school within the Habersham County School District and by the Office of the Chief of Police.

Compliance

The Habersham County School District acknowledges the use of an Incident Command System (ICS) and is in compliance with the Homeland Security Act of 2002 and Homeland Security Presidential Directive (HSPD)-5 issued February 28, 2003. This system is designed to handle Management, Operations, Logistics, Planning, Administration and Finance allowing for the appropriate utilization of facilities, equipment, personnel, procedures, and communications in a broad spectrum of emergencies.

Duty of Care

The Habersham County School District and the Habersham Schools Police Department has as its main focus and priority the responsibility to insure that all students and staff have a safe and secure environment for teaching and learning. To this end, the School District has taken several proactive measures to ensure its duty of care is met.

Risk Assessment

The Habersham Schools Police Department works cooperatively with administrative (school-based) staff and other district, state and local personnel to ensure that proactive measures are taken to minimize the risk and possibility of certain events through on-site assessments, training, and consultation.

Response

Officers of the Agency will respond to emergencies or critical incidents/situations at the direction of the Chief of Police, Assistant Chief of Police or designee in accordance with established Emergency Response Protocols. Officers may assume command of the emergency or critical incident/situation until such command is turned over to a higher-ranking authority.

An incident command post will be established and an Incident Command Center will be established. This will facilitate effective on-the-ground communication with all responding agencies and coordinate service requests with the Emergency Operations Center.

In the event the Incident Commander determines additional assistance and/or resources may be required from other state, federal and military entities, a request will be made through the Emergency Operations Center and/or the Habersham County 911 Center for such assistance and/or resources.

De-Escalation

Officers of the Agency may assist at the direction of the Chief of Police or his/her designee in after-action functions to ensure that the emergency or critical incident/situation is returned to "normal" as soon as is practical. Incident reports and after-action reports will be completed and submitted to the Superintendent for review.

Georgia Information Sharing & Analysis Center (GISAC)

The Chief of Police or a designated employee will be responsible for acting as a liaison

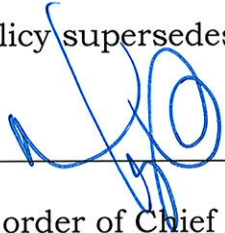
with the Georgia Information Sharing & Analysis Center. The liaison will be responsible for disseminating information obtained from GISAC to the department.

REVISIONS TO SOP

All employees will be notified of any and all changes in directives and all employees must acknowledge receipt of any General Order or Special Order that applies to them through the method required by the Agency.

The SOP Manual will be stored electronically and made available for any employee to review. The SOP Manual will be reviewed every two years or more frequently if necessary for the purpose of revising any sections that may be outdated due to changes in federal or state law, school district policy or procedures, personnel, operations and community. The Chief of Police reserves the right to amend the policies and procedures contained within this manual at any time.

This policy supersedes any previous policy



By order of Chief 



HSPD
Standard Operating Procedures and Guidelines
General Order Number 4.09

SOCIAL MEDIA AND SOCIAL NETWORKING

Issue Date: 07/01/22 Revised Date: _____

PURPOSE

The purpose of this directive is to outline expectations of officers and civilian personnel with respect to their use of social media and social networking and the direct effect such use has upon the reputation and perception of the HSPD.

STATEMENT OF PROCEDURE

It will be the procedure of the HSPD that employees will not use any form of social media or social networking, including, but not limited to, Snapchat, Facebook, Twitter, Instagram, WhatsApp, LinkedIn, Foursquare, The Squad Room, online forums, message boards or bulletin boards, blogs, and other similarly developed formats, in any way so as to tarnish the HSPD reputation or to cause an employee's communications or actions to be called into question.

DISCUSSION

As personnel of the HSPD, you are embodiments of our mission. Each employee must accept their role as a representative of the police department, striving to maintain public trust and confidence in their professional actions and personal and online actions. Any online activity that has the effect of diminishing the public's trust or confidence in this police department will hinder the efforts of the police department to fulfill our mission.

As a member of the HSPD, you are held to a higher standard than general members of the public and your online activities will reflect such professional expectations and standards. Any online actions taken that detract from the mission of the police department, or reflect negatively on your position, will be viewed as a direct violation of this policy.

DEFINITIONS

Social Media - a variety of online sources that allow people to communicate, share information, share photos, share videos, share audio, and exchange text and other multimedia files with others via some form of online or cellular network platform.

Social Networking - Using such internet or mobile formats as Facebook, Twitter, Snapchat, Instagram, LinkedIn, Foursquare, The Squad Room, online forums, message boards or bulletin boards, blogs, and other similarly developed formats, to communicate with others using the same groups while also networking with other users based upon similar interests, geographical location, skills, occupation, ideology, beliefs, etc.

Blog - A series of entries, either written by one person or a group of people, to an online journal, usually posted in chronological order, like a diary.

Blogging - to read, write, or edit a shared on-line journal. Blogging can also encompass the act of commenting and engaging with other commenters on any blog, including one operated by a third party.

Post - an item inserted to a blog or an entry to any type of computerized bulletin board or forum.

Posting - the act of creating, uploading, editing or adding to any social media outlet.

Forum - an online discussion site.

Comments - responses to a blog post, news article, social media entry or other social networking post.

Commenting - the act of creating and posting a response to a blog post, news article, social media entry or other social networking post.

User Name - the name provided by the participant during the registration process associated with a website that will be displayed publicly on the site.

RULES AND REGULATIONS

1. All Employees are prohibited from using police department computers or police department-issued cell phones/devices for any unauthorized participation in social networking.
2. Employees are prohibited from communicating with any student not a child of the employee (on or off duty) on any form of social media or through text for any reason unless the communication is in reference to an immediate threat to the student him/herself, to another student, or to a school.
2. Employees are prohibited from using any social media or social networking platform while on duty, unless permission is granted for investigative or public information purposes.
3. Unless granted explicit permission, employees of this Sheriff's Office are prohibited from posting any of the following in any social networking platform:

A. Any text, photograph, audio, video, or other multimedia file related to any investigation, both current and past, of this Sheriff's Office.

B. Any text, photograph, audio, video, or other multimedia file that reflects negatively on the Sheriff's Office.

4. Employees who choose to maintain or participate in social media or social networking platforms while off-duty will conduct themselves with professionalism and in such a manner that will not reflect negatively upon the Sheriff's Office or its mission. In the course of operating or participating in such venues, the following rules will apply:

A. Employee's will be held responsible for the content that appears on their maintained social media or social networking sites and will be obligated to remove any posting or material contributed by others that reflects negatively upon the Sheriff's Office.

B. Logos, badges, uniforms, vehicles, equipment or any item or symbol that is affiliated with this Sheriff's Office will only be used in a professional and respectful manner.

C. Sexually graphic or explicit material of any kind will not be posted by the employee on any form of social media or social networking site.

D. Sexually graphic or explicit material posted by others to the employee's social media or social networking sites will be immediately removed by the Employee.

E. Weaponry, owned by this Sheriff's Office or owned personally or privately, will not be displayed or referenced to, in any multimedia format, on social media or social networking sites if such displays or depictions promote or glorify violence or aggression.

F. Any text, photograph, audio, video, or other multimedia file included on a social media or social networking site that infers, implies, states, opines or otherwise expresses the employee's views on the public will not be detrimental to the Sheriff's Office's mission nor will it, in any way, undermine the public's trust or confidence in this Sheriff's Office.

G. Any text, photograph, audio, video, or other multimedia file included on a social media or social networking site that infers, implies, states, opines or otherwise expresses the employee's views on the legal, judicial, or criminal systems will not, in any way, undermine the public's trust and confidence in this Sheriff's Office.114

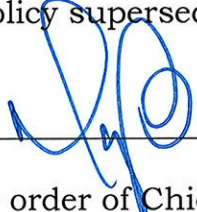
H. Any posting that detracts from the Sheriff's Office's mission will be considered a direct violation of this policy.

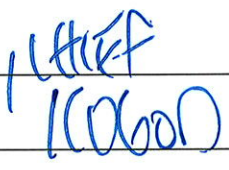
5. Unless serving as an explicitly permitted tool of public information or community outreach, no Deputy will use their rank or title in any social media or social networking activity, including inclusion of said rank or title into the employee's online identity or avatar.

6. Employees who are brought under administrative or internal investigation related to their performance, functionality or duties may be ordered to provide the Sheriff's Office, or its designated Investigator, with access to the social media and social networking platforms in which they participate or maintain.

7. Employees who are brought under administrative or internal investigation related to the Sheriff's Office's operation, productivity, efficiency, morale or reputation, may be ordered to provide the Sheriff's Office, or its designated Investigator, with access to the social media and social networking platforms in which they participate or maintain.

This policy supersedes any previous policy



By order of Chief 



HSPD
Standard Operating Procedures and Guidelines
General Order Number 4.10

Use of recorders, Cameras, and Cell phones

Issue Date: 07/01/23 Revised Date: _____

PURPOSE

The purpose of this General Order is to establish the policies and procedures of the Habersham Schools Police Department regarding the use of Agency Issued Recorders and Cell Phones

STATEMENT OF PROCEDURE

It will be the procedure of the HSPD that Agency Issued recorders and cameras will be used by certain divisions in this Sheriff's Office for the proper collection and storage of evidence.

DISCUSSION

Members of the Habersham Schools Police Department are expected use Department issued equipment responsibly and for it's intended purposes.

I. RESTRICTIONS ON USE:

1. No employee of the Habersham Schools Police Department will covertly record any casual conversation with other members of the Habersham Schools Police Department without their permission unless it is a part of a criminal investigation or part of an internal affairs investigation. Any employee found to be in violation of this policy will be subject to disciplinary action up to and including termination.
2. The use of personal recording devices is prohibited. [L]
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II. MAINTENANCE AND CARE:

Employees assigned a recorder; a camera or cell phone should take reasonable care and perform routine maintenance of the equipment in accordance with Habersham Schools Police Department policies and

procedures. Any damage or malfunction will be reported to the Chief, Assistant Chief, or issuing personnel.

III. CRIMINAL INVESTIGATIONS DIVISION:

Investigators will use recorders and/or cameras to document interviews or other official contacts as necessary for the prosecution of criminal cases or for the preservation of evidence. These recordings and photos will be uploaded to the Incident Report.

IV. CELL PHONES

1. Employees of the Habersham Schools Police Department may utilize cell phones when on duty as a method for alternative communication to carry out official duties of the department. The Habersham Schools Police Department may issue cell phones to employees who are on call, employees with Supervisory functions and other key positions designated by the Chief.
2. No issued or personal cell phone will be used to covertly record any casual conversation with other members of the Habersham Schools Police Department without their permission unless it is a part of a criminal investigation or part of an internal affairs investigation
3. When using a cell phone while driving a Habersham Schools Police Department vehicle, keep the conversation as short as possible and use extreme caution when operating the vehicle while talking on the phone.
4. Do not take crime scene photographs with your personal cell phone. This could result in your cell phone being held as evidence at trial.
5. No employee of the Habersham Schools Police Department will use a department issued cellphone to engage or access any social media platform unless otherwise authorized by the Chief of Police.
6. Department issued cellphones will not be used for personal use.

This policy supersedes any previous policy

By order of Chief