Cabot City Council Meeting

Cabot, Arkansas

Health, Safety, Education, Quality, Professionalism & Progress Every Day!

Mayor
Bill Cypert

Clerk~Treasurer
Tammy Yocom

City Attorney
Jimmy Taylor

Ward 1
Eddie Long
Kevin Davis

Ward 2
Doug Warner
Jon Moore

Ward 3
Doyle Tullos
Rick Prentice

Ward 4
Ann Gilliam
Ron Waymack

October 19, 2016
7:00 p.m.

Cabot City Annex
Council Chambers

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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Cabot City Council Meeting Agenda

October 17, 2016 - 7:00 p.m.
Cabot City Annex Council Chambers
208 North First Street * Cabot, Arkansas 72023

Bill Cypert, Mayor

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10 City Council (New Business)

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Council Meeting Minutes

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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SCANNED

Filed
SEP 21 2016
City of Cabot

CITY OF CABOT, ARKANSAS
Council Meeting Minutes
September 19, 2016

Call to Order

Mayor Bill Cypert called to order the regular meeting of the Cabot City Council at 7:00 p.m. on September 19, 2016 in the Cabot City Annex Council Chambers. Opening prayer was given by Councilor Ann Gilliam, and the Pledge of Allegiance was led by Councilor Ronald Waymack.

Roll Call

A roll call was conducted. The following persons were present: Councilor Ed Long, Rick Prentice, Ronald Waymack, Ann Gilliam, Doyle Tullos, Kevin Davis, Doug Warner and Jon Moore. Also in attendance were Mayor Bill Cypert, City Attorney Jimmy Taylor, and City Clerk / Treasurer Tammy Yocom.

Approval of Minutes from Last Meeting and Other Matters

The minutes of the August regular council meeting were approved with a motion by Mr. Moore, second by Mr. Warner. All voted aye.

Motion to read legislation by title only by Mr. Tullos, second by Mr. Moore. All voted aye.

Planning Commission

OLD BUSINESS: None

NEW BUSINESS: ORDINANCE NO. 23 OF 2016 – AN ORDINANCE TO REZONE THE PROPERTY LOCATED AT THE NORTHWEST INTERSECTION OF AR HWY 38 AND AR HWY 367 SOUTH FROM R-1 TO C-2; AMENDING THE LAND USE PLAN; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. First reading. No action.

City Council

OLD BUSINESS: ORDINANCE NO. 17 OF 2016 – AN ORDINANCE TO ADOPT THE CABOT POLICE DEPARTMENT HANDBOOK; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Second reading. No action.

ORDINANCE NO. 18 OF 2016 – AN ORDINANCE TO PERMIT, COUNCIL MEMBERS, OFFICIALS, AND /OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; SPECIFICALLY HALTON ROPER; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Second reading. No action.

NEW BUSINESS: ORDINANCE NO. 19 OF 2016 **(RENUMBERED NOW NO. 26)** – AN ORDINANCE TO PROHIBIT DRIVING AND PARKING UPON BIKE LANES; TO PROHIBIT ALL WHEELED CONVEYANCES UPON CABOT RECREATION WALKING AND HIKING TRAILS; TO AUTHORIZE AND REGULATE GOLF CART OPERATION UPON CERTAIN CITY STREETS; TO REPEAL ORDINANCE 40 OF 2007; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. First reading. No action.

ORDINANCE NO 20 OF 2016 – AN ORDINANCE TO REPEAL ANY AND ALL LEGISLATION AND VOID ANY AND ALL AUTHORITY PREVIOUSLY GRANTED TO COUNCIL MEMBERS, OFFICIALS AND/OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. First reading. No Action.

ORDINANCE NO. 21 OF 2016 – AN ORDINANCE TO APPOINT CLAUD IRVIN TO THE CABOT PLANNING COMMISSION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. First reading. Motion to suspend second and third readings by Mr. Moore, second by Mr. Warner. Motion passed with a Roll Call vote of 8-0. Motion to adopt by Mr. Moore, second by Mr. Tullos. Motion passed with a vote of 8-0. Motion to adopt the Emergency Clause by Mr. Moore, second by Mr. Tullos. Motion passed with a Roll Call vote of 8-0.

ORDINANCE NO. 22 OF 2016 – AN ORDINANCE TO APPOINT JAMES REID TO THE CABOT PLANNING COMMISSION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Motion to suspend the second and third readings by Mr. Tullos, second by Mr. Moore. Motion passed with a Roll Call vote of 8-0. Motion to adopt by Mr. Tullos, second by Mr. Moore. Motion passed with a vote of 8-0. Motion to adopt the Emergency Clause by Mr. Moore, second by Mr. Warner. Motion passed with a Roll Call vote of 8-0.

ORDINANCE NO. 24 OF 2016 – AN ORDINANCE TO PERMIT, COUNCIL MEMBERS, OFFICIALS, AND/OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; SPECIFICALLY RICK PRENTICE; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. First reading. No action.

ORDINANCE NO 25 OF 2016 – AN ORDINANCE TO PERMIT, COUNCIL MEMBERS, OFFICIALS, AND/OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; SPECIFICALLY EDDIE COOK; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. First reading. No action.

RESOLUTION NO. 20 OF 2016 **(RENUMBERED NOW NO. 27)** – A RESOLUTION TO ACCEPT THE BID BY REYNOLDS ROOFING; TO AUTHORIZE THE MAYOR AND CITY CLERK/TREASURER TO EXECUTE ANY DOCUMENTS NECESSARY TO DO BUSINESS WITH REYNOLDS ROOFING; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Motion to adopt by Mr. Davis, second by Mr. Warner. Motion passed with a Roll Call vote 8-0.

RESOLUTION NO. 21 OF 2016 – A RESOLUTION APPROVING THE DESTRUCTION OF CERTAIN OUTDATED DOCUMENTS FOR THE CABOT CITY CLERK/TREASURER'S OFFICE; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Motion to adopt by Mr. Tullos, second by Mr. Prentice. Motion passed with a vote of 8-0.

RESOLUTION NO. 22 OF 2016 – A RESOLUTION APPROVING THE DESTRUCTION OF CERTAIN OUTDATED DOCUMENTS FOR THE CABOT POLICE DEPARTMENT; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Motion to adopt by Mr. Davis, second by Mr. Warner. Motion passed with a vote of 8-0.

RESOLUTION NO. 23 OF 2016 – A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK/TREASURER TO ENTER INTO A LEASE AGREEMENT WITH THE LONOKE COUNTY COUNCIL ON AGING FOR THE RENOVATED SENIOR CENTER LOCATED AT 506 NORTH GRANT; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Motion to adopt by Mr. Moore, second by Mr. Waymack. Motion passed with a Roll Call vote of 8-0.

RESOLUTION NO. 24 OF 2016 – A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK/TREASURER TO EXECUTE ANY DOCUMENTS NECESSARY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR THE PURCHASE AND UTILIZATION OF A BUS FOR THE SENIOR CITIZENS CENTER; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Motion to adopt by Mr. Tullos, second by Mr. Waymack, Motion passed with a Roll Call vote of 8-0.

RESOLUTION NO. 25 OF 2016 – A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK/TREASURER TO EXECUTE ANY DOCUMENTS NECESSARY TO ENTER INTO A CONTRACT WITH CLEMENTS & ASSOCIATES ARCHITECTURE, INC. FOR RENOVATION TO 506 NORTH GRANT; AND FOR OTHER PURPOSES was read by City Clerk/Treasurer Tammy Yocom. Motion to adopt by Mr. Warner, second by Mr. Tullos. Motion passed with a Roll Call vote of 8-0.

RESOLUTION NO. 26 OF 2016 – A RESOLUTION TO PARTICIPATE IN THE 911, ADVISORY BOARD ESTABLISHED FOR LONOKE COUNTY, ARKANSAS was read by City Clerk/Treasurer Tammy Yocom. Motion to adopt by Mr. Warner, second by Mr. Prentice. Motion passed with a vote of 8-0.

Community Input: None

Adjournment - There being no further business, the meeting was adjourned at 7:19 p.m. with a motion by Mr. Davis, second by Mr. Tullos. All voted aye.

We, the undersigned Mayor and City Clerk/Treasurer for the City of Cabot do hereby certify the foregoing to be a true and correct record of the proceedings of the City of Cabot Regular Meeting held on Monday, September 19, 2016, at 7:00 p.m.

William A. "Bill" Cypert, Mayor

Tammy Yocom, City Clerk/Treasurer

Notes:

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Ordinance No. 23 Of 2016

An Ordinance To Rezone The Property Located At The Northwest Intersection Of Ar Hwy 38 And Ar Hwy 367 South From R-1 To C-2; Amending The Land Use Plan; And For Other Purposes
(SECOND READING)

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE NO. 23 OF 2016

AN ORDINANCE TO REZONE THE PROPERTY LOCATED AT THE NORTHWEST INTERSECTION OF AR HWY 38 AND AR HWY 367 SOUTH FROM R-1 TO C-2; AMENDING THE LAND USE PLAN; AND FOR OTHER PURPOSES

WHEREAS, the Cabot Planning Commission is empowered to regulate and control the development of land within the planning jurisdiction of the City of Cabot pursuant to Ark. Code Ann. §14-56-417; and

WHEREAS, the Cabot Planning Commission held its regularly scheduled meeting on August 23, 2016 and approved the request of Lemons Engineering Consultants, Inc., authorized agent for J & S Park Investment Co LLC, to rezone the real property located at Northwest Intersection of Ar. Hwy 38 and Ar. Hwy 367 from R-1 to C-2, more specifically set forth in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference and referring the same to this governing body for approval; and

WHEREAS, the Cabot Planning Commission further approved an amendment to the City's Land Use Plan to reflect consistency with the change in use; referring the same to this body for approval.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: The property located at Northwest Intersection of Ar. Hwy 38 and Ar. Hwy 367 more specifically set forth in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference and on file in the City Clerk-Treasurer's Office is hereby rezoned from R-1 to C-2.

SECTION 2: The City's Land Use Plan is hereby amended to incorporate the change in the land use as stated above.

SPONSOR:
William A. "Bill" Cypert
Referred By: James Reid
Cabot Planning Commission
Vote: 4-0-0
Date Passed: August 23, 2016

PASSED:
DATE:
APPROVED:

FILED
2016
City of Cabot

William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

Jim Taylor, City Attorney

ATTEST:

Tammy Yocom, City Clerk-Treasurer

EXHIBIT A

Northwest Intersection of Ar. Hwy and Ar. Hwy 367

Further Described as Follows:

Commencing at the NW corner of Section 8, T-4-N, R-9-W, Cabot, Lonoke County, Arkansas; thence South along the West Section line of Section 8 a distance of 1670.75 feet to the Point of Beginning; thence N 81°08' E, 937.17 feet; thence South 580.00 feet to the North Right of Way line of Arkansas State Highway 367; thence along said Right of Way S 63°47' W, 33.4 feet to the PC of a 5730.00 foot radius curve to the left having a chord bearing and distance of S 58°41'35" W, 1025.7 feet; thence 1027.0 feet along arc of said curve; thence Northwesterly approximately 19.6 feet to the SW corner of the NW ¼ of Section 8, T-4-N, R-9-W; thence West 231.0' along the South line of the NE ¼ of Section 7, T-4-N, R-9-W; thence N 04°58' E, 429.0 feet; thence N 48°36' E, 214.5 feet; thence East 33.0 feet to the East line of Section 7, T-4-N, R-9-W; thence North 400.0 feet along said Section line to the Point of Beginning, containing 19.2 acres, more or less.

EXHIBIT B

City of Cabot Planning Commission
August 23, 2016
7:00 PM

Call to order
Reid called the meeting to order at 7:00 pm.

Roll Call
The following members were present:
- Cohea
- Hyland - Absent
- Reid
- Maxwell
- Prater - Absent
- Irvin
- Tullos - Absent

Approval of Minutes from the July 2016 Meeting
Motioned by Cohea, Second by Maxwell to accept the minutes of the May 2016 meeting.
All say aye. **Motion Carried. Vote as follows: 4-0-0.**

Public Hearing
Rezone Request from R-1 to C-2 Northwest Corner of Hwy 367 N and Hwy 38
(J & S Park Investment LLC - Joe and Sara Park) (Lemons Engineering)
Motioned by Cohea, Second by Reid to approve the rezone request R-1 to C-2 Joe and Sara Park Property
All say aye. **Motion Carried. Vote as follows: 4-0-0**

Reid closed the Public Hearing at 7:12 PM

New Business
None

Old Business
Updates from Walden.

Commercial Design Standards
Motioned by Irvin, Second by Maxwell to rescind the vote from the July 2016 meeting to forward the revision to the UDC with the addition of Commercial Design Standards.
All say aye. Motion Carried. Vote as follows 4-0-0

Community Input
None

There being no further business to come before the Planning Commission. Motioned by Irvin, Second by Maxwell to adjourn. **All say aye. Motion Carried. Vote as follows: 4-0-0**

Meeting Adjourned at 7:12 PM.

Notes:

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Ordinance No. 27 Of 2016

An Ordinance To Rezone The Property Located At Lot 24 Cabot Commerce Center Phase II, From I-1 (Industrial) To C-3 (Commercial); Amending The Land Use Plan; And For Other Purposes

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE NO. 27 OF 2016

AN ORDINANCE TO REZONE THE PROPERTY LOCATED LOT 24 CABOT COMMERCE CENTER PHASE II, FROM I-1 (INDUSTRIAL) TO C-3 (COMMERCIAL); AMENDING THE LAND USE PLAN; AND FOR OTHER PURPOSES

WHEREAS, the Cabot Planning Commission is empowered to regulate and control the development of land within the planning jurisdiction of the City of Cabot pursuant to Ark. Code Ann. §14-56-417; and

WHEREAS, the Cabot Planning Commission held its regularly scheduled meeting on September 27, 2016 and approved the request of North Cabot Development Group, Inc., to rezone the real property located at the northeast corner of Arkansas State Hwy 367 N (AKA North 2nd St) and Arkansas State Hwy 38, more specifically set forth in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference and referring the same to this governing body for approval; and

WHEREAS, the Cabot Planning Commission further approved an amendment to the City's Land Use Plan to reflect consistency with the change in use; referring the same to this body for approval.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: The property located at the northeast corner of Arkansas State Hwy 367 N (AKA North 2nd St) and Arkansas State Hwy 38 more specifically set forth in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference and on file in the City Clerk-Treasurer's Office is hereby rezoned from I-1 to C-3.

SECTION 2: The City's Land Use Plan is hereby amended to incorporate the change in the land use as stated above.

SPONSOR
William A. "Bill" Cypert
Referred By: James Reid
Cabot Planning Commission
Vote: 5-1-0
Date Passed: September 27, 2016

PASSED:
DATE:
APPROVED:

Filed
OCT 13 2016
City of Cabot

William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

Jim Taylor, City Attorney

ATTEST:

Tammy Yocom, City Clerk-Treasurer

EXHIBIT A

Northeast corner of Arkansas State Hwy 367 (AKA North 2nd St) and Arkansas State Hwy 38

Further Described as Follows:

LEGAL DESCRIPTION:

Lot 24 Cabot Commerce Center Phase II

EXHIBIT B

City of Cabot Planning Commission
September 27, 2016
7:00 PM

Call to order
Reid called the meeting to order at 7:00 pm.

Roll Call
The following members were present:

- Cobea
- Hyland
- Reid
- Maxwell
- Prater
- Irvin
- Tullos

Approval of Minutes from the August 2016 Meeting
Motioned by Maxwell, Second by Hyland to accept the minutes of the August 2016 meeting.
All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Reid opened the Public Hearing at 7:01 pm

Public Hearing
Rezone Request from C-2 to C-3 4.9 +/- Acre Track Hwy 5 (Lemons Engineering)
Motioned by Prater, Second by Cobea to approve the request C-2 to C-3 4.9 +/- acre track Hwy 5.
All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Rezone Request from I-1 to C-3 Lot 24, Cabot Commerce Center Phase II (Andrew Hick)
**** Records to reflect Irvin abstained from hearing this request ****
Motioned by Tullos, Second by Maxwell to approve the request I-1 to C-3 Lot 24, Cabot Commerce Center, Phase II. Rollcall vote as follows: Cobea, Hyland, Maxwell, Prater, Tullos aye. Reid abstained.
Motion Carried. Vote as follows: 5-1-0

Reid closed the Public Hearing at 7:15 PM

New Business
Site Plan Lot 1 Bean Addition (Lemons Engineering)
Motioned by Irvin, Second by Prater to approve the Site Plan Lot 1 Bean Addition with the following contingencies:

- Drive onto Hwy 5 will be right turn only.
- Light required at intersection of drive and Hwy 5.
- Light required at intersection of drive and Gateway.
- Knox box required for gate
- Hydrant must flow 1500 gpm
- Developers agreement.

All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Ordinance No. 28 Of 2016

An Ordinance To Rezone The Property Located At North Side Of Arkansas Hwy 5, West of Gateway Drive, And East of AR Kids From C-2 (Commercial) to C-3 (Commercial); Amending The Land Use Plan; And For Other Purposes

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE NO. 28 OF 2016

AN ORDINANCE TO REZONE C-2 (COMMERCIAL) TO C-3 (COMMERCIAL) THE PROPERTY LOCATED ARKANSAS NORTH SIDE OF ARK HWY 5, WEST OF GATEWAY DRIVE AND EAST OF AR KIDS; AMENDING THE LAND USE PLAN; AND FOR OTHER PURPOSES

WHEREAS, the Cabot Planning Commission is empowered to regulate and control the development of land within the planning jurisdiction of the City of Cabot pursuant to Ark. Code Ann. §14-56-417; and

WHEREAS, the Cabot Planning Commission held its regularly scheduled meeting on September 27, 2016 and approved the request of Terry Bean, to rezone the real property located at North side of Ark Hwy 5, West of Gateway Drive and East of AR Kids, more specifically set forth in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference and referring the same to this governing body for approval; and

WHEREAS, the Cabot Planning Commission further approved an amendment to the City's Land Use Plan to reflect consistency with the change in use; referring the same to this body for approval.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: The property located at the North side of Ark Hwy 5, west of Gateway Drive and east of AR Kids more specifically set forth in the legal description attached hereto as Exhibit "A" and incorporated herein by this reference and on file in the City Clerk-Treasurer's Office is hereby rezoned from C-2 to C-3.

SECTION 2: The City's Land Use Plan is hereby amended to incorporate the change in the land use as stated above.

SPONSOR
William A. "Bill" Cypert
Referred By: James Reid
Cabot Planning Commission
Vote: 6-1-0
Date Passed: September 27, 2016

PASSED:
DATE:
APPROVED:

William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

Jim Taylor, City Attorney

ATTEST:

Tammy Yocom, City Clerk-Treasurer

Filed
OCT 13 2016
City of Cabot

EXHIBIT A

North side of Ark Hwy 5, west of Gateway Drive and east of AR Kids

Further Described as Follows:

LEGAL DESCRIPTION :

Part of the Northwest Quarter of the Northwest Quarter of Section 27, Township 04 North, Range 10 West of the Fifth Principal Meridian, Lonoke County, Arkansas.

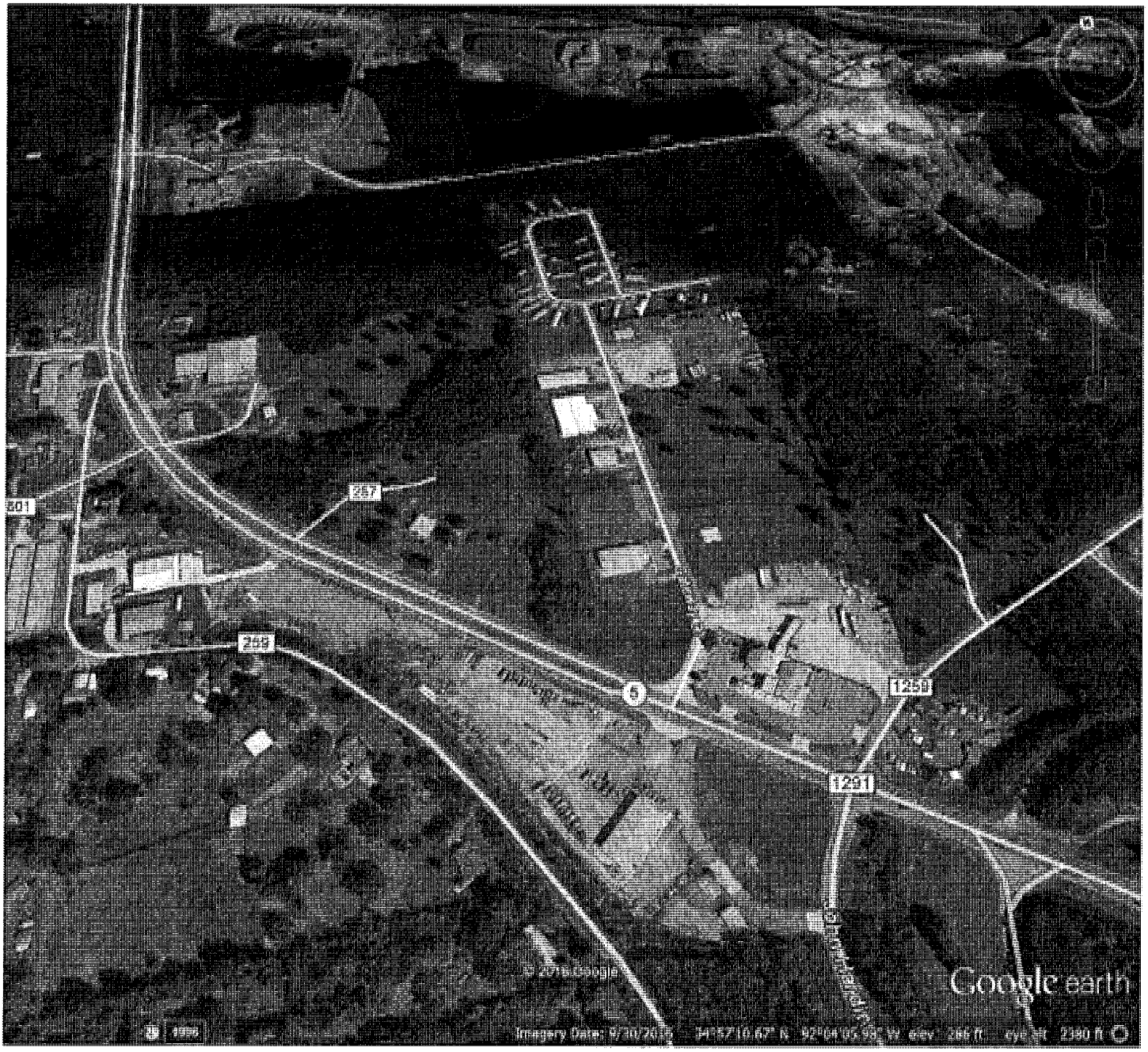
Beginning at a found 1/2" rebar at the Northeast Corner of said
NW 1/4 NW 1/4; thence N 89°11'50" W, a distance of 293.59 feet to a capped rebar 819; thence S 03°09'32" W, a distance of 339.94 feet: thence S 44°05'03" W, a distance of 191.34 feet to a capped rebar 819 also being the North right of way line of Arkansas Highway 5; thence S 46°47'23" E along Arkansas Highway 5 right of way a distance of 53.80 feet to a highway right of way marker; thence
S 49°45'09" E, along highway right of way, a distance of 227.30 feet to a capped rebar 819; thence S 51°48'24" E, along highway right of way a distance of 7.87 feet to a highway right of way marker; thence S 49°50'32" E, along highway right of way, a distance of 122.71 feet to the Westernmost pin of Lot 1, Gateway Commercial Addition; thence S 87°30'04" E, 107.91 feet to a found 1/2" iron pin; thence N 02°05'31" E, 45.79 feet to a found 1/2" iron pin, being the Southwest corner of Lot 3, Gateway Commercial Addition; thence N 03°13'42" E, 39.20 feet to a found 1/2" rebar; thence
N 01°44'24" E, 360.75 feet to a found 1/2" rebar; thence
N 02°55'09" E, a distance of 49.57 feet to a found 1/2" rebar; thence N 01°44'03" E, a distance of 250.30 feet to a found 1/2" rebar; which is the point of beginning, having an area of 5.134+/- acres.

-and-

Part of the Northeast Quarter of the Northwest Quarter of Section 27, Township 04 North, Range 10 West of the Fifth Principal Meridian, Lonoke County, Arkansas.

Commencing at a found 1/2" rebar at the Northwest Corner of said NE 1/4 NW 1/4; thence S 01°44'03" W, a distance of 250.30 feet to a found 1/2" rebar which is the point of beginning; thence
S 02°55'09" W, a distance of 49.57 feet to a found 1/2" rebar; thence S 88°08'55" E, a distance of 228.55 feet; thence
N 01°55'34" E, a distance of 49.56 feet to a found 1/2" rebar; thence N 88°08'55" W, a distance of 227.70 feet to a found 1/2" rebar; which is the point of beginning, having an area of 0.260 +/- acres.

EXHIBIT B



City of Cabot Planning Commission
September 27, 2016
7:00 PM

Call to order
Reid called the meeting to order at 7:00 pm.

Roll Call
The following members were present:

- **Cobea**
- **Hyland**
- **Reid**
- **Maxwell**
- **Prater**
- **Irvin**
- **Tullos**

Approval of Minutes from the August 2016 Meeting:
Motioned by Maxwell, Second by Hyland to accept the minutes of the August 2016 meeting.
All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Reid opened the Public Hearing at 7:01 pm

Public Hearing
Rezone Request from C-2 to C-3 4.9 +/- Acre Track Hwy 5 (Lemons Engineering)
Motioned by Prater, Second by Cobea to approve the request C-2 to C-3 4.9 +/- acre track Hwy 5.
All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Rezone Request from I-1 to C-3 Lot 24, Cabot Commerce Center Phase II (Andrew Hick)
**** Records to reflect Irvin abstained from hearing this request ****
Motioned by Tullos, Second by Maxwell to approve the request I-1 to C-3 Lot 24, Cabot Commerce Center, Phase II. Rollcall vote as follows: Cobea, Hyland, Maxwell, Prater, Tullos aye. Reid abstained.
Motion Carried. Vote as follows: 5-1-0

Reid closed the Public Hearing at 7:15 PM

New Business
Site Plan Lot 1 Bean Addition (Lemons Engineering)
Motioned by Irvin, Second by Prater to approve the Site Plan Lot 1 Bean Addition with the following contingencies:

- Drive onto Hwy 5 will be right turn only.
- Light required at intersection of drive and Hwy 5.
- Light required at intersection of drive and Gateway.
- Knox box required for gate
- Hydrant must flow 1500 gpm
- Developers agreement.

All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Ordinance No. 17 Of 2016

An Ordinance To Adopt The Cabot Police Department Handbook; And For Other Purposes (THIRD READING)

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE NO. 17 OF 2016

AN ORDINANCE TO ADOPT THE CABOT POLICE DEPARTMENT HANDBOOK; AND FOR OTHER PURPOSES

WHEREAS, the Police Department Handbook Committee has met and recommends that the Cabot City Council adopt the Cabot Police Department Handbook attached hereto as Exhibit "A", and;

WHEREAS, due to various circumstances, such as newly adopted laws or case law, from time to time it will be necessary for the Cabot Police Department to amend sections of the Cabot Police Department Handbook prior to consideration of a handbook amendment by this governing body and police Cabot Police Department respectfully requests permission to implement such changes immediately, as necessary.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: The Cabot Police Department Handbook, attached hereto as Exhibit "A" is hereby adopted by reference as if fully set out herein.

SECTION 2: The Cabot Police Department is hereby authorized to implement immediate amendments to various sections of the Cabot Police Department Handbook as necessary for optimal operation of the department.

SECTION 3: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

William A. "Bill" Cypert, Mayor

Filed
AUG 10 2016
City of Cabot

APPROVED AS TO FORM:

ATTEST:

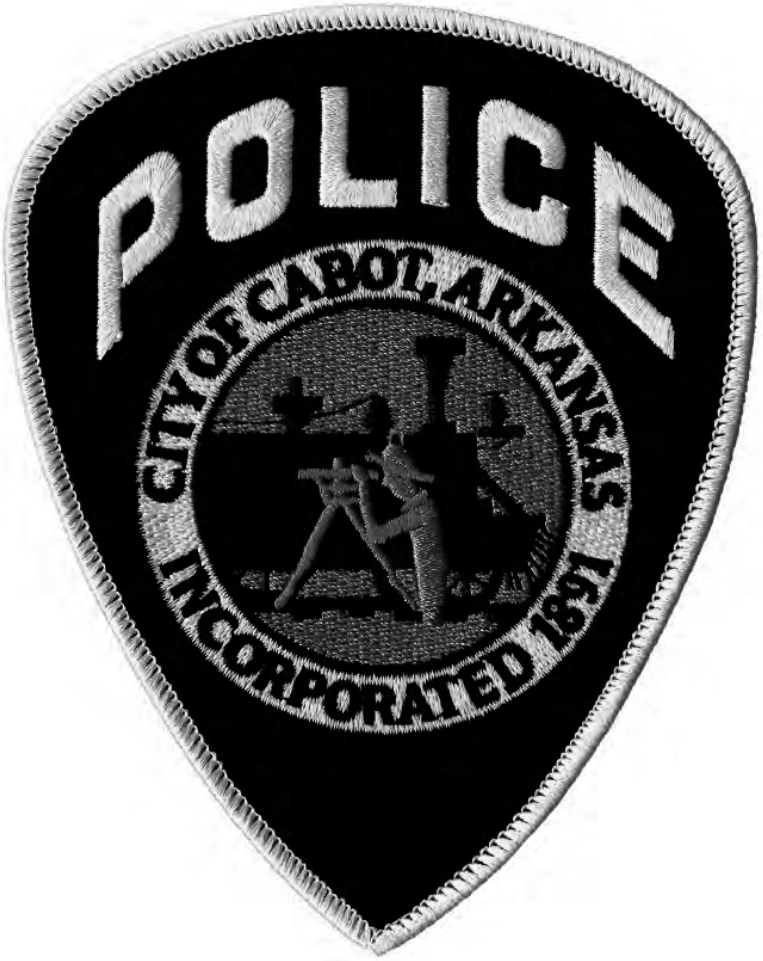
APPROVED AS TO FORM:

Jim Taylor, City Attorney

ATTEST:

Tammy Yocom, City Clerk-Treasurer

Cabot Police Department
Policies



Cabot Police Department Policies

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CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Audits and Inspections
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: Some police operations and tasks have a high risk, high liability potential. These police operations must be undertaken in a consistent, methodical manner in an attempt to undertake the necessary police operation/task, yet reduce the liability potential. This liability potential can be reduced when the department can document that the procedures in place were consistently followed. A police department must conduct formalized, regular audits and inspections of these high risk, high liability operations and tasks.

II. Policy: It is the policy of this department to conduct audits and inspections of designated police operations and tasks on both a scheduled and unannounced frequency.

III. Procedure: The following operations and tasks shall be audited and inspected by a person/unit designated by the Chief of Police. This person/unit shall be directly responsible to the Chief of Police. The person(s) conducting the audit/inspection shall use the formal checklist to ensure that all relevant areas of concentration are addressed in the audit/inspection. The ultimate purpose for these inspections is to ensure that the operation/task is being conducted consistent with department policy/procedure and the law. Scheduled inspections shall enlist and involve the personnel of the unit/function being inspected, unless there is an indication that this would inhibit the process of the audit/inspection. Unannounced audits/inspection shall be conducted at the direction of the Chief of Police.

A. Schedule: The following operations/tasks shall be audited/inspected on the following schedule:

i.	Access to Criminal Information Systems	Annual Report
ii.	Citizen Complaint Investigations	Annual Report
iii.	Use of Force/Control of Resistive Persons Reports	Annual Report
iv.	Pursuit Reports	Annual Report
v.	Property/Evidence (Narcotics, Money, Guns)	Annual Report
vi.	SORT Equipment and Training	Annual Report

vii.	Crowd Control Contingency Plans and Equipment	Annual Report
viii.	Less than Lethal Weaponry	Annual Report
ix.	Mandated Training	Annual Report
x.	Racial Profiling Policy Review/Update	Annual Report
xi.	Video Camera Supervisory Reviews	Quarterly Report

B. Inspection Process: The process of the inspection/audit shall respect the dignity of all departmental personnel and be conducted in a professional manner.

i. Written Report:

a. Specific examples of positive and negative issues, if observed, shall be identified.

b. This report shall be forwarded directly to the Chief of Police and/or their designee.

C. Follow-Up Requirements

i. Each audit/inspection report that identified a deficiency or area of concern shall result in a follow-up audit/inspection within one month of the discovery of the deficiency.

D. Maintenance Of Audit/Inspection Reports

i. All reports of audit/inspections shall be maintained in a secure location for a minimum of five (5) years or longer where required by state law.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Biased Based Policing
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose

A. Members of this law enforcement agency shall not violate the constitutional rights of persons, regardless of race, ethnicity, national origin, religion, color, creed, gender, age, sexual orientation, disability, or any other belief system.

B. This policy serves to (1) reaffirm this law enforcement agency's commitment to unbiased law enforcement practices, (2) further clarify the circumstances in which officers may consider race or ethnicity when making enforcement decisions, and (3) reinforce procedures that assure the public this agency is providing service and enforcing laws in an equitable and lawful fashion.

II. Policy: It is the policy of this department to respect the rights of all persons. As such, this department will work diligently to ensure the following:

A. Law enforcement officers of this agency shall not violate citizens' equal protection rights. Toward this end, members are prohibited from engaging in racial/bias profiling in any aspect of law-enforcement activity as defined by this policy.

B. It shall be the policy of this law enforcement agency that officers base pedestrian or motor vehicle stops, detentions, investigative activities, searches, property seizures, or arrests of a person upon a standard of reasonable suspicion or probable cause in compliance with the United States and Arkansas Constitutions as well as federal and state law.

C. Law enforcement officers of this agency shall be prohibited from utilizing race, ethnicity, national origin or religion to any degree in making law enforcement decisions, except to determine whether a person matches the description of a particular suspect.

D. The statements of policy and definitions contained herein shall not be construed or interpreted to be contrary to the Arkansas Rules of Criminal Procedure or the Constitutions of the United States or the State of Arkansas.

III. Definitions

A. "Probable cause" means that set of facts or circumstances based on reliable information, personal knowledge or observation by an officer, which reasonably shows and would warrant an ordinary prudent person in believing that a particular person has committed, is threatening, or is about to commit some criminal violation of the law. This definition is subject to federal and state court interpretation and other applicable law.

B. "Reasonable suspicion" means suspicion based on facts or circumstances which of themselves do not give rise to the probable cause requisite to justify a lawful arrest, but which give rise to more than a bare suspicion; that is, a suspicion that is reasonable as opposed to an imaginary or purely conjectural suspicion. This definition is subject to federal and state court interpretation and other applicable law.

C. "Reasonable cause to believe" means a basis for belief in the existence of facts which, in view of the circumstances under and purposes for which the standard is applied, is substantial, objective, and sufficient to satisfy applicable constitutional requirements. This definition is subject to federal and state court interpretation and other applicable law.

D. "Reasonable belief" means a belief based on reasonable cause to believe. This definition is subject to federal and state court interpretation and other applicable law.

E. "Racial profiling" means the practice of a law enforcement officer relying, to any degree, on race, ethnicity, national origin, or religion in selecting which individuals to subject to routine investigatory activities, or in deciding upon the scope and substance of law enforcement activity following the initial routine investigatory activity, except that racial profiling does not include reliance on the criteria in combination with other identifying factors when the law enforcement officer is seeking to apprehend a specific suspect whose race, ethnicity, or national origin is part of the description of the suspect, and the description is thought to be reliable and locally relevant. This definition is subject to federal and state court interpretation and other applicable law.

IV. Field Officer Responsibilities

A. Members of this law enforcement agency, whether sworn, civilian, or volunteer, shall treat every person with courtesy and respect when interacting with the public and will conduct all law enforcement duties in a professional manner.

B. Officers shall base all pedestrian and motor vehicle stops, detentions, investigative activities, or arrests on a standard of reasonable suspicion or probable cause and in doing so shall not violate this policy.

C. Upon initial contact, each law enforcement officer shall provide his or her name, jurisdiction, and the reason for the pedestrian or motor vehicle stop to the accused. If asked for a badge number by the pedestrian or driver of a motor vehicle, the law enforcement officer shall oblige, when it is reasonable to do so, by providing such information.

D. When stopping a pedestrian or a driver of a vehicle for an alleged motor vehicle violation, each law enforcement officer shall take into account circumstances

associated with each individual pedestrian or motor vehicle stop and shall use discretion in determining whether to issue a written warning or a citation.

E. In an effort to minimize conflict during interactions with accused violators when stopping and or detaining persons, it is recommended that officers attempt, where feasible and reasonable, to:

i. Extend a customary greeting to each person such as: Good morning, afternoon, or evening.

ii. Identify themselves by name. For instance:

i. I am Officer _____ of the Cabot Police Department.

iii. Explain the reason for the stop or detention:

i. I stopped you because _____.

iv. Listen politely and give the accused ample opportunity to tell his or her story and explain his or her behavior.

v. Politely ask for identification and any required documents: "May I please see your driver's license, registration and proof of motor vehicle insurance?"

vi. Complete paperwork and advise the driver or pedestrian as to what action is being taken and what, if anything, the person must do as a result such as: pay a fine, obtain a court hearing, etc.

vii. Extend a departing pleasantry such as: "Please drive safely," or "Thank you for your cooperation."

viii. Make sure the driver is able to merge safely back into traffic.

ix. Remain courteous and project a professional demeanor during the interview, questioning or contact.

x. Officers shall refrain from participating in or encouraging any actions or statements that could be reasonably perceived as racial/bias-related profiling, including but not limited to racial slurs or derogatory references about a minority group.

xi. Officers shall report, in a timely manner, any allegations of racial/bias-related profiling to their immediate supervisor as is more specifically defined herein.

xii. If a supervisor is not available, then the officer shall obtain contact information of the complainant including phone number and address. This information shall be forwarded through the chain of command, up to and including the Chief.

V. Supervisor Responsibilities

A. Each supervisor is responsible for ensuring that all personnel under their command fully understand the content of this policy and are operating in compliance with the procedures herein.

B. Each supervisor shall be responsible for making contact, when possible, with any known complainant alleging biased law enforcement practices by his or her field officers, either on the scene or by telephone and documenting same in writing using departmentally approved Citizen Complaint Form.

i. If the complaint is not resolved and forms have not already been filled out, the supervisor shall offer to provide the complainant a Citizen Complaint Form.

ii. If the supervisor arrives at the scene of the allegation, then she/he shall provide a Citizen Complaint Form. The supervisor shall document if any witnesses or audio/video recordings are available.

iii. The supervisor shall further provide guidance to the complainant, as needed, in completing and filing the complaint as well as explaining the department's policy and in particular the investigative process.

C. Upon receipt of a complaint, each supervisor shall address the matter in a timely manner by doing the following:

i. Evaluate, provide a written report, and process each Citizen Complaint Form alleging biased law enforcement practices to the Chief of Police or his/her designee.

a. Written reports shall be completed within two business days of filing by complainant.

ii. Evaluate, copy, and submit a written report to the Chief of Police or his designee detailing the review of any evidence, if applicable.

a. Each supervisor shall maintain a copy of any audio/video recordings, if applicable, and any written report submitted to the Chief of Police or his designee.

b. The written report shall be completed within two business days of filing by complainant of filing by the complainant and submitted to the Chief of Police or his designee for investigation.

VI. Allegations of Biased Law Enforcement Practices

A. When accused of biased law enforcement practices, the field officer shall first contact their immediate supervisor for advice on the situation.

i. When practical to do so, the supervisor shall report to the scene to mediate the situation.

ii. Field officers shall provide complainant(s) with their name and department telephone number of his or her immediate supervisor, and the contact name and department telephone number of the assigned Lieutenant, Chief of Police, or his designee.

iii. Field officers shall complete a written report detailing the incident, the allegation(s) made, the purpose for the pedestrian or motor vehicle stop, detention, investigative activity or arrest, and submit the report to his or her supervisor.

B. Along with their written report, field officers shall document any audio/video recording containing the encounter in question, if applicable, to his or her supervisor.

C. All allegations of biased law enforcement practices shall be investigated by the department in a like and consistent manner.

VII. Departmental Review

A. Management of this law enforcement agency shall implement a systematic review process to generate annual analyses of the statistical information collected from the Citizen Complaint Form.

B. These analyses shall identify allegations specific to biased law enforcement practices.

C. If a pattern is identified, the Chief of Police or his designee shall be responsible for conducting an investigation to determine whether officers of the agency have violated the provisions of this policy and/or other department policies or procedures.

D. Officers found to have engaged in biased law enforcement practices shall receive counseling, remediation, corrective training, timely assistance and/or discipline, including but not limited to termination, in a timely manner.

VIII. Documentation and Record Keeping

A. Any officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall document the stop with the following information, which shall be included in addition to any other information documented by the officer:

i. A physical description of each person detained as a result of the stop, including:

a. The person's gender.

b. The person's race or ethnicity if known.

ii. The traffic law or ordinance alleged to have been violated or the suspected offense;

iii. Whether the officer conducted a search as a result of the stop, and if so, the basis for that search: consent of the person detained, existence of probable cause, frisk for weapons, or other;

iv. Whether any contraband was discovered in the course of the search and the type of contraband discovered;

v. Whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

vi. The street address or approximate location of the stop;

vii. The date and time of the stop; and,

viii. Whether the officer issued a warning or a citation as a result of the stop.

B. Every year, no later than April 1st, this law enforcement agency will compile the above information relating to the race/ethnicity of individuals stopped.

C. The information will be reported in a format that may include, but is not limited to, the reporting of the data in numerical and/or percentage categories of ethnicity, stops, reasons for the stops, searches resulting from the stops, and disposition of the stops.

D. This law enforcement agency shall also compile data on individual officers to be used in evaluation and as an early warning system for possible racial/bias profiling.

E. The data and documentation collected pursuant to this general order shall not constitute prima facie evidence of racial profiling or any other violation of civil rights or of state or federal law.

IX. Training

A. Training shall be in compliance with state law and regarding this policy. This training may also include:

i. Training of all current and future agency employees as to this policy and the prohibition against racial/biased profiling;

ii. Annual in-service training stressing the understanding and respect for racial, ethnic, national, religious and cultural differences and development of effective and appropriate methods of carrying out law enforcement duties;

iii. Input from those classes of persons identified in the agency policy in development of curriculum;

iv. Specific lesson plans for patrol officers, supervisors, etc.;

v. A review of the agency's operating procedures that implement the prohibition against racial profiling and the affirmation by agency employees that they have copies of, understand, and are following the policy.

B. Further, training shall be planned and completed in compliance with the standards designed by the Commission on Law Enforcement Standards and Training ("CLEST").

X. Communication to the Community of this Policy

A. This law enforcement agency shall be responsible for providing public information relating to the agency's efforts to comply with government mandates on racial profiling. This will include public education relating to the agency's complaint process. Avenues for this information may be, but not limited to, any of the following:

i. Pamphlets developed by the agency;

ii. Information available on the City's website;

iii. Community meetings and public forums in which bias/racial profiling is discussed;

iv. News/press releases.

B. Communication of this policy with the community shall be available in English and in Spanish.

XI. Retaliation

A. No member of this law enforcement agency, regardless of rank or stature, shall retaliate against fellow officers, officials, civilians, or volunteers for reporting incidents of biased law enforcement practices or for participating in or cooperating with the investigation of those incidents.

B. Actions or behaviors found to constitute retaliation shall be immediately addressed and may lead to dismissal.

XII. The Use of Digital Recording Equipment

A. If digital recording equipment is available within the law enforcement agency, please refer to the appropriate policy.

XIII. Legislative Audit Requirements

A. To the extent that state law mandates local law enforcement agencies to file reports with Legislative Audit, this order/policy shall be included in the annual report that the department submits to the Division of Legislative Audit.

XIV. Public Inspection

A. A copy of this policy shall be kept at the City Attorney's Office for public inspection.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Body Worn Video Recording (BWV)
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this Office for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct Officers and Supervisors in the proper use and maintenance of BWV as well as directing how video will be utilized as a quality control mechanism and evidence.

II. Policy: It is the policy of this department to provide officers as designated by the Chief of Police or his designee with BWV devices as feasible. All non-department issued BWV will be prohibited. Officers shall activate the BWV when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations or in-car-video covered under separate policy or directive.

III. Definitions:

A. Law Enforcement Contact: A law enforcement contact within the meaning of this policy is any contact or activity whereby an Officer stops a person's movement by a means intentionally applied or conducts any activity requiring probable cause, reasonable suspicion, or consent to form the legal basis for the conduct. A law enforcement contact or activity does not include mere conversation or other contact outside the scope of a law enforcement purpose when such contact does not require any legal basis.

IV. Procedure:

A. Officers using BWV equipment shall be trained in its use, maintenance, required documentation, and storage of such recordings.

B. Known improperly functioning equipment shall be reported to the immediate supervisor or other reporting mechanism established by this department for purpose of replacement or repair.

C. Officers assigned BWV are required to wear such devices unless otherwise directed by the Chief of Police or his designee or other unforeseen circumstances that prevent the wearing of the device. BWV will be worn on the officer's body in a manner consistent with manufacturer approved mounting platforms.

D. BWV activation is limited to situations involving official police activities authorized by law or court order and the investigation of law violations. Officers are authorized to record events when the officer is a party to the conversation, or when an individual is in custody and there is generally no expectation of privacy. Officers will audio and video record, as feasible, the following events, including but not limited to:

- **i.** Calls for Service with Citizen Contact;
- **ii.** Traffic Stops;
- **iii.** All Transports Excluding Ride-Alongs;
- **iv.** Investigative Stops;
- **v.** Vehicle Pursuits;
- **vi.** Foot Pursuits;
- **vii.** Arrests, Searches, Seizures;
- **viii.** Verbal Witness/Suspect Statements;
- **ix.** Miranda Warnings, Arrestee Interviews;
- **x.** Any Other Contact that Becomes Adversarial After the Initial Contact in a Situation that Would Not Otherwise Require Recording.

E. Officers will make reasonable efforts to ensure the BWV recording equipment is accurately capturing events. Officers are prohibited from turning off the BWV during any citizen contact or law enforcement event unless otherwise authorized by this policy, and Officers shall not erase, alter, modify or tamper with BWV recordings.

F. Recording shall continue until the law enforcement event or citizen contact is completed and the citizen involved departs or the officer discontinues his or her participation in the law enforcement event or citizen contact by leaving the scene.

G. In the event an officer deems it necessary to stop recording or becomes aware that a recordable event was not recorded, the officer will document such event in CAD and by email to the officer's supervisor and system administrator.

V. Issues Related to Privacy:

A. BWV should not be activated when: the officer is on break, engaged in personal activities, involved with citizen encounters outside the scope of a law enforcement contact or purpose, or when the officer is in a location under circumstances requiring a respect for an expectation of privacy such as a restroom, locker room, or other area when people are in an exposed or otherwise compromised state. However, should exigent circumstances develop where the need to record an event outweighs any privacy concern, the officer will activate the device where feasible to do so.

B. BWV will not be activated when encountering known undercover officers.

C. When entering a residence that requires a consent to search, Officers will inform the resident that he or she is wearing an activated recording device.

D. When legally entering a residence without the consent of the resident, such as serving a warrant or exigent circumstances, or undercover operations, recordings will be made of the incident until its conclusion.

E. The BWV will not be activated during personal or administrative conversations between officers, or between officers and supervisors.

VI. Electronic Storage

A. Original digital files from a BWV will be downloaded and stored on a designated network server or other electronic network storage.

B. Officers will make reasonable attempts to download video/audio files before the end of each shift.

C. Non-evidentiary video/audio recordings will be maintained in electronic storage or the network server for a period of time as directed by the Chief of Police or his designee but in no case will be held less than any required amount of time pursuant to the Arkansas Freedom of Information Act or court decision related thereto.

D. Video/audio recordings determined to be evidentiary in any criminal or civil proceeding shall be copied to DVD or other media and handled in accordance with departmental regulations regarding electronic evidence or work product. Recordings will be maintained in accordance with Arkansas law related to police municipal records as outlined in ACA 14-2-204. Recordings known to pertain to civil matters will be maintained for a minimum of three years or until such a time as the civil matter is resolved and all time for appeal has exhausted.

E. All recording media, recorded images and audio recordings are the property of this agency. Dissemination outside the agency for reasons other than criminal prosecution is strictly prohibited without specific authorization of the Chief of Police or his designee.

F. Malicious destruction or deletion of video and audio files is prohibited.

G. All video and audio files are subject to open records request as allowed by Arkansas law.

H. Electronic media will be stored in a manner designated by the agency.

I. If a recording is used in a disciplinary action resulting in suspension or termination against an employee, the recording shall be held for a minimum of three (3) years from the completion of the disciplinary action.

J. Electronic media is subject to review by the Chief of Police or his designees.

K. Video shall not be reproduced or publicly displayed for non-law enforcement purposes without the express authority of the Chief of Police or his designee.

L. Second line supervisors or a designee should review a random sample of BWV recordings periodically for each officer supervised for policy, training and legal compliance. After review, the supervisor will document the review and any supervisory actions taken. Supervisors should meet with individual Officers to provide guidance, training and correction when required. Supervisors will initiate formal counseling or internal affairs procedures; as the need arises. When corrective action is taken, a special review may be implemented for that particular officer for a set duration of time in order to ensure compliance with the corrective action.

VII. BWV Evidentiary/Administrative Procedures:

A. When an officer becomes aware that a BWV recording contains potential evidence of a criminal or administrative matter, the officer is required to ensure the video is uploaded to the network server and document such recording via police report and/or other procedures established by this department.

B. When a BWV related to evidence of a criminal or administrative matter is recorded, the evidence custodian will ensure the video is uploaded to the network server or other electronic media and disseminated per department procedures.

C. Where there is any indication that the BWV may contain "*Brady*" material, that recording must be saved and turned over to the prosecutor assigned to the case in accordance with the "Duty to Disclose" policy of this department.

D. Civilians shall not be allowed to review recordings except as approved by the Chief of Police or his designee, through the process of evidentiary discovery and/or F.O.I.A. request.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Canine Policy
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to outline mandates relating to the use of police service dogs in the law enforcement operations.

II. **Policy:** It is the policy of this department to recognize the value of law enforcement service dogs as a part of the overall law enforcement operation as well as ensure that canine use is balanced with the rights of all persons. In cases where a canine may bite a suspect, the use constitutes a use of force and must meet the mandates of this department's policies on use of force.

III. **Procedure**

A. General Operational Procedures

i. When feasible and other means of transport are available, prisoners shall not be transported in a vehicle occupied by a canine. When other transportation is not available, prisoners may be restrained and belted in the front passenger seat of the canine vehicle or placed in a specialized rear seat compartment manufactured for such a purpose and transported to the police department and/or jail. In such circumstances, the partition between the canine compartment and the prisoner shall be configured in such a manner as to prohibit contact between the passenger and canine.

ii. Members who are selected for a position as a canine handler have the responsibility of caring for their assigned canine. Handling and care include:

a. All handlers are to ensure that the general health, hygiene, and care of their assigned canine are properly maintained and that periodic veterinary exams are provided in accordance with appropriate schedules.

b. All handlers will groom their canines as needed.

c. Handlers shall conduct daily physical examinations of their canine when practical to determine any injuries, health issues, ticks, or flea infestations.

d. A department supervisor, designated by the Chief of Police or their designee, shall make periodic visits to the canine's kennel area to inspect health, sanitation, and security conditions for the canine.

e. In cases of extended absence of the canine handler where the handler is unable to provide the basic care for the canine, the Chief of Police or their designee may assign another person and/or a kennel facility to care for the canine.

f. Any changes in the living status of the handler which may affect the health, welfare, safety or security of the canine, or others coming into contact with the canine, shall be reported to the supervisor responsible for oversight of the canine.

B. Response to Requests for Canines

i. Upon arrival at a request for service, the canine handler shall be responsible for determining if the circumstances of the event justify the use of a canine.

ii. The handler will make the final determination on the deployment of the canine. A supervisor responsible for the overall event may direct that a canine not be deployed; however, the supervisor shall not order deployment where the handler determines that such deployment is reasonably inappropriate.

iii. A canine handler shall not knowingly deploy their canine beyond the capabilities of the canine team's (handler and dog) training and certification.

C. Canine Deployment/General Provisions

i. In any case where the canine is used to locate an individual or object based upon scent, first responders shall set up a perimeter and ensure that no one enters the area such that there will be a scent contamination.

ii. First responders should be specifically instructed not to enter the area.

iii. First responders shall exhaust all reasonable efforts to determine if innocent persons, including officers, are within the area to be searched.

iv. Canine handlers shall give a warning anytime the canine is going to be used and the possibility exists that the canine will bite anyone.

v. Example of an acceptable announcement (search-suspect): "Police: You are under arrest. I have a trained police dog. Make yourself known and surrender. If you do not immediately make yourself known and surrender, I will release the dog. He will find you and bite you."

vi. Canine warning announcements shall be made in a loud and clear voice, by methods deemed appropriate for the circumstances by the handler. Such

warning may be made by loud voice or by PA system depending on the circumstances with which the canine team is confronted.

vii. After giving the announcement in search cases, the handler shall wait a reasonable amount of time to allow the subject to peacefully surrender. The amount of time will vary depending on the search area as well as any articulable exigent circumstances that may exist at the time.

D. Deployment as Response to Resistance

i. The use of a canine for purposes of apprehension is non-deadly force.

ii. Handlers should recognize that due to the distinct ability to recall the canine and terminate the apprehension command, there is the ability to de-escalate this type of force option.

iii. If a suspect surrenders or discontinues resistance, the canine apprehension will be terminated.

iv. A fleeing or hiding suspect creates a potentially dangerous circumstance for pursuing or searching officers since the suspect's intent is unknown. It may also be unknown as to whether or not the subject has access to weapons. Thus use of a canine under these circumstances would normally be reasonable for:

a. The protection of the handler;

b. Protection of the officers and others;

c. Apprehension of a suspect who continues hiding after a warning or who continues to flee after a lawful show of authority to stop.

E. Authorization, Deployment, and Uses of Law Enforcement Canines

i. Criminal Apprehension

a. Handlers must recognize that all uses of force, including the use of a canine must be objectively reasonable under the circumstances. Under the law, as well as this department's response to resistance policy, handlers should consider

1. The seriousness of the offense for which the subject is suspected at the time the canine is used;

2. Whether the subject poses a physical threat to the officer or others and what degree of threat does the subject pose;

3. And is the subject actively resisting or attempting to evade arrest by flight.

b. If a suspect surrenders or discontinues resistance the canine apprehension will be terminated.

c. Criminal apprehension will generally be accomplished off-lead, but it may also be accomplished on-lead.

d. Warning (physical threat): A warning shall be given in accordance with the provisions of this policy.

e. No one, other than the handler should interfere with the canine once the dog is committed to make the apprehension, unless specifically directed by the handler.

f. The handler should continue to instruct the suspect to stop resisting during the canine apprehension.

g. As soon as practical following submission by the suspect, the handler shall command the canine to release the suspect or physically remove the canine from the suspect as tactics dictate. The canine will then be called to a watch position.

h. The canine handler will instruct the suspect that the failure to follow commands and remain submissive will result in the dog being released to accomplish the apprehension.

i. Where other officers are available, they may be summoned by the handler to handcuff and search the subject while the handler maintains a watch position with the canine. Where no officers are available, the canine officer may await arrival of backup or leave the canine off-lead in the watch position while the officer handcuffs and searches the subject. Such tactical determinations shall be made by the canine handler.

j. Once the suspect is controlled and the scene secure, the handler will ensure that the subject is provided with medical care if any injury was sustained in the apprehension.

ii. Evidence Searches

a. Canines may be utilized in an attempt to recover items related to crime which may be needed as evidence for criminal prosecution.

b. All searches will be systematically conducted as determined by the handler.

c. The handler will decide if the search will be conducted on-lead or off-lead, based on the particular circumstances of the search.

iii. Building Searches

a. Building searches may be conducted when it is believed that a suspect has gained unauthorized entry into a building or has fled into a structure for the purpose of concealment when the following two criteria are met:

1. The officer(s) reasonably believes to have probable cause to arrest the subject for a criminal offense.

2. The use of a canine as force must be objectively reasonable.

b. In cases where a canine is to be utilized, first responding officers shall be instructed to immediately set up a perimeter which minimizes the

ability of the subject to escape, but also keeps officers on the outside of the structure so as to avoid cross-contamination of the suspect's scent, thereby diminishing the effectiveness of the canine.

c. Prior to use of the canine, the handler shall make an announcement in keeping with this policy.

d. The handler shall wait a reasonable amount of time, determined by the size of the building, to allow innocent persons to exit and the opportunity for the suspect to peacefully surrender.

e. The handler shall give additional announcements prior to commencing the search on each separate floor or unit when searching large structures such as office buildings or warehouses.

f. All searches will be systematically conducted as determined by the handler.

g. Searches will be conducted off-lead unless the safety of the canine would be jeopardized, and/or tactics would dictate otherwise as determined by the handler.

iv. Open Field Searches:

a. Open field searches may be conducted when it is believed that a suspect has fled into a field or wooded area when the following two criteria are met:

1. The handler shall give additional warnings as deemed appropriate by the handler considering the size of the area to be searched and the likelihood that a suspect would hear the prior warning.

2. Handlers shall also consider ambient noise in the area which may limit the subject's ability to hear the warning;

b. All searches will be systematically conducted as determined by the handler.

c. Searches will be conducted off-lead unless the safety of the canine would be jeopardized, and/or tactics would dictate otherwise as determined by the handler.

v. Tracking

a. Tracking is utilized in a multitude of law enforcement events including missing persons, suspects who have fled, lost children, etc.

b. The initial responding officers shall be directed to immediately establish a perimeter.

c. Tracking shall be conducted on lead at a sufficient length to be determined by the canine's handler. The handler will also determine whether or not a back-up officer will be utilized on the track based upon the particular circumstances of the event.

d. Alternative announcements may be used when dealing with a lost or missing person that include calling out the person's name and advising that the canine is looking for them.

vi. Tactical Deployment

a. Canine teams may be used for purpose of tactical deployments in conjunction with a SORT team or high risk operation. Canine use in these circumstances may include:

1. Perimeter Control

2. Target Disruption

3. Other purposes designated by the incident commander with the agreement of the canine handler. The handler will make the final determination on the deployment of the canine. A supervisor responsible for the overall event may direct that a canine not be deployed; however, the supervisor shall not order deployment where the handler determines that such deployment is reasonably inappropriate.

vii. Scent Searches

a. To the extent that such specialized trained canines are available, canines may be used for conducting scent searches for such items as:

1. Explosives

2. Cadavers

3. Narcotics

4. Accelerants (Fire Cases)

5. Recently dropped articles/evidence

b. All searches will be systematically conducted as determined by the handler.

c. The handler will decide if the search will be conducted on-lead or off-lead, based on the particular circumstances of the search.

d. Motor vehicle narcotics sniffs will be conducted in accordance with the provisions of this department's applicable search policies and the following:

1. The handler shall determine that the area where the vehicle is located is safe for canine deployment taking into account the safety of the officers, the canine, the occupants of the vehicle and the motoring public.

viii. Public Disturbances:

a. An officer or an incident commander may call for the canine team to respond to the scene of a civil disturbance, imminent civil disturbance, or other unruly public disturbances.

b. Where no emergency circumstance exists, the canine team may be staged until a determination is made as to if the team will be deployed, and how the team will be deployed.

c. The responding team will determine how to deploy and utilize the team. A supervisor responsible for the overall event may direct that a canine not be deployed; however, the supervisor shall not order deployment where the handler determines that such deployment is reasonably inappropriate.

1. Canines shall not be used for crowd control at the scene of a peaceful protest.

F. Community Relations/Demonstrations: All requests for canine demonstrations shall be directed to the Public Information Officer, who shall then seek approval of the Chief of Police or their designee to conduct the demonstration.

i. Handlers conducting demonstrations shall ensure that their appearance, as well as that of the canine and the equipment utilized, reflects professionally upon the department

ii. Handlers shall maintain control of the canine at all times.

iii. Audience participation shall be restricted, and any contact with the canine shall be at the discretion of the handler who is in the best position to know the canine's reaction to others. The audience shall be instructed that law enforcement canines are working dogs and due to their specialized training, they should be approached cautiously

iv. Handlers shall not demonstrate force or criminal apprehension without express authorization from the Chief of Police or their designee.

v. Handlers shall not roughhouse, tease, or agitate the canine unless such conduct has been expressly authorized by the Chief of Police or their designee for purposes of the demonstration.

G. Emergency Circumstances

i. In a circumstance where the canine handler suffers a personal injury while on duty, the handler shall, if physically capable, request emergency medical assistance as needed, as well as the presence of necessary support officers and a supervisor. If physically able to do so, the handler shall ensure that his or her canine is properly attended and secured. If available, another handler shall be called to the scene to assist in securing the injured handler's canine. If another handler is not available, an officer or supervisor who is most familiar with the particular canine shall be called to the scene to assist in securing the canine.

ii. In the event that a handler sustains an incapacitating injury, the supervisor, or other available officer, shall ensure by all means necessary that the handler safely receives emergency medical treatment and transport to an appropriate medical facility. The supervisor, or where no supervisor is available, an officer will then take necessary steps to secure the handler's canine.

H. Veterinary Care:

i. All non-emergency veterinary care shall be coordinated by the supervisor responsible for the canine unit through a pre-approved veterinary facility. In an emergency, an effort shall be made to bring the canine to the pre-approved facility; however, where such an effort will jeopardize the life of the canine, the handler shall take steps necessary to get the canine to the most urgent facility.

ii. All records of medical treatment shall be maintained by the canine handler and filed within a department file, stored at the department for such records.

iii. In the event that a canine is deemed unsafe, the team will be immediately taken out of service. As soon as operationally feasible, the canine shall be evaluated by the pre-approved veterinary facility. If the canine is deemed no longer suitable for service, the canine shall be retired.

iv. The Chief of Police or their designee shall be notified when a canine is taken out of service for medical reasons, as well as when the canine is returned to duty following documentation of the reasons by the treating veterinarian.

I. Certification and Training

i. All canines and handlers assigned by this department shall, at a minimum, meet all certification requirements as required by the State of Arkansas.

ii. Training: All canines and handlers assigned by this department shall, at a minimum, be trained in accordance with the training provided by the State of Arkansas.

J. Documentation of Canine Usage and Training

i. All canine deployments shall be documented in the canine's activity log. This shall include events where a suspect submits upon warning of the canine's presence.

ii. All canine usage related to response to resistance shall be the subject of a response to resistance report which includes all required documentation.

iii. All training must be documented in a training log and forwarded to the canine's administrative file.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Code of Conduct
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** Law enforcement employees, representing government, bear the heavy responsibility of maintaining their own conduct, and the honor and integrity of the government entity that they represent. It is the purpose of this policy to provide additional guidance to the standards of conduct embodied in the law enforcement officer's code of ethics, this agency's mission statement and core values, as well as other ethical directives issued by superior governing authorities that may be applicable to this department so that employees of this department will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty.

II. **Policy:** It is the policy of this department to maintain the highest standard of integrity by working diligently to maintain the community's trust. All departmental employees must recognize that they are held to a higher standard than the private citizen they protect, in addition to representing the Department, they also represent the law enforcement profession. Conduct, on and off duty, must be beyond reproach. Department employees must avoid any conduct that might compromise the integrity, morale, operations or efficiency of the Department. Violation of Federal, State and Local laws, as well as Department Policy may result in disciplinary action up to and including termination.

III. **Definitions**

A. Ethical Conduct: Means actions that reflect the ethical standards consistent with the rules and values published by this department.

B. Public Servant/Public Employee: Means an individual who is employed, appointed, or represents this department.

C. Sworn Officer: An employee of this department who is a probationary or certified officer as defined by the laws, rules and regulations or the state of Arkansas.

D. Harassment: Considered a form of discrimination and is defined as any conduct directed toward another because of that person's race, color, religion, age, gender, sexual orientation, national origin, ancestry, disability, veteran status or any other basis that is inappropriate or offensive as determined by using a reasonable person standard. The "reasonable person" standard considers whether a reasonable person would find the behavior or conduct in question offensive.

E. Sexual Harassment: Means unwelcome sexual advances; requests for sexual favors; and other verbal and physical conduct when:

- **i.** Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- **ii.** Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- **iii.** Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

F. Quid Pro Quo Harassment: A circumstance by which an employee is afforded a favorable employment action in exchange for a sexual favor.

G. Hostile Work Environment: A circumstance by which an employee is confronted with an environment involving sexually explicitly language, photos, or conduct.

H. Sexual Discrimination: The disparate treatment of an employee with respect to work benefits, conditions, assignments, promotions, etc. based upon the gender of the employees, unless such disparate treatment is necessary based upon some bona-fide occupational qualification (i.e. undercover assignment where a male is necessary due to the nature of the infiltration.)

I. Domestic Misconduct: The department defines this type of conduct very broadly. This definition may be broader than State law, but it is intended to assure the continuation of positive performance within the department by the involved employee and other members of the department. A domestic relationship involves any employee who is or has been married to the other party; involves any member of the employee's household; who is living or has lived with the other party; has had a child with the other party; or is or has engaged in an intimate relationship with the other party. Misconduct refers to any physical assault or battery, vandalism, stalking, intimidation, coercion, or criminal act against a party within this form of domestic relationship.

J. Collateral Misconduct: Any conduct by another member of the police department to assist another department employee in the continuation of the act of misconduct. This would also include any actions designed to shield the employee or impair the ability of the department to be informed of the misconduct.

K. Sexual Misconduct: Any sexual activity while on-duty, stemming from official duty or violates the law. Sexual misconduct includes, but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.

IV. Prohibited Activities in accordance with A.C.A § 21-8-304 (2011)

A. No public servant shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or his or her spouse, child, parents, or other persons standing in the first degree of relationship, or for those with whom he or she has a substantial financial relationship that are not available to others except as may be otherwise provided by law.

B. No public servant shall accept employment or engage in any public or professional activity while serving as a public official which he or she might reasonably expect would require or induce him or her to disclose any information acquired by him or her by reason of his or her official position that is declared by law or regulation to be confidential.

C. No public servant shall disclose any such information gained by reason of his or her position, nor shall he or she otherwise use such information for his or her personal gain or benefit.

V. Regulations Regarding Conduct

A. Oath of Office: All sworn employees will take and abide by an oath of office upon assuming sworn status with a law enforcement agency. The oath of office will be administered by appropriate legal authority. A copy of this oath will be signed by the officer and maintained in the employee's personal file.

B. Law Enforcement Code of Ethics: All sworn officers shall abide by the Law Enforcement Code of Ethics as outlined in CLEST Regulation 1020 Specification S-21. A copy of the Code of Ethics will be signed by the employee and maintained in the employee's personal file.

C. Abuse of Position: Employees shall not use their departmental position, identification card, or badge for:

i. Personal or financial gain.

ii. Obtaining privileges not otherwise available except in performance of official duty.

iii. Avoiding consequences of illegal acts.

iv. The solicitation of any gifts, service, gratuity, discount, or anything of value where there is any direct or indirect connection between the solicitation and their departmental membership, without the expressed written permission of the agency head.

v. The acceptance of any gift, service, gratuity, discount, or anything of value, the acceptance of which might tend to influence directly or indirectly their actions in any police business; or which might tend to cast an adverse reflection on the department or any employee thereof.

D. Associating with Criminal Element: Officers should not knowingly commence or maintain a relationship with any person who is under criminal investigation; indictment; arrest or incarceration, by this or another law enforcement agency; and/or who has a known criminal reputation in the community (i.e. persons whom

they know, should know, or have reason to believe are involved in felonious activity or crimes of moral turpitude), except as necessary for performance of official duties, or where unavoidable because of familial or personal relationships. Officers should disclose to their supervisor any personal relationships with such individuals that may bring discredit to the agency.

E. Informants: Employees shall maintain a professional relationship with department informants and shall not have any social, business or any other relationship beyond that required for purposes of department business with the informant.

F. Employee Responsibilities: Employees must exercise judgment, initiative, and sound reasoning in all official transactions; strive for efficiency and effectiveness; exercise restraint in difficult situations; seek self-improvement through formal and informal training; and assist fellow officers whenever possible. In situations where no written directive or supervisory guidance is available, employees are expected to analyze the situation and react in accordance with the mission statement and the core values of this department.

G. Faithful Discharge of Duties: In the performance of their duty, officers are called upon to make difficult decisions and must exercise discretion in situations where rights and liabilities are affected by conduct and judgment. Decisions are not made easily and involve choices which may cause hardship or discomfort. Police Officers must be faithful to their oath of office, the mission statement of this Department, the principles of professional police service, and the objectives of the department. In the discharge of duty, they must not allow personal motives to govern decisions and conduct.

H. Unbecoming Conduct: The conduct of an employee, on and off duty, reflects upon the department. Employees must avoid conduct which might discredit themselves or adversely affect the morale, operations or efficiency of the department. This department will not tolerate any form of illegal harassment, including any behavior on the part of employees, clients, customers, vendors, etc., that impairs an employee's ability to perform his/her duties.

I. Professionalism: Effective law enforcement depends on a high degree of cooperation between the department and the public. While the urgency of a situation might preclude ordinary social amenities, lack of professionalism will not be tolerated. Employees shall strive to: be courteous and civil to the public, as well as fellow employees; avoid harsh, violent, profane, or insolent language or demeanor and shall maintain objective attitudes regardless of provocation.

J. Attention to Duty: As most police work is performed without close supervision, responsibility for proper performance of duty lies primarily with the employee. An officer has a responsibility for the safety of the community and his or her fellow officers, and discharges that responsibility by faithful and diligent performance of duty.

K. Financial Obligations: Employees shall knowingly avoid incurring financial obligations which are beyond their ability to satisfy.

L. Harassment: Supervisors and all employees have an obligation to provide a work environment free of all harassment. This includes taking steps to ensure that the department is in a position to control prohibited harassment whether it is done by supervisors, co-workers or non-employees (such as vendors working with the department or supplying services).

- **i.** Reporting Requirements: All employees within the department have an obligation to promptly report violations of this policy. This would include illegal harassment, sexual harassment, sexual discrimination or indicators of a hostile, offensive work environment that the employee experiences, witnesses, or otherwise has knowledge of occurring.
- **ii.** The department shall promptly investigate all complaints regarding harassment or discrimination regardless of their origin.
- **iii.** Complaints should be made to an employee's immediate supervisor. If the immediate supervisor is involved in the allegation or the employee is uncomfortable with making a report to their immediate supervisor, they may bypass the chain of command in order to report the harassment or discrimination. Alternate reporting options include the Human Resources Manager or other governing body administration.

M. Domestic Misconduct: The department shall take immediate action when notified of any act of domestic misconduct involving an employee of this department.

- **i.** When the incident occurs within the jurisdiction of this department:
  - **a.** Assign the call for response by two uniformed officers and a supervisor, if available. In cases where no supervisor is on duty, a supervisor will be notified and respond.
  - **b.** Once the incident is contained, the supervisor shall contact the Criminal Investigation Division, if the situation warrants its.
  - **c.** The decision to arrest a department employee involved in domestic misconduct shall be the responsibility of the on-scene supervisor. When probable cause exists, the employee shall be arrested and processed the same as any civilian.

N. Sexual Misconduct: Sexual activity of any nature while on duty is prohibited.
Any use of official position and official resources to obtain information for purposes of pursuing sexual conduct is prohibited. Sexual misconduct is prohibited and shall be disciplined up to and including termination.

O. Retaliation: No employee shall be retaliated against for reporting allegations of illegal harassment, sexual harassment or discrimination. Any employee who believes he/she has been retaliated or discriminated against in any manner whatsoever as a result of having filed a complaint, assisted another employee in filing a complaint, or participated in an investigative process should immediately notify the Chief of Police or their designee and/or other applicable authority.

P. Duty to Know and Obey Laws, Policies, Rules and Regulations: It shall be the responsibility of every employee to know and adhere to federal, state and local laws and policies/directives of this department applicable to their job function and conduct to the extent reasonably possible.

Q. Refusal to Work: No employee of this department shall engage in any strike, work stoppage, slow down, or in any way refuse to fulfill their responsibilities.

R. Compliance with Lawful Orders: Employees will respond to and obey the lawful order of a supervisor to the extent reasonably possible in keeping with the rules and regulations of this department. Failure or deliberate refusal to obey a lawful order given by a supervisor shall be considered insubordination and therefore prohibited.

S. False Statements: No employee of this department shall intentionally or knowingly make a false statement, provide false information, or give false testimony in any official report, judicial proceeding, official hearing, administrative inquiry, or any other matter related to their employment.

T. Duty to Report Bribery: All employees are required to report bribery attempts. Such reports will be made via written memorandum addressed to the department head forwarded via their chain of command.

U. Incompetence: Employees should execute their duties in a professional and competent manner. Employees should meet and maintain reasonable measures of job performance. Repeated incidents of carelessness or a pattern of errors, neglect, and/or inattentiveness to job performance is considered incompetence.

V. Duty to Report: It is the responsibility of any employee to provide the department with specific notice whenever he/she is involved in or aware of any acts of misconduct.

VI. **Training:** The department shall conduct annual training regarding illegal harassment, sexual harassment and sexual discrimination for all employees that includes instruction on the reporting requirements of such conduct. This training shall be documented to ensure that all employees received the training.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Communicable Disease
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** To establish procedures for the proper investigation of incidents that involve persons who have, or are suspected of having a communicable disease. The procedures shall establish:

- **A.** Guidelines to reduce the risk to agency personnel from contracting a communicable disease during the performance of official duties.
- **B.** Procedures to be followed when an officer has a line of duty exposure to a communicable disease.
- **C.** The ability to assure the confidentiality and the prevention of discrimination against victims of communicable diseases.

II. **Policy:** To provide agency personnel with communicable disease information and current safety procedures which will assist in minimizing potential exposure, while increasing knowledge of the nature and potential risk of communicable diseases. It shall be the policy of this agency that every person receives appropriate service and emergency care regardless of their physical condition.

III. **Definitions:**

- **A.** Body fluids: Liquid secretions including, but not limited to, blood, semen and vaginal or other secretions that might contain these fluids, such as saliva, vomit, urine or feces.
- **B.** Communicable Disease: Those infectious illnesses that are transmitted through direct or indirect (including airborne) contact with an infected individual, including but not limited to the body fluids of the infected individual.

IV. PROCEDURES

A. Communicable Disease Prevention

i. In order to minimize potential exposure to communicable diseases, officers must assume that all persons are potential carriers of a communicable disease.

ii. Officers must cover all open cuts and abrasions with waterproof bandages prior to reporting for duty.

iii. Disposable latex gloves shall be worn when handling any person, clothing or equipment with body fluids on them, or when the officer anticipates becoming involved in assaultive behavior through which the officer may potentially become exposed to blood or body fluids containing blood.

- **a.** Gloves should not be reused, and a new pair should be put on before handling a different person or touching uncontaminated items.
- **b.** When leather or cotton gloves are worn for crime scene work, latex gloves can be worn underneath for added protection.
- **c.** In appropriate circumstances, more than one pair of latex gloves shall be worn to protect against exposure.

iv. Mask, protective eye goggles, and protective disposable coveralls shall be worn where body fluids may be splashed on the officer, or where airborne contamination of a communicable disease is anticipated.

Note: to date, there have been no documented cases of transmission of Hepatitis B virus (HBV) or HIV through airborne contamination.

v. Plastic mouthpieces or other authorized barrier resuscitation devices should be used whenever an officer performs CPR or mouth-to-mouth resuscitation

vi. All sharp instruments such as knives, scalpels and needles shall be handled with extraordinary care and should be considered to be contaminated items.

vii. Leather gloves should be worn when searching for or handling sharp instruments.

viii. Officers should not place their hands in areas where sharp instruments might be hidden. An initial visual search of the area should be conducted, using a flashlight and/or portable metal mirror where necessary.

- **a.** When searching suspect's pockets officers should exercise extreme caution and when appropriate, have the suspect empty the pockets and pull the pockets inside-out from the top.

ix. A search of a purse can be accomplished by carefully dumping the contents onto a flat surface.

x. Needles should not be recapped, bent, broken, or removed from a disposable syringe.

xi. Needles or similar sharp-edged instruments shall be placed in puncture-resistant non-porous container when being collected for evidence or disposal purposes. The container shall be marked accordingly to show contents.

xii. Officers shall not smoke, eat, drink, or apply makeup around body fluid spills or when wearing protective glasses.

xiii. Any evidence contaminated with body fluids shall first be air dried, then double bagged in paper bags and marked to identify suspected or known communicable disease contamination.

a. Department issued sealable evidence bags shall be utilized- Stapling of evidence bags shall be avoided.

V. Transporting and Custody

A. When appropriate protection equipment is available, no officer shall refuse to interview, assist, arrest, or otherwise physically handle any person who may have a communicable disease. Should an officer be involved in an incident where proper safety materials are not available, the officer shall immediately contact the supervisor and request assistance.

B. Officers shall not put their fingers in or near the mouth of any conscious person. Officers utilizing protective gloves can, in life threatening situations, insert their finger into the mouth of an unconscious person to attempt to clear the blocked airway. This action should be performed in accordance with prescribed foreign body airway obstruction procedures.

C. When possible, persons with body fluids on their body or clothing shall be transported in separate vehicles from other individuals.

D. During a transfer of custody, officers shall discreetly notify support personnel that the suspect/victim has body fluids on the person or that the suspect/victim has said that he/she has a communicable disease. Care must be taken to ensure that the information is given only to those that have the need to know.

E. When possible, suspects taken into custody with body fluids on their body or clothing, and not in need of medical attention shall be isolated form other persons until clean-up has been completed and a change of clothes has been provided.

F. The on duty jail staff at the detention facility shall be immediately advised of the suspect's status.

G. Officers shall document on the Booking Report narrative that a suspect taken into custody has body fluids on their person and has stated that he or she has a communicable disease.

H. All officers dealing with persons who have blood or other body fluids on their body or clothing will be personally responsible for following precautionary procedures and using the protective materials provided.

VI. Decontamination

A. Any skin surfaces that have had the slightest contact with body fluids shall be immediately and thoroughly washed with hot running water and soap for one (1) minute before rinsing with an antiseptic solution before drying.

i. Alcohol, antiseptic solutions or towelettes may be used when soap and water are not available.

ii. Disposable gloves should be removed inside out with the contaminated side not exposed- The hands and forearm should then be washed.

B. Officers should remove clothing that has been contaminated with body fluids as soon as practical.

i. Officers should cleanse any contacted skin area in the prescribed fashion (showering if necessary) prior to putting on clean clothing.

C. Disinfection procedures shall be initiated whenever body fluids are spilled in or when an individual with body fluids on his or her person is transported in a municipal vehicle.

i. The supervisor shall be notified and the vehicle will be taken out of service.
ii. A "Do Not Use-Possible Communicable Disease Contamination" sign shall be posted on the steering wheel of the vehicle.
iii. The affected vehicle shall remain out of service until it has been disinfected by washing the contaminated areas with a commercial disinfectant approved by the Chief of Police or their designee.

D. Non-disposable items such as handcuffs, etc., should be disinfected with either a bleach solution (l part bleach to 9 parts water), rubbing alcohol or commercial disinfectant. Contaminated shoes and boots, including soles, should be disinfected with an approved disinfectant.

i. Extreme care should be taken to assure footwear that is contaminated is not worn home and contamination taken into officers or other persons home or work area.

VII. Supplies

A. The Chief of Police or his designee is responsible for purchasing, storing and issuing communicable disease prevention supplies to all personnel within the police department.
B. All officers shall be furnished with the following communicable disease prevention supplies.

i. Disposable coveralls and shoe covering in appropriate sizes.
ii. Disposable gloves.

C. Puncture resistance containers.
D. Barrier resuscitation equipment, protective eye wear, and surgical face mask.
E. "Biohazard" signage.
F. Biohazard disposal bags
G. Officers using supplies stored in police or emergency service vehicles are responsible for their immediate replacement.
H. Officers are required to keep disposable gloves readily available at all times while on duty.

VIII. Line of Duty Exposure to Communicable Disease

A. Any employee who has been bitten by a person or who has had physical contact with body fluids of another person while in the line of duty shall be considered to have been exposed to a communicable disease.

i. Reports of direct air contact of communicable diseases shall be evaluated on the merits of the particular incident by health care officials.

B. The employee's immediate supervisor shall be contacted and all appropriate injury forms shall be completed.

C. Immediately after exposure, the employee shall be transported to the appropriate health care facility for clinical and serological testing for evidence of infection. The health care professionals shall evaluate the test results, along with the circumstances surrounding the incident, and make a determination as to the extent, if any, of exposure to a communicable disease.

D. Any person responsible for potentially exposing the employee to a communicable disease shall be encouraged to undergo testing to determine whether the person has a communicable disease.

E. Employees who test positive for a communicable disease may continue working as long as they maintain acceptable performance and do not pose a health threat to themselves, the public, or the department.

i. Decisions on affected employee's work status will be based on the recommendations of the health care professionals.

ii. The department may require any employee to be physically examined to determine the employee's fitness for duty and to determine if he/she is able to perform assigned duties without hazard to him or herself or others.

F. All personnel shall treat employees who have contracted a communicable disease fairly, courteously, and with dignity.

IX. LEGAL RIGHTS OF VICTIMS OF COMMUNICABLE DISEASE

A. Victims of communicable disease have the right to expect, and Law Enforcement and Emergency Service Officers shall provide, the same level of service and enforcement as any other individual would receive.

i. Officers assume that a certain degree of risk exists in law enforcement and emergency services work and accept those risks with their individual appointments. This holds true with any potential risk of contracting a communicable disease as surely as it does with the risk of confronting an armed criminal.

ii. Any officer, who refuses to take proper action in regard to a victim of a communicable disease, when appropriate protective equipment is available, shall be subject to disciplinary action.

iii. When an officer mentions in a report that an individual has or may have a communicable disease, he shall write "CLASSIFIED - CONTAINS MEDICAL INFORMATION-NOT SUBJECT TO FOI" across the top margin of the first page of the report. This shall also be written on the front of the case file envelope so the report will not be accidentally given to an unauthorized person.

iv. The officer's Supervisor shall ensure that the above statement is on all reports requiring that statement at the time the report is reviewed and initialed by the Supervisor.

v. The Supervisor making press releases shall make certain the medical information is not given to the news media. Under the Arkansas Freedom of Information Act (FOI) medical records are exempt from disclosure.

vi. All requests (including subpoenas) for copies of reports marked "CLASSIFIED-CONTAINS MEDICAL INFORMATION-NOT SUBJECT TO FOI" shall be referred to the Lonoke County Prosecuting Attorney for authorization to release the document.

vii. Prior approval shall be obtained from the Lonoke County Prosecuting Attorney before advising a victim of sexual assault that the suspect has, or is suspected of having, a communicable disease.

viii. All circumstances not covered in this Policy that may arise concerning releasing confidential or medical information regarding a victim or suspected victim, of a communicable disease shall be referred directly to the Chief of Police.

ix. Any employee who divulges confidential or medical information in regard to a victim, or suspected victim, of a communicable disease shall be punished in a manner authorized by law.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Confidential Informants
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct the operations and investigations conducted by this department through the use of confidential informants.

II. Policy: It is the policy of this department to thoroughly and impartially investigate crime using all resources available including confidential informants. It is recognized that confidential informers may have various motivations for providing law enforcement with information. Additionally it is the policy of this department to ensure that all information provided during investigations be from reliable sources and be corroborated through any investigative means available.

III. Definitions

A. Anonymous Informant: an informant who provides information through any medium (i.e. phone, letter, email, etc.) but who does not provide his/her identity and therefore is unknown to law enforcement.

B. Confidential Informant ("CI"): an informant who provides information to law enforcement based upon some motivation (i.e. paid informant or informant who has agreed to provide law enforcement with information upon an agreement with law enforcement and prosecutors for more lenient treatment related to the informant's criminal charges).

C. Established Confidential Informant: A CI who has been approved by the Chief of Police or his designee following completion of the procedure for establishment set forth in this policy.

D. Confidential Informant File: A file maintained by the department, at the direction of the Chief of Police or his designee, for purposes of documenting all activity related to each confidential informant used by this department.

E. Index File: A file maintained by the Chief of Police or his designee which contains an index of all confidential informants' names and their corresponding CI number. This is a limited access file. This file also contains a list of CI's who have been rejected or who have been terminated as informants due to unreliability or some other issue.

F. Good Citizen Informant: Citizens, witnesses, and victims of crime whose identities are known to law enforcement and who have no motivation with respect to the information they provide to law enforcement.

G. Stale Information: Information which is not timely such that it can no longer be considered useful for purposes of the seizure of contraband or evidence (i.e. the evidence or contraband is not likely to be found at the location where it had initially been observed).

H. Control Officer: The officer responsible for controlling the informant at any given time while the CI is an established CI with this department.

I. Material Witness: A witness who has significant information about the crime in question such that this information effects the outcome of the trial.

J. Law Enforcement Actions: For the purposes of this policy, law enforcement action is defined as an arrest, seizure, detainment, or warrant issued.

IV. Procedure

A. Anonymous Information: Members of this department are directed that no law enforcement action, as defined by this policy, will be taken based solely upon information provided by anonymous informants until and unless sufficiently detailed information has been provided by the informant. An officer from this department should verify the information provided (information which predicts future conduct of a subject which is then corroborated by law enforcement may sufficiently establish that the informant has intimate knowledge of the subject and thereby establish reasonable suspicion).

B. Anonymous information which merely provides an allegation: the description and location of a suspect is insufficient to justify law enforcement action even when such information is corroborated. One exception to this provision would be anonymous information of this type indicating that a person has a weapon in a school.

C. Anonymous information regarding allegations of law enforcement officer misconduct shall be forwarded through the chain of command for review and/or investigation.

D. Good citizen informants are generally considered reliable; however officers should always investigate the possibility of a motivation with respect to information received. As with any form of information provided, officers should always take investigative steps in an attempt to corroborate information provided by informants where practicable and feasible.

V. Confidential Informants: Due to the nature of confidential informants, members of this department should be vigilant in the investigation of every person who is used as a CI.

A. Factors to be considered with all CI's

i. Reliability: Has the CI provided information in the past which was documented in the department's CI file and did the information provided prove reliable?

ii. Veracity: Is the CI providing sufficiently detailed information which establishes that the CI has a sufficient basis of knowledge with respect to the information such that the integrity of the information is established?

iii. Stale: Is the information provided by the informant with respect to the location of evidence or contraband stale such that it is unlikely that the evidence or contraband will be found at the location where the informant believes it is located?

B. Confidential Informant File: Any established CI that is used by members of this department shall be documented in the CI file. The file shall contain:

i. An index number by which the CI shall be identified. The Chief of Police or his designee shall have a corresponding index which will include the names corresponding to the index numbers in the CI file.

ii. History summary of all cases in which the informer has provided information and the outcome of these cases and any indicators from the investigations which proved the informant reliable, unreliable, or unsubstantiated.

iii. Update on whether the CI is active or inactive.

C. Establishing a CI: An officer seeking to establish a CI shall follow the department chain of command and provide documentation for the CI to be approved by the Chief of Police or his designee.

i. Initiating the establishment process requires the officer to document the following information:

a. Full set of fingerprints;

b. Photograph;

c. Current criminal history;

d. Biographical Information to include:

1. Date of birth

2. Descriptive factors: height, weight, eye and hair color, race, tattoos, etc.

3. Vehicles owned

4. FBI number if applicable/AR SID number

5. Addresses for previous three years;

e. Known associates;

f. Prior contacts with this department including any prior information provided;

g. Prior or current status with any other law enforcement department as a CI;

h. Signed Informant Agreement;

i. Narrative outlining information that the CI is expected to provide any indicators known to the officer offering the informant as an established CI which would indicate the subject is reliable;

j. If the CI is currently on probation or parole, that fact will be detailed in the file. Additionally, the Chief of Police or his designee shall seek the input and approval of the parole/probation officer with respect to the subject's establishment as a CI; and

k. The Chief of Police or his designee is required to visually confirm the existence of each CI.

ii. The Chief of Police or his designee shall review the documentation and cause the informant index to be reviewed so that a determination can be made as to whether the informant has ever been used in the past or whether the informant has ever been rejected or terminated as unreliable or other negative issue.

iii. Law enforcement action shall not be taken solely on information provided by a CI prior to the establishment of the CI by this department. With all information provided by informants of any type, officers of this department shall take investigative steps to corroborate the information to the extent practicable and feasible.

iv. A CI will not be considered established until such time as the establishment process has been completed and approved by the Chief of Police or his designee.

D. Juveniles: The use of a juvenile as a CI is discouraged.

i. No juvenile shall be used as an informant unless a parent or guardian has given express written authorization and has co-signed the CI agreement and a waiver.

ii. No juvenile shall be used as a CI without the express consent of the Chief of Police or his designee.

iii. No juvenile shall be used as a CI in a manner which is contrary to state law.

E. Maintaining Confidentiality: It is recognized that a CI whose identity has been discovered may be at risk for retribution. As such this department shall take all steps which are legal to maintain the confidentiality of any established CI. Department personnel who become aware of the identity of a department CI shall not reveal any information related to the CI that may reveal their identity. The following exceptions apply to this provision and disclosure is appropriate under the following circumstances:

i. Disclosure to other department personnel who have a need to know in order to perform official duties of this department. The control officer shall, through the chain of command, get approval from the Chief of Police or his designee before this type of disclosure.

ii. Disclosure to other law enforcement agencies or governmental entities that have a need to know in order to perform their governmental function. The control officer shall, through the chain of command, get approval from the Chief of Police or his designee before this type of disclosure.

iii. The CI has agreed or is required to testify in a grand jury or judicial proceeding. It is noted that where appearance is required, the control officer shall notify the Chief of Police or his designee to determine the proper course of action in conjunction with the prosecutor.

iv. If the CI's identity is required to be disclosed due to a decision of a court, prosecutor, or other governmental department with the authority to require disclosure, the department shall notify the established CI of the disclosure.

v. Note: the use of a CI in a manner which makes the CI a material witness will lead to a required disclosure if a prosecution goes forward on the crime for which the CI is a material witness.

F. General Provisions

i. Officers shall work within the boundaries of State and Federal constitutional law as well as being in compliance with all departmental policies. It is noted however, that one of the basic functions in using a CI often requires the CI to commit an unlawful act and to report same to members of the department. Recognizing this, under no circumstance will a CI be authorized to commit a crime which could foreseeably lead to the injury of any person. Rather, the CI's actions will be limited to crimes such as the purchase of contraband.

ii. Officers shall seek the assistance of the prosecutor in cases where the officer is considering using a CI to obtain information from a defendant who has been formally charged and/or represented by counsel (i.e. Jailhouse CI). In cases where the 6th Amendment to the U.S. Constitution has attached, questioning of a defendant at the direction of law enforcement by a CI may violate the Constitution.

iii. Officers shall not interfere with the arrest or attempt to influence the prosecution of a CI by this department or another department in a matter unrelated to an investigation the CI is working on at the request of this department. Any action taken on behalf of a CI shall only be taken with the express authorization of the Chief of Police or his designee.

iv. Officers shall not reveal department information to a CI which involves an independent investigation of the CI.

v. Officers shall maintain an ethical relationship with a CI at all times. Officers shall not:

a. Engage in any personal or business financial deals with a CI;

b. Become romantically involved with a CI;

c. Give or receive gifts, gratuities, or loans from or to a CI;

d. Interact on a social website when not duty related; or

e. Engage in off-duty or social interaction with a CI.

vi. Two officers must be present at any meeting where the CI is of the opposite sex of the controlling officer or in the case where the CI is a juvenile.

vii. Officers shall not make prosecution recommendations on behalf of any informant without the express consent of the Chief of Police or his designee.

viii. Officers shall not make appearances on behalf of any informant in an official proceeding without the express authorization of the Chief of Police or his designee.

G. Information in Exchange for Leniency on Criminal Charges

i. Officers are not authorized by this policy or law to unilaterally offer leniency or immunity to any person.

ii. Any offer of leniency or immunity must be approved by the prosecutor(s) having jurisdiction over the crimes at issue, and the Chief of Police or his designee.

iii. There is an absolute obligation to inform prosecutors who may be using the CI or information from a CI of any agreement, leniency, offer, or any type of reward that that the CI received for their cooperation.

H. Expenses related to informants:

i. All expenses related to informants shall be documented with receipts which shall be forwarded to the CI file and include a department case number or short narrative detailing the need for the expenditure.

ii. The control officer's supervisor is responsible for ensuring that all expenses are properly documented in the CI file and accompanied by a receipt.

I. Informant rules: All CI's shall be informed of the following and shall sign an Informant Agreement acknowledging:

i. A CI is not a member of this department and has no legal authority as a result of their position as a CI including no law enforcement powers;

ii. Status as a CI may be dangerous. This department does not in any way assure the CI's safety from harm caused as a result of their status as a CI;

iii. CI's are not authorized by this department to carry firearms;

iv. Any CI is an independent contractor to this department and thus not entitled to Workman's Compensation or Unemployment Compensation;

v. The department is not responsible for any injury or death suffered by the CI in the course of their association with this department;

vi. The CI is responsible for reporting and paying taxes related to any payments made to the CI by this department;

vii. The CI may be arrested for any crime committed not related to their function as a CI and while under the direct control of the control officer;

viii. The CI shall maintain the confidentiality of any law enforcement information which comes into their basis of knowledge due to their association with this department; and

ix. Any violation of these rules may lead to the termination of any association between this department and the CI.

J. Supervisory audit: If resources allow, the Chief of Police or his designee shall conduct an annual audit of all CI activity. This audit shall specifically include:

i. Audit of the index file and the CI file to ensure that all documentation for each active CI is up to date and contained within their respective files;

ii. The Chief of Police or his designee shall cause the criminal history of each active informant to be reviewed and updated in the file;

iii. Audit of all payments to CI for a determination that all monies are accounted for and that proper documentation for monies expended is contained within the files;

iv. Audit of all expense money used for purposes of investigations involving a CI, including but not limited to such items as expense money (i.e. fuel, rent, food, etc.), buy money, and any other money expended during these operations;

v. Audit probable cause affidavits of investigations involving a CI to ensure that the CI in such affidavits are fully documented in the CI file, Index file and any other file;

vi. The Chief of Police or his designee should randomly choose CI's to meet with and verify their involvement in the case for which they are cited.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Cabot City Annex Building Security (Cabot District Court)
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **PURPOSE:** The purpose of this policy is to provide security for the City Annex Building during Cabot District Court hours of operation for criminal/traffic/civil court.

II. **POLICY:** It shall be the policy of the City of Cabot for the Cabot Police Department to provide security for the Cabot District Court during criminal/traffic/civil court hours of operation. This policy is designated to maintain a safe and contraband-free environment within the criminal/traffic/civil courtroom of the City Annex Building. This policy will provide guidelines to the officers providing security during criminal/traffic/civil court hours of operation.

III. **PROCEDURES:**

A. Hours of Operation: Officer will arrive 30 minutes prior to the beginning of scheduled court

B. Staffing:

i. Security for the City Annex Building will be provided by the Cabot Police Department during hours of operation for the Cabot District court during all plea and arraignment, city and county trials, and civil trials.

ii. Officers may be assigned to work security from all divisions of the Cabot Police Department depending upon staffing needs. This may include officers attending and waiting for court.

iii. Officers assigned to work security during court hours of operation will be required to remain at their security assignment until the court proceedings have been completed or relieved.

iv. A total of three (3) security personnel should be available within the building to initially work security. Two (2) security personnel screening for court are recommended in order to effectively and safely screen all persons entering the building, one (1) security personnel inside the courtroom. Personnel may be released as deemed necessary by a supervisor during extended court sessions.

v. At no time will the screening and inspection area be left unmanned during the hours of operation.

- **a.** Personnel may, however, be re-assigned or replaced if necessary for personal hygiene needs, etc.
- **b.** If any personnel need to be excused, there must be a replacement officer available in order to keep the screening and inspection process safe and effective.

C. Screening:

i. All persons entering the Cabot City Annex Building for purposes of attending Cabot District Court sessions (arraignment, trial, civil) shall enter through the screening process for weapons and/or contraband.

ii. Exceptions will be made for County, City, State or Federal law enforcement officials that can produce identification and while performing in their official capacity. Exceptions will also apply to the following;

- **a.** District Court Judges
- **b.** Prosecuting Attorney and assistant
- **c.** Deputy Prosecuting Attorneys
- **d.** Public Defender and assistant
- **e.** Court support staffing
- **f.** Cabot city staff
- **g.** Attorneys and their staffs
- **h.** Alcohol/Drug screeners
- **i.** State agency personnel

iii. Clients and witnesses for private attorneys will not be allowed to proceed to the front of the line and must follow the same screening procedures as the public.

iv. Screening will be accomplished by use of:

- **a.** Magnetometers (metal detectors)
- **b.** Handheld metal detectors (located in Court Clerk's supply room)
- **c.** Visual observation and inspections
- **d.** Pat down searches, etc.

D. Methods of Screening:

i. Each person must empty the contents of their pockets or other items into a provided container before passing through the metal detector.

ii. Officers monitoring the walk-through metal detector will be alert for visual and audio signals given by the screening device when metal is detected.

iii. When metal is detected, the individual will be requested to step back through the metal detector. This process will continue until the individual can pass without activating the metal detector or the officer determines that screening with the handheld metal detector is appropriate. The screening process will continue until all metal items are clearly identified.

iv. Small wallets may be allowed in the courtroom once they have been screened.

v. Pocket books and billfolds that contain identification may be allowed.

vi. Items/persons prohibited from being allowed in the City Annex Building for Court are, but not limited to;

a. Explosives of any kind
b. Firearms of any kind, caliber or type
c. Knives of any kind, size, shape or length
d. Metal nail files of any kind
e. Tools, scissors or razorblades
f. Chemical sprays or irritants of any kind
g. Any other sharp instrument or blunt object that may be used as a weapon
h. Duffle bags, backpacks, purses, etc.
i. Any item the screener deems is unsafe or inappropriate
j. No food or drinks
k. Audio and video recorders are prohibited. Cell phones may not be used for recording, unless specifically approved by the presiding judge in writing, pursuant to Supreme Court Administrative Rule No. 6, pertaining to pooling of equipment by media representatives, the rights or parties and attorneys to object, protection of minors and certain victims, etc.

vii. If the walk-through metal detector and the handheld metal detector are ineffective, the screening officer(s) may conduct a pat down search of the individual. Failure to consent or comply with the search or searches as described will result in the individual being denied access into the building for any business.

viii. If an individual passes through the walk-through metal detector into the City Annex Building carrying a firearm or weapon, the individual will be detained

and the firearm or weapon will be confiscated. The screening officer(s) will immediately contact an on-duty officer to respond to the scene and notify the on-duty supervisor of the situation.

ix. Individuals in wheelchairs or baby carriages, on crutches or wearing metal braces, cast or prosthetic aids, etc. must be carefully screened. Use good judgment and be courteous, but conduct a thorough and complete screening process utilizing the handheld metal detector and/or a physical search. An individual could attempt to use one of these methods to smuggle a firearm, weapon or contraband into the building.

x. Individuals in wheelchairs will be asked if they are able to stand without assistance. Under no circumstances will an individual who states they are unable to stand be asked to stand or offered assistance to stand for the purposes of screening.

xi. Individuals in wheelchairs, baby carriages, on crutches, or wearing metal braces, cast or prosthetic aids, etc., shall be individually screened and then be escorted through and around the screening area. Failure to consent to the search will result in the individual being denied access into the building.

xii. Individuals that notify the screening officer(s) they have a pacemaker, defibrillator or other electronic device that prohibits them from being screened by a metal detector shall be individually screened and then escorted through and around the screening area. Failure to consent to the search will result in the individual being denied access into the building.

xiii. All individual searches will be performed as discretely as possible, but a complete and thorough screening will be completed before access is authorized into the building.

E. Electronic Devices:

i. The Courtroom should be free of distractions. Therefore, the following restrictions will apply to electronic devices:

- **a.** Cell phones must be in silent mode, and calls cannot be taken during court proceedings
- **b.** Music devices (IPods, etc.) will not be allowed
- **c.** Reading devices (Nooks, Kindles, etc.) will not be allowed

F. Authorization to carry firearms or weapons into the City Annex Building:

i. Only sworn Law Enforcement Officials acting within their official capacity will be allowed to carry firearms or weapons into the City Annex Building.

ii. Probation Officer(s) while acting in their official capacity will be allowed to carry firearms or weapons into the City Annex Building.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

CRIMINAL INVESTIGATIONS
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** Develop guidelines and policies for officer investigating crimes from the preliminary stages to the completion of the crime.

II. **Policy:** All members of the Cabot Police Department must clearly understand their responsibilities for the conducting of preliminary and follow up criminal investigations of major infractions of the law.

III. **Procedures:**

A. Preliminary Investigation:

i. The preliminary investigation begins when the first law enforcement officer arrives at the scene of a crime or receives information concerning a crime and continues until the transfer of responsibility will not jeopardize the successful completion of the investigation.

ii. The following officer responsibilities are part of the preliminary investigation and will vary according to the type of crime being investigated.

a. Provide aid to the injured

b. Protect the crime scene to insure evidence is not lost or contaminated, protection of the crime scene can be aided by the use of a crime scene log identifying the following:

1. Who enters and exits the crime scene
2. Time that person enters and exits the crime scene
3. Reason for entering or exiting the crime scene
4. Time that crime scene was secured or released
5. Determine what offense, if any, has been committed

c. Determine the identity of any suspects and affect an arrest if it can be accomplished at the scene. If arrest cannot be affected at the scene then broadcast description and all necessary information to other units.

d. Identify and log the following information of all witnesses:

1. Name
2. Address
3. Telephone number, home and work
4. Age

e. Determine what information is known by each victim or witness
f. Determine in detail the exact circumstances of the offense
g. Arrange for the collection of evidence. Collect in a manner as to not destroy any forensic evidence that might be collected from the evidence.
h. Obtain written statements from the victim, witnesses, and from the suspects. Give Miranda warnings as necessary and document the times that the warnings were given.
i. Accurately and completely report all pertinent information on the Incident Report.

iii. The initial stages of all preliminary investigations, including crime scene processing, will be conducted by the initial responding officers. In certain cases, a criminal investigator will be called, respond, and assume responsibility for the completion of the investigation.

B. Crimes-Criminal Investigator Response:

i. The following offenses are of a nature requiring the immediate assignment of a criminal investigator.

a. Death of a violent or suspicious nature and suicides
b. Motor vehicle accident involving a fatality
c. Rape or suspected rapes
d. Armed robberies
e. Burglaries where there is excessive loss (as determined by shift supervisor)
f. Any major disaster
g. Hostage situations
h. Kidnappings
i. Suspected arsons or bombings
j. Major felony drug arrest where assets may be seized
k. Clandestine laboratories or suspected clandestine laboratories
l. Any other crime determined by the shift supervisor

ii. A criminal investigator will be on call 24 hours a day and available to respond within one (1) hour.

a. A CID investigator should respond to the above offenses when notified
b. The CID investigator may respond to offenses other than those listed above (this response will be at the discretion of the CID investigator)
c. The CID investigator will contact the CID Sergeant or instruct dispatch to contact the CID Sergeant when responding.
d. The CID investigator on call will not consume any alcoholic beverage while on call.

e. The CID on call schedule will be completed and maintained by the CID Lieutenant.

iii. Once the criminal investigator is notified, the on scene officers will continue with the preliminary investigation until the CID investigator arrives on the scene.

iv. The CID investigator will assign duties as necessary to the officers on the scene.

C. Follow up investigation:

i. The follow up investigation is an extension of the preliminary investigation. The purpose of the follow up is to provide additional investigation in order to affect the arrest of an offender and/or recover stolen property.

ii. Officer or criminal investigator responsibilities of the follow up investigation include:

a. Identification and apprehension of the offender
b. Collection and the processing of additional evidence
c. Submit evidence to the crime laboratory
d. Conduct any additional interviews
e. Prepare any supplement reports
f. Prepare case file for prosecution

iii. A criminal investigator will conduct the follow up investigations when one or both of the following conditions exists:

a. The offense appears to be a pattern of such offenses
b. When the follow up is required in widely separated areas outside this jurisdiction

D. The initial responding officer will conduct and complete the investigation of all non-criminal calls for police service and for misdemeanor or felony crimes not appropriate for referral to the criminal investigator.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Critical Incident Investigation & Review
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct a proper response to critical incidents by this department.

II. Policy: It is the policy of this Department to provide a thorough investigation and review of all critical incidents involving members of this Department.

III. Definitions

A. Critical Incident: Firearm discharges; In-Custody deaths; Serious injuries; all uses of force/response to resistive suspects when the injury results in hospitalization; and any other incidents deemed critical by the Chief of Police or their designee.

B. Firearms discharge: Any intentional or unintentional discharge of a firearm, not inclusive of training scenarios or approved humane life terminations of injured animals

IV. Procedure: The department shall, in the discretion of the Chief of Police or their designee, conduct an administrative critical incident review of all firearm discharges, in-custody deaths or serious injuries, and all uses of force/response to resistive suspects when the injury results in hospitalization. This review considers the following issues and makes specific determinations whether:

A. The force, control and/or restraint was consistent with the department policy;

B. There are any issues requiring a re-evaluation of department policy and/or procedures;

C. There are any training needs identified;

D. The equipment provided by the department was adequate; and

E. Supervisory involvement was reasonable.

V. Officer involved shootings and in-custody death investigations:

A. Initial Responding Officer on Scene

- **i.** Neutralize scene- Ensure that scene has reached a level of control such that there is no longer a threat of harm to citizens, officers or suspects;
- **ii.** Provide for the immediate medical attention of all persons injured;
- **iii.** Secure the scene (s) of the event (s); to the extent possible use crime scene tape to secure any area that may contain evidence pertinent to the events being investigated;
- **iv.** Assign sufficient personnel to ensure that the scene perimeter is not breached;
- **v.** Remove the involved officer from the center of the scene, if possible, to a discreet area such as a police vehicle (do not place the officer in the backseat);
- **vi.** Secure and separate all witnesses to the event. This would include the separation of the involved officers so that no allegations can be made that officers were in a position to discuss the incident.

B. First Responding Supervisor

- **i.** Check on the well-being of involved officer(s);
- **ii.** Allow/Assist officer in calling family member(s) and/or legal representation;
- **iii.** Immediately assume role of incident commander and utilize the incident command concept until otherwise relieved of incident command;
- **iv.** Ensure that the first responders have completed the above listed duties;
- **v.** Determine resources necessary for circumstances (i.e. community unrest, etc.);
- **vi.** Assign officer(s) to document personnel present and each person entering the scene;
- **vii.** Assign officer(s) to accompany injured officers, suspects and victims to hospital;
- **viii.** Notifications to Chain of Command;
- **ix.** Notify and brief surrounding agencies as needed;
- **x.** Brief arriving investigators and ranking personnel;
- **xi.** Review all initial reports and supplements;

C. The investigator should:

- **i.** Notify prosecuting attorney.
- **ii.** Secure all relevant recorded information and electronic media such as:
  - **a.** Video recordings
  - **b.** Audio recordings
  - **c.** Dispatch recordings
  - **d.** CAD log
  - **e.** 911 phone calls
  - **f.** Area business surveillance video

iii. Secure other evidence through court adopted legal procedures, such as:

a. Photographs;
b. Medical documentation particularly from arriving medical personnel at scene;
c. Diagrams;
d. Bullet trajectory including those that missed;
e. Shell casings and any expended projectiles;
f. Walk-through examination;
g. Officer's involved equipment;
h. Vehicles and location at time of incident particularly if moved before the arrival of on-scene investigators;
i. Identification of any locations with DNA and/or latent print potential;
j. Area witness canvas

D. Administrative Duties

i. Secure all weapons; and

a. Where appropriate, provide officer with another weapon as soon as practical.

ii. Assign personnel to stay with involved officer(s).
iii. Ensure personnel are assigned for administrative and criminal investigations.
iv. Ensure the Mayor, Human Resources, and City Attorney are advised of the incident.
v. Ensure that the Department Public Information Officer is briefed for media responses.

VI. **Outside Agency Assistance:** In all cases, the Chief of Police or their designee shall consider whether it is in the department's best interest to utilize the services of an outside department to conduct the major crimes investigation that accompanies any law enforcement critical incident which involves serious bodily injury or death. In cases where it is determined that the department lacks the resources to conduct a complete and thorough investigation of the event, an outside department shall be notified for assistance as soon as possible. This section does not relieve the involved department of its responsibility to conduct an administrative investigation of the critical incident and review the event for a determination as to whether or not department issues, including policy and training, are indicated by the action.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Crowd Control
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to establish guidelines for managing crowds and preserving the peace during demonstrations, large gatherings, and the handling of civil disturbances.

II. Policy: It is the policy of this department to provide a law enforcement presence at known assemblies and gatherings where disorderly conduct, riot or unlawful conduct is believed to be probable by this agency, that promotes the exercising and orderly lawful demonstration of constitutional rights of participants and promotes an orderly, lawful demonstration in the best interest of public safety and community harmony.

III. Definitions

A. Unlawful Assembly: A person commits the offense of unlawful assembly if he or she:

i. Assembles with two (2) or more other persons; and

ii. Has the purpose of engaging in conduct constituting a riot.

B. Riot: A person commits the offense of riot if, with two (2) or more other persons, he or she knowingly engages in tumultuous or violent conduct that creates a substantial risk of:

i. Causing public alarm;

ii. Disrupting the performance of a governmental function; or

iii. Damaging or injuring property or a person.

C. Demonstration: A lawful assembly of persons organized primarily to express political or other views. These are typically scheduled events that allow for prior police planning. They include, but are not limited to: marches, protests and other assemblies that are largely designed to attract the attention of onlookers, the media, and others. Demonstrations can evolve into civil disturbances that necessitate enforcement actions. Although crowd control may be necessary at sporting events, festivals, concerts, and related events, these are not defined as demonstrations.

D. Crowd Control: Techniques used to address unlawful public assemblies, to include a show of force; crowd containment and dispersal equipment and strategies; and preparations for multiple arrests.

E. Crowd Management: Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status as accomplished through event planning; pre-event contact with group leaders; and issuance of permits, intelligence gathering, personnel training, and other means.

F. Crowd Management Team (CMT): An organized group of police officers, led by a supervisor, to provide a rapid, organized, and disciplined response to civil disorder, crowd control, or other tactical situations.

IV. Procedures

A. Crowd Management Program: In order to accomplish crowd management, the department has established a Crowd Management Program (CMP). The goal of the CMP is to diffuse emotionally charged individuals and crowds and facilitate their right to demonstrate, while at the same time preventing the demonstration from escalating into a confrontation that threatens the safety of the demonstrators or the general public. The department will use techniques consistent with the Incident Command System or the National Incident Management System.

Whenever possible, the department will serve as facilitators in these types of demonstrations, ensuring that they are orderly in nature, while maintaining law enforcement impartiality and sensitivity to the dynamics of the demonstration. As a facilitator, the Department will seek the inclusion of responsible community leaders; media representatives; and concerned individuals and groups whose collective expertise may be channeled to achieve the lawful assembly of such demonstrations with minimum disruption to the general public.

V. Civil Disturbances: Officers will strive to preserve the peace, protect life and prevent the destruction of property, and remain impartial to all parties in a demonstration. Officers may take appropriate enforcement action when a demonstration violates the provisions of the State laws and/or city ordinances. Officers will notify supervisors when such demonstrations take place whenever they become aware of a demonstration and the on-duty supervisor will be dispatched to assess the situation and coordinate an effective response in concert with the Incident Commander.

A. Responding Officer: The first officer(s) on the scene of a civil disturbance will observe the situation from a safe distance if possible; notify the Dispatch of the seriousness of the situation; notify a supervisor as soon as practical; request additional personnel; and attempt to identify, by observation, the leader of the group.

B. Incident Commander: The responding supervisor will assume command of the incident until relieved by a higher authority. Supervisors will assess the situation; establish a command post; inform Dispatch of pertinent information; and deploy necessary assets in the area.

C. Riots: When the Incident Commander has determined that the crowd has become violent and destructive, requiring additional police action, additional law enforcement personnel shall be called for assistance to disperse the crowd. Such assistance may

require that mutual aid from other agencies be brought in to assist with quelling the riot.

VI. Crowd Management Team (CMT): A CMT will be led by a supervisor and is normally deployed for the following assignments:

A. To rescue police officers under hazardous conditions;

B. To apprehend multiple offenders (i.e. looters);

C. To isolate areas of civil disorder or disaster;

D. To control or disperse unruly crowds;

E. Other assignments as required;

F. The department will conduct CMT training with all sworn personnel.

VII. Use of Force/Response to Active Resistance Reporting and Investigation: Established use-of-force/response to active resistance reporting of this department is equally applicable to policing mass demonstrations and civil disturbances. However, reporting, documenting, and reporting use of force in the context of civil disturbances and mass demonstrations can be hampered by logistical and safety concerns. As such, the Chief of Police or their designee, shall comply with the following protocols during such events:

A. The incident commander shall ensure complaints are documented and reported as soon as practicable.

B. All complaints will be reviewed in compliance with this department's Internal Affairs and Complaint Policy as soon as practicable.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Dealing with Persons of Diminished Capacity
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: To provide field officers with the essential tactical and processing skills necessary to effectively deal with persons of diminished capacities in a manner to provide the required professional assistance these persons need, to protect the community, to safeguard the officers involved in the encounter and to enhance the agency's risk management.

II. Policy: It is the policy of this department to attempt to resolve encounters with persons of diminished capacity in the safest manner possible and help these persons obtain professional resources when reasonable to do so. Every community can expect its law enforcement officers to encounter persons of diminished capacities. This group of persons presents officers with different and often complex issues. Diminished capacity may be the result of intoxication, suicidal potentials, medical complications or mental illness, etc. Persons of diminished capacity present officers with a wide range of behaviors usually different than those exhibited by other members of the community or persons involved in criminal activities. Persons of diminished capacity may display conduct that is bizarre, irrational, unpredictable and/or threatening. They may not comprehend communication in the manner that the officer would expect. They often do not respond to authoritative persons or the display of force. It is not the mission of the officer to diagnose the root cause for the person's behavior.

III. Definitions

A. Persons of diminished capacity: Persons encountered in the field who exhibit unusual behaviors commonly referred to as irrational, bizarre, unpredictable, etc. These outward observable symptoms could be the result of intoxication, drug use, suicidal indications, mental illness or medical complications.

B. Mental Illness: A.C.A. 20-47-202 (10)(A) defines "mental illness" as a substantial impairment of emotional processes, or the ability to exercise conscious control of one's action's, or the ability to perceive reality or to reason, when the impairment is manifested by instances of extremely abnormal behavior or extremely faulty perceptions.

C. Professional resources: Mental health professionals, emergency medical facilities, detoxification centers, Veteran's Affairs, etc.

D. Voluntary Admissions ACA 20-47-204 The following shall apply to voluntary admissions of persons with a mental illness, disease, or disorder:

i. Any person who believes himself or herself to have a mental illness, disease, or disorder may apply to the administrator or his or her designee of a hospital or to the administrator or his or her designee of a receiving facility or program to which admission is requested.

a. If the administrator or his or her designee of the hospital or the administrator or his or her designee of a receiving facility or program shall be satisfied after examination of the applicant that he or she is in need of mental health treatment and will be benefitted thereby, he or she may receive and care for the applicant in the hospital or receiving facility or program for such a period of time as he or she shall deem necessary for the recovery and improvement of the person, provided that the person agrees at all times to remain in the hospital or receiving facility or program;

ii. If at any time the person who has voluntarily admitted himself or herself to the hospital or receiving facility or program makes a request to leave, and the administrator or his or her designee determines that the person meets the criteria for involuntary admission as defined in § 20-47-207, then the person shall be considered to be held by detention and the involuntary admission procedures set forth herein shall apply;

iii. Any person requesting to leave under subdivision (ii) of this section shall, within one (1) hour of his or her request to any hospital or receiving facility or program employee, in an administrative or treatment capacity, be provided with a written statement advising him or her of all rights delineated in §§ 20-47-211 and 20-47-212. The person shall further be provided with an acknowledgment confirming that he or she has been advised of the aforesaid rights.

a. If the person refused to sign the acknowledgment, this refusal shall be noted in the person's chart and shall be attested to by two (2) eyewitnesses on a separate document.

b. An original of said attestation shall be furnished to the court.

iv. For the purposes of computing the initial period of evaluation and treatment referred to in § 20-47-213, detention begins upon the signing of the acknowledgment by the person or, in the event that the person refuses to sign the acknowledgment, upon the attestation of said refusal by two (2) eyewitnesses; and

v. A person voluntarily admitted who absents himself or herself from a hospital or receiving facility or program, as defined in this subchapter, may be placed on elopement status and a pick-up order issued if, in the opinion of the treatment staff, the person meets the criteria for involuntary admission as defined in § 20-47-207.

a. It shall be the responsibility of the sheriff of the county or a law enforcement officer of the city of the first class in which the individual is physically present to transport the individual.

b. Upon return to the hospital or receiving facility or program, this individual shall be held under detention as defined in § 20-47-202(5).

E. Involuntary Admission - Original Petition ACA 20-47-207:

i. Written Petition - Venue. Any person having reason to believe that a person meets the criteria for involuntary admission as defined in subsection (c) of this section may file a verified petition with the probate clerk of the county in which the person alleged to have mental illness resides or is detained.

ii. Contents of Petition. The petition for involuntary admission shall:

a. State whether the person is believed to be of danger to himself or herself or others as defined in subsection (c) of this section;

b. Describe the conduct, clinical signs, and symptoms upon which the petition is based. The description shall be limited to facts within the petitioner's personal knowledge;

c. Contain the names and addresses of any witnesses having knowledge relevant to the allegations contained in the petition; and

d. Contain a specific prayer for involuntary admission of the person to a hospital or to a receiving facility or program for treatment pursuant to § 20-47-218(c).

iii. Involuntary Admission Criteria. A person shall be eligible for involuntary admission if he or she is in such a mental condition as a result of mental illness, disease, or disorder that he or she poses a clear and present danger to himself or herself or others:

a. As used in this subsection, "a clear and present danger to himself or herself" is established by demonstrating that:

b. The person has inflicted serious bodily injury on himself or herself or has attempted suicide or serious self-injury, and there is a reasonable probability that the conduct will be repeated if admission is not ordered;

c. The person has threatened to inflict serious bodily injury on himself or herself, and there is a reasonable probability that the conduct will occur if admission is not ordered;

d. The person's recent behavior or behavior history demonstrates that he or she so lacks the capacity to care for his or her own welfare that there is a reasonable probability of death, serious bodily injury, or serious physical or mental debilitation if admission is not ordered; or:

1. The person's understanding of the need for treatment is impaired to the point that he or she is unlikely to participate in treatment voluntarily;

2. The person needs mental health treatment on a continuing basis to prevent a relapse or harmful deterioration of his or her condition; and

3. The person's noncompliance with treatment has been a factor in the individual's placement in a psychiatric hospital, prison, or jail at least two (2) times within the last forty-eight (48) months or has been a factor in the individual's committing one (1) or more acts, attempts, or threats of serious violent behavior within the last forty-eight (48) months; and

e. As used in this subsection, "a clear and present danger to others" is established by demonstrating that the person has inflicted, attempted to inflict, or threatened to inflict serious bodily harm on another, and there is a reasonable probability that the conduct will occur if admission is not ordered.

IV. Procedure: The ultimate mission of law enforcement when encountering a person of diminished capacity is to control the encounter and determine the best course of action for the subject. Response guidelines can be segmented into four (4) areas: Containment, Coordination, Communication and Time.

A. Containment: Before any reasonable control and defusing techniques can be used, the subject must be contained:

i. If circumstances allow, two (2) officers should respond to an incident involving a person of diminished capacity. If an officer finds him/herself in a situation with such a person, the officer should request back-up when reasonable and practical to do so.

ii. Responding officers should be aware that the use of emergency lights and siren may agitate the subject of the call or encounter.

iii. The officers will attempt to separate the subject from other civilians. This containment should respect the comfort zone of the subject in order to reduce any unnecessary agitation. Officers should convince the subject that they do not have to move. Officers should continuously evaluate this comfort zone and not compress it, unless absolutely necessary.

iv. It is important for officers to realize that on-lookers and family members should not become involved either verbally or physically in the control methods when possible.

v. Effective containment reduces the elements of agitation, such as large groupings of persons/officers, emergency vehicle equipment, loud police radio transmissions, and multiple persons directing communications to the subject. Containment is meant to reduce outside influences and sources of agitation.

vi. Officers should utilize available tactics to de-escalate the situation where possible, however if an officer is faced with a dynamic and violent situation that poses a

threat to the officer or other persons present, then officers should utilize their law enforcement control tactics outlined under the "Response to Resistance" policy to gain control.

B. Coordination: This is essential for control of the encounter and is the foundation for the development of an effective plan and use of personnel and resources:

i. One officer at the scene shall be designated or assume the position of being the lead officer. This may not be the most senior person on the scene.

ii. A perimeter should be determined to ensure that outside persons and/or family members don't become involved.

iii. Officers should limit observable indications of force.

iv. The lead officer should designate an officer to gather intelligence regarding the subject being encountered. This type of information can come from persons at the scene, neighbors and/or family. This information can become important in determining the further tactical approaches to the subject and the most appropriate form of referral.

v. The lead officer is responsible for determining what resources should be requested including additional police personnel, specialized weapons, professional resources, and staged medical personnel.

vi. When warranted, the lead officer will designate the location for a command post and staging area.

C. Communication with the person of diminished capacity should be planned and controlled:

i. When possible, prior to engaging the subject in communication, the initial responder should await the arrival of a cover officer. When dealing with subjects armed with edged weapons officers should, where possible, maintain a zone of safety which allows for reaction should the subject decide to attack.

ii. One officer should be designated as the primary communicator and other officers should refrain from becoming involved.

iii. Verbal communication should be non-threatening. Whenever possible, use open-ended questions designed to facilitate the subject's participation. If the subject does not respond, use other communication techniques. It may be necessary to change the person designated as the primary communicator and determine whether that might be beneficial.

iv. It has been found that threats to arrest or use force are not productive when dealing with persons with diminished capacities. Reassure the subject that the police are there to help them.

v. Officers must constantly analyze what affect, if any, their efforts are having on the subject. This is essential to identify areas that appear to agitate the subject that should then be avoided.

vi. Normally, family members should not be used in an attempt to establish communications. This frequently exacerbates the situation.

D. Time is the concept of elongating the encounter, rather than hastening it:

- **i.** History has shown that the longer the encounter is allowed to occur, the better the chance for a successful and safe resolution.
- **ii.** Increasing the time of the encounter and using defusing techniques allows the subject to reflect upon his/her predicament.
- **iii.** Creating time also allows for the field units to be supported by the deployment of additional police personnel, specialized equipment and medical support personnel.
- **iv.** Time encourages the ability to communicate and create a relationship between the subject and the primary communicator.

E. Commitment Procedures:

- **i.** In determining the most appropriate form of professional resource and referral, officers should consider the information provided by professional resources, persons and family members.
- **ii.** Any peace officer who has reasonable grounds to believe that the individual is mentally ill and presents a danger or threat of danger to self, family or others if not restrained shall take the individual into custody and transport the individual without unnecessary delay to a hospital or designated psychiatric facility and execute a written petition for involuntary commitment with the probate clerk of the county in which the person alleged to have mental illness resides or is detained prescribed and provided by the A.C.A. § 20-47-207.
- **iii.** An interested citizen may take the person to a hospital or to a receiving facility or program. If no other safe means of transporting the individual is available, it shall be the responsibility of the law enforcement agency that exercises jurisdiction at the site where the individual is physically located and requiring transportation, or unless otherwise ordered by the judge. A petition, as provided in § 20-47-207, shall be filed in the probate court of the county in which the person resides or is detained within seventy-two (72) hours, excluding weekends and holidays, and a hearing, as provided in § 20-47-209(a)(1) shall be held.
- **iv.** Officers shall not, absent of a court order, use a detention facility as a holding facility for meeting the criteria of this policy unless the person also has criminal charges pending or the detention facility is the designated receiving facility pursuant to state law.
- **v.** No officer shall place criminal charges against a person who is mentally ill and need of hospitalization for the purpose of avoiding transporting the person to an appropriate medical or psychiatric facility.
- **vi.** "If any person involuntarily admitted to a receiving facility or program or hospital for care pursuant to this subchapter absents himself or herself from a receiving facility or program or hospital without leave or fails to comply with the court-approved treatment plan, the person will be returned, upon the request of the person's treatment staff, to the receiving facility or program or hospital by the sheriff of the county or law enforcement officer of the city of the first class in

which the individual is physically present or the hospital or receiving facility or program security personnel without further proceedings," A.C.A. 20-47-21.

vii. Officers are required to prepare or assist in the preparation of all required reports.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Domestic Abuse Incidents
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** To give guidance and directions for officers investigating crimes of Domestic Abuse.

II. **Policy:** It is the policy of this agency to reduce the incidence and severity of domestic abuse; protect victims of domestic abuse and provide them with support through a combination of law enforcement and community services; and, promote officer safety by ensuring that officers are fully prepared to respond to and effectively deal with domestic abuse calls for service.

III. **Definitions:**

A. Domestic abuse means:

i. physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily harm, bodily injury or assault between family or household members; or

ii. any sexual conduct between family or household members whether minor or adults which constitutes a crime under the laws of this state.

B. "Family or household members" means spouses, former spouses, parents, children, person related by blood within the fourth (4th) degree of consanguinity or persons who are presently or in the past have resided or cohabited together.

IV. **Dispatcher's Procedures:**

A. The dispatcher who receives a domestic abuse call can provide the responding officer with vital information that could save the victim and the officer's life. The dispatcher will give a domestic abuse call the same priority as any other life-threatening call.

B. In addition to information normally gathered, an effort should be made to determine and relay the following to responding officers:

i. Whether the suspect is present and, if not, the suspect's description and possible whereabouts;
ii. Whether weapons are involved;
iii. Whether the offender is under the influence of drugs or alcohol;
iv. Whether there are children present;
v. Whether a current protective or restraining order is in effect; or
vi. Complaint history at that location
vii. Attempt to keep contact with complainant until officers arrive

C. Dispatchers shall not cancel law enforcement response to a domestic abuse complaint based solely on a follow-up call from the residence requesting such cancellation. However, the dispatcher shall advise the officers of the complainant's request.

V. Responding Officer Procedure

A. When responding to a domestic abuse call at least two officers shall respond to every incident, when available.

B. The responding officers shall make all attempts to:

i. Restore order by gaining control of the situation.
ii. Take control of all weapons used or threatened to be used in the crime.
iii. Assess the need for medical attention and call for medical assistance if indicated.
iv. Interview all parties and/or witnesses.
v. After each party has been interviewed, responding officers should confer to determine if an arrest should be made or whether other actions should be taken. Pursuant to ACA 16-81-113, when a law enforcement officer has probable cause to believe a person has committed acts which constitute a crime under the laws of this state and which constitute domestic abuse, the officer may arrest the person without a warrant if the law enforcement officer has probable cause to believe the person, within the preceding twelve (12) hours (Act 1421 of 2001), has committed such acts even if the incident did not take place in the presence of the law enforcement officer.
vi. The arrest of the person shall be considered the preferred action by the law enforcement officer of this agency when evidence indicates that domestic abuse has occurred in addition to a violation of the Arkansas Criminal Code.
vii. Collect and record evidence and, where appropriate, photograph injuries and property damage.
viii. Complete appropriate offense or incident reports necessary to fully document the officer's response, whether or not a crime was committed or an arrest was made.
ix. Advise the victim that a petition for relief may be filed in Circuit Court of the county where the petitioner resides, where the alleged incident of abuse occurred, or where the respondent may be served.
x. Advise all parties about the criminal nature of family violence, its potential for escalation, and that help is available.
xi. Officers shall complete a lethality assessment and provide the victim(s) or victim's family a "Laura's Card," in accordance with A.C.A. 16-91-1107(a)(1).
xii. Remain on the scene until satisfied that there is no imminent threat to the victim.

xiii. If the offender has left the scene and a domestic battery crime has been committed, the officers will:

- **a.** All domestic violence incidents shall be investigated thoroughly, in accordance with Act 876 of 2015.
- **b.** Conduct a search of the immediate area;
- **c.** Obtain information from victims and witnesses as to where the offender might be and make all reasonable attempts to apprehend the offender within 12 hours.
- **d.** Misdemeanor Domestic Abuse: Refer victim to affidavit process. Felony Domestic Abuse: Officers shall complete a case file and forward to Prosecuting Attorney.

VI. Court Orders Used to Protect Victims of Domestic Violence

A. In Arkansas there are three types of court orders typically used to protect victims of domestic abuse:

- **i.** Orders of Protection,
- **ii.** Mutual Restraining Orders
- **iii.** No Contact Conditions of Release.

B. ORDER OF PROTECTION

i. 9-15-201.Petition — Requirements generally.

- **a.** All petitions under this chapter shall be verified.
- **b.** The petition shall be filed in the county where the petitioner resides, where the alleged incident of abuse occurred, or where the respondent may be served.
- **c.** A petition for relief under this chapter shall be filed in the circuit court.

ii. A petition may be filed by:

- **a.** Any adult family or household member on behalf of himself or herself;
- **b.** Any adult family or household member on behalf of another family or household member who is a minor, including a married minor;
- **c.** Any adult family or household member on behalf of another family or household member who has been adjudicated an incompetent; or
- **d.** An employee or volunteer of a domestic-violence shelter or program on behalf of a minor, including a married minor.

iii. A petition for relief shall:

- **a.** Allege the existence of domestic abuse;
- **b.** Disclose the existence of any pending litigation between the parties; and
- **c.** Disclose any prior filings of a petition for an order of protection under this chapter.

d. The petition shall be accompanied by an affidavit made under oath that states the specific facts and circumstances of the domestic abuse and the specific relief sought.

e. The petition may be filed regardless of whether there is any pending litigation between the parties.

f. A person's right to file a petition, or obtain relief hereunder shall not be affected by his or her leaving the residence or household to avoid abuse. 1; 2007, 3, 8; 2003, No. 1221, § History.Acts 1991, No. 266, §§ 1. No. 314,§

iv. 9-15-203. Petition -- Form.

a. The circuit clerk shall provide simplified forms and clerical assistance to help petitioners with the writing and filing of a petition under this chapter if the petitioner is not represented by counsel.

C. 5-53-134 VIOLATION OF AN ORDER OF PROTECTION

i. A person commits the offense of violation of an order of protection if:

a. A circuit court or other court with competent jurisdiction has issued a temporary order of protection or an order of protection against the person pursuant to The Domestic Abuse Act of 9-15-101 et seq.; 1991, §

b. The person has received actual notice or notice pursuant to the Arkansas Rules of Civil Procedure of a temporary order of protection or an order of protection pursuant to The Domestic Abuse Act of 9-15-101 et seq.; and 1991, §

c. The person knowingly violates a condition of an order of protection issued pursuant to the Domestic Abuse 9-15-101 et seq. Act of 1991, §

ii. A person commits the offense of violation of an out-of-state order of protection if:

a. The court of another state, a federally recognized Indian tribe, or a territory with jurisdiction over the parties and matters has issued a temporary order of protection or an order of protection against the person pursuant to the laws or rules of the other state, federally recognized Indian tribe, or territory;

b. The person has received actual notice or other lawful notice of a temporary order of protection or an order of protection pursuant to the laws or rules of the other state, the federally recognized Indian tribe, or the territory;

c. The person knowingly violates a condition of an order of protection issued pursuant to the laws or rules of the other state, the federally recognized Indian tribe, or the territory; and

d. The requirements of 9-15-302 concerning the full faith and credit for an § out-of-state order of protection have been met.

e. Violation of an order of protection under this section is a Class A misdemeanor.

iii. A law enforcement officer may arrest and take into custody without a warrant any person who the law enforcement officer has probable cause to believe:

a. Is subject to an order of protection issued pursuant to the laws of this state; and
b. Has violated the terms of the order of protection, even if the violation did not take place in the presence of the law enforcement officer.

iv. Under 9-15-302, a law § enforcement officer or law enforcement agency may arrest and take into custody without a warrant any person who the law enforcement officer or law enforcement agency has probable cause to believe:

a. Is subject to an order of protection issued pursuant to the laws or rules of another state, a federally recognized Indian tribe, or a territory; and
b. Has violated the terms of the out-of-state order of protection, even if the violation did not take place in the presence of the law enforcement officer.
c. It is an affirmative defense to a prosecution under this section that the parties have reconciled prior to the violation of the order of protection.
d. Any law enforcement officer acting in good faith and exercising due care in making an arrest for domestic abuse in an effort to comply with this subchapter shall have immunity from civil or criminal liability. 1; 2003, No. 1; 1991, No. 1236, § History Acts 1991, No. 267, § 4. 651

VII. Enforcement Of A Violation Of An Order Of Protection

A. The preferred course of action for law enforcement officers of this agency is to arrest and take into custody without a warrant, pursuant to Arkansas Code Annotated 5-53-134, any person who the law enforcement officer has probable cause to believe is subject to an order of protection issued pursuant to the laws of this state and who the officer has probable cause to believe has violated the terms of the order, even if the violation did not take place in the presence of the law enforcement officer.
B. Order of Protection issued in any Arkansas court shall be enforced by officers of this department whenever a violation occurs. An Arkansas order is valid throughout the state, regardless of which court issued the order.
C. Any law enforcement officer of this agency acting in good faith and exercising due care in making an arrest for domestic abuse shall have immunity from civil liability (A.C.A. 9-15-303).

VIII. Enforcement Of Out-Of-State Orders

A. 9-15-302.Full faith and credit.

i. Any order of protection that meets the subsection (B) or subsection (C) of this section issued by a court of another state, a federally recognized Indian tribe, or a territory shall be afforded full faith and credit by the courts of this state and shall be enforced by law enforcement as if it were issued in this state.

B. An order of protection issued by a court of another state, a federally recognized Indian tribe, or a territory meets the requirements of this section if:

i. The court had jurisdiction over the parties and matters under the laws of the other state, the federally recognized Indian tribe, or the territory; and

ii. Reasonable notice and opportunity to be heard was given to the person against whom the order was sought sufficient to protect that person's right to due process.

iii. In the case of ex parte orders, notice and opportunity to be heard must be provided within the time required by the laws or rules of the other state, the federally recognized Indian tribe, or the territory and, in any event, within a reasonable time after the order is issued sufficient to protect the due process rights of the party against whom the order is enforced.

C. An order of protection issued against both the petitioner and the respondent by a court of another state, a federally recognized Indian tribe, or a territory shall not be enforceable against the petitioner unless:

i. The respondent filed a cross or counter petition, complaint, or other written pleading seeking an order of protection;

ii. The issuing court made specific findings against both the petitioner and the respondent; and

iii. The issuing court determined that each party was entitled to an order.

iv. A person seeking recognition and enforcement of an out-of-state order of protection under this section may present a copy of the order of protection to the local law enforcement office in the city or county where enforcement of the order may be necessary.

v. After receiving a copy of the order of protection, the local law enforcement office shall enter the order into the Arkansas Crime Information Center's protection order registry file.

vi. There shall be no fee for entering the out-of-state order of protection.

vii. The law enforcement office shall not notify the party against whom the order has been issued that an out-of-state order of protection has been entered in this state.

viii. Entry of the out-of-state order of protection into the center's protection order registry file shall not be required for enforcement of the order of protection in this state.

ix. When enforcing an out-of-state order of protection, a law enforcement officer shall determine if there is probable cause to believe that an out-of-state order of protection exists.

D. A law enforcement officer may rely upon:

i. An out-of-state order of protection that has been provided to the officer by any source; or

ii. The statement of any person protected by an out-of-state order of protection that the order exists; and

iii. Verification by the clerk of the court of the other state, the federally recognized Indian tribe, or the territory in writing, by telephone, or by facsimile transmission or other electronic transmission.

iv. When enforcing an out-of-state order of protection, a law enforcement officer shall determine if there is probable cause to believe that the terms of the order have been violated.

E. The law enforcement officer may rely upon:

i. Any events he or she witnessed;
ii. The statement of any person who claims to be a witness; or
iii. Any other evidence.
iv. A law enforcement officer shall not refuse to enforce the terms of the order of protection on the grounds that the order has not been filed with the local law enforcement office or entered into the center's protection order registry file unless the law enforcement officer has a reasonable belief that the order is not authentic on its face. History Acts 2. 3; 2003, No. 651, § 1995, No. 995, §

a. 9-15-303. Immunity from liability. Law enforcement officers and law enforcement agencies shall be immune from civil or criminal liability if acting in good faith in an effort to comply with this subchapter. History Acts 3. 4; 2003, No. 651, § 1995, No. 995, §
b. 12-12-215. Registry of orders of protection. (a)In addition to other duties as provided, the Arkansas Crime Information Center shall maintain a registry of all orders of protection and temporary orders of protection issued by a court of this state or registered in this state.

IX. Mutual Restraining Orders

This type of order is typically used in divorce cases. The duration for a restraining order is until the final divorce decree. If a restraining order is violated, the charge would be a contempt charge. Officers of this department should not base an arrest on an individual on this type of order. This type of order is usually handled through the court or through the warrant process. However, this order may not be limited to just divorce cases.

X. No Contact Conditions Of Bond/Pretrial Release Or Probation/S.I.S.

A. When criminal charges are involved, a no contact provision can be made a condition of bond or pretrial release when requested by the victim (or by the prosecutor on behalf of the victim). An order for the defendant to have no contact with the victim and the victim's family may be issued by Circuit and District courts in association with criminal charges, as either a condition of pretrial release/bond or as a condition of probation/S.I.S.
B. No contact orders are mandated as a condition of pretrial release when the defendant is charged with one of the following crimes: Stalking, Terroristic Threatening, Harassment, Harassing Communications, and/or Unauthorized Computerized Communications. Upon pretrial release of the defendant, a judicial officer will enter a no contact order in writing consistent with Rule 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and will give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.
C. Rule 9.5(b) A law enforcement officer having reasonable grounds to believe that a released defendant has violated the conditions of his release or the terms of an order under Rule 9.3

is authorized to arrest the defendant and to take him forthwith before any judicial officer having jurisdiction when it would be impracticable to secure a warrant.

XI. Department Procedures (Domestic Disputes)

A. Officers from the Cabot Police Department will not accompany any person to a residence to redeem property or children unless directed to do so by the Department of Human Services (DHS), Lonoke County Prosecutor, Cabot District Judge, Lonoke County Circuit Judge, or the Chief of Police or his designee. This notification must be confirmed in writing, by telephone, or personal contact.

B. Court orders should demand that they are enforceable by any Arkansas Police Officer or any Cabot Police Officer.

C. If children are in danger, the children will be removed from the home and the Department of Human Services will be notified.

D. Officers will not make determinations as to the rightful ownership of property in any family or domestic disturbance. This authority rest with court officials only.

E. In any domestic abuse situation where there are obvious signs of abuse which occurred in the last twelve (12) hours, an officer has little choice but to arrest the suspect. All attempts should be made to obtain a concise statement from the victim. On certain occasions, arrest may be necessary to quell further disorderly activity.

F. When responding to any family disturbance, officers should take safety precautions and be alert. However, all parties should be treated as respectfully as they will allow.

G. Officers of this department shall investigate all calls involving domestic violence and shall not cancel any call that may be related to domestic violence without first having made contact with the victim even if the victim calls or states they wish to cancel the call. This is to ensure that all calls related to domestic violence are fully investigated and to see that the victims are protected. Victims calling the police department and trying to cancel a call may be under duress; therefore all calls must be investigated.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Domestic Misconduct
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: Police agency employees come from the community. They may become involved in domestic matters. Because they are police employees and their status is usually known to other persons in the community and they are representatives of the police agency, the agency must take positive steps to ensure that these domestic matters do not adversely affect the employee's ability to perform, or compromise the conduct of agency missions, or create moral, operational or efficiency problems for the agency. This agency is dedicated to providing assistance for the employee during these critical times so that the employee may resolve the situation and return to being a productive member of the agency without these types of personal and family concerns.

II. Policy: It is the policy of this agency to deal directly and positively with any employee involved in acts of domestic misconduct. The ultimate mission of the agency is to assist the employee to resolve these family/relationship problems, to ensure that these acts do not adversely affect the employee or the agency during the period of resolution, and to provide the agency with a safe work environment.

III. Definitions:

A. Domestic misconduct: The agency defines this type of conduct very broadly. This definition may be broader than State law, but it is intended to assure the continuation of positive performance within the agency by the involved employee and other members of the agency. A domestic relationship involves any employee who is or has been married to the other party, involves any member of the employee's household, who is living or has lived with the other party, has had a child with the other party, or is or has engaged in an intimate relationship with the other party. Misconduct refers to any physical assault or battery, vandalism, stalking, intimidation, coercion, or criminal act against a party within this form of domestic relationship.

B. Collateral misconduct: Any conduct by another member of the police agency to assist another agency employee in the continuation of the act of domestic misconduct. This would also include any actions designed to shield the employee or impair the ability of the agency to be informed of the domestic misconduct.

C. Service of court papers: Any documents from a judicial proceeding which are designed to assist in ameliorating the domestic misconduct or curtailing specific actions by the parties involved in the domestic misconduct.

D. Self-reporting: It is the responsibility of the employee to provide the agency with specific notice whenever he/she is involved in any acts of domestic misconduct. This is specifically true whenever the employee is the subject of any judicial proceeding concerning these types of acts, whether the employee is the person complained of or the victim.

IV. Procedure: The agency shall take immediate action when notified of any act of domestic misconduct involving an employee of this agency.

A. When the incident occurs within the jurisdiction of this agency:

i. Assign the call for response by two uniformed officers and a supervisor. In cases where no supervisor is on duty, a supervisor will be notified.

ii. The supervisor will attempt to curtail any violence, ensure all parties are protected, and provide any required medical assistance.

iii. The supervisor shall ensure that all evidence is properly recorded and collected.

iv. Once the incident is contained, the supervisor if needed should call for a response by the agency's criminal investigator.

v. The criminal investigator, or the supervisor if no investigator responds, is responsible for the criminal investigation, if warranted.

vi. The supervisor shall notify the Chief of Police or designee, at the earliest moment.

vii. The decision to arrest an agency employee involved in domestic misconduct shall be the responsibility of the on-scene investigating officer. When probable cause exists, the employee shall be arrested and processed the same as any civilian.

B. The supervisor, criminal investigator, or, if not done by these persons, the Internal Affairs person shall take immediate steps to curtail any continuation of the domestic misconduct.

i. Ensure that victim advocate assistance is offered and provided when necessary.

ii. Ensure that an immediate safety plan is discussed with the victim of the domestic misconduct and assist in any manner to ensure this continued safety.

C. Internal Affairs or a supervisor designated by the Chief of Police shall be responsible for:

i. Ensuring that the appropriate assignment decision is made regarding the agency employee.

ii. When the incident occurs within the jurisdiction of this agency, ensuring that the criminal investigation has been conducted in a reasonable manner.

iii. Developing and/or implementing any necessary safety plan to ensure employee safety.

iv. Conducting the administrative investigation of the incident and any collateral employee misconduct. The agency shall be listed as the complainant.

D. When the incident involving domestic misconduct occurs in a jurisdiction other than that of this agency:

i. The agency person notified of this incident shall immediately notify the Chief of Police or his/her designee.

ii. A supervisor designated by the Chief of Police shall make immediate contact with the involved agency to ensure that our agency is kept on notice of the progress of the investigation.

iii. A supervisor designated by the Chief of Police shall ensure that the employee and the persons involved are aware that the agency will assist them during this process.

iv. The supervisor designated by the Chief of Police is responsible for determining whether an administrative no-contact order is warranted and will be responsible for serving this upon the agency employee, when necessary.

E. Service of court orders:

i. The supervisor designated by the Chief of Police shall facilitate, when requested, the service of any court orders upon agency employees.

ii. The Chief of Police or his/her designee shall be responsible for the determination regarding any assignment limitations involving the employee who is subject to the court order.

F. Protective Order: Employees are prohibited from possessing firearm while the subject of a protective order meeting the following criteria: An employee may not possess a firearm when that employee becomes the subject of a final protective order that:

i. was issued after a hearing of which the employee received actual notice, and at which such employee had an opportunity to participate;

ii. restrains such employee from harassing, stalking, or threatening an intimate partner of the employee or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

iii. includes a finding that the employee represents a credible threat to the physical safety of such intimate partner or child; or

iv. by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

G. Conviction of a crime of domestic violence: When a sworn employee is convicted or pleas to any crime related to domestic violence that brings in the provisions of 18 U.S.C. 922(g)(9) law, the employee shall be terminated as not being able to function completely within the job classification for which s/he was hired.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Duty to Disclose Exculpatory Material
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: An agency and its personnel could be subject to liability in federal court for failing to disclose to a prosecutor any evidence that may be favorable to a defendant. The purpose of this policy is to ensure that agency personnel are in compliance with the landmark United States Supreme Court decisions of Brady v Maryland (1963) and Giglio v. United States (1972) and their progeny.

II. Policy: It is the policy of this department to require that law enforcement personnel provide all potentially exculpatory evidence to prosecutors. Furthermore, it will be the responsibility of the Chief of Police or their designee to review all officers' files to determine if any officer has a disciplinary history that would impact the officer's credibility as a witness. This information should be made available to the prosecutor for a determination of whether said information is "Brady" material prior to the officer's appearance.

III. Definitions

A. Duty to Disclose: The landmark decision of Brady v Maryland (1963) places an affirmative constitutional duty on a prosecutor to disclose exculpatory evidence to a defendant. This duty has been extended to police agencies through case law, requiring law enforcement agencies to notify the prosecutor of any potential exculpatory information.

B. Exculpatory Evidence/Brady Material: Evidence in the government's possession that is favorable to the accused and that is material to either guilt or punishment, including evidence that may impact the credibility of a witness.

IV. Procedure

A. Officers are required to document all investigative activity involved in an investigation, including exculpatory information.

B. All official reports involving an investigation will be submitted to the prosecuting authority prior to actual prosecution of the case. The prosecutor will determine what information contained in the case file will be provided to defense counsel.

C. The department will meet with the prosecutor's office to establish a procedure whereby the intent of this policy is carried out.

D. To the extent the agency is aware of exculpatory information to include sustained disciplinary history, which may be "Brady" material, the Chief of Police or their designee shall ensure that such information is brought to the attention of the prosecutor before the officer provides testimony in any criminal case.

E. Each employee who is notified to appear as a witness in a criminal case has an individual obligation under this policy to notify the prosecutor on the specific case of any sustained disciplinary history that may impact credibility and qualify as "Brady" material.

F. The Chief of Police or their designee will ensure that all sworn personnel are familiar with the requirements of this policy and will stress the importance of credibility as an essential requirement of being able to function as a police officer.

G. Policy review will be documented in personnel's training records.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Early Intervention System
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: A comprehensive Personnel Early Intervention System is an essential component of good discipline in a well-managed law enforcement department. The Early Intervention System is a supervisory tool and not a disciplinary process. The early identification of employees exhibiting symptoms of stress or other behavior that could pose a liability to the community, the Department, or the officer, must be detected as soon as possible. When appropriate, an intervention consisting of a menu of remedial actions can increase department accountability and offer employees a better opportunity to meet the department's values and mission statement. This is a non-disciplinary system which aids in identifying employees who may be experiencing personal or professional difficulties so that the employee may be assisted with corrective action steps to resolve these difficulties before a crisis occurs.

II. Policy: It is the policy of this department to establish an Early Intervention System to help identify department employees who may require intervention efforts. The system should identify patterns of behavior that might be symptomatic that an individual employee requires an intervention.

III. Definitions

A. Early Intervention System (EIS): A management tool designed to identify employees whose performance exhibits potential problems, and then to provide interventions, usually counseling or training, to correct those performance problems. Early Intervention Systems have emerged as an effective mechanism for enhancing accountability within law enforcement agencies.

IV. Procedure

A. The EIS will be maintained by the Chief of Police or their designee.

B. The system should review at a minimum:

i. Complaints;

ii. Incidents involving use of force;

iii. Shooting incidents;

iv. Use of sick leave;

v. Preventable accidents;

vi. Domestic misconduct incidents;

vii. Civil litigation;

viii. Performance evaluations; and

ix. Commendations.

C. Programs of this type rely heavily on first and second level supervisors who will continually monitor the above data for each employee's indicating the review on each evaluation and be prepared to initiate the system whenever a trend or pattern emerges indicating an employee may be in need of assistance.

D. It will be the responsibility of the identified employee's chain of command to recommend, in writing, the appropriate action initiated to correct any deficiency that might be identified. The recommended actions could include the following:

i. No further action required. The employee's actions that triggered the EIS have been thoroughly reviewed and do not indicate any concern for corrective action;

ii. Supervisory Counseling;

iii. Periods of observation in the field by the first line supervisor;

iv. Peer Counseling;

v. Referral to the Employee Assistance Program (if applicable);

vi. Referral to psychological services;

vii. Referral for remedial training;

viii. Re-assignment;

ix. Referral for anger management training;

x. Referral for stress reduction training; and

xi. Other action as deemed appropriate.

E. Process: Once the recommended action plan is discussed with the employee and approved by the chain of command, the intervention will be engaged and reported back in writing to the entity charged with the responsibility of maintaining the system. A follow-up component will be established in the action plan to ensure the behavior that triggered the intervention is no longer a concern.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Electronic Control Devices
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this Department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct members in the appropriate use and deployment of Electronic Control Devices (ECD).

II. Policy: It is the policy of this Department to protect and serve all citizens, while at the same time respecting the rights of suspects, and balancing the need for member safety in response to resistance events. It is the policy of this Department that members will use only objectively reasonable force to bring an incident or event under control. Objectively reasonable force is only that force which is necessary to accomplish lawful objectives. All responses to resistance must be objectively reasonable.

III. Definitions

A. Active resistance: a subject actively resists when they take affirmative action to defeat an officer's ability to take them into custody.

B. Passive resistance: A subject who takes no affirmative action to defeat the member's ability to make an arrest but who does not respond to verbal commands and presents a refusal to move by sitting down or acting as dead weight.

IV. Procedure

A. Electronic Control Devices

i. An electronic control device as a force option is the same level of force as chemical spray.

ii. Electronic Control Device must be worn on the weak-side in either a weak-hand draw or cross-draw position.

iii. Electronic Control Device deployment shall not be considered for the passively resistant subject. Active resistance shall be required.

iv. Flight from a member, standing alone, is not a justification for the use of an electronic control device. Members should consider the nature of the offense suspected; the level of suspicion with respect to the person fleeing; the risk of danger to others if the person is not apprehended immediately; and the surface on which the subject is fleeing

which may lead to injury as a result of the resulting fall.

v. Members must be aware of the danger of combustibility as a result of the ECD's discharge when in a combustible environment or where the subject has been exposed to combustible agents.

vi. Multiple Electronic Control Device deployments against an individual may increase the likelihood of serious injury where the individual is suffering from other symptoms such as cocaine intoxication or excited delirium. Members should minimize the successive number of discharges against an individual where possible.

vii. The Department recognizes however, particularly where back-up members are unavailable, that multiple applications may be necessary to gain or maintain control of a combative individual.

viii. No more than one member should deploy an ECD against a single individual at the same time.

ix. A contributing factor to serious injury or death is the level of a subject's exhaustion. Studies recommend that when a member believes that control of a subject will be necessary and met with resistance, deployment of the ECD should be considered early on in the event so that the person has not reached a level of exhaustion prior to the ECD's use.

x. The preferred targeting is the center mass of the subject's back, however it is recognized that it is not always possible to get behind the subject.

xi. Where back-targeting is not possible, frontal targeting should be lower center mass. Intentional deployments to the chest shall be avoided where possible.

xii. Members who are aware that a female subject is pregnant shall not use the ECD unless deadly force would be justified due to the danger created by the secondary impact or the possibility of muscle contractions leading to premature birth.

xiii. Members shall make all reasonable efforts to avoid striking persons in the head, neck, eyes or genitals.

xiv. Members are prohibited from using the device as punitive measure.

xv. ECD shall not be used against persons who are in physical control of a vehicle in motion unless deadly force would be justified based on an existing imminent threat.

xvi. A warning to the subject prior to deployment is preferred.

xvii. Members shall make all efforts to warn other members that a deployment is about to occur.

xviii. The device shall never be used on a handcuffed person to force compliance unless the subject poses a threat to the member through physical conduct or active resistance that cannot otherwise be reasonably controlled.

xix. Members should consider the location and environment of the subject. Members shall avoid using ECD's in cases where the subject is elevated (i.e. roof, fire escape, tree, bridge, stairwell, loading dock etc. etc.) such that the secondary impact may cause serious injury.

xx. Members should be aware that a subject's heavy clothing may impact the effectiveness of the ECD.

xxi. Members should consider the particular subject and any vulnerability they may have such as: a person who is small in stature or very frail will be more dramatically impacted,(i.e. elderly; juveniles; pregnant females).

xxii. Alternative tactics shall be utilized where the member has prior information that the subject suffers from a disability which would increase the danger to that person by using the ECD (i.e. A person at the scene tells a member that the subject has a heart condition).

xxiii. Deployed probes that have been removed from a suspect should be treated as a bio-hazard.

xxiv. Where EMS is available, their services may be utilized for the removal of probes that have penetrated the skin, as long as such removal can be accomplished without causing further injury.

xxv. Any person who requests or appears to be having any form of physical distress following the deployment of an ECD shall be transported to a medical facility for a medical examination. It should be noted that studies indicate that persons who suffer from excited delirium may not be immediately impacted and the onset of difficulty may occur a period of time after the police control event.

xxvi. Mandatory medical clearance by a medical professional:

- **a.** Persons struck in a sensitive area-eyes, head, genitals, female breasts.
- **b.** Where the probes have penetrated the skin and either the officer or EMS cannot safely remove probes in accord with this policy the subject must be transported to a medical facility.
- **c.** Persons who do not appear to have fully recovered after a short period of time. Members who observe unusual physical distress should immediately call for medical assistance.
- **d.** Persons who fall into one of the vulnerable classes such as young children, pregnant women, persons who are small in stature, persons who members become aware have a pre-existing medical condition that increases danger and the elderly.
- **e.** Subjects who request medical assistance.

xxvii. Additional Documentation:

- **a.** All deployments of an ECD shall be documented on the response to resistance form, including those cases where a subject complies once threatened with such a device. By documenting the non-discharge uses, this Department establishes member judgment and control as well as the deterrent effect of this tool.
- **b.** Photographs of the affected area should be taken following the removal of probes from the subject to document any injury. Where the drive-stun method has been used, photographs are extremely important due to the increased potential for this method to cause scarring.

c. Supervisory personnel shall be notified and review all ECD deployment for consistency with policy and training.

d. Probes/Cartridges shall be properly stored and maintained as evidence following a discharge.

e. Members are required to complete a “response to active resistance form” which shall be reviewed by a supervisor following the ECD use.

f. All deployments shall be reviewed by the Chief of Police or their designee, as well as training personnel.

g. Where there is any indication of lasting injury, claim or complaint, internal data from device shall be maintained. All ECD units will be audited monthly to ensure that all deployment/activations have been reported as required.

h. Supervisory personnel shall conduct a monthly download of all ECD data to ensure that all uses are reported. It is noted that all data should reflect a weekly spark test.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Employee Nepotism and Fraternization
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose for this directive is to establish policy on personal relationships between Department employees which give rise to an actual or perceived potential conflict of interest with professional responsibilities and/or which create the potential for an adverse impact on Department operations, safety, efficiency and morale.

A. As an organization that is heavily dependent upon its human resources, the Department has a vital interest in the maintenance of harmonious, efficient, and productive working relationships between its employees. Personal relationships that cause unrest, lend themselves to the perception of favoritism, adversely affect morale, or otherwise disrupt the good working order of the Department are undesirable.

II. Policy: It is the policy of this department to ensure that its employees carry out their duties with impartiality and fairness so that public and organizational confidence in the actions of our employees is maintained. Additionally this department is committed to the principle that the most qualified candidates will be selected for promotions, assignments, and specialized positions. While this department recognizes the rights of employees to become involved in personal relationships with their co-workers, public trust, workplace safety, departmental operations and morale require that employees avoid the appearance of or actual conflict of interest between their professional responsibilities and any involvement in a romantic or sexual relationship with other employees. In order to promote efficient operation of the department and avoid misunderstandings, complaints of favoritism, sexual harassment, gender-based discrimination, and other problems of supervision, safety, department operations, and employee morale, all employees are instructed to avoid situations that give rise to an actual or perceived conflict. Employees who are related to or who are engaged in a romantic relationship with candidates for hiring selection, promotion or assignment to specialized positions, must ensure that all reasonable precautions are taken to avert any undue influence in the selection process or even the appearance of impropriety in the process.

III. Definitions

A. Family relationship: A relationship resulting from family ancestry or marriage. For this policy this includes spouse, parent (including foster, step, and in-law); children (including adoptive, foster, or step); brother or sister; grandparent or grandchild; aunt or uncle; niece or nephew; or any other relative living in the same household as the employee or another individual related by blood, marriage, or quasi-marriage in the same household as a Departmental employee. Relative includes a significant other or domestic partner.

B. Personal relationship: For purpose of this policy, personal relationship is a relationship involving employees who are dating, engaged in a romantic relationship or cohabitating.

C. Supervisor: An employee who has authority, direct or indirect, over another employee by virtue of their rank or job classification.

D. Subordinate: An employee who is answerable to another employee based on their rank or job classification.

E. Dating: One or more social meetings between employees under circumstances reasonably intended to lead to a romantic relationship.

IV. Procedure

A. Hiring, promotion and assignment to specialized positions:

i. Employees who are related to or involved in a romantic relationship with a candidate for hiring selection, promotion or assignment to specialized positions shall not be involved in the selection process. The department shall not depart from the procedures embodied in the department's personnel policies for any reason other than one specifically approved by the Chief of Police or their designee.

ii. Should an employee related to or involved in a romantic relationship be required to participate in any of these selection processes due to an absence of available alternatives, the final selection decision is subject to approval of the Chief of Police of Police or their designee.

iii. Supervisory procedures: An employee generally shall not directly supervise a relative or another employee where a personal relationship exists. It will be incumbent upon the subordinate to select assignments which will not put them under the supervision or management of a relative or someone with whom they have a personal relationship.

iv. Working conditions: Relatives or employees who are engaged in a romantic relationship shall not be assigned to the same shift or unit without specific approval of the Chief of Police or their designee.

v. Duty to notify

a. In the event that an employee becomes involved in a romantic relationship with another Department employee, they shall notify their supervisor in person as soon as possible. Employees who find themselves working in close proximity to a relative or another employee with whom they have a personal relationship shall notify their supervisor of the circumstances.

b. If a supervisor and a subordinate marry or cohabitate, the Chief of Police of Police or their designee will review the working relationship of the two employees and determine if it creates a potential conflict of interest or an adverse impact on supervision, safety, operations or morale. The Chief of Police or designee will make reasonable efforts to transfer, reassign, or otherwise resolve the situation so that one of the employees is placed in a position where the conflict potential no longer exists. Prior to any reassignment, the Department will receive input from the involved employees.

c. The Chief of Police or designee shall take appropriate steps to ensure that involved employees' working conditions are modified to eliminate potential conflicts of interest and adverse workplace performance problems.

d. The Chief of Police's designee shall prepare a written report regarding the situation and his/her resolutions. This report shall be transmitted to the Chief of Police.

e. Failure by an employee to report personal relationships to the supervisor compromises the integrity of the Department's chain of command, disrupts the work environment, causes decline in morale and can reduce productivity. Any failure to report relationships as required by this policy shall constitute misconduct and may subject an employee to disciplinary action.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Employment Probation Period/Promotion/Transfers
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** To establish a probationary period for employees hired, promoted and transferred within the Cabot Police Department. Provide a procedure for the promotion of Cabot Police Department personnel.

II. **Policy:** It shall be the policy of this department that all employees hired, promoted or transferred within the Cabot Police Department serve under a probationary period as set forth. This department's goal is to promote qualified and capable personnel as the positions become available. The promotion selection process will be administered in a fair, equitable and transparent process. The policy will provide for a means to redress appeals and rebuttals to the validity of the promotion process. All testing procedures used to evaluate candidates will be job related and nondiscriminatory.

III. **Procedure:**

A. Every officer employed or appointed below the level of department head shall satisfactorily complete a probationary period of not less than twelve (12) months with the Cabot Police Department. Although the employee is placed on a probation period it does not establish a promise of employment (section III-C). Every employee will receive a probation form to sign upon employment. This signed and dated form will be placed in their respective personnel file.

B. A department head is not required to serve a probationary period.

C. Any newly hired patrolman may be dismissed at the discretion of the Chief of Police within the twelve (12) month probationary period pursuant to CLEST Standards.

D. The dismissal will be in writing and served to the person being dismissed by the Chief of Police or his designee.

E. All persons dismissed will turn in all property of the City of Cabot upon his/her dismissal.

F. Every officer who is promoted or appointed as an assistant department head, middle management or supervisory position shall satisfactorily complete a probationary period of not less than six (6) months. The Chief of Police may reduce the promotion at his discretion within the six (6) month probationary period. This action will be in writing and served to the person affected by the Chief of Police.

G. No law enforcement officer who is not certified by the Commission may have his temporary or probation employment extended beyond nine (9) months by renewal of appointment or otherwise. However, where extraordinary circumstances exist in the majority opinion of the Commission, the Commission may extend the twelve (12) month limit for any period of time, up to, but not exceeding nine (9) months for an absolute maximum of twelve (12) months. (See CLEST regulation 1008 for exceptions.) All requests for extensions must be submitted to and received by the Commission prior to the end of the original twelve (12) month period.

H. All CLEST rules and regulations will be followed concerning employment probationary periods and certifications. However, probation periods for promotions and lateral transfers may be extended to one (1) year at the discretion of the Chief of Police. Six (6) month probation periods will be considered the minimum concerning promotions and lateral transfers. This action will be in writing and served to the person affected by the Chief of Police. (CLEST regulations 1003, 1005, 1008)

IV. Procedure for Non-Certified Personnel: (Communications/Jail)

A. Every non-certified employee, employed or appointed below the level of department head shall satisfactorily complete a probationary period of not less than twelve (12) months with the Cabot Police Department.

B. Any non-certified employee may be dismissed at the discretion of the Chief of Police within the twelve (12) month probationary period.

C. The dismissal will be in writing and served to the person being dismissed by the Chief of Police or his designee.

D. All persons dismissed will turn in all property of the City of Cabot upon his/her dismissal.

V. Procedure for Lateral Transfer:

A. A lateral transfer is when an employee of the police department is moved from one position within the police department to another position within the police department of equal rank or position.

B. A lateral transfer does not include an increase/reduction in pay or promotional value unless otherwise indicated.

C. Lateral transfers will be assigned by the Chief of Police or his designee.

D. The Chief of Police or his designee may, at his discretion, withdraw the decision of the person receiving the lateral transfer and re-assign the employee. This action will be in writing and served to the person affected, by the Chief of Police or his designee.

VI. Promotion Procedure:

A. Administration

- **i.** The City of Cabot Human Resource Director retains authority and responsibility for the administration of the promotional process for sworn personnel.
- **ii.** The Chief of Police will initiate the promotion process for all sworn personnel on an as needed basis.
- **iii.** New employees, which includes former employees seeking rehire, must start at the rank of patrolman except for appointments by the Mayor for the positions of Chief of Police and Assistant Chief of Police.

B. Execution

- **i.** Prior to the commencement of any promotional process, the Human Resource Director shall procure all testing and study materials required for the written test portion of the promotion process. Sufficient study materials will be procured so each candidate will have a minimum of one (1) week with each book.
- **ii.** A written test for each rank shall be obtained from an outside testing firm which will contractually guarantee the security of their test. The security of testing materials once received by the City of Cabot will be the responsibility of the Human Resource Director.
- **iii.** The Chief of Police will provide both electronic and written announcement of the promotional opportunity by posting the notice in a prominent location within the Police Department of those eligible to take the promotional test. The notice will include the following information:

  - **a.** Date notice posted (note: this will be the date used for all eligibility requirements);
  - **b.** Date, time and location of the written examination;
  - **c.** List of eligible personnel to take the test;
  - **d.** Closing date for eligible personnel to submit a letter of intent;
  - **e.** Materials used as the source of questions on written tests;
  - **f.** Name of company providing testing materials.

- **iv.** The written examination will be given before the oral interview board.
- **v.** The written examination will be given to all candidates on the same date. (See "E" Exceptions)
- **vi.** Completed written examinations will be collected by the Human Resource Director and held until scoring. Scoring will not be completed until after all candidates have completed the oral interview board.

vii. The Human Resource Director will oversee the scoring of the written examinations.

viii. The prescribed scoring sheet will be used by the members of the oral interview board.

ix. As much as is reasonably possible, all candidates will be interviewed by the same board members.

C. Eligibility Requirements

i. Promotion to Sergeant

a. Minimum of 3 years of experience as a certified Arkansas Law Enforcement Officer.

b. Worked at least the previous 2 years continuously with the Cabot Police Department.

c. Must not have been disciplined with a suspension in the past year.

d. If employee is the subject of an Internal Affairs Investigation, he/she may test, but will not be eligible for promotion until the investigation is completed. If the employee is suspended as a result of this investigation, he/she will lose promotion eligibility.

e. Must have completed and passed both the Foundation of Supervision course and the Principles of Supervision course.

f. Within 7 days of the announcement of the promotional opportunity the employee must submit a letter of intent to compete in promotion process.

ii. Promotion to Lieutenant

a. Must meet all of the same requirements as the Promotion to Sergeant Candidate.

b. Minimum of 2 years of experience as a Sergeant.

c. Completed at least one additional course in supervision.

iii. Promotion to Captain

a. Must meet all of the same requirements as the Promotion to Lieutenant Candidate.

b. Minimum of 2 years of experience as a Lieutenant.

c. Completed School of Law Enforcement Supervision.

D. Scoring System

i. Written Examination will be worth 50% of the total final score.

ii. Oral Interview Board will be worth 25% of the total final score.

iii. Years of Service will be worth 10% of the total final score.

a. One (1) point for each completed year, ten points maximum.

iv. Time in rank will be worth 10% of the total final score

a. One (1) point for each completed year, ten points maximum.

v. Education will be worth up to 5% of the total final score.

a. One (1) point for college, no degree.
b. Two (2) points for Associate's Degree.
c. Three (3) points for Bachelor's Degree.
d. Four (4) points for Master's Degree.
e. Five (5) points for Doctorate's Degree.

vi. See attached scoring sheet for example.
vii. Final scores will be sent to each candidate completing the promotion process prior to the announcement of any candidate being promoted.
viii. All promotions will be delayed pending the time expiration of the review and appeal processes.
ix. The highest scoring candidate will be promoted. If a reason exists that the highest scoring candidate should not be promoted then the reason will be put in writing and signed off by the Chief of Police and the Human Resource Director. The written explanation will be presented to the officer in question by the Chief of Police or the Human Resource Director.

E. Exceptions

i. Uniformed Services Employment and Reemployment Rights Act (USERRA) Candidates
a. If deployed during the announcement for promotion, study time, written testing date or oral interview then the candidate will be given the same considerations for promotion starting upon their first duty day back to work at the Cabot Police Department
b. Will be given the same amount of time to study
c. Will have to follow the same policies as listed above
d. Should a USERRA candidate score higher than another employee who was promoted while the USSERA candidate was deployed, the USSERA candidate may be promoted in pay only or pay and rank.
e. Promotion may include a lateral transfer to another position than what the USERRA candidate had worked at prior to deployment.

ii. If the written examination or oral interview board is missed due to Cabot Police Department assigned duties or training then the officer will be allowed to make it up at the earliest time that it can be scheduled.

iii. If the written examination or oral interview board is missed due to an emergency situation such as the hospitalization of a member or the death or hospitalization of the candidates immediate family (spouse, child, mother, father or sibling) and

the emergency reasonably prevents their attendance then the officer will be allowed to make it up at the earliest time that it can be scheduled.

F. Reviews

i. Once the final score is received by a candidate, he/she will have the opportunity to review the results of the written examination and oral interview board.

a. A written request must be submitted by the employee to initiate the review process and must be received by the Human Resource Director or the Chief of Police or their designees within two (2) business days of notification of the candidate's final score.
b. Copying of testing materials or score sheets is prohibited.
c. Candidates may review both their selected answers and test questions.
d. Oral interview board scoring sheets may be viewed but the identity of interviewer will be redacted.
e. Unresolved disputes over a written examination question will be decided by the vendor of the test.

G. Appeals

i. All appeals will be submitted in writing and received by the Human Resource Director or his designee within five (5) business days of notification of the candidate's final score.
ii. The Chief of Police in consultation with Department Administrators and the Human Resource Director will make a ruling within five (5) business days of the appeal submission. The consultation with the Department Administrators will not include Administrators that are eligible for the promotion in question.
iii. The Chief of Police or his designee will present a response to the candidate's appeal with a written explanation of his ruling on the appeal.
iv. If the promotion candidate is still not satisfied, he/she may make a final appeal to the Mayor of Cabot within five (5) business days of the receipt of the Chief of Police's ruling on the appeal.
v. The Mayor of Cabot's decision on the appeal will be the city's final decision.

H. Ties

i. In the event of a percentage tie, total aggregate points will be utilized. If a tie remains, priority will be given to the written test score. Determination beyond this will be made by the Chief of Police.

Scoring Examples:

Patrolman scores 75% on written examination, 80% on oral interview, 3 years of service and 3 years in rank with a Master's Degree.

Examination – Multiply 75 by 50% or 75 times .5 =	37.5 points
Interview – Multiply 80 by 25% or 80 times .25 =	20 points
Years of Service – 1 point each year =	3 points
Years in Rank – 1 point each year =	3 points
Education – Master's Degree =	4 points
Total	67.5 points

Sergeant scores 58% on written examination, 72% on oral interview, 10 years of service and 2 years in rank with a Bachelor's Degree.

Examination – Multiply 58 by 50% or 58 times .5 =	29 points
Interview – Multiply 72 by 25% or 72 times .25 =	18 points
Years of Service – 1 point each year =	10 points
Years in Rank – 1 point each year =	2 points
Education – Bachelor's Degree =	3 points
Total	62 points

Lieutenant scores 91% on written examination, 85% on oral interview, 22 years of service and 8 years in rank with some college education.

Examination – Multiply 91 by 50% or 91 times .5 =	45.5 points
Interview – Multiply 85 by 25% or 85 times .25 =	21.25 points
Years of Service – 1 point each year =	10 points
Years in Rank – 1 point each year =	8 points
Education – Some college =	1 point
Total	85.75 points

Interview Score Sheet

Date:

Employee:

Interviewer:

Appearance: (professional image, neatness)

1 2 3 4 5 6 7 8 9 10

Manner: (politeness, bearing)

1 2 3 4 5 6 7 8 9 10

Alertness: (ability to comprehend, attentiveness)

1 2 3 4 5 6 7 8 9 10

Decision Making: (assessing situations, taking appropriate actions)

1 2 3 4 5 6 7 8 9 10

Oral Communications: (ability to transmit information)

1 2 3 4 5 6 7 8 9 10

Promotion Recommendation: (consider all factors relative to increased responsibility)

1 2 3 4 5 6 7 8 9 10

Remarks: Total Score:

Interview Score Sheet

Date: August 15, 2016

Employee: John Smith

Interviewer: Lt. Adam

Appearance: (professional image, neatness)

1 2 3 4 5 6 7 8 9 10

Manner: (politeness, bearing)

1 2 3 4 5 6 7 8 9 10

Alertness: (ability to comprehend, attentiveness)

1 2 3 4 5 6 7 8 9 10

Decision Making: (assessing situations, taking appropriate actions)

1 2 3 4 5 6 7 8 9 10

Oral Communications: (ability to transmit information)

1 2 3 4 5 6 7 8 9 10

Promotion Recommendation: (consider all factors relative to increased responsibility)

1 2 3 4 5 6 7 8 9 10

Remarks: Promote! Total Score: 56

Interview Score Sheet

Date: August 15, 2016

Employee: John Smith

Interviewer: Sgt. One

Appearance: (professional image, neatness)

1 2 3 4 5 6 7 8 9 10

Manner: (politeness, bearing)

1 2 3 4 5 6 7 8 9 10

Alertness: (ability to comprehend, attentiveness)

1 2 3 4 5 6 7 8 9 10

Decision Making: (assessing situations, taking appropriate actions)

1 2 3 4 5 6 7 8 9 10

Oral Communications: (ability to transmit information)

1 2 3 4 5 6 7 8 9 10

Promotion Recommendation: (consider all factors relative to increased responsibility)

1 2 3 4 5 6 7 8 9 10

Remarks: Average abilities Total Score: 47

Interview Score Sheet

Date: August 15, 2016

Employee: John Smith

Interviewer: Sgt. Two

Appearance: (professional image, neatness)

1 2 3 4 5 6 7 8 9 10

Manner: (politeness, bearing)

1 2 3 4 5 6 7 8 9 10

Alertness: (ability to comprehend, attentiveness)

1 2 3 4 5 6 7 8 9 10

Decision Making: (assessing situations, taking appropriate actions)

1 2 3 4 5 6 7 8 9 10

Oral Communications: (ability to transmit information)

1 2 3 4 5 6 7 8 9 10

Promotion Recommendation: (consider all factors relative to increased responsibility)

1 2 3 4 5 6 7 8 9 10

Remarks: Looked Sharp! Indecisive Total Score: 48

Oral Interview Scoring

Lt. Adam scored	56
Sgt. One scored	47
Sgt. Two scored	48
Total	151
Total Possible	180

Divide total by total possible for percentage 151/180 = 83.8%

Round to nearest whole number, final score 84%

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Excited Delirium
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to provide all personnel with knowledge and awareness of excited delirium; its causes; its symptoms; and the proper procedure to be followed when excited delirium is recognized.

II. Policy: It is the policy of this department to take active steps to recognize, accomplish the safe restraint, and to seek immediate medical attention for persons who are in the midst of an excited delirium episode.

III. Definitions

A. Excited Delirium: State of extreme mental and physiological excitement characterized by extreme agitation, hyperthermia, hostility, exceptional strength, and endurance without fatigue.

B. Hypoxia: An inadequacy in the oxygen reaching the body's tissues.

C. Hyperthermia: Unusually high body temperature.

D. Hypoglycemia: Lower than normal level of blood glucose

IV. Causes of Excited Delirium: Common characteristics displayed by persons suffering from Excited Delirium may include but are not limited to the following;

A. Drug Use

B. Hypoxia

C. Hypoglycemia

D. Stroke

E. Intracranial Bleeding

V. Identifying Persons Suffering from Excited Delirium

A. Irrational Speech

B. Shouting, Yelling, or screaming

C. Confusion

D. Sudden changes in behavior (i.e. rage followed by sudden calmness)

E. Paranoia

F. Frightened/Panicky

G. Hallucinating/Hearing Voices

H. Violent/Destroying Property

I. Unexplained Strength/Endurance

J. High Level of Pain Tolerance

K. Sweating Profusely/High Body Temperature

L. Foaming at mouth

M. Drooling

N. Dilated Pupils

O. Evidence of Self-inflicted Injuries

P. Removing Clothing/Naked

VI. Procedures

A. Initial Response (CALMS)

i. **C**ontainment: Ensure the subject is contained and controlled in a manner which protects all persons including the officer(s).

ii. **A**nnouncement: Broadcast that the officer believes he/she is dealing with an excited delirium subject.

iii. **L**ots of Backup: Seek extra officers to enable the officers to more effectively deal with the subject.

iv. **M**edical Attention: Notify Emergency Medical Services (EMS) as soon as practical.

v. **S**low down: Take your time if possible.

B. Tactical Response Considerations

i. Pre-plan assignments.

ii. When utilizing an Electronic Control Device (ECD) in the probe mode to accomplish restraint, if possible use a single deployment coupled with immediate restraint to decrease the likelihood of a drawn out confrontation which may further diminish the subject's respiration levels.

iii. Remember "trigger-touch": Persons suffering from excited delirium may become more agitated by some triggering event (i.e. confined space or touching).

iv. Utilize a five-officer approach if possible, with one officer assigned for each limb and an officer assigned to protect the head during the restraint process. The officer assigned to the head should speak calmly to the subject in an effort to reduce agitation.

v. Obtain medical help immediately upon restraint.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Field Training Officer Program (FTO Program)
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The Cabot Police Department, in keeping with community expectations for a professional police service, has established the FTO Program. The mission of the Cabot Police Department FTO Program is to prepare new recruits to perform the essential duties of a police officer and to enhance the professionalism through continuous quality improvement. Each new recruit will receive twelve (12) weeks of training through the FTO Program, unless specified otherwise by the Chief of Police or his designee.

II. Policy: It shall be the policy of this Department to utilize this guideline to train probationary/new recruit officers so that they will be able to meet certain goals and objectives, and to function in a safe, skillful, productive and professional manner.

III. Procedure:

A. FTO qualifications

- **i.** Have a minimum of Three (3) years of full-time experience with the Cabot Police Department and a General Certificate in law enforcement.
- **ii.** Have and maintain an exemplary record with the Cabot Police Department.
- **iii.** Be thoroughly committed to the goals, objectives and philosophies of all department programs in general, and in the FTO Program in particular.
- **iv.** Be sincere, self-motivated, interested in people, sensitive to public concerns, and looking for self-improvement.
- **v.** Consistently demonstrates above average performance in duties.
- **vi.** Training for certification of the FTO will be conducted via an approved course as specified in the Commission on Law Enforcement Standards and Training (CLEST) Rules and Regulations Manual. In-service training will be provided as it relates to field training and evaluation.

IV. FTO Program:

A. The FTO possesses and exercises positional authority over the recruit assigned to them.

B. This office will use a twelve (12) week rotating schedule for its FTO Program.

- **i.** New recruits will not begin the FTO program until they have successfully completed the Arkansas Law Enforcement Training Academy. Once a recruit graduates from the academy, he/she will be given a duty assignment letter from the Chief of Police or his designee advising him/her which shift to report and begin the FTO program.
- **ii.** The recruit will have three (3) assigned FTOs during the twelve week program.
- **iii.** New recruits will be assigned to FTOs on four week rotations.
- **iv.** Each FTO will be responsible for ensuring that the new recruit is oriented to the program and ensuring that the new recruit's manual is completely signed off prior to the completion of the program.
- **v.** Certified officers may be exempt from the full twelve (12) week program at the discretion of the FTO chain of command, but may not be less than six (6) weeks of training.

C. The FTO will complete a Daily Observation Report (DOR). The Daily Training Notes and Remedial Training Assignment Worksheet will be completed each day, if needed. These reports are submitted to the Training Sergeant through the Patrol Sergeant. The Training Sergeant will brief the Patrol Division Lieutenant and the Chief of Police on those recruits whose DOR's indicate a failure to progress. The new recruits will be evaluated on daily performance. Some areas that will be evaluated are:

- **i.** Field performance;
- **ii.** Report writing;
- **iii.** Problem solving;
- **iv.** Knowledge of statutes;
- **v.** Ability to deal with the public in a professional and safe manner.

D. During the training and evaluation period the FTO/recruit team will not be treated as a two officer unit. Should a call require two (2) officers to respond, a back-up unit will be assigned. The FTO, at their discretion, may cancel the back-up unit if the call can safely be handled by a single officer.

E. The FTO will complete an End of Phase Report (EOP) at the conclusion of a four (4) week phase. These reports are then submitted to the Training Sergeant for his review, then up the chain of command to the Chief of Police. This process should not take longer than five (5) days to complete.

F. At the conclusion of the twelfth (12th) week of training the recruit will have a one (1) week check ride. During the check ride week the evaluator will strictly be an observer and evaluator of the recruit's performance and conduct. The FTO will take no action to correct the recruit unless there is a risk of injury or to prevent actions which would place the department in legal jeopardy. No feedback on

performance will be given to the recruit until the completion of the check ride week. In order to be released from training, the recruit must achieve a rating of "4" or better in each evaluation category on the Check Ride Performance Report.

G. At the conclusion of the check ride the FTO will finalize the Check Ride Performance Report. The recruit must meet the minimum standard of performance in all areas in order to pass the check ride. If the recruit does not achieve this rating level, the FTO, Training Sergeant, Patrol Sergeant, Patrol Lieutenant, and Patrol Division Captain will meet and discuss the following options:

i. Place the recruit in a two (2) week remedial training period; or
ii. Recommend termination.

H. If termination is recommended, the recruit will be relieved of all police duties pending final action.

I. At the end of the Field Training Officer Program and after the check ride is complete; an End of Rotation Report will be completed and forwarded to the Chief of Police for his signature. This form will be filed with the recruit's FTO paperwork.

J. Upon successful completion of the FTO Program, the recruit shall be given their formal shift assignment.

IV. REPORTING RESPONSIBILITIES OF THE FTO

A. If at any time the FTO believes that a recruit needs remedial training, a Remedial Training Assignment Worksheet will be completed and forwarded through the shift supervisor to the Training Sergeant.

B. The recruit will be required to complete a FTO Critique Form at the end of each phase and a Field Training Program Critique Form at the end of the FTO Program.

i. All critique forms will be collected and reviewed by the Professional Standards Lieutenant and Captain.
ii. The Professional Standards Lieutenant will complete a synopsis and recommendation for any deficiencies in the FTO Program. This synopsis should be completed within five (5) days.
iii. Follow up review will be completed by the Chief of Police or his designee.
iv. Critiques will be used for the improvement of the FTO Program. Confidentiality will be maintained as much as possible.

C. The Training Sergeant will maintain all observation reports and documentation concerning recruits during the rotation period. It is this information that the FTO and Training Sergeant will consider when recommending an officer to be released to full-duty. This information and recommendation will be reviewed by the FTO's chain of command for concurrence. At the conclusion of the training period,

all reports and documentation concerning the recruit shall be placed in the officer's personal file.

D. The FTO will keep his Shift Supervisor and the Training Sergeant advised on the development of new recruits. The Shift Supervisor shall review all reports completed on recruits working on his shift. The Shift Supervisor will contact the Patrol Captain and the Training Sergeant if any significant concerns or problems involving new recruits arise. The Shift Supervisor will ensure that proper documentation is reaching the Training Sergeant and the Patrol Captain.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Firearms Qualification/Safety Rules
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose**: The purpose of this policy is to develop guidelines for officers to follow for qualifications, cleaning, off duty and safety.

II. **Policy**: It shall be the policy of this Department that all officers follow the guidelines of this policy in order to remain proficient with all firearms assigned and meet the qualification standards as set forth by the Department and Law Enforcement Standards.

III. **Procedure**:

A. Firearms Qualification

i. Officers will qualify with their Department issued weapons firing a course(s) set by the Firearms Instructor(s). These courses may be semiannual, annual, or bi-annual depending on the firearm assigned.

B. Weapons

i. Off duty weapons must be of a quality name brand weapon and quality such as Smith & Wesson, Colt, Ruger, Walther, Glock, Beretta, etc. If an officer is unsure, they should check with one of the departments Firearms Instructors prior to purchasing the weapon to be carried.

ii. If officers wish to carry a backup weapon, or firearm for off duty use, they must first qualify with that weapon before it may be carried. The officer will be responsible for supplying the ammunition to qualify with and carry.

iii. If firearms are carried by officers while off duty, they will be carried in a secured manner. The manner will be of a type that will prevent the firearm from falling out of the while running, jumping, sitting, bending over or any other action within reason that may cause the officer to lose control of the firearm.

iv. Officers carrying a firearm for off duty will have their Cabot Police Department Identification Card and Badge on their person. If the firearm is visibly worn, the badge will be worn next to the holster.

v. Officers may carry for backup or off duty use, their choice of either a revolver or semi-automatic handgun. The handgun must be approved by the Chief of Police or his designee.

vi. Officers will qualify annually, with any firearm that they choose to carry while off duty use or as a back-up weapon for duty.

vii. Personal shotguns and rifles will not be carried on duty. Shotguns and rifles will be supplied by the Department upon availability.

C. Modifications

i. Cabot Police Department AR-15 Patrol rifles

a. Any accessory or alterations made on Department rifles must be approved and installed by one of the Department Armorers.

b. No accessory will be added to the rifle that will alter the function of the weapon.

c. No accessory will be added that could permanently alter the rifle.

d. Some of the accessories that will be allowed:

1. Replacement of hand guards that adds picatinny rails/Quad rails

2. Vertical fore grips

3. Bipods

4. Flashlights/lasers

5. Optics/holographic sights (If an optic is installed on rifle, a quality rear back up sight must be installed)

ii. Cabot Police Department Duty Handgun

a. Any accessory or alteration made to the department handgun must be approved by one of the department armorers.

b. If the accessory can't be added to the weapon by a basic field strip, then it must be installed by one of the department armorers.

c. No accessory will be added to the handgun that will alter the function of the weapon.

d. No accessory will be added that could permanently alter the handgun.

e. Some of the accessories that will be allowed:

1. Rail mounted weapon light

2. Hand grip cover enhancer

3. Lasers

iii. Cabot Police Department Shotgun

a. Any accessory or alteration made to the Department Shotgun must be approved by one of the Department Armorers.
b. If the accessory can't be added to the weapon by a basic field strip then it must be installed by one of the Department Armorers.
c. No accessory will be added to the shotgun that will alter the function of the weapon.
d. No accessory will be added that could permanently alter the shotgun.
e. Some of the accessories that will be allowed:

1. Flashlight
2. Picatinny rails/quad rails
3. Extra shell carrier
4. Auxiliary sights
5. Sling mounts

iv. Documentation

a. Cabot Police Department Armorers will document all armorer added/removed accessories, alterations and the date in which they are completed in the department asset management system.

v. Responsibilities

a. The Cabot Police Department and the armorers will not be responsible for the maintenance and up keep of the installed accessories.
b. If the accessories are damaged, stop working, or break, the Cabot Police Department and/or Department Armorers will not be responsible for fixing or replacement of the item.

D. Cleaning and Maintenance

i. All officers will keep their duty weapon clean at all times. After qualifications, the officer must clean their weapon within 48 hours.
ii. The Department will furnish gun cleaning kits and will have them available during qualifications for officers to clean their weapons after qualifications.

E. Firearm Safety

i. At no time will an officer hand another officer a loaded firearm, except in an emergency, such as combat or life threatening situations. If the weapon is a semiautomatic, the magazine will be removed and the slide locked

open. If the weapon is a revolver, the cylinder will be opened and the ammunition removed.

ii. Firearms will not be removed from the holster while inside the police department, except for inspection, cleaning or other authorized purposes. The weapon will not be removed from the holster as a joke to play games.

iii. Horseplay will not be tolerated.

iv. All officers must use common sense while handling department firearms whether they are loaded or unloaded, also whether the officer is at home, work, or in the public.

F. Range Safety and Rules: Firearms qualifications is an important phase of the training of a law enforcement officer. Firearms in the possession of untrained officers are dangerous to those officers, their associates and the general public. The purpose of this course is to present the basic fundamentals of shooting.

i. Observe All Standard Firearms Safety Rules

a. Treat all guns as if they are loaded.

b. When qualifying, no loaded weapons allowed except on the firing line.

c. Hearing and ANSI certified eye protection will be worn at all times during any course of fire.

d. All on duty officers participating in firearms training and qualifications will be required to wear their current department issued ballistic vest.

ii. Specific Rules

a. All firearms qualification must be properly and adequately supervised by Certified Law Enforcement Firearms Instructors. All safety precautions must be adhered to and enforced.

1. A minimum of two (2) Firearms Instructors will be required for all qualifications.

2. A minimum of three (3) Firearms Instructors will be required for all qualifications of four (4) or more shooters with a maximum of eight (8) shooters.

b. Strict discipline must be maintained. Careless and thoughtless behavior will not be tolerated during firearms qualifications.

c. Immediately upon picking up a firearm, open the cylinder or action and check to see that it is unloaded.

d. Never give a firearm to or take a firearm from anyone unless the cylinder or action is open.

e. Never anticipate a command.

f. Be sure there is no obstruction in the barrel of the firearm.

g. Unload when and as instructed.

h. Keep the firearm muzzle pointed down range at all times.

i. Never draw a firearm from the holster or re-holster with the finger in the trigger guard.
j. No smoking on the firing range.
k. No talking on the firing line, except for instructors. Listen for directions.
l. Never allow the muzzle of the weapon to touch the ground.
m. Any weapon equipped with a hammer block will be de-cocked by using the hammer block.
n. In case of a misfire, keep the firearm pointed down range while unloading and checking for any malfunction.
o. Never fire a succeeding shot after a malfunction without first unloading and checking the barrel for obstructions.
p. Never turn around on the firing line with the weapon out of the holster.
q. Never go forward on the firing line until the firing line has been cleared and the command to go forward has been given.
r. Never dry fire any weapon on the range except under the supervision of the firearms instructor.
s. Pay strict attention to the Range Officer. He will instruct you in exactly what to do.
t. Relays behind the firing line waiting their turn to fire, will not remove their weapons from their holsters unless instructed to do so by the range officer.
u. Notify the range officer if you are taking any medication that could cause drowsiness or other adverse reactions.
v. Willful and repeated disregard of range regulations will result in loss of score and removal from the firing line and/or range.
w. Falsification of scores will result in loss of score and removal from the range and subject the shooter/scorer to disciplinary action.

iii. Alibi

a. Any shot not fired because of ammunition malfunction must be reported to the Range Officer at once, in order to be re-fired.
b. Any rounds not fired due to shooter induced malfunction as determined by the Firearms Instructor(s) will not be re-fired. It is the responsibility of the shooter to have a clean and operating weapon.
c. If it is determined by the Firearms Instructor(s) that a malfunction is due to ammunition or weapon (broken firing pin, etc.) the shooter may re-fire.

G. Disciplinary Action for Failure to Qualify

i. Officers are required to qualify with their department issued weapons on a course that is set by the Firearms Instructors and must score according to state standards.

ii. Each officer on qualifying day will be issued two (2) targets to qualify with. If the officer qualifies with the first target, the firing of the second target will not be necessary.

iii. If an officer fails to qualify with the two (2) targets provided for that day he/she will be excused from qualifying for the remainder of the day.

iv. The officer will then be required to re-fire with up to two (2) targets the following day. If the officer fails to qualify with the two (2) targets provided for that day, he/she will be excused from qualifying for the remainder of that day.

v. The officer will then be required to attend a remedial training course with the Firearms Instructors. The Firearms Instructors will have three (3) days from the last qualifying event to arrange and complete this course. At the end of the course, up to two (2) targets will be provided for qualification. The ammunition for the remedial course will be provided by the department.

vi. After the remedial course is completed and the officer fails to qualify, he/she will then be issued a written letter of reprimand and placed on unpaid suspension. The officer will then have fourteen (14) days in which to fire a qualifying score, or he/she may be subject to termination. All practice ammunition and targets during the suspension will be provided by the officer.

SAFETY FIRST SAFETY FIRST SAFETY FIRST

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Foot Pursuit
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: To provide for the safety of law enforcement personnel while at the same time facilitating the safe apprehension of suspects.

II. Policy: It is the policy of this department that officers conduct a quick and continuous risk assessment whenever an officer decides to engage in or continue a foot pursuit. Officers must evaluate the risk involved to themselves, the suspect and the community versus the benefit of continuing the pursuit.

III. Definitions

A. Foot Pursuit: A situation in which an officer, on foot, chases a suspect in an effort to detain or arrest that individual who he has a reasonable suspicion to believe is about to commit, is committing, or has committed a crime and who is resisting apprehension by fleeing from the officer(s).

B. Suspect: Includes any individual who a police officer reasonably believes is about to commit, is committing or has committed an offense, or poses an imminent threat to the safety of the public, other officers or themselves.

C. Contact/Cover: A tactical practice of having two or more officers working together during a foot pursuit. The officers work as a team utilizing direct or indirect communication methods to coordinate their efforts, remain aware of the locations of officers and suspects, and keep abreast of the status of the pursuit.

IV. Procedure

A. Alternatives to Foot Pursuit: To the extent that resources are available, officers should consider the following alternatives to a foot pursuit:

i. Area containment

ii. Additional officers

iii. Surveillance until additional resources become available

B. Factors to Consider in Conducting the Risk Assessment:

i. Whether the suspect is armed

ii. How serious is the suspect's offense (i.e. does he or she pose a serious threat to the community if allowed to escape)

iii. Officer acting alone

iv. Backup is not available in a timely manner

v. Officer pursuing more than one suspect

vi. Location:

- **a.** Nature of area- (i.e. residential, commercial, freeway) which impacts the safety of all those who may be affected by the foot pursuit
- **b.** Conditions of structures: abandoned, condemned, etc.
- **c.** Environmental factors: weather conditions or darkness
- **d.** Area of pursuit is hostile to law enforcement personnel

vii. Ability to apprehend the subject at a later time(i.e. identity is known)

viii. Communications Issues:

- **a.** Officer familiarity with location-able to identify subject's location with accuracy during pursuit.
- **b.** Radio frequency and coverage- Is officer in area where radio coverage may fail?

C. Pursuing Officer Responsibilities:

i. The decision to initiate or continue a foot pursuit requires weighing the need to apprehend the suspect against the degree of risk to which the officer, the suspect and the community are exposed to as a result of the pursuit.

ii. Once an officer decides to engage in a foot pursuit, the officer should immediately relay the following information to communications:

- **a.** Officer identifier;
- **b.** Location and direction of travel (continuing responsibility);
- **c.** Description of suspect;
- **d.** If known that the suspect is armed;
- **e.** Reason for the foot pursuit;
- **f.** Coordinate with other officers to establish perimeter for containment

iii. An officer should exercise extreme caution if required to enter a building, structure or area of limited or no cover without a backup officer present.

iv. An officer should not continue a foot pursuit if the officer has lost their firearm.

v. Officers should note that residents may mistake pursuing officers as prowlers. To the extent possible, efforts should be made to notify area residents of the police presence.

D. Supervisor's responsibility: If a supervisor is on duty, the supervisor should,

- **i.** Monitor the pursuit and direct available resources to provide for the swift and safe apprehension of the suspect;
- **ii.** Terminate any foot pursuit where the risk to the officer, the public, or the suspect outweighs the need for the foot pursuit; and
- **iii.** Consider the use of specialized units/personnel to aid in the apprehension (i.e. canine, SORT following containment, etc.). In the absence of a supervisor, this consideration should be undertaken by involved officers.

E. Communications Responsibility,

- **i.** Maintain open communications with involved officer.
- **ii.** Notify a supervisor and provide relevant information (without compromising ability of involved officer in communicating ongoing information).

F. Termination of Foot Pursuits: Officers shall terminate a foot pursuit,

- **i.** If ordered by a supervisor, or
- **ii.** If the officer believes the danger to the pursuing officers, the public, or the suspect outweighs the necessity for the immediate apprehension of the suspect.

G. After termination of a foot pursuit, the involved officers will notify communications of the last known location of the suspect, or in cases of apprehension, the location of apprehension.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Hiring Practices (Police Officers)
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to outline and direct the hiring process and practices for employment as a sworn member of this department.

II. **Policy:** The policy of this department is to hire only those persons qualified for employment in law enforcement. This department seeks the highest level of professionalism and integrity by its members and recognizes that this commitment begins with the selection of candidates for this department consistent with the laws of the State of Arkansas.

III. **Procedure:**

A. The department should provide each applicant with a step-by-step checklist outlining the process by which this department selects individuals for employment as a sworn police officer.

B. The checklist should include all requirements that must be met prior to consideration for employment by the department (i.e. U.S. Citizenship, educational level attained, valid driver's license).

C. The department shall provide each applicant with a declaration of anti-discrimination with respect to the hiring process.

D. Any determination by the department that an applicant has been deceptive in a response either verbally or in writing during the hiring process shall be immediate grounds for dismissal from the process.

E. Any determination by the department that a candidate who has been hired was deceptive during the hiring process shall be grounds for termination from the department.

F. Each applicant must sign an affidavit indicating whether they have ever been the subject of a domestic restraining or protective order or whether they have ever been previously convicted of a domestic violence related offense. Each applicant must sign a waiver allowing this department to check the Arkansas Child Maltreatment Central Registry. (see form)

G. Each applicant who successfully passes the written examination(s) at the level prescribed by this department will proceed to the fitness test. The fitness levels prescribed by this department are objective fitness standards that are set in conformity with the necessities of carrying out the law enforcement function of a patrol officer. The fitness process shall be supervised by a certified fitness instructor.

H. Each eligible applicant must apply in writing using the department prescribed application form. All questions on the form must be answered truthfully.

I. All applicants may not advance to the interview stage. Eligibility shall be based upon written test scores. Each eligible applicant shall undergo an objective interview. Each applicant interviewed shall be asked the same group of specific questions. Follow-up questions for clarification may be asked by the interviewer(s). Additionally, interviewers shall be provided with the applicant's application prior to the interview so that questions relating to application may be incorporated into the interview process.

J. Once applicants have been interviewed, the interviewer(s) will make recommendations to the hiring authority with respect to which applicants should be considered for employment.

K. Each eligible applicant must provide documentation of the essential requirements (i.e. driver's license, social security card, high school and college diplomas, DD214, proof of citizenship etc.) upon submission of the application.

L. Each eligible applicant must sign prescribed waivers with respect to prior medical, psychological, education, & criminal history including sealed and juvenile records.

M. Selected applicants will proceed to the background examination process. This process shall include:

- **i.** Verification of applicant's responses in the written application.
- **ii.** Applicant's driving history.
- **iii.** Criminal history check of applicant including checks in all former states of residency within the past ten (10) years.
- **iv.** Survey law enforcement agencies in locales where applicant has resided or known to frequent within the past ten (10) years.
- **v.** Former employers within the past ten (10) years, to the extent possible, should be consulted.
- **vi.** Un-named persons known to the applicant, such as neighbors, former neighbors, school officials, etc. may be sought out and interviewed.
- **vii.** In cases where standard letters have been sent out to references but have not been returned, the investigator shall make every effort to contact that individual either face-to-face or by telephone to make an inquiry as to the applicant's suitability for employment by the department.
- **viii.** Applicant's immediate relatives shall be checked through ACIC/NCIC Criminal History.

ix. During background investigation all applicants will be fingerprinted.

x. Following the background investigation, the investigator shall make a recommendation with respect to the applicant's suitability for employment with the department. In cases where the investigator is recommending that the applicant not be considered for employment, the investigator shall provide specific, detailed information as to the reasons supporting the recommendation.

N. No member of this agency shall require, request, suggest, or cause a prospective employee to:

i. Disclose his or her username and password to the prospective employee's social media account;

ii. Add an employee, supervisor, or administrator to the list or contacts associated with his or her social media account; or

iii. Change the privacy settings associated with his or her social media account.

iv. Nothing in this policy prohibits the agency from viewing information about a prospective employee that is publicly available on the Internet.

O. Conditional offer of employment: Prior to medical and psychological exams, it is necessary under federal law to make a conditional offer of employment to the candidate. A conditional offer essentially holds that if the candidate passes the medical and psychological exam, they will be hired by the department.

i. Medical Examination: A licensed medical practitioner who is familiar with the job tasks of a law enforcement officer will conduct this exam.

a. Drug screening shall be conducted of all candidates who have received a conditional offer of employment. The requirements of this procedure shall be outlined in all recruiting/hiring announcements.

b. The medical examination will include a review of the candidate's medical history of injury/illness that may impact the candidate's ability to meet the job task of a law enforcement officer. This review of medical records is limited to review by the doctor who will determine whether the candidate is medically cleared for a position with this department.

ii. Psychological Testing: Each applicant who has received a conditional offer of employment shall undergo the prescribed psychological testing to determine his or her suitability for the law enforcement profession.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Identification Process
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to outline the manner in which criminal suspects will be subjected to identification proceedings.

II. Policy: It is the policy of this department to respect the rights of all persons during any law enforcement operation in which witness identification will be conducted.

III. Definitions:

A. Show-Up/Drive-by: The process by which a complainant or witness is driven to a suspect who has been stopped in the area of a crime for purposes of excluding or verifying the suspect as the person responsible.

B. Photo Lineup: The process by which a complainant or witness is shown a series of photographs which may contain a suspect in a crime for purposes of excluding or verifying the suspect as the person responsible.

C. Single Photo Verification: The process by which a complainant or witness is shown a single photograph due to the fact that they have thorough familiarity with the person who is suspected in the criminal activity and law enforcement is simply verifying that the suspect identified by the police is the same subject known to the witness.

IV. Procedure: In all identification procedures, officers should take steps to ensure that the procedure is not suggestive by the manner in which it is carried out. Thus, officers should use caution as to the manner in which suspects are presented so that a suspect may not later claim that the officer influenced the witness' identification of the suspect. Each eyewitness who views a photo lineup should be told the following information:

A. The suspect might not be in the photo lineup and the eyewitness is not obligated to make an identification.

B. The eyewitness should not assume that the person administering the photo lineup knows which person is the suspect in the case.

C. The Validity of Identification Procedures Rests on the Following Considerations:

i. Witness' opportunity to view suspect at the time of the crime;

ii. Witness' focus of attention at time of crime;

iii. Accuracy of witness' description of suspect prior to identification procedure;

iv. Level of certainty exhibited by the witness in making the identification; and

v. The length of time that has passed between the crime and the identification.

Note: Police should document the existence/lack of existence of these points when compiling reports on identification procedures.

D. Show-Up/Drive-by Identification: Although the United States Supreme Court has not affixed a duration of time within which these procedures are to be conducted, generally this type of identification occurs within a short period of the crime and within a reasonable proximity (geographically) from the crime.

i. Unless an extreme emergency exists, the complainant or witness shall be taken to the location where the suspect has been stopped. The movement of the suspect to the witness' location may constitute an arrest for which probable cause is required. To the extent that probable cause is lacking without identification, movement may be determined to have been an unlawful arrest.

ii. To the extent that an officer may safely do so, the officer should take steps to minimize the suggestiveness of the identification. The following should be considered:

a. Have suspect standing outside of any law enforcement vehicle rather than in the vehicle;

b. Have the suspect standing without handcuffs or with handcuffs not visible to the witness;

c. The appearance that the suspect maintains his or her freedom will undercut suggestiveness;

d. If items taken or used in the crime have been recovered, do not allow the witness to view or become aware of the recovery until after the identification proceeding is complete; and

e. The witness' failure to recognize the subject stopped must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such, it must be forwarded to the prosecutor. Additionally, if the witness identifies a suspect in the future, this failure to identify the first subject presented to them may add credibility to their identification.

E. Photo Lineup: In composing a photo lineup,

i. Include only one suspect in each identification procedure;

ii. Select fillers who generally fit the witness' description of the perpetrator;

iii. If multiple photos of the suspect are reasonably available to the investigator, select a photo that resembles the suspect description or appearance at the time of the incident;

iv. Include a minimum of five fillers (non-suspects) per identification procedure;

v. Consider that complete uniformity of features is not required. Avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers;

vi. Create a consistent appearance between the suspect and fillers with respect to any unique or unusual feature (i.e. scars, tattoos, etc.) used to describe the perpetrator by artificially adding or concealing that feature;

vii. Consider placing suspects in different positions in each photo lineup, both across cases and with multiple witnesses in the same case. Position the suspect randomly in the photo lineup;

viii. When showing a new suspect, avoid reusing fillers in lineups shown to the same witness;

ix. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness;

x. View the photo lineup, once completed, to ensure that the suspect does not unduly stand out;

xi. Preserve the presentation order of the photo lineup. In addition, the photos themselves should be preserved in their original condition;

xii. All photos must include persons of the same race and sex as the suspect;

xiii. Photos should be presented in a way that does not suggest that the subjects in the photos are criminals, i.e. mug-shot with numbers. Mug shots may be used, but portions of photo that would indicate that photo is a mug-shot should be cropped or hidden from the witness;

xiv. Witness instruction. The person viewing the photo lineup should be told that the perpetrator may or may not be in the photo lineup and that the investigation will continue regardless of whether identification is made or not;

xv. Witnesses should be segregated before, during and after the procedure and instructed not to discuss the identification process with each other;

xvi. During the identification process, officers shall not, in any way, prompt the witness toward a particular photo;

xvii. At the time of the identification, the eyewitness should provide a statement in his/her own words indicating their level of confidence in the identification;

xviii. The presentation/order of presentation must be documented. The witness who selects a photo as the suspect should initial and date the photo they have selected;

xix. The witness' selection of a photo that is not the suspect, must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such it must be forwarded to the prosecutor.

F. Single-Photo Verification: This process shall only be used where the witness is thoroughly familiar with the suspect and the officer is merely attempting to ensure that the witness and the officer are both referring to the same person.

Witness Instructions: Photo Identification Process

1. You will be asked to view a collection of photographs.
2. The person that officers suspect may or may not be present in the photo lineup and the photos are not in any particular order.
3. It is just as important to exclude innocent persons from suspicion as it is to identify the person responsible for the crime.
4. You should not feel you have to make an identification. Take as much time as you need to look at each photograph. If you do identify someone, I will note your exact words regarding your identification.
5. Individuals presented in these photographs [the group] may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.
6. We will continue to investigate the incident irrespective of whether you make an identification.
7. After viewing all the photographs/persons, if you can make an identification, please initial and date the photograph or indicate the person you have identified.
8. Since this is an ongoing investigation, you should not discuss this photo lineup or the results with anyone.
9. Photographs shown to you are not in any particular order. Take as much time as you need to examine each photograph.

I, _____hereby acknowledge that the above instructions have been read aloud to me and that I understand how this photographic viewing will be administered.

_____ _____

(Witness's signature/date/time) (Officer's signature/date/time)

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Information Divulging
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to create guidelines for employees to follow concerning the release of information from the Department.

II. **Policy:** Contents of records, files, reports, or other information relating to an incident of interest to the department, or from records required to be kept or maintained by the department, shall not be discussed or transmitted to any person not authorized by the Chief of Police or his designee to receive the information.

A. Employees shall not disclose any information in their possession, however obtained, which may enable anyone to escape detection, arrest, or prosecution, or enable anyone to destroy evidence, or to dispose of or destroy stolen property.

B. Employees shall not divulge to any person not connected with the department information acquired by his or her employment if the information might adversely affect the efficiency of the department.

C. Employees are prohibited from disclosing any information to unauthorized person that is declared by law, rule, regulation, policy, or procedure to be confidential, nor shall any employee use officially obtained information for personal gain or benefit.

D. Employees who receive telephone, verbal, or written request regarding a person's criminal or traffic record will refer such request to the Chief of Police or his designee for response.

E. Employees are prohibited from revealing to any persons:

i. The name and other information concerning a complaint.
ii. The name and other information concerning a victim.
iii. Sources of information.

iv. Information concerning witnesses.
v. Progress of cases of another law enforcement agency.
vi. Information contained in any personnel file or form.

F. Violation of this section will be considered a violation of the public's trust and will result in disciplinary action up to and including termination of employment.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Internal Affairs/Citizen Complaints
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** It is imperative that the police department operates in a degree of transparency and is responsive to complaints alleging employee misconduct and external concerns regarding the operation of the department. Members of the public should be provided with a reasonable avenue for any redress of grievances they may have with the service received by department employees or the conduct of the police department. This policy provides members of the department with the procedures for the acceptance of complaints; the initiation of the administrative investigative process; the process for conducting a fair and reasonable investigation; the proper methods for adjudication of these administrative investigations; and the methods for the administration of fair, reasonable and defensible discipline. It is not required that every department have a designated person or unit expressly for Internal Affairs/Office of Professional Standards, but every department must have someone who becomes the most knowledgeable person regarding these practices.

II. **Policy:** It is the policy of this department to accept and document all complaints alleging employee or department misconduct for the following principle reasons:

A. To ensure that complaints alleging employee or department misconduct are accepted and investigated in a consistent and reasonable manner to uncover the truth of the allegations;

B. To identify areas of misunderstanding by the complaining citizen;

C. To identify employees whose attitude, behavior and/or performance is in need of correction and supervisory intervention;

D. To protect department employees and the Department from erroneous complaints;

E. To identify Department policies, training and/or practices in need of reevaluation, clarification and/or correction.

III. **Definitions:**

A. Complaint of employee misconduct: A complaint is an allegation from any source of an act or omission by a department employee, which if proven true, would be considered misconduct or a violation of department policies, rules or regulations.

B. Note: Complaints regarding the validity of traffic citations or parking tickets are not considered complaints for this definition and the party should be referred to the proper court for resolution.

C. Complaint of department dissatisfaction: A complaint from an external source of dissatisfaction with a department policy or practice.

D. Public concerns regarding law enforcement operations not amounting to a complaint: A concern expressed by a member of the public which does not meet the department's definition of a complaint, but must be documented by the department employee receiving the information from the member of the public.

E. Citizen Complaint Report: A form made available to the public that informs them of the compliment/complaint process.

IV. Procedure

A. Sources for complaints: A complaint can originate from any of the following sources:

- **i.** Individual aggrieved person
- **ii.** Third party
- **iii.** Anonymous
- **iv.** Department employee
- **v.** News media
- **vi.** Governmental department
- **vii.** Notice of civil claim
- **viii.** Complaints should not be taken at the time the person is impaired or combative

B. Complaints can be made by members of the public:

- **i.** In person
- **ii.** By telephone
- **iii.** By letter
- **iv.** Email/other electronic media

C. Employee responsibilities: Whenever an employee becomes aware of a citizen's complaint meeting the above complaint definition or becomes aware of misconduct of another department employee, he or she shall:

- **i.** Immediately notify an on-duty supervisor and ensure that follow-up to the complaining person will not be delayed.
- **ii.** If a supervisor cannot be made available or the party making the complaint refuses to wait for the supervisor, the employee will gather all available information regarding the complaint and contact information for the complainant.
- **iii.** The employee shall ensure that this information is given to a supervisor as soon as practicable.
- **iv.** Failure to follow these provisions may result in disciplinary action against the involved employee.

D. Supervisor's responsibilities: Whenever a supervisor (this employee may be the senior person on-duty) becomes aware of a person requesting to make a complaint or an incident which will likely result in a complaint or administrative investigation, the supervisor will conduct an immediate preliminary investigation including:

- **i.** Meet with the complaining party to ascertain the nature of the complaint;
- **ii.** Attempt to resolve the issue with the complaining party. If complaint is resolved, an email will be sent to the person designated by the Chief of Police that states the nature, officer involved, and resolution;
- **iii.** If the issue cannot be resolved with the complaining party, a supervisor will provide the complainant with a Citizen Complaint Report and explain the complaint process; and
- **iv.** Upon completion of the Citizen Complaint Report, the form will be forwarded to the Chief of Police or their designee for review and disposition.

E. The complaint initiation process is not incumbent on cooperation of the complaining person. In the event that the complaining person refuses to cooperate with the investigation or there is no identifiable complainant and the information known to the supervisor satisfies the department's definition of a complaint, the complainant will be listed as Department and signed by the supervisor.

F. Processing the complaint: The department will ensure that every complaint is reviewed, processed and where appropriate, assigned for investigation.

G. Investigative procedures:

- **i.** The employee assigned to conduct the administrative investigation shall:
  - **a.** Evaluate and investigate the complaint;
  - **b.** Obtain all police reports, communications/dispatch records, MDT transmissions, video recordings, and other police documents;
  - **c.** Determine the specific allegations of the complainant and identify any other possible department violations, whether alleged by the complainant or not,
  - **d.** Conduct interviews with:
    1. Complaining person
    2. Other public witnesses
    3. Department witnesses
    4. Accused employees shall be given written notice of intended interview regarding allegations and normally be allowed a reasonable period of time prior to the actual interview.

H. Employer/Employee Responsibilities

- **i.** Prior to interview or special examination, the employee under investigation will receive written notification of the complaint. Notification may be withheld at the discretion of the Chief of Police or his designee based on the sensitive nature of the investigation.

ii. Prior to an interview, personnel under investigation and all witnesses who are department employees will be advised of their duty to cooperate with the investigator and to answer questions in a truthful manner.

iii. All interviews will be conducted while the employee is in a paid status.

iv. Officers under investigation shall not be subjected to offensive language, threatened with dismissal or other disciplinary action during the interview. No promises shall be made by the investigator conducting the interview.

v. Accused officers may contact the assigned investigator and/or designee to receive information on the status of the investigation of a complaint filed against them.

vi. Personnel subject to a complaint investigation are prohibited from contacting the complainant during the course of the investigation.

vii. Garrity warnings will be issued where appropriate.

viii. The employee is allowed one third party into the interview to act only as an observer.

I. Disposition

i. The investigating officer will prepare the completed investigative report and submit it to the Chief of Police or their designee.

ii. The investigating officer will make a determination regarding the disposition of the complaint using the following categories:

a. Sustained: the evidence is sufficient to prove the allegation
b. Inconclusive: there was not sufficient evidence to either prove or disprove the allegation
c. Exonerated: the actions of the employee were consistent with the law and department policies, rules, regulations and practice
d. Unfounded: the allegation did not occur
e. Policy and/or training deficiency: the allegation occurred but was the fault of deficiencies in department policy and/or training; therefore, the employee cannot be held accountable
f. When allegations are sustained, a finding regarding the specific official charges will be forwarded to the Chief of Police through the chain of command.

J. Post Disposition Procedure: The Chief of Police or their designee:

i. Notify the complainant of the disposition of the investigation;

ii. Review all final complaint investigations to ensure that they are consistent with the practices of the Department;

iii. Maintain records of the process;

iv. Maintain the completed investigative and adjudication files in a secure, confidential manner; and

v. Conduct an annual audit of the process,

K. When criminal allegations involving a member of the department are identified, the Chief of Police shall be notified immediately of

i. Crime within department jurisdiction: a criminal investigator will investigate the criminal aspect unless the department elects to have the investigation conducted by an outside entity. The administrative investigation will be conducted and is not dependent on the conclusion of the criminal investigation. Normally the initiation of a complaint and the start of the administrative investigation will proceed concurrently with the criminal investigation.

ii. Crime outside department jurisdiction: Department will

a. Develop and maintain liaison with the involved department, and
b. Conduct the administrative investigation the same as it would have had the incident occurred within this department's jurisdiction.

L. When an officer is terminated as a result of an administrative investigation, the Chief of Police shall notify the Arkansas Commission on Law Enforcement Standards and Training as prescribed by State Law.

Limited English Proficiency (LEP)
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct this department's operational procedures when dealing with persons of Limited English Proficiency (LEP).

II. Policy: It is the policy of this department to provide equal protection and service to all persons. Toward this end the department recognizes that officers will have contacts with individuals who have LEP and will take reasonable steps to ensure that these individuals receive equal services and treatment.

III. Definitions:

A. LEP Individual: Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be LEP. These individuals may be entitled to language assistance with respect to law enforcement services.

B. Bilingual: Fluency in two languages by officers who are able to conduct law enforcement operations in either of the two languages.

C. Interpretation: involves the immediate communication of meaning from one language (the source language) into another (the target language). An interpreter conveys meaning orally, while a translator conveys meaning from written text to written text.

IV. Procedure:

A. Department Responsibilities:

i. This department will take reasonable steps to ensure that persons of LEP have meaningful access to the services of this department in accordance with a balancing of the following four factor test:

a. The number or proportion of LEP persons eligible to be served or likely to be encountered by this department (In other words, demographically does the Town or City have an LEP population group and if so what is the group and what is the level of the population proportionally);

b. The frequency with which LEP individuals come into contact with this department;

c. The nature and importance of the particular services rendered by this department, (i.e. suspect, victim, complainant, etc.); and

d. The resources available to this department and the cost of the particular step to be taken by the department.

ii. Forms which are regularly provided to the public in English shall be translated to and provided for regularly encountered languages.

iii. The department will maintain a language assistance plan which describes the translation and interpretation services the law enforcement department plans to provide. (These services can include bilingual staff; contract interpreters and translators; private vendors accessible via telephone; or referral to the language services provided by other governmental agencies or non-profit organizations.)

iv. All sworn members as well as non-sworn members having public contact shall be trained regarding the language assistance plan with an emphasis on how to utilize the available resources.

B. Staff responsibilities: Sworn and non-sworn personnel shall take reasonable steps to provide services to persons of LEP.

i. Suspects:

a. If an in-custody suspect is to be questioned, Officers shall ensure that suspects receive all constitutional rights in their native language by a certified interpreter. Officers will not use family, friends, or non-certified interpreters for this task.

b. If a suspect is going to be asked to consent to any procedure or search, the officers shall ensure that the suspect is asked for consent by a bilingual employee, a certified interpreter, or, after ensuring that the suspect can read, by use of a consent form translated to the suspect's native language.

c. If a suspect is to be held in a holding facility or jail, officers shall ensure that an appropriate method of medical and mental health screening which is normally done in English, is equally conducted in the detainee's native language.

ii. Victims:

a. Officers shall take reasonable steps to obtain information from victims. Officers may use family, friends, or other persons present where immediate translation is necessary to quickly investigate or attempt to apprehend a suspect.

b. In serious cases, a victim's subsequent statements should be taken by a bilingual employee or certified interpreter.

iii. Witnesses:

a. Officers shall ensure that all necessary information is obtained from witnesses to a crime, accident, or other law enforcement event requiring such statements. In cases where time is of the essence, officers may use others to assist in the immediate interpretation of the witnesses observations.

b. Where time is not of the essence and the officer is investigating a serious event, the officer shall seek the assistance of a bilingual employee or a certified translator.

iv. Others Seeking Services:

a. Officers shall take reasonable steps, within the constraints of the resources of this department, to provide services to any person of LEP to include reasonable efforts for an interpretation or translation of communications.

v. Other Services:

a. Any programs or services which this department conducts should be reviewed to determine the demographic makeup of the target audience.

b. In cases where the target audience includes a proportion of LEP individuals, the department shall take steps to deliver the program in a manner which enables the participation of those individuals with LEP.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Line-of-Duty Death Policy
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. PURPOSE: This policy establishes procedures for personnel of the Cabot Police Department to follow in order to ensure the proper support and emotional care for a member's family following a line-of-duty death.

II. POLICY: The Cabot Police Department will provide liaison assistance to the immediate survivors of a member who dies in the line of duty. This assistance is provided whether the death was unlawful or accidental (i.e., automobile accident, hit by a passing vehicle during a traffic stop, training accident) while the member was performing a police-related function, either on or off-duty and while he or she was an active member of the Cabot Police Department. The Chief of Police or their designee may institute certain parts of this Policy for cases of a member's natural death. The Cabot Police Department will also provide a clarification and comprehensive study of survivor benefits as well as emotional support during this traumatic period of readjustment for the surviving family. Funeral arraignments of the deceased are to be decided by the family, with their wishes taking precedence over the Department's.

III. DISCUSSION: Coordination of events following the line-of-duty death of a police officer is an extremely important and complex responsibility. Professionalism and compassion must be exhibited at all times as an obligation to the member's survivors and to the law enforcement community. In order to provide the best possible services and support for the member's family, specific task may be assigned to selected members of the department, their titles are as follows:

-Notification Officer
-Hospital Liaison Officer
-Family Liaison Officer
-Department Liaison Officer
-Benefits Coordinator

An explanation of each of these responsibilities is contained in this Policy. A member may be called upon to perform more than one role.

Members are encouraged to maintain an up-to-date 'Confidential Line-of-Duty Death Information form in their Personnel File. The information will be of extreme comfort to member's families and the department in fulfilling the deceased officer's wishes.

IV. PROCEDURES & RESPONSIBILITES:

A. Notification:

- **i.** It is the responsibility of the Chief of Police to properly notify the next of kin of a member who has suffered injuries or died. The Chief of Police may personally make the notification or designate a Notification Officer to inform the survivors.
- **ii.** The name of the deceased member will not be released by the department before the immediate family is notified.
- **iii.** If there is knowledge of a medical problem with an immediate survivor, medical personnel should be available at the residence at the time of notification.
- **iv.** Notification will be made in person and never alone. The Chief of Police or their designee, police chaplain, close friend, or another police survivor could appropriately accompany the Notification Officer. However, if the aforementioned persons are not readily accessible, notification should not be delayed until these people can gather. If there is an opportunity to get to the hospital prior to the demise of the member, do not wait for the delegation to gather. The family should learn of the death from the department first and not from the press or other sources.
- **v.** Never make a death notification on the doorstep. Ask to be admitted to the house. Inform family members slowly and clearly of the information that you have. If specifics of the incident are known, the Notification Officer should relay as much information as possible to the family. Be sure to use the member's name during the notification. Never give the family a false sense of hope. Use words such as "died" and "dead" rather than "gone away" or "passed away."
- **vi.** If the family requests to visit the hospital, they should be transported by police vehicle. It is highly recommended that the family not drive themselves to the hospital. If the family insists on driving, a member should accompany the family in the car.
- **vii.** If young children are at home, the Notification Officer must arrange for babysitting needs. This may involve co-workers,' spouses, transportation of children to a relative's home, or similar arrangements.
- **viii.** Prior to departing the hospital, the Notification Officer should notify the hospital staff and the Hospital Liaison (by telephone if possible) that a member(s) of the family is enroute.
- **ix.** The deceased or severely injured member's parents should also be afforded the courtesy of a personal notification whenever possible.
- **x.** If immediate survivors live beyond the Cabot area, the Notification Officer will ensure that the Communications Division sends a terminal message to the appropriate jurisdiction, requesting a personal notification. The Notification Officer may choose to call the other jurisdiction by telephone in addition to the terminal message. Arraignments should be made to permit simultaneous telephone contact between the survivors and the Department.

xi. The Chief or high-ranking representative should respond to the residence or the hospital to meet with the family as quickly as possible.

xii. In the event of an on-duty death, the external monitoring of police frequencies may be extensive. Whenever possible, communication regarding notifications should be restricted to the telephone. If the media has obtained the member's name, they will be advised to withhold the information, pending notification of the next of kin.

B. Assistance for Affected Members:

i. Members who are on the scene or who arrive moments after a member was critically injured or killed should be relieved as quickly as possible.

ii. Police witnesses and other members who may have been emotionally affected by the serious injury or death of another member will attend a Critical Incident Stress Debriefing held by a trained professional.

iii. All Cabot Police Department members that speak with counselors or trained professionals at a Critical Incident Stress Debriefing that were emotionally affected by the serious injury or death of another member will be kept confidential and will not be disclosed by anyone involved in the debriefing.

C. Assisting the Family at the Hospital:

i. The first official, other than the Chief or their representative, to arrive at the hospital becomes the Hospital Liaison. The Hospital Liaison is responsible for coordinating activities of hospital personnel, the member's family, police officers, the press and other. The responsibilities may include:

a. Arranging with hospital personnel to provide an appropriate waiting facility for the family, the Chief of Police, the Notification Officer, and others requested by the immediate survivors.

b. Arranging a separate area for fellow police officers to assemble.

c. Establish a press staging area.

d. Ensuring that medical personnel relay pertinent information regarding a member's condition to the family on a timely basis and before such information is released to others.

e. Notifying the appropriate hospital personnel that all medical bills relating to the injured or deceased member are covered under the Worker's Compensation Program for the City of Cabot and the family should not receive any of these bills at their residence. The Hospital Liaison may contact the hospital, during normal business hours, to ensure the proper billing takes place. Should the family receive any hospital related bills, they should be delivered to the Human Resources Director, for proper filing with Worker's Compensation.

f. Ensuring that the family is updated regarding the incident and the member's condition upon their arrival at the hospital.

g. Arranging transportation for the family back to their residence.

h. If it is possible for the family to visit the injured member before death, they should be afforded that opportunity. A police official should "prepare" the family for what they might see in the emergency room and should accompany the

family into the room for the visit if the family requests it. Medical personnel should advise the family of visitation policies and, in the event of death, explain why an autopsy is necessary.

i. The Notification Officer should remain at the hospital while the family is present.

j. Do not be overly protective of the family. The Notification Officer may share specific information as to how the member met his or her demise, as well as allowing the family time with the deceased member.

D. Support of the Family During the Wake and Funeral**:**

i. The Chief of Police, or a designee, will meet with the member's family at their home to determine their wishes regarding departmental participation in the preparation of the funeral or services. All possible assistance will be rendered.

ii. With the approval of the family, the Chief will assign a Family Liaison Officer. The Chief will also designate a Department Liaison Officer and a Benefits Coordinator.

iii. A uniformed officer will be assigned to remain with the deceased officer at all times until burial.

E. Family Liaison Officer:

i. The selection of a Family Liaison Officer is a critical assignment. An attempt should be made to assign someone who enjoyed a close relationship with the member and his or her family. When possible, male/female "teams" should be utilized as Family Liaison Officers, thus preventing bonding between the survivor(s) and member during a vulnerable time in the survivor's life.

ii. This is not a decision-making position, but a "facilitator" between the family and the department.

iii. Responsibilities of the Family Liaison Officer may include:

a. Ensuring the needs of the family come before the wishes of the department.

b. Assisting the family with funeral arraignments and making them aware of what the department can offer if they decide to have a police funeral. If they choose the latter, briefing the family on funeral procedure (i.e., presenting the flag, playing of taps, gunfire salute).

c. Apprising the family of information concerning the death and the continuing investigation.

d. Providing as much assistance as possible, including overseeing travel and lodging arraignments for out-of-town family members, arranging for food for the family, meeting child care and transportation needs, etc.

e. Being constantly available to the family.

f. Determining what public safety, church, fraternal and labor organizations will provide in terms of financial assistance for out-of-town family travel, food for funeral attendees following the burial, etc.

g. Notifying Concerns of Police Survivors (C.O.P.S.), (573) 346-4911. Members are available to provide emotional support to surviving families.

F. Department Liaison Officer:

i. This position is normally assigned to a Division Commander because of the need to effectively coordinate resources throughout the department.

ii. Responsibilities of the Department Liaison Officer may include:

a. Working closely with the Family Liaison Officer to ensure that the needs of the family are fulfilled.

b. Handling the news media throughout the ordeal. If the family decides to accept an interview, a member should attend to "screen" questions presented to the family so as not to jeopardize subsequent legal proceedings.

c. Meeting with the following persons to coordinate funeral activities and establish an itinerary:

1. Chief of Police and Administrators
2. Funeral director
3. Family priest or minister
4. Cemetery director, and
5. Honor guard

d. Directing the funeral activities of the department and visiting departments according to the wishes of the family,

e. Issuing a terminal message to include the following:

1. Name of deceased
2. Date and time of death
3. Circumstances surrounding the death
4. Funeral arraignments (state if service will be private or a police funeral)
5. Uniform to be worn
6. Expressions of sympathy in lieu of flowers, and
7. Contact phone number for visiting departments to call to indicate their desire to attend or to obtain further information.

f. Establishing a command center, if necessary, to coordinate information and response to the tragedy.

g. Obtaining an American flag. If the family wishes a flag presentation by the Chief, notify the Chief's Office. (Arkansas Act#1184)

h. Determining if the family desires a burial in uniform and selecting a member to obtain a uniform and all accouterments (except weapons) and deliver them to the funeral home.

i. Assigning members for usher duty at the church, or place of funeral.

j. Arranging for the delivery of the member's personal belongings to the family.

k. Briefing the Chief and staff concerning all funeral arrangements.

l. Ensuring that the surviving parents are afforded recognition and that proper placement is arranged for them during the funeral and procession.

m. Arranging for a stand by doctor for the family, if necessary.

n. Coordinating traffic management, with other jurisdictions during the viewing, funeral and procession.
o. Assigning a member to remain at the family home during the viewing and funeral.
p. Maintaining a roster of all departments sending personnel to the funeral, including:

1. Name and address of responding agencies
2. Name of the Chief of Police
3. Number of officers attending
4. Number of officers attending the reception after the funeral, and
5. Number of vehicles

q. Acknowledging visiting and assisting departments.
r. Arranging for routine residence checks of the survivor's home by the Patrol Division for 6-8 weeks following the funeral. This service is necessary since large amounts of money are passing through the residence and the survivors will be spending time away from the home dealing with legal matters.

G. Benefits Coordinator:

i. The Benefits Coordinator will gather information on benefits/funeral payments available to the family. The Benefits Coordinator has the department's full support to fulfill this responsibility to the survivors and is completely responsible for filing the appropriate benefit paperwork and following through with the family to ensure that these benefits are being received.
ii. The Benefits Coordinator is responsible for, but not limited to:

a. Filing Worker's Compensation claims and related paperwork.
b. Contacting the Human Resources office without delay to ensure that the beneficiary receives death and retirement benefits, the member's remaining paychecks and payment for remaining annual compensatory time.
c. Gathering information on all benefit/funeral payments, to include the Public Safety Officers Benefits Act, that are available to the family.
d. Notifying police organizations of the death and ensuring that any and all entitlements are paid to the beneficiary. These agencies may also offer legal and financial counseling to the family at no cost.
e. Preparing a printout of the various benefits/funeral payments that are due to the family, listing named beneficiaries and contact at various benefits offices, and when they can expect to receive payment.
f. Meeting with the surviving family a few days after the funeral to discuss the benefits they will receive, a copy of the prepared printout and any other related paperwork should be given to the family at this time.

1. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the children may be receiving.

2. The Benefits Coordinator will review and explain the City's Line of Duty Death Benefit package.

g. Meeting again with the family in about six months to ensure they are receiving benefits.

H. Continued Support for the Family:

i. Members of the Department must remain sensitive to the needs of the survivors long after the member's death. The grief process has no timetable. More than half of the surviving spouses can be expected to develop a posttraumatic stress reaction to the tragedy.

ii. Survivors should continue to feel a part of the "police family." They should be invited to department activities to ensure continued contact.

iii. Members of the department are encouraged to keep in touch with the family. Close friends, co-workers and officials should arrange with the family to visit the home from time to time so long as the family expresses a desire to have these contacts continue.

iv. The Chief of Police should observe the member's death date with a short note to the family, flowers on the grave and/or wreath placement at the National Law Enforcement Officers Memorial.

v. Holidays may be especially difficult for the family, particularly if small children are involved. Increased contact with the survivors and additional support is important at these times.

vi. The Family Liaison acts as a long-term liaison with the surviving family to ensure that close contact is maintained between the department and the survivors and that their needs are met as long as they feel the need for support.

vii. If no court proceedings surround the circumstances of the member's death, the Family Liaison will relay all details of the incident to the family at the earliest opportunity.

viii. If criminal violations surround the death, the Family Liaison will:

a. Inform the family of all new developments prior to press release

b. Keep the family apprised of legal proceedings

c. Introduce the family to the victims' assistance specialist of the court

d. Encourage the family to attend the trial, and accompany them whenever possible

e. Arrange for investigators to meet with the family at the earliest opportunity following the trial to answer all their questions.

I. Line of Duty Employee Information Packets

i. The Line of Duty Employee Information Package is an integral part of the department's ability to provide family members continued support during difficult times. Employees are highly encouraged to thoroughly complete these packets with as much information as they can.

ii. Packets will be presented to employees upon hire into the department. Employees will have 30 days to complete and turn in the packets. Packets will be sealed and initialed by the employee.

iii. Packets will be reviewed and updated as necessary by employees once a year. Document this review on the outside of the packet with the date and initials. Packets can be updated by employees at any time.

iv. When an employee leaves the department, both packets will be given to the employee during out-processing.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

MEDIA RELATIONS AND INFORMATION RELEASES
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose**: The purpose of this policy is to control the release or information from the department to the media and information released to other individuals.

II. **Policy**: It is the policy of this law enforcement agency to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the department and response to Freedom of Information Act (F.O.I.A.) requests, as long as these activities do not unduly interfere with departmental operation, and infringe upon individual rights or violate the law.

III. **Procedure**: Media Relations and Information Releases

A. General:

i. In all matters of interest to the public, the Cabot Police Department will maintain open communications emphasizing a balance between the citizen's right to know and the constitutional rights of the accused.

ii. The department will work with the media to ensure that information is provided on a timely and factual basis whenever possible.

iii. Contacts between the news media and the police will be conducted in a courteous, professional manner

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B. Major Media Incidents: If an incident may attract media attention, a supervisor will respond to the scene, evaluate the situation and determine the need for notification of the Public Information Officer (P.I.O.).

i. P.I.O. should be notified whenever his/her services will assist the on-scene officers in handling media requests.

ii. When the Cabot Police Department is not the primary investigating agency, information concerning the investigation will be coordinated with the primary investigating agency.

iii. If media representatives are at the scene, a supervisor and/or the P.I.O. shall determine the best assembly point for media members.

C. Police Scene Access: Access by media representatives to a police scene will be controlled by the supervisor in charge of the incident.

i. Yellow crime tape shall be used to define all restricted areas.

ii. Media access to any specific area wherein evidence could be destroyed or compromised will be denied.

iii. Media access will be limited when the presence of the media would interfere with a police operation.

D. Media representatives should not be excluded from the general vicinity of a crime or accident.

E. Photographers should not be restricted from taking pictures at a crime or accident scene. The media shall not be denied access to an area where the public is allowed.

F. If any media representatives (including photographers) are on private property and the owner or custodian of that properly requests that they leave the premises, officers shall ask the media to move to public property.

G. Photographs may be taken of a suspect in transit but the suspect will not be posed by an employee.

H. Ranking officers at crime or incident scenes may release information of a factual nature to the media as governed by this policy or refer the inquiry to the P.I.O., Chief of Police or his designee. Where the officer is unsure of the facts or the propriety of releasing information, he shall refer the inquiry to the P.I.O., Chief of Police or his designee.

I. Written press statements shall be released only following approval of the Chief of Police or his designee.

J. Investigative Information - From the initial stage of a criminal investigation until the completion of trial, department personnel shall refer all requests for information to the P.I.O., Chief of Police or his designee.

i. Information that may be released in connection with an investigation of an event or crime includes:

a. The type or nature of an event or crime;

b. The location, date and time, injuries sustained, damages and a general description of how the incident occurred;

c. Type and quantity of property taken;
d. The identity and approximate address of a victim with the exception of sex crimes and in cases where reprisals or intimidation may be employed;
e. Requests for aid in locating evidence, a complainant or a suspect;
f. Numbers of officers or people involved in an event or investigation and the length of the investigation;
g. The name of the officer in charge of a case (exception: the name of any undercover officer will not be released).

K. Information that may not be released in connection with an investigation of a crime, unless authorized by the Chief of Police or his designee include:

i. The identity of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger,
ii. The identity of any victim of a sex crime or related information which, if divulged, could lead to the victim's identity;
iii. The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in personal danger;
iv. The identity of any juvenile in a case subject to the jurisdiction of the Juvenile Court;
v. The identity of any critically injured or deceased person prior to notification of next of kin;
vi. The results of any investigation procedure such as photo lineups, polygraph tests, fingerprint comparison, ballistics tests or other procedures (the fact that these tests have been performed may be revealed without further comment).
vii. Information, which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of an "MO", details of the crime known only to the perpetrator and law enforcement personnel, or information that may cause the suspect to flee or more effectively avoid apprehension
viii. Information that may be of evidentiary value in criminal proceedings;
ix. Specific causes of death unless officially determined by the Medical Examiner;
x. The home address or telephone number of any department member.

L. Arrest Information - Following arrest, issuance of an arrest warrant or filing of an information or indictment, it is permissible to release:

i. The accused's name, age, residence, occupation (except juveniles);
ii. The time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, charges placed against the suspect(s) and description of contraband seized;
iii. The identity of the arresting officers and the duration of the investigation unless the officers are engaged in undercover operations, and
iv. The amount of bond, scheduled court dates and place of the suspect's detention.

M. Release of information:

- **i.** Statements of policy and information regarding organizational changes or disciplinary actions shall originate from the Chief of Police.
- **ii.** Employees shall not make a public address or write for publication concerning the affairs of the department without the written authorization of the Chief of Police or their designee.
- **iii.** Employees shall not comment on rumors relating to departmental activities.
- **iv.** Following arrest and formal charging of a suspect, but prior to adjudication, the following types of information should not be released without the express permission of the Chief of Police:
- **v.** Prior criminal conviction record, character or reputation of a defendant;
- **vi.** Existence or contents of any confession, admission or statement of a defendant, or his/her failure or willingness to make a statement;
- **vii.** Identity, statement or expected testimony of any witness or victim;
- **viii.** Any opinion about the guilt or innocence of a defendant of the merits of the case;
- **ix.** Any opinion or knowledge of potential for a plea bargain or pretrial action.
- **x.** Employees shall not disclose any information in their possession, however obtained, which may enable anyone to escape detection, arrest, or prosecution, or enable anyone to destroy evidence, or to dispose of or destroy stolen property.
- **xi.** Employees shall not divulge to any person not connected with the department information acquired by his or her employment if the information might adversely affect the efficiency of the department.
- **xii.** Employees are prohibited from disclosing any information to unauthorized person that is declared by law, rule, regulation, policy, or procedure to be confidential, nor shall any employee use officially obtained information for personal gain or benefit.

N. Internal investigations information:

- **i.** Inquiries into personnel investigations shall be referred to the Chief of Police or his designee.
- **ii.** Employees shall not discuss these matters with non-departmental personnel.

O. F.O.I.A. requests:

- **i.** The Arkansas Freedom of Information Act requires a response to most F.O. I.A requests within three (3) working days.
- **ii.** If an F.O.I.A. request is made and there is some uncertainty about whether the information is subject to release or the information is not immediately available, the following guidelines shall apply:

  - **a.** If a written F.O.I.A. request is received, the employee shall note the date and time it is received and immediately forward the request to the Chief of Police through his Chain of Command.
  - **b.** Upon receiving a request for examination or copying of personnel or evaluation records, the custodian of the records shall determine within twenty-

four (24) hours of the receipt of the request whether the records are exempt from disclosure and make efforts to the fullest extent possible to notify the person making the request and the subject of the records of the decision.

c. If an F.O.I.A., request is made orally, the employee receiving the request should ask that it be made in writing. If the person refuses, the employee shall immediately forward a written notice containing the following information to the Chief of Police through his Chain of Command:

1. The date and time of request;
2. The identity of the person making the request;
3. How the person may be contacted; and
4. The specific information requested

P. Official F.O.I.A. requests should not be confused with normal questions asked by news reporters on a daily basis. Questions concerning crime, accidents and other normal police operations will continue to be handled as effectively as possibly.

i. Employees shall not instruct a victim or complainant not to talk to the media unless special circumstance exist that would affect the prosecution of the case. The P.I.O. shall be notified to facilitate media liaison relating to the particular incident and the special circumstances.

Q. Information from police files - Employees shall not release information from Department files except in the following cases:

i. Incident Reports, including Supplemental Reports as required;
ii. Accident Reports (redact juvenile information);
iii. Conviction Information;
iv. Pursuant to Freedom of Information Act request as governed by Arkansas State Statutes and Departmental Policy.
v. Motion of Discovery.

R. Information related to juveniles shall not be disclosed to the public unless:

i. A court order requires disclosure, or
ii. The juvenile is charged with a felony as an adult in circuit court.

S. All reports involving juveniles may be released only when the name and all pertinent identifying information has been deleted or authorized.

T. Violation of this section will be considered a violation of the public's trust and may result in disciplinary action up to and including termination of employment.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Missing Persons
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to establish guidelines and responsibilities regarding this department's response to reports of missing persons.

II. Policy:

A. It is the policy of this department to thoroughly investigate all reports of missing persons. Additionally, this department holds that every person reported as missing will be considered at risk until significant information to the contrary is confirmed.

B. If a missing person was last seen in this jurisdiction, this department will immediately initiate the required reporting process. If a missing person legally resides in this jurisdiction and was last seen in another jurisdiction, but the law-enforcement department covering that jurisdiction chooses not to take a missing-person report, this department may assume reporting responsibility.

C. Questions concerning parental custody occasionally arise in relation to missing-child reports. It is the policy of this department to accept the report of a missing child even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as soon as possible; however, since the safety of the missing child is paramount, members of this department will open a case when it can be shown that the child is missing, without explanation, from his or her usual place of residence within this jurisdiction.

III. Definitions:

A. Missing adult means any person:

i. Who is eighteen (18) years of age or older, and

ii. Who has been reported to this department or any law enforcement agency as missing under circumstances indicating that:

a. The individual has a physical or mental disability as evidenced by written documentation;

b. The individual is missing under circumstances indicating that the disappearance was not voluntary; or

c. The individual is missing as a result of a natural or intentionally caused catastrophe.

B. "Missing child" means any person:

i. Who is under eighteen (18) years of age;

ii. Whose location is unknown or who has been taken, enticed, or kept from any person entitled by law or a court decree or order to the right of custody; and

iii. Who has been reported as missing to a law enforcement agency

C. Unusual circumstances

i. A missing child 13 years of age or younger.

ii. A child or an adult who is missing and believed to be one or more of the items noted below:

a. Out of the zone of safety for his or her age and physical and mental condition. The zone of safety will vary depending on age. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a school-aged child, the zone of safety might be the immediate neighborhood or route taken between home and school. In the case of an elderly person of diminished physical and/or mental health, the zone of safety might include the close proximity and availability of a caregiver familiar with that individual's condition and needs.

b. Mentally diminished. If the person is developmentally disabled or emotionally disturbed, or the victim of disease, he or she may have difficulty communicating with others about needs, identity, or address. The disability places the person in danger of exploitation or other harm.

c. Drug dependent. In the case of a child, the term "drug dependent" shall refer to dependence on either prescription or illicit substances, since any drug dependency puts a child at substantially increased risk. In the case of an adult, the term "drug dependent" shall refer to a dependence on legally prescribed medicines vital to the adult's continued physical well-being.

d. A probable victim of foul play or sexual exploitation.

e. In a life-threatening situation.

f. Absent from home for more than 24 hours before being reported to law enforcement as missing. While some persons may incorrectly assume that 24 hours must pass before law enforcement will accept a missing-person case, a delay in reporting might also indicate the existence of neglect or abuse within the family.

g. Believed to be with persons who could endanger his or her welfare.

h. Is absent under circumstances inconsistent with established patterns of behavior.

D. "At-risk" missing person (adult or child): A missing adult or child will be considered "at-risk" when one or more of the unusual circumstances as defined above are present.

IV. Procedures:

A. General action on determination of "unusual circumstances":

i. If it is determined that "unusual circumstances" are involved in the report of a missing adult or child, the person will be considered "at risk" and an expanded investigation, including the use of all appropriate resources, will immediately commence.

ii. If appropriate, existing interdepartmental response protocols - including the Morgan Nick/AMBER Alert system and/or other available immediate community notification methods - should be activated

iii. There is no required waiting period for reporting a missing person. A person may be declared "missing" when his or her whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable persons as highly unusual or suspicious in consideration of the subject's behavior patterns, plans, or routines.

B. Communications personnel receiving the report of a missing person shall:

i. Dispatch, in a prompt manner, an officer to the scene of the report;

ii. Transmit the appropriate radio alerts and other notifications;

iii. Search records for related information; and

iv. Safeguard all pertinent records.

v. Determine the correct NCIC Missing Person File category and ensure that a notification is promptly transmitted.

C. The initial officer or first responder assigned to the report of a missing person shall:

i. Respond promptly to the scene of the report;

ii. Notify a supervisor and an investigator when appropriate;

iii. Interview the person(s) who made the initial report;

iv. Obtain a description of the missing person. The collection of information about the missing person, including race, height, weight, hair and eye color, clothing, and other noteworthy features, should be done promptly and relayed to other officers who may be assisting in the investigation. Recent photographs and/or videos should be secured if available;

v. Verify that the person is in fact missing. NOTE: In the case of children, first responders should never assume that searches conducted by distraught parents or others have been performed in a thorough manner. Another check of the house and grounds shall be made that includes places where children could be trapped,

asleep, or hiding. Special attention should be paid to enclosures like refrigerators, freezers, and the interior, including trunks of parked vehicles where limited breathing air may place the child at even greater risk. A search of the home should be conducted even if the missing person was last seen elsewhere;

vi. Confirm custody status;

vii. Identify the circumstances of the disappearance. First responders need to ascertain whether the circumstances surrounding a person's disappearance are such that a heightened level of response is warranted. If "unusual circumstances" exist, as defined in Paragraph D of Section III, then the decision to employ additional response methods is clear. In other situations where the circumstances are not clear, officers should keep the missing person's safety in mind and act accordingly;

viii. Determine when, where, and by whom the missing person was last seen;

ix. Interview the individual(s) who last had contact with the missing person. Be alert to contradictions or evasiveness by the witness, especially if these statements cannot be readily substantiated;

x. Identify the missing person's zone of safety for his or her age and physical and mental state;

xi. Make an initial determination of the type of incident. Note: Officers must be cautious in "labeling" or classifying a missing-person case since the classification process shall affect the way in which initial information or evidence is gathered. Even if first indications suggest a "less urgent" incident, officers should consider all possibilities until the type of incident is clearly determined;

xii. Obtain a description of the suspected abductor(s) and other pertinent information;

xiii. Evaluate whether circumstances of the child's disappearance meet existing Morgan Nick/AMBER Alert and/or other immediate community notification protocols. Discuss plan activation with the appropriate supervisory personnel on the decision to implement an Morgan Nick/AMBER Alert;

xiv. Provide detailed descriptive information to the communications unit for broadcast updates;

xv. Identify and interview everyone at the scene;

xvi. Conduct a thorough search of the scene. With the assistance of additional personnel, a systematic, thorough search of the incident scene should be conducted. If appropriate, officers should obtain written permission to search houses, apartments, outbuildings, vehicles and other property that might hold information about the person's disappearance. Officers are again reminded to conduct a thorough, immediate search of the person's home and property — even if the disappearance supposedly took place elsewhere;

xvii. Secure and safeguard the area as a potential crime scene. If unusual circumstances exist, first responders must take control of the immediate area where the incident occurred and establish an appropriate perimeter to avoid destruction of vital evidence;

xviii. Prepare necessary reports and complete appropriate forms; and

D. The supervisor assigned to the report of a missing person shall:

i. Obtain a briefing from the first responder(s) and other department personnel at the scene;

ii. Determine if additional personnel and resources are needed to assist in the investigation;

iii. Consider activation of the Morgan Nick/AMBER Alert system and/or other immediate community notification methods. If circumstances indicate the chances for the child's safe recovery would be increased by immediate public awareness, a supervisor should promptly implement such efforts;

iv. Establish a command post if needed;

v. Organize and coordinate search efforts;

vi. Ensure that all required notifications have been made;

vii. Establish a liaison with the victim's family;

viii. Confirm that all department policies and procedures are observed; and

ix. Manage media relations. Many missing-person investigations, especially those involving large-scale search efforts, are likely to draw media attention. Supervisors should manage media presence in a way that complements, rather than conflicts with the investigation.

E. The investigator/officer assigned to the report of a missing person shall:

i. Obtain a briefing from department personnel at the scene;

ii. Verify the accuracy of all descriptive information;

iii. Initiate a neighborhood investigation if appropriate. A thorough canvass of the neighborhood should be conducted without delay. The objective is to identify and interview all persons within the abduction zone who may be able to provide information related to the incident. A record should also be made of all vehicles parked within the neighborhood and any other conditions that may have future investigative value. Access should also be made to the Sex Offender Registration list to determine if individuals designated as sexual predators reside, work, or might otherwise be associated with the area;

iv. Obtain a brief history of recent family dynamics;

v. Explore the basis for conflicting information;

vi. Implement effective case management;

vii. Evaluate the need for additional resources and specialized services;

viii. Update descriptive information. Note: The National Child Search Assistance Act – enacted in 1990 and amended by the PROTECT Act in 2003 – mandates the entry of descriptive information for all persons, birth through 20 years of age. These entries are required to be made no more than 60 days after the report is taken;

ix. When a law enforcement officer is notified by the parents, guardian, or other person having custody of a child that a child is missing, the law enforcement officer shall:

a. Ensure that the missing child information is entered into the Missing Persons Information Clearinghouse within the Arkansas Crime Information Center under § 12-12-205 and the National Crime Information Center, and;

b. Within five (5) business days after being notified by the parents, guardian, or other person having custody of the child, inform by certified mail, return receipt requested, the Division of Vital Records of the Arkansas Department of Health and the superintendent or school administrator of the school where the child was attending that the child has been reported as missing;

c. The division shall enter on or attach to the child's birth certificate a notice that the child has been reported missing. The school the child was attending shall make or attach the same notation on the child's school records.

x. Monitor media relations.

F. An officer assigned to the report of an unidentified person, whether living or deceased, shall:

i. Obtain a complete description;

ii. Enter the unidentified person's description into the NCIC Unidentified Person File;

iii. Utilize all available resources to aid in identification of the person, and;

iv. Cancel all notifications after identification is confirmed.

G. An officer assigned to the recovery or return of a missing person shall:

i. Verify that the located person is, in fact, the reported missing person;

ii. In the case of a missing adult who has been located, inform the person that he or she is the subject of a missing person investigation. If the located person is a competent adult, the officer shall determine the person's willingness for law enforcement to reveal his or her whereabouts. To the extent possible, a person's desire to remain hidden shall be honored;

iii. Notify the initial reporting person(s) of the well-being and, if permissible, the whereabouts and contact information of the person who has been located;

iv. In the case of a missing or abducted person who has been located, secure intervention services where appropriate;

v. In the case of a runaway or missing child from within the department's jurisdiction who has been located and who is not wanted on a warrant or other law violation, arrange the return of the child to his or her legal guardian or to an appropriate person;

vi. In the case of a runaway from another jurisdiction or from out-of-state who has been located and for whom a warrant exists or for whom an NCIC missing person "hit" is verified, place the child in custody and transport him or her to the appropriate facility; and

vii. Complete the appropriate supplemental reports and cancel all outstanding notifications. Along with cancellation of the NCIC Missing Person File entry and other notifications regarding the case, a supplemental report should be completed that describes the person's activities while missing and circumstances of the recovery/return.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Mobile Digital Recording (MDR)
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** To establish policy procedures on the use and storage of all departmental vehicle mounted Mobile Digital Recording (MDR) equipment and data.

II. **Policy:** This policy sets forth principles and guidelines for the utilization and storage of MDR equipment within the department. It will be the policy of this department to facilitate such technology for the collection of evidence for criminal investigation and prosecution, to provide a means for administrative investigation and inspection, and to assist in training officers to improve safety and security tactics as well as for providing for better service to the community.

III. **Procedures**

A. Training

i. All officers will receive training on the proper use of MDR equipment.

a. Training will be accomplished via a Field Training Officer, a classroom environment or other methodology.
b. All formal training will be documented.

B. Control and Management of MDR

i. MDR will:

a. Be the property of this department.
b. Officers shall not utilize self-owned recording equipment without written permission from the Chief of Police or his designee, and where authorization is given, data from the equipment shall be the property of this department and shall be downloaded, stored, and maintained in accordance with this policy.
c. Not be duplicated and/or used without authorization from the Chief of Police or his designee.

d. Be maintained and stored in a manner that allows efficient identification and retrieval.
e. Not leave the custody of the department unless approved by the Chief of Police or his designee.
f. Be stored for a period of time directed by the Chief of Police or his designee.
g. Be restricted in access to personnel only as directed by the Chief of Police or his designee.

ii. MDR containing valuable information for case prosecution, criminal or civil proceedings shall:

a. Be stored in a manner as directed by the Chief of Police or his designee.
b. Be duplicated and maintained as directed by the Chief of Police or his designee.

C. General

i. MDR equipment should automatically activate when the vehicle's emergency warning devices are in operation.
ii. MDR equipment is the responsibility of the officer assigned to the vehicle, and will be maintained according to manufacturer's recommendations.

D. Shift Supervisory Responsibilities

i. Shall be knowledgeable of MDR equipment, operations, functionality, and departmental procedures for its use.
ii. Shall ensure the following:

a. All officers utilizing MDR under his or her command are knowledgeable of this policy.
b. Any needed repair be reported to an MDR administrator, by email.

E. Officer Responsibilities

i. Upon reporting for duty, officers will determine whether their MDR is working satisfactorily. Their shift supervisor should be notified if the MDR is not working satisfactorily at any time during shift hours.
ii. Officers must ensure that MDR is operating in order to record traffic stops, other enforcement actions or when answering calls for service. In so doing, they will ensure when practical, that:

a. The digital recorder is positioned and adjusted to record events.
b. The wireless microphone is on to provide narration with the digital recording to explain the reason for their current or planned enforcement action.
c. Actions of suspects during interviews, when undergoing sobriety checks or when placed into custody.

d. Circumstances at crime and accident scenes or other events such as the confiscation and documentation of evidence or contraband.
e. Officers shall not in any manner attempt to alter MDR recordings.
f. Officers are encouraged to inform their supervisor of any recorded sequences that may be of value for training purposes.
g. Officers will note the incident, arrest, and related reports when MDR recordings are made during the incident in question.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Motor Vehicles Stops/Searches
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct officers in their contacts with motor vehicles.

II. Policy: The policy of this department is to protect and serve the constitutional rights of all citizens when conducting vehicle stops and searches while balancing the needs of law enforcement in solving crime for the protection of the community.

III. Definitions:

A. Motor Vehicle: Any motorized vehicle that is capable of movement to include motor homes.

B. Probable Cause/Reasonable Cause: (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.

C. Probable Cause: (arrest): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that a crime has been or is being committed and the person to be arrested is the one who is or has committed the crime.

D. Reasonable Suspicion (temporarily detain)**:** Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that criminal activity is afoot.

E. Reasonable Suspicion (frisk)**:** Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that a person who is lawfully stopped is in possession of a weapon.

F. Frisk (weapon): A limited type of search, the limit being to those areas capable of holding a weapon and located within the subject's immediate area of control.

G. Motor Vehicle Stop: Motor vehicle stop means any stop of a motor vehicle, except for a stop of a motor truck, truck-tractor, semi-trailer, trailer, or towed vehicle at a state weighing station.

IV. Procedures:

A. Vehicle Stops- Vehicles may be lawfully stopped under the following circumstances:

i. Reasonable Suspicion Based Stop- where an officer has articulated facts that support a belief that criminal activity is occurring and that a vehicle is involved the officer may stop the vehicle to investigate further. The stop may continue as long as the officer diligently investigates to confirm or dispel his or her suspicion that criminal activity is occurring and the occupant(s) of the vehicle are involved.

ii. Probable Cause Based Stop-Traffic Violation- where an officer has probable cause to believe that a violation of the motor vehicle code has occurred may stop the vehicle and detain the vehicle for a reasonable amount of time while the citation is completed.

iii. Probable Cause Based Stop-Arrest/Search- where an officer has probable cause to believe that a person in a vehicle has committed a crime or probable cause to believe that a vehicle contains evidence of a crime or contraband, the officer may stop the vehicle to arrest the occupant (in the arrest situation) or stop the motor vehicle to search the vehicle in the search scenario.

iv. Consensual Contact- An officer may approach any stopped vehicle (a vehicle which is stopped by the operator's own volition prior to police contact) and attempt to speak to person(s) in the vehicle. The officer has no power to force compliance with his or her attempt to contact in the consent situation.

B. Ordering Persons From a Vehicle: An officer may order any occupant of a lawfully stopped vehicle to exit the vehicle during a lawful stop.

C. Limited Search of Vehicle: An officer who has reasonable suspicion to believe that a lawfully stopped vehicle contains a weapon may search the vehicle subject to the following limitations:

i. The search is limited to subject's immediate area of control which would be the passenger compartment of the vehicle.

ii. The search is limited to those areas in the passenger compartment capable of holding a weapon.

D. Search Incident to Arrest (Vehicle): Following the lawful arrest of a subject from a vehicle or who had exited the vehicle just prior to arrest, officers may search the vehicle incident to arrest subject to the following limitations:

- **i.** The arrest must be lawful and must be a full-custodial arrest. The arrest must not be pre-textual in nature, in other words, the decision to arrest must not be based upon a desire to search the vehicle incident to arrest in a case where normally the officer should not have made a custodial arrest.
- **ii.** The search must take place at the time of the arrest.
- **iii.** A search incident to arrest may not take place once the arrestee is secured in handcuffs and secured in a law enforcement vehicle unless the officer has reasonable grounds to believe that the vehicle contains evidence of the particular crime for which the subject was arrested.
- **iv.** The search incident to arrest is limited to the arrestee's immediate area of control (passenger compartment only) but is a thorough search. If the vehicle's trunk is in the immediate area of control of the arrestee and accessible from the passenger compartment, it may be searched incident to arrest.
- **v.** Unlocked containers within the vehicle may be searched irrespective of who the containers belong to.
- **vi.** Other occupants may not be frisked or searched simply because another person in the vehicle has been arrested.

E. Consent Search of Vehicle: An officer may ask the person in control of any lawfully stopped vehicle or a vehicle that is not moving at the time of a consensual contact for consent to search the vehicle. Consent searches are subject to the following limitations:

- **i.** The consent must be voluntary.
- **ii.** Written consent is not required under federal law; however written authorization or a mobile video recording that documents consent will assist in proving the voluntary nature of the consent.
- **iii.** The scope of the search is within the control of the person granting consent, thus, the consenting party can direct the area which an officer is allowed to search as well as how long the search may last.
- **iv.** Under the rules of consent there is no requirement that officers inform a person of their right to refuse the officer's request, however a person who is told of their ability to refuse will be less likely to make out a claim that their consent was not voluntary.
- **v.** Officers may not prolong a stop beyond its original justification in order to obtain consent.

F. Probable Cause Searches of Vehicles (Carroll Doctrine/Motor Vehicle Exception to the Warrant Requirement/Mobile Conveyance Exception) An officer may, without a warrant, search a motor vehicle when the officer can articulate probable cause to

believe that the vehicle contains evidence of a crime or contraband subject to the following limitations:

i. In cases where the vehicle was stopped or parked prior to contact by the police, the area where the vehicle is parked is not private property such that officers would have to obtain a warrant to gain access to the property itself.

ii. The vehicle is capable of movement. This does not mean that the vehicle is occupied; it simply means that the vehicle could be started and driven off with the turn of a key.

iii. Officers may search the entire vehicle where there is probable cause to believe there is evidence or contraband in the vehicle.

iv. Officers may only search those areas within the vehicle capable of containing the item being sought. For example, an officer looking for stolen stereo equipment would exceed the scope of a probable cause search if he or she were to search the ashtray for the stolen equipment. In addition where the officer has probable cause to believe a particular container within the vehicle conceals contraband the search would be limited in scope to that container.

v. Under Arkansas Law Probable Cause Searches of Motor Vehicles may only be conducted:

a. on a public way or waters or other area open to the public;

b. in a private area unlawfully entered by the vehicle; or

c. in a private area lawfully entered by the vehicle, provided that exigent circumstances require immediate detention, search, and seizure to prevent destruction or removal of the things subject to seizure.

G. Drug Sniffing Canine: Where officers have a lawfully stopped vehicle, they may utilize a drug-detection canine to sniff the exterior of the vehicle as long as the sniff occurs within the duration from a time standpoint of the purpose that justified the stop to begin with. For example, if the vehicle was stopped for speeding, the canine would have to arrive and conduct the sniff in the time it would take to write the citation.

i. If the stop must be prolonged beyond its justification to wait for the canine to arrive, the vehicle must be released and the canine cancelled.

ii. It is recognized that an officer may develop reasonable suspicion of possession of narcotics during the initial stop which would then justify prolonging the stop for the canine's arrival.

iii. If the canine conducts a sniff in accordance with this policy and alerts on the vehicle, the officer has probable cause and may conduct a probable cause search of the vehicle.

iv. Putting a canine inside a vehicle is a search for 4th Amendment purposes and must not be done unless the officer can support the search by probable cause to believe the vehicle contains contraband.

H. Inventory Searches: An inventory search is not a search for evidence or contraband and is not a search with an investigative purpose. The primary objective of these searches is to protect the property of persons whose vehicles are towed at the direction of law enforcement. These searches also have the objective of protecting law enforcement from false claims with respect to vehicles that are towed at the direction of law enforcement. Inventory searches are subject to the following limitations.

i. All vehicles towed at the direction of an officer of this agency, irrespective of the reason for the tow, shall be inventoried in accordance with this policy.

ii. Officers will note in their report any items of value that are within the vehicle.

iii. If an item of extreme value is located within the vehicle and is removable, the officer shall take the item for safekeeping and either turn the item over to the owner or, when that is not possible, take the item to the department to be held for safekeeping in accordance with the provisions of the property and evidence policy.

iv. It is permissible to impound and inventory the contents of a vehicle when:

a. The driver is arrested; or

b. When there is other good cause, such as when the driver is physically unable to drive the vehicle and leaving it by the side of the road would create a hazard.

c. Officers are not authorized to conduct general searches of disabled vehicles for evidence of ownership.

I. Community Caretaking Search: Where officers have reason to suspect that a vehicle contains a dangerous item, which, if left unattended will endanger public safety, the officer may search the vehicle to remove the dangerous item for safekeeping. An officer removing such an item should protect the owner's property interest by ensuring that the item is stored in accordance with department procedures relating to property and evidence.

i. Emergency Searches: An officer who has reasonable cause to believe that premises or a vehicle contain:

a. individuals in imminent danger of death or serious bodily harm; or

b. things imminently likely to burn, explode, or otherwise cause death, serious bodily harm, or substantial destruction of property; or

c. things subject to seizure which will cause or be used to cause death or serious bodily harm if their seizure is delayed;

d. may, without a search warrant, enter and search such premises and vehicles, and the persons therein, to the extent reasonably necessary for the prevention of such death, bodily harm, or destruction.

J. Warrantless Search by Law Enforcement Officer for a Supervised Probationer or Parolee.

i. A person who is placed on supervised probation or is released on parole is required to agree to a waiver as a condition of his or her supervised probation or parole that allows any certified law enforcement officer to conduct a warrantless search of his or her person, place of residence, or motor vehicle at any time, day or night, whenever requested by the certified law enforcement officer. A warrantless search that is based on a waiver shall be conducted in a reasonable manner (16-93-106).

ii. Though Arkansas Law does not require an articulable suspicion that the person is committing or has committed a criminal offense, this agency requires that an officer have some articulable law enforcement concern, however slight, prior to conducting such searches without the direct assistance of a parole or probation officer, or that the parolee/probationer be a party to an otherwise lawful stop based on reasonable suspicion or probable cause.

iii. Examples of a law enforcement concern include but are not limited to: Anonymous tips/reports that would otherwise not be sufficient to conduct a search; parolee/probationer found in known crime areas or otherwise under suspicious circumstances less than reasonable suspicion for a terry stop; parolee/probationer is a party to a lawful traffic stop or other detention whereby a search would otherwise be unlawful.

iv. Officers are prohibited from using this statute to harass.

v. Prior to a 4th amendment seizure (detention or stop) and or search of a parolee/probationer based on the sole fact that the person is merely a parolee/probationer, a member of this agency shall verify the status of the person believed to be on supervised probation or parole and that a waiver exists prior to conducting a seizure and or search by one of the following methods:

a. As part of a consensual contact, a person admits to being on probation or parole, admits that a waiver exists, and consents to search. Under this scenario, no seizure has occurred and the Officer is conducting a search under the consent to search doctrine without having verified that a waiver exists via logical means.

b. Officer determines person is on probation/ parole via ACIC and confirms that a waiver is on file.

c. Officer determines person is on probation /parole and that a waiver exists through personal contact with the Departments of Correction or Community Correction or by contacting a Community Correction Officer prior to any warrantless search being conducted.

vi. Authority granted under this statute does not preclude other restrictions that may be applicable under law including 3rd party rights, co-occupants, etc.

vii. In the event a co-occupant or other lawful third party prevents the search of a residence where a parolee or probationer resides based on applicable law, Officer will advise the third party that the parolee/probationer may be in violation of his/her parole based on their lawful objection and the Officer will report the incident to Parole/ Probation for their consideration of enforcement.

viii. Officers will document all parole/probation searches or attempts to search in a manner approved by their agency. The report should document the date, time, location, parolee/probationer searched, scope of the search, the law enforcement concern that led to the search or an otherwise lawful stop, and the result of any such search.

ix. In addition to typical enforcement that may occur, the discovery of any criminal violation will be promptly reported to the appropriate Parole/Probation Officer for further administrative consideration.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Off-Duty Action
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this order is to adopt safety directives and guidelines for dealing with the carrying of firearms and responding to criminal activity while in an off-duty status.

II. **Policy:** It is the policy of this department to allow off-duty officers to carry a firearm in accordance with state and federal law. In addition, an off-duty officer may be required to take action regarding criminal activity as described within this policy.

III. **Procedure**

A. It shall not be necessary that a member, who chooses to carry a firearm off-duty, carry his service weapon. However, any weapon that an officer chooses to carry, under his or her authority as a police officer, must be approved by a Firearms Instructor.

B. If an officer is going to carry a personally owned firearm under his or her authority as a police officer, the officer shall be required to meet the qualification standards for law enforcement firearms with the personally owned firearm.

C. Under Federal Law, sworn law enforcement officers are allowed to possess a concealed firearm anywhere in the United States (HR 218). Officers should be aware that while this law exempts them from laws prohibiting such possessions, it does not give them police powers of any type outside of their jurisdiction. As such, an officer will generally be limited to the self-defense provisions of the state they are traveling through once outside their own jurisdiction. Thus, the officer's rules of engagement are extremely limited.

D. Officers shall refrain from carrying firearms when consuming alcoholic beverages.

IV. **Considerations for Off-Duty Action:** Off-duty officers who become aware of an incident that poses a threat of bodily harm or death to some individual shall take "action" to minimize the risk of bodily harm or death. "Action" under this provision is fulfilled by reporting the incident and shall not require the officer to place him or herself in a position of peril. An officer who is faced with such a circumstance should consider the guidelines

as spelled out in this policy to determine the necessity of their direct involvement. Off-duty officers will not become directly involved in minor violations or nuisance offences. On-duty personnel will be contacted to respond to such situations when an off-duty officer becomes aware of such violation.

A. Call 911.

B. Consciously evaluate whether your direct involvement is necessary or desirable, given the circumstances.

C. Immediately identify yourself as a law enforcement officer to responding law enforcement personnel. This may include repeatedly verbally identifying yourself as a police officer until you receive acknowledgement and directions on what you should do. Remember, the noise and excitement of the scene, combined with auditory blocking may prevent responding officers from hearing you initially.

D. Gather accurate intelligence like a good witness until uniformed, on-duty officers arrive.

E. If an off-duty officer becomes directly involved in a police incident, the officer should, to the extent possible, attempt to have someone call 911 to advise the operator that an off-duty officer is on scene and provide description of said officer.

F. Consider re-holstering your gun when other officers arrive, unless doing so would put you and the responding officers or innocent civilians, in jeopardy.

G. If you have cover, maintain it. You can communicate verbally from there.

H. Make your hands visible. Having responding officers see that you are unarmed and non-threatening will work to calm them and protect you.

I. When the responding officers issue commands, follow them promptly and completely. Expect to be treated like a suspect until your law enforcement status is verified.

J. If you have a gun in your hand, never turn toward an on-duty officer.

NOTE: Plain clothes officers should be aware that the same recognition issues applying to off-duty officers also apply to plainclothes officers, and while rules of action are different, the rules with respect to protective steps, (i.e. movements, identification etc.) remain the same.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Personal Appearances
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to establish standards that relate to the personal appearances for the employees of the Cabot Police Department.

II. **Policy:** It shall be the policy of this Department that all employees present a "neutral image" to effectively relate to all segments of the population they serve. Social interest demands that employees of the police department present themselves in a professional manner.

III. **Procedure:**

A. Hair:

- **i.** The hair must be worn in such a manner as to present a neat and professional appearance, and the grooming must be maintained under all but the most adverse conditions.
- **ii.** The bulk or the length of the hair will not interfere with the normal wearing of any required headgear or present a ragged, unkempt, or extreme appearance.
- **iii.** The overall appearance of the hairstyle will generally conform to the shape of the head.
- **iv.** Hairstyles such as pigtails, rat-tails, Mohawks and large bouffant styles are prohibited.
- **v.** Male Members: The hair will not be styled or allowed to fall over the ears or over the top of the shirt collar except for the short of closely cut hair at the back of the neck.
- **vi.** Female Members:

  - **a.** When combed, the hair along the side of the head should not extend below the front of the collars.

b. Long hair is acceptable as long as it is worn in such a manner that presents a neat and professional appearance. The length of the hair shall not extend below the middle of the back.

c. Items used to hold hair in place will be concealed as much as possible underneath properly worn headgear. These items will be of a color and style that blend with the individual's hair color. Decorative items, such as ribbons, will not be worn in the hair.

d. A conservative ponytail is permitted but shall not extend below the middle of the back.

B. Sideburns:

i. Sideburns must be groomed and maintained in an orderly manner, and the bulk of the hair will not present a ragged, unkempt, or bushy appearance.

ii. Sideburns will not extend downward below the bottom of the lowest part of the earlobe and will end in a clean shaven horizontal line.

iii. Sideburns will not be flared or any wider at the bottom than the natural width at the top.

iv. Sideburns will look natural with no designs or letterings.

C. Mustaches:

i. Mustaches must be groomed and maintained in an orderly manner that does not present a ragged or bushy appearance.

ii. Mustaches will not extend downward beyond the lower portion of the upper lip

iii. Ends of mustaches will not be twisted, curled, or waxed.

iv. Ends of mustaches will not extend beyond an imaginary horizontal line tangent with the lower lip line of the bottom lip and may not extend beyond the outside corners of the lips/mouth.

D. Beards, goatees, etc.:

i. Beards, goatees, and facial hair not mentioned are prohibited.

E. Cosmetics, perfumes and cologne:

i. Makeup will present a conservative appearance. This does not imply that a plain look is required, but is meant to eliminate gaudiness.

ii. Excessively odorous perfumes or colognes are prohibited.

F. Fingernails:

i. The length of the fingernail shall be no more than 1/8 inch longer than the end of the finger.

ii. Fingernail polish shall be of one conservative color.

iii. Fingernail art is prohibited.

iv. French style manicures are acceptable as long as they present a neat and professional appearance.

G. Jewelry:

i. Members may wear a wrist watch and/or one conservative bracelet.
ii. Members will be permitted to wear only one ring on each hand. (A wedding band set is considered one ring).
iii. Male members will not be permitted to wear earrings. Female members are permitted to wear small, conservative style ear studs or hoops up to one inch in diameter. Only one style of earrings may be worn per earlobe.
iv. Members may wear one conservative necklace or chain, to be concealed as much as possible with the uniform shirt or undershirt.
v. All other decorative jewelry is prohibited.

H. Body piercings:

i. Visible body piercing while on duty are prohibited with the exception of earrings as stated in the jewelry section for female members.

I. Tattoos, brands, body markings

i. Tattoos/Brands/Body Markings. (Definition) For purposes of this policy, a tattoo is defined as a picture, design, or marking made on the skin or other areas of the body by staining it with an indelible dye. A brand is defined as a picture, design, or other marking that is burned into the skin or other areas of the body. Body markings are pictures, designs, or other markings as a result of using means other than burning to scar or mark the skin.

ii. Tattoos/Brands/Body Markings anywhere on the body that contain the following are prohibited at all times in and out of uniform:

a. obscene or profane;
b. drug related;
c. commonly associated with gangs, extremist, and/or supremacist organizations;
d. that advocate sexual, racial, ethnic, or religious discrimination;
e. undermine the city or department values

iii. Any tattoos/brands/body markings above the collarbone, i.e. on the neck, head, face, tongue, lips, and/or scalp, are prohibited. For example, a tattoo/brand that can be seen on the neck while wearing an open collar, front-fastening, uniform is prohibited.

iv. Brands/Body Markings (Prohibited) Visible brands/body markings while on duty or working an extra duty assignment are prohibited.

v. Tattoos (Excessive). Excessive tattoos will not be exposed or visible (includes

visible through the uniform) while wearing any/all uniform combination(s). "Excessive" is defined as any tattoos that exceed ½ (50%) of the exposed body part and are readily visible when wearing any/all uniform combinations(s). The "exposed body part" is defined as the total area, to include front, sides back of a limb or other body part protruding from a uniform item. For example, a tattoo exclusively on the hand cannot exceed ½ (50%} of the exposed hand since the hand is considered a separate body part when wearing a long sleeve uniform item.

vi. Use the following calculation: (all measurements are to be done in inches; partial inches should be rounded up to the nearest inch). Member will be measured standing at the position of attention. If a member has multiple tattoos that are clearly separate, each will be measured separately and the cumulative size cannot exceed ½ (50%) of the exposed body part.

Step 1- Measure the length of the tattoo
Step 2- Measure the width of the tattoo at its widest point.
Step 3- Multiply length by width to determine total square inches of the tattoo.
Step 4- Measure the length of exposed body part.
Arm: measure bottom of shirt sleeve to the tip of middle finger.
Hand: measure bottom of the long-sleeve shirt to tip of middle finger.
Step 5- Determine the widest point within the length of the exposed body part. At that point measure the circumference of the exposed body part. For the hand, this includes both sides.
Step 6- Multiply #4 by #5 to determine total square inches of the exposed body part.
Step 7- Divide the total square inches of exposed body part by 2. This figure will be ½ (50%) of the exposed body part.
Step 8- Compare the results of Step 3 and Step 6. If the result of Step 3 is a smaller number than the result of Step 6, the tattoo does not exceed 50% of the exposed body part.

J. Body alteration/modification

i. Intentional alterations and/or modifications to a members body that result in a visible, physical effect that disfigures, deforms or otherwise detracts from a professional image are prohibited. Examples of prohibited conduct include (but are not limited to) tongue splitting or forking, tooth filing, acquiring visible, disfiguring skin implants, and gouging (piercing holes large enough to permit light to shine through.)

K. Intentional body modifications:

i. Intentional body modifications that create an unusual appearance are prohibited. Some examples include, but are not limited to: a split or forked tongue, foreign

objects inserted under the skin to create a design, effect, or pattern, or enlarged or stretched out holes in the earlobes, etc.

L. Dental ornamentation:

- **i.** The use of gold, platinum or other veneers or caps for purposes of ornamentation is prohibited.
- **ii.** Teeth, whether natural, capped, or veneer will not be ornamented with designs, jewels, initial, etc.

M. Exceptions to guidelines:

- **i.** Members not assigned to uniformed duties may deviate from policy requirements in a manner that is commensurate with their plain clothes assignments.
- **ii.** Any deviation must be approved by the Chief of Police or his designee.
- **iii.** Members who are not required to wear a uniform shall maintain their appearances in accordance with generally accepted business styles.
- **iv.** In order to meet uniform staffing needs during exigent circumstances, all non-uniformed employees having an approved appearance deviation must be able to readily comply with uniformed appearance requirements.
- **v.** Those employees in job assignments which require them to have a non-traditional appearance may be exempt from these guidelines upon approval from the Chief of Police or his designee.
- **vi.** All other exceptions to these guidelines must be approved by the Chief of Police or his designee.

N. Compliance:

- **i.** Any member deemed to be out of compliance with any section of this policy shall be required to rectify the violation as soon as practical.
- **ii.** Any member directed by any supervisor to change their appearance to comply with this policy has the right to appeal the request to the Chief of Police or his designee if the member deems the request to be capricious and/or unwarranted. Appeals should be in writing and submitted through the chain of command within three (3) working days.
- **iii.** Intentional violation of this policy may lead to discipline up to and including termination.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Persons with Disabilities
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to outline department mandates with respect to contacts with persons who have disabilities.

II. Policy: It is the policy of this department to provide police services in an equal and impartial manner. This policy includes providing police services to those who have disabilities that officers either observe or become aware of based upon the circumstances presented or information obtained. This department shall take steps to protect persons with disabilities from inequitable treatment based on their disability and to avoid furthering any injury or disability based on the police contact where such accommodation can occur without jeopardizing the safety of all persons involved in the event.

III. Definitions:

A. ADA (Americans with Disabilities Act): Federal Civil Rights Law protecting individuals with disability.

B. Recognized Disability/Protected Person under ADA: Any person who has a physical or mental impairment that substantially limits one or more major life activities such as walking, seeing, hearing, speaking, breathing, learning and working. A person who associates with a disabled person is also protected under the act.

C. Other disabilities: Injury, Illness, Mental or Emotional state that would render a person more vulnerable to police actions such as use of force, incarceration or restraint.

IV. Procedure:

A. Arrest-Minor Crimes: When dealing with a person who suffers from a recognized disability, officers should consider whether the suspected conduct is a manifestation of the person's disability. In cases where the conduct is a manifestation of the disability, officers should consider a medical or mental health referral as opposed to arrest.

B. Use of Force: In determining the appropriate level of force to be used to control a situation involving a person with a recognized or other disability, officers should consider whether the particular control or restraint tactic is more dangerous or unreasonable in light of the particular person's disability.

C. In cases where an officer becomes aware, through information or observations, of a disability, officers should take steps to accommodate that disability where they are able to do so without jeopardizing the subject, the officer or any other person present.

- **i.** Handcuffing or other restraints-where handcuffing or other restraints may cause further injury of an existing disability and there is no imminent threat, officers should seek assistance from a supervisor to determine if there is an appropriate method of restraint that will accommodate the disability without jeopardizing safety.
- **ii.** Lock-up- in cases where a person indicates that they have some recognized or other disability, officers shall call for a supervisor in order that steps may be taken to verify the disability and determine what steps can be taken to accommodate the disability without jeopardizing the safety of the individual, the officers and the institutional security of the jail.

D. Mobility: Standard transport procedures may be dangerous for many people with mobility disabilities. Officers should use caution not to injure the person or damage their wheelchair or other mobility device. The best approach when possible is to ask the person what type of transportation he or she can use, and how to lift or assist him or her in transferring them in or out of the vehicle.

E. Visually Impaired: When dealing with a person who is visually impaired it is important for officers to identify themselves verbally and state clearly and completely any directions or instructions including any information that is posted visually which cannot be seen by the person who is visually impaired.

- **i.** Officers should fully read out loud any document that a visually impaired person is required to sign as the result of a law enforcement action.

- **ii.** Before taking photos or fingerprints of a visually impaired person, law enforcement personnel shall describe the activity to the visually impaired person so that they know what to expect.

F. Hearing Impaired: Law enforcement is required by the ADA to ensure effective communication with the deaf or hearing impaired.

- **i.** In jails, hearing impaired prisoners should be given reasonable accommodations to assist the prisoner to have communications or contact in the same manner as other prisoners have access to telephone privileges.

G. Other Disability: In any case where an officer becomes aware of an injury, illness or disability which may render the activity, tactic or restraint to be undertaken more dangerous to the individual, the officer given time should notify a supervisor and in conjunction with supervisory support take reasonable steps to accommodate the injury or disability.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

PHYSICAL FITNESS PROGRAM
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy addresses a physical fitness and wellness program that will assist officers of the department in achieving an appropriate fitness and wellness condition. It is incumbent of every officer to remain physically fit and able to endure both the physical and mental demands placed upon them.

II. Policy: It shall be the policy of the Cabot Police Department to implement and manage a physical fitness program accessible to all officers of the department. The department strongly encourages its employees to maintain a reasonable level of physical fitness and overall wellness as such a condition enables the department to provide the community with professional police services, enhances the employee's ability to accomplish their assigned task and duties while minimizing the risk of injury and illness among its employees.

III. Responsibilities:

A. Physical Fitness Instructor(s) – The physical fitness instructor shall be responsible to assist officers within the department who request guidance and assistance with fitness and nutritional needs. The physical fitness instructor will be responsible for conducting the semiannual departmental assessments.

i. Responsible to ensure compliance with the department's Physical Fitness Program.

ii. Responsible for maintaining, evaluating and purchasing of physical fitness equipment.

iii. Responsible for providing periodic information concerning nutritional and fitness information to the members of the department. The physical fitness instructors must have successfully completed a physical fitness certification program.

IV. Procedure:

A. Physical Fitness Components:

i. The Cabot Police Department has trained physical fitness instructors who can provide fitness and nutritional information to employees of the department. Those employees wishing to improve their fitness level can consult the department's physical fitness instructors for assistance in dieting, nutrition and safe exercise techniques.

B. Physical Examinations and Medical Screenings:

i. All employees must receive a physical examination before participating in the physical fitness program and annual thereafter. The physical examination will be administered by a medical facility as chosen by the City of Cabot.

ii. All employees of the department will receive a pre-screening medical assessment before an evaluation of the employee's physical fitness level takes place.

iii. The pre-screening medical assessment will be administered in a medically approved fashion by trained medical personnel such as MEMS, physical fitness instructors or other medically trained personnel chosen by the City of Cabot. The pre-screening assessment will consist of the following elements:

a. Resting heart rate;
b. Blood pressure;
c. The completion of the Physical Readiness Questionnaire;
d. The completion of the Physical Fitness Program Participation Consent Form; and
e. Any additional test deemed necessary.

iv. Employees who have medical concerns or medically restrictive conditions identified during the pre-screening assessment or those medically restrictive conditions identified by the employee's physician will be required to obtain a medical release before being allowed to participate in the evaluation phase of the program.

v. After the physical examination and pre-screening medical assessment have been completed and it is determined the employee is unable to participate in the fitness program, the department will then require a fitness for duty examination to be completed to evaluate whether the employee is able to perform their assigned duties. This information will then be forwarded to the Chief of Police for an administrative decision.

V. Cooper Standards:

A. The Cooper Standards are derived from scientifically formulated and validated test, information and other data through the Cooper Institute of Aerobic Research in Dallas,

Texas. The Cooper Institute has administered thousands of standardized tests across the United States and compiled criterion based upon the age and gender of those tested.

B. The standardized and validated results of these tests are commonly referred to as "The Cooper Standards" and are utilized by fitness experts across the United States as a benchmark. These tests and resulting criterion have been validated to determine an individual's level of fitness.

C. A copy of the Cooper Standards shall remain posted in the Department's squad room.

VI. Evaluation Phase:

A. The Cabot Police Department Physical Fitness Program evaluation phase will be governed by the criterion established within The Cooper Standards.

B. Because physical fitness relates to an individual's total physiological wellness, it involves measurement of the following identified areas:

i. Muscular strength;

ii. Cardiovascular endurance;

iii. Muscle tone;

iv. Heart action; and

v. Response to physical activity.

C. A key component of the department's physical fitness program is a physical fitness assessment.

i. The Cabot Police Department will conduct the physical fitness assessment once per calendar year.

ii. The fitness assessment's time, date and location will be posted at least sixty (60) days in advance of the assessment.

iii. All physical fitness assessments including those portions of the assessment which may be conducted away from the department's assigned area must be approved by the Chief of Police or his designee. All assessments must be supervised by the department's physical fitness instructor(s) who is specifically designated to ensure compliance with the program. The physical fitness instructor will have the responsibility to maintain safety and report injuries that happen to occur during the assessments.

iv. To ensure all department employees remain covered under the city's workers compensation insurance coverage, those participating within the assessment phase

of the program must limit their activity during the physical fitness assessment to the official Cabot Police Department Physical Fitness Program.

v. In the event an employee becomes injured during the course of the department's official assessment, the necessary worker's compensation forms will be completed.

vi. While the criteria may demonstrate a strength or weakness in certain areas, the resulting information from the evaluation is for the employee's benefit alone and nothing in addition will be required from the employee based on the assessment.

D. All Cabot Police Department officers are required to participate in the fitness program process and should maintain a regular exercise program.

i. All officers should remember - this program includes five (5) assessment tests.

ii. Each officer will be given one (1) assessment test annually once the program is implemented. This test will be coordinated between the officer and physical fitness instructor.

iii. Prior to all testing the PAR-Q, Informed Consent Form, prescreening, Skin Fold Test, and a medical exam will be completed on each sworn employee.
The Informed Consent Form will be completed by the employee.

iv. The Skin Fold and Prescreening Test will be completed by the department's certified fitness instructor(s).

v. The medical exam will be completed by a medical doctor as chosen by the police department. The medical exam will need to include a urine and/or blood test to check for cholesterol, HDL and LDL Levels, chest x-rays and EKG. These tests will be provided at the expense of the department.

vi. The Cabot Police Department SORT will be required to meet the standard as set forth under the SORT, entry level physical test and SORT, physical testing.

vii. The Fitness Assessment Test will also be applied to the entry level physical agility testing for entry level employment for police officers. This test will be a pass or fail test. (See Entry Level Physical Agility Test).

VII. Compliance:

A. After officers complete a physical examination for participation in the fitness program and the results of the examination determine the officer is not physically capable of participating in the fitness program the officer will be scheduled for a second medical examination for an opinion from another licensed physician as chosen by the city.

B. The second medical examination will include a "fitness for duty" based on the officer's job description and medical opinion to participate in the fitness program.

C. Should the results of the second medical examination determine the officer is not physically capable of performing their job description or able to participate in the fitness program the results will be forwarded to the Chief of Police and Human Resources Director for an administrative decision.

D. The administrative decision will determine the officer's employment status or further guidelines to be followed for participation in the fitness program and job duties.

E. Officers requiring temporary waiver may supply documentation from their physician. A rescheduled date shall be coordinated with the fitness instructor to retest within one (1) year. Extenuating circumstances will be evaluated by the Chief of Police, Human Resource Director, and the Mayor.

F. Officers who willfully fail or refuse to adequately participate in the fitness program will be subject to an administrative hearing to determine any disciplinary issues.

VIII. Attachments:

A. Informed Consent Form for Physical Fitness Program

B. PAR-Q Questionnaire

C. Protocol for Body Composition Testing

D. Sequencing of Physical Fitness Tests and Procedures

- **i.** Vertical Jump
- **ii.** One (1) Minute Sit-ups
- **iii.** 300 Meter Run
- **iv.** One (1) Minute Push-ups
- **v.** 1.5 Mile Run or alternative to 1.5 mile run

E. New Cooper Age and Gender Base Standards for Law Enforcement

F. Pre-Employment Physical Agility Test (Current Fitness Program)

G. SORT, Pre-Entry Level Physical Test and SORT, Physical Training (Current Fitness Program as set by SORT Commander)

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Police Department Uniforms/Equipment
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to establish the type and manner in which the department uniform will be worn. It will also indicate the uniform equipment provided by the department and the equipment employees are responsible for providing.

II. Policy: It is the policy of this department that all employees maintain a complete uniform with all equipment as described in this policy. All employees shall wear all uniforms in compliance with this policy and as directed by the Department Head. All officers must maintain a complete Class "A" and Class "B" uniform as described in this policy and be readily available for wear. Uniforms that show obvious signs of abnormal wear will be replaced. Patches showing signs of wear will be removed and destroyed.

III. Definitions:

A. Officers Class "A" Uniform – a polyester, poly-cotton, dacron or zelcon blend style long sleeve shirt with polyester, dacron or zelcon style trousers. Shirt and trousers will be a dark navy blue in color. A tie will be worn with the Class "A" Uniform as requested by the Department Head. Black crew neck under shirt will be worn.

i. The uniform shirt will consist of at least two front pockets on the shirt. The extra shirt pockets may not present a bulging or unprofessional appearance. Ventilation material must present a professional appearance.

ii. The uniform pant will consist of two front pockets and two rear pockets. Cargo style pockets will not be authorized.

iii. A longevity embroidered insignia may be worn on the left sleeve to indicate years of service with the Cabot Police Department.

a. The insignia may be attached at the end of the cuff on the left sleeve extending upwards towards the elbow parallel to the forearm. It will be located opposite of the outside seam of the sleeve.

b. A hash will indicate one complete year of service with the Cabot Police Department. A minimum of three complete years of service with the Cabot Police Department will be required prior to attaching.

c. A star will indicate five complete years of service with the Cabot Police Department.

iv. Class "A" Formal Uniform – The Class "A" formal uniform will be worn to certain ceremonies/functions as designated by the Chief of Police or his designee. The Class "A" formal uniform will be worn the same as a Class "A" uniform with the addition of a tie and collar accoutrements (as provided by the department).

a. Patrolmen will wear the silver "CPD" on each collar. "CPD" will be worn vertical to the ground ½ inch above and centered on the leading edge of the collar.

b. Sergeants will wear the gold "CPD" on each collar. "CPD" will be worn vertical to the ground ½ inch above and centered on the leading edge of the collar.

c. Low quarter black leather or hi-gloss type dress shoes are authorized for wear with the Class "A" Formal uniform. Shoes must be clean and polished.

B. Officers Class "B" Uniform – a polyester, poly-cotton, dacron or zelcon blend style short sleeve shirt with polyester, dacron or zelcon style trousers. Shirt and trousers will be a dark navy blue in color. Black crew neck under shirt will be worn.

i. The uniform shirt will consist of at least two front pockets on the shirt. The extra shirt pockets may not present a bulging or unprofessional appearance. Ventilation material must present a professional appearance.

ii. The uniform pant will consist of two front pockets and two rear pockets. Cargo style pockets will not be authorized.

C. Officers Class "C" Uniform – a cotton or polyester blend style long sleeve or short sleeve shirt with a cotton or polyester blend style pant matching the shirt. Shirt and trousers will be a dark navy blue in color. A black under shirt will be worn. Rip-Stop style navy blue uniforms will be allowed for Class "C" uniforms.

i. The Class "C" Uniform shirts and pants uniform may have extra utility pockets so long as they present a professional appearance. The velcro or zippers must be fastened at all times. Ventilation material must present a professional appearance.

ii. The Class "C" uniform may have up to four front shirt pockets. The two extra shirt pockets must be hidden pockets and can be of Velcro or zipper type. The utility pants may be of cargo style. The cargo pockets may be of Velcro or zipper style. The extra shirt pockets or cargo pant pockets may not present a bulging or unprofessional appearance.

iii. A longevity embroidered insignia may be worn on the left sleeve to indicate years of service with the Cabot Police Department.

a. The insignia may be attached at the end of the cuff on the left sleeve extending upwards towards the elbow parallel to the forearm. It will be located opposite of the outside seam of the sleeve.
b. A hash will indicate one complete year of service with the Cabot Police Department. A minimum of three complete years of service with the Cabot Police Department will be required prior to attaching.
c. A star will indicate five complete years of service with the Cabot Police Department.

D. Winter Wear – Coats, jackets, head gear, gloves, etc. matching the type materials of the uniforms described and worn.

i. Toboggans, beanies or similar style cold weather gear must closely match the color of the uniform.
ii. Product logos must match the color of the uniform, non-visible if possible and colored to blend with the uniform color. No bright colored logos will be allowed.

E. Cap – approved cotton blend style head gear for inclement (extreme) weather with "Cabot Police" written on the front of the cap in matching color of rank. The officer's name and badge number may be written on the rear of the cap if desired. Officers will be responsible for the purchase of the cap. Caps must present a clean and professional appearance. Caps will not be worn inside the vehicle.

F. Uniform Allowance – City funds granted to officers and employees of the police department for the purpose of purchasing and maintenance of uniforms and related items to the uniform.

G. Tailoring – Must present a professional appearance.

i. Shirts and sleeves will not be excessively tight.
ii. Waist size and length may be adjusted but must present a professional appearance.

IV. Procedure:

A. Employees of this department are prohibited from wearing any uniform, footwear, head gear, gloves, etc. that fails to meet the requirements of this policy.

B. The Class "A and B" uniforms for Patrolman**:**

i. A silver/chrome colored badge with blue lettering worn above the left breast pocket provided by the department.
ii. A silver/chrome colored name tag with the officer's name in blue lettering that consist of their first initial with a period, space and last name on a high gloss style name tag measuring two and one half inches in length and one half inch in width will be worn above the right breast pocket. The department will purchase the name tag. The officer will be responsible for the attachment of the patches.

iii. Cabot Police Department shoulder patches will be provided that will be sewn centered on the sleeve on both sleeves of the uniform measuring approximately one inch from the top seam of the sleeve.

iv. The collar will remain blank unless otherwise dictated by the Chief of Police or his designee.

v. No special buttons will be allowed.

vi. Maximum of two (2) pre-approved specialized pins may be worn above the name tag. Pins will be one half inch above the name tag. The subsequent pin will be one half inch above the first pin. All pins will be pre-approved by the Chief of Police or his designee.

vii. The longevity embroidered insignia will be silver in color on Class "A" uniforms.

viii. An approved F.T.O. patch provided by the department shall be worn on both sleeves affixed in the same fashion as the Sergeant chevrons. This patch will only be worn by officers that have completed the F.T.O. training and are currently assigned as an F.T.O.

ix. Ties will be provided by the department

x. Class "A and B" uniforms will be kept pressed and cleaned when being worn for duty.

C. The Class "C" Uniform for Patrolman:

i. An approved silver colored embroidered badge sewn over the left breast pocket. The badge will be provided by the department.

ii. The name will be embroidered in silver color with the officer's first initial with a period, space and last name over the right breast pocket measuring no more than five inches in length unless name requires more room with block lettering measuring one half inch in height.

iii. Cabot Police Department shoulder patches will be provided by the department. The patch will be sewn centered on the sleeve on both sleeves measuring approximately one inch from the top seam of the sleeve. The officer will be responsible for the attachment of the patches.

iv. The collar will remain blank.

v. No special buttons will be allowed.

vi. Maximum of two (2) pre-approved specialized embroidered patches may be worn above the name tag. The patch will be one half inch above the name tag. The subsequent patch will be one half inch above first patch. All patches will be pre-approved by the Chief of Police or his designee.

vii. The longevity embroidered insignia will be silver in color on Class "C" long sleeve uniform.

viii. An approved F.T.O. patch provided by the department shall be worn on both sleeves affixed in the same fashion as the Sergeant chevrons. This patch will only be worn by officers that have completed the F.T.O. training and are currently assigned as an F.T.O.

ix. Class "C" uniforms will be kept pressed and cleaned when being worn for duty.

D. The Class "A and B" uniforms for officers of rank:

- **i.** A gold colored badge with blue lettering worn above the left breast pocket will be provided by the department.
- **ii.** A gold colored name tag with the officer's name in blue lettering that consist of their first initial with a period, space and last name on a high gloss style name tag measuring two and one half inches in length and one half inch in width will be worn above the right breast pocket. Name tag will be provided by the department.
- **iii.** Cabot Police Department shoulder patches will be provided by the department. Patches will be sewn centered on the sleeve on both sleeves of the uniform measuring approximately one inch from the top seam of the sleeve.
- **iv.** Sergeant gold colored with black outlined chevrons will be worn on each sleeve underneath the department patch. The point of the top of the chevron will be no less than one half inch from the bottom of the department shoulder patch. The officer will be responsible for the expense of attachment of the chevron patches. The department will furnish the chevrons.

    - **a.** If an unaltered uniform shirt sleeve will not accommodate adding a chevron patch beneath the CPD patch, department supplied collar chevrons will be worn on the collar in the same manner as CPD collar brass.

- **v.** The rank of lieutenant and above will wear appropriate embroidered rank insignia on the collar. Insignia will be worn parallel with the bottom of the collar.
- **vi.** No special buttons will be allowed.
- **vii.** Maximum of two (2) pre-approved specialized pins may be worn above the name tag. The pin will be one half inch above the name tag. The subsequent pin will be one half inch above first pin. All pins will be pre-approved by the Chief of Police or his designee.
- **viii.** The longevity embroidered insignia will be gold in color on Class "A" uniforms.
- **ix.** Ties will be provided by the department
- **x.** Class "A and B" uniforms will be kept pressed and cleaned when being worn for duty.

E. The Class "C" Uniform for officers of rank

- **i.** An approved gold colored embroidered badge sewn over the left breast pocket. Badge will be provided by the department.
- **ii.** The name will be embroidered in gold color with the officer's first initial with a period, space and last name over the right breast pocket measuring no more than five inches in length unless the name requires more room with block lettering measuring no less than one half inch in height.
- **iii.** The embroidered name and expense of the patch attachment will be provided by the officer.
- **iv.** Cabot Police Department shoulder patches will be provided that will be sewn centered on the sleeve on both sleeves measuring approximately one inch from the top seam of the sleeve.

v. The rank of lieutenant and above will wear appropriate embroidered rank insignia on the collar. Insignia will be worn parallel with the bottom of the collar.
vi. No special buttons will be allowed.
vii. Maximum of two (2) pre-approved specialized embroidered patches may be worn above the name tag. The patch will be one half inch above the name tag. The subsequent patch will be one half inch above first patch. All patches will be pre-approved by the Chief of Police or his designee.
viii. The longevity embroidered insignia will be gold in color on Class "C" long sleeve uniform.
ix. Class "C" uniforms will be kept pressed and cleaned when being worn for duty.

F. Communications Uniform:

i. The Communications Division uniform will be separate from the officer's uniform.
ii. The Communications uniform shirt will consist of an approved black polo shirt worn with a black undershirt.
iii. The Communications uniform pants will be an approved tactical style pant that is khaki in color.
iv. The footwear for the Communications Division will be black, leather, plain round toe style, lace-up, lace-up zip-side, lace-up front-zip or pull-on style boots. The lower part of the boot must primarily consist of leather connecting to the sole.
v. All uniforms and equipment will present a pressed and polished look when on-duty.
vi. Communications employees must always wear their uniform shirt tucked in unless otherwise authorized by the Chief of Police or his designee.

G. Uniform Coats, Jackets, and Rain Jackets:

i. Uniform coats and jackets must be of a police style and match in color the same materials as the uniform.
ii. Cabot Police Department patches will be provided and each sleeve must have a patch centered and sewn on each sleeve measuring approximately one inch from the top seam of the shoulder.
iii. A provided colored embroidered badge for the rank of the officer will be sewn over the left breast.
iv. The name of the officer in the color approved for the rank will be embroidered over the right breast. The first initial, period and the last name will be embroidered. The length of the embroidered name will be no longer than five inches unless the name requires more room. The height of the embroidered name will be one half inch.
v. The officer will be responsible for the expense of the attachment of the patches, embroidered badge and embroidered name.
vi. Coats and jackets must be kept cleaned and provide a professional appearance. Any coats or jackets showing abnormal wear or improper fitting must be replaced.
vii. Uniform rain jackets shall be provided by the department.
viii. Traffic vests shall be provided by the department.

H. Foot Wear:

- **i.** Boots will be black, leather, plain round toe style, lace-up, lace-up zip-side, lace-up front-zip or pull-on style boots. The lower part of the boot must primarily consist of leather connecting to the sole.
- **ii.** No tennis shoes, slip-on shoe, or other type shoe will be worn with a uniform, with the exception of the Class "A" formal uniform.
- **iii.** Uniformed officers shall report for duty with all foot wear in good shape and polished.
- **iv.** Non-uniformed officers shall report for duty with all foot wear in good condition and polished if applicable. The footwear for non-uniformed/plain clothed officers must match the attire being worn. No tennis shoes, crocs, house shoes or other non-professional looking shoes will be allowed.
- **v.** Exposed sock must match the uniform or clothing and must be calf size style in length.
- **vi.** In cases such as inclement weather or crime scene processing appropriate footwear may be allowed as approved by a supervisor.

I. Uniform Maintenance:

- **i.** Each employee receives a clothing allowance and will be responsible for the purchase, maintenance and clean appearance of their uniform.

J. Court Attire:

- **i.** Uniformed employees may wear their full uniform or dress clothing when attending court unless otherwise directed by the Chief of Police or his designee. Male employees in civilian attire shall wear a tie. The employee must present a professional appearance.
- **ii.** Non-Uniformed/plain clothed employees will be required to wear the appropriate clothing when attending court. Male employees will wear a tie. These employees will dress appropriately for court at the beginning of their work day.
- **iii.** All uniforms, clothing and equipment worn to court will be clean, polished and pressed to present a respectable appearance in court.
- **iv.** Employees will appear in court properly groomed and clean shaven as applicable.

K. Non-Uniformed Officers/Training Attire

- **i.** All clothing and equipment shall be clean and present a professional appearance.
- **ii.** Business casual dress will be required.
- **iii.** Jeans are not permitted for normal duty unless approved by supervisor. Jeans may be worn for training purposes when outside or physical activity may be required.

L. Other Equipment:

- **i.** Holsters;

  - **a.** Duty holster – the department will furnish a black safety style duty holster for the officer's duty weapon.

b. Radio holster – the department will furnish the radio holster that is appropriate for the style radio in service.
c. Aerosol canister holster – the department will furnish the holster for aerosol canister.
d. Handcuff cases – Officers will be responsible for the purchase of the handcuff case. The handcuff case will be of a black leather type or simulated leather type basket weave in design. Officers may carry a closed flap style or open style handcuff case. However, open style handcuff cases may not display colored type handcuffs. Non-uniformed or plain clothed officers may wear a leather or simulated smooth leather type case. Colored type handcuffs may not be worn visible. The black colored handcuff is permissible.
e. Magazine holster – Officers will be responsible for the purchase of the magazine holster/holder. The magazine holster/holder will be black in color and be of a leather or simulated leather style basket weave holster. The uniformed officer's magazine holster must be at least a double style holster. The non-uniformed or plain clothed officer's holster may be of a single style.
f. Other holsters or cases – Other holsters or cases authorized to be carried or attached to the officer's duty belt must be black in color and match the duty belt.
g. Any equipment showing abnormal wear should be polished or replaced.
h. Uniform suspenders **–** Officers may wear suspenders designed to keep the duty belt in place. However, all suspenders must be concealed underneath the uniform or clothing.

ii. Ballistic Vest:

a. The department will furnish a ballistic vest for each individual officer.
b. The department furnished ballistic vest will be of a minimum level IIA. The vest will be replaced prior to the warranty expiration date.
c. New employees may be furnished a previously worn ballistic vest until a new vest can be ordered and received.
d. All furnished ballistic vest must be worn and cared for according to manufacturer guidelines.
e. All uniformed officers must wear their ballistic vest whenever the uniform is worn.
f. All non-uniformed/plain clothed officers must have their ballistic vest available for use and must be worn on any high risk situation or as the officer feels the need.
g. No officer or employee may alter a ballistic vest panel or panel cover.
h. Any damaged or compromised ballistic vest will immediately be removed from service.
i. Exterior uniform style vest covers/load bearing vest approved by the department may be worn with the approved undershirt. The vest cover/load bearing vest and undershirt must be kept clean in appearance the same as the uniform requirements. The original ballistic vest cover must remain on the ballistic vest for warranty purposes.

iii. Flashlight:

- **a.** The department will furnish a flashlight to each officer.
- **b.** Officer may furnish their own flashlight but will be responsible for all damages received to their property whether on-duty or off-duty unless repair or replacement is authorized by the Chief of Police or his designee. A report documenting the damage must be completed.
- **c.** The officer must maintain and keep a well charged flashlight and have it available on both daylight and night time shifts.

iv. Portable Radio:

- **a.** The department will furnish the portable radio to each officer.
- **b.** Officers should maintain a well charged portable radio.
- **c.** Officers must always be aware of the radio channels installed in their portable radio and make sure they are operating on the proper channels.

v. Leather Gear:

- **a.** All leather gear or simulated style leather gear will be black in color and basket weave in style for uniformed officers unless otherwise authorized by the Chief of Police or his designee.
- **b.** The uniformed duty belt will be approximately two and one half inches in width and properly fitted.
- **c.** The uniformed duty belt will display a polished standard chrome buckle for patrolman and a polished standard gold colored buckle for ranking officers.
- **d.** The uniformed duty belt must be supported by belt keepers with buttons matching the rank of the officer or belt keepers without buttons of basket weave style. All belt keepers will be cleaned and polished to project a neat and clean appearance daily.
- **e.** All leather gear must be properly maintained, polished and organized while on-duty. Any leather gear that shows abnormal wear and begins to lose its shape or cannot maintain a polish must be replaced.
- **f.** Supervisors are required to inspect subordinates leather gear to determine its condition and daily maintenance and require maintenance or replacement as needed.

vi. Handcuffs:

- **a.** Handcuffs approved by the department must be from a reputable manufacturer such as, Smith and Wesson, ASP, Peerless, etc.
- **b.** No thumb cuffs of any kind will be allowed.
- **c.** Flex style cuffs may only be used in special occasions or as authorized by the Chief of Police or his designee. If flex cuffs are authorized officers must have the proper equipment to remove the flex style cuffs. Pocket knives, other knifes or sharp instruments may only be used in extreme emergencies to remove the flex style cuffs.

d. Uniformed officers may not openly carry handcuffs with bright colored inserts or bright colored coverings in an open cuff case. Black colored inserts or black colored coverings are permissible. Non-uniformed/plain clothed officers must follow the same procedure.

vii. Electronic Control Device (ECD):

a. The department will furnish the ECD (Taser) to officers as needed.
b. See ECD Policy for procedures.

viii. Batons:

a. Only officers certified to carry batons may carry the expandable baton, side handle baton, straight baton, or other type of baton authorized by the Chief of Police or his designee.

ix. Pepper Spray: (Oleoresin Capsicum)

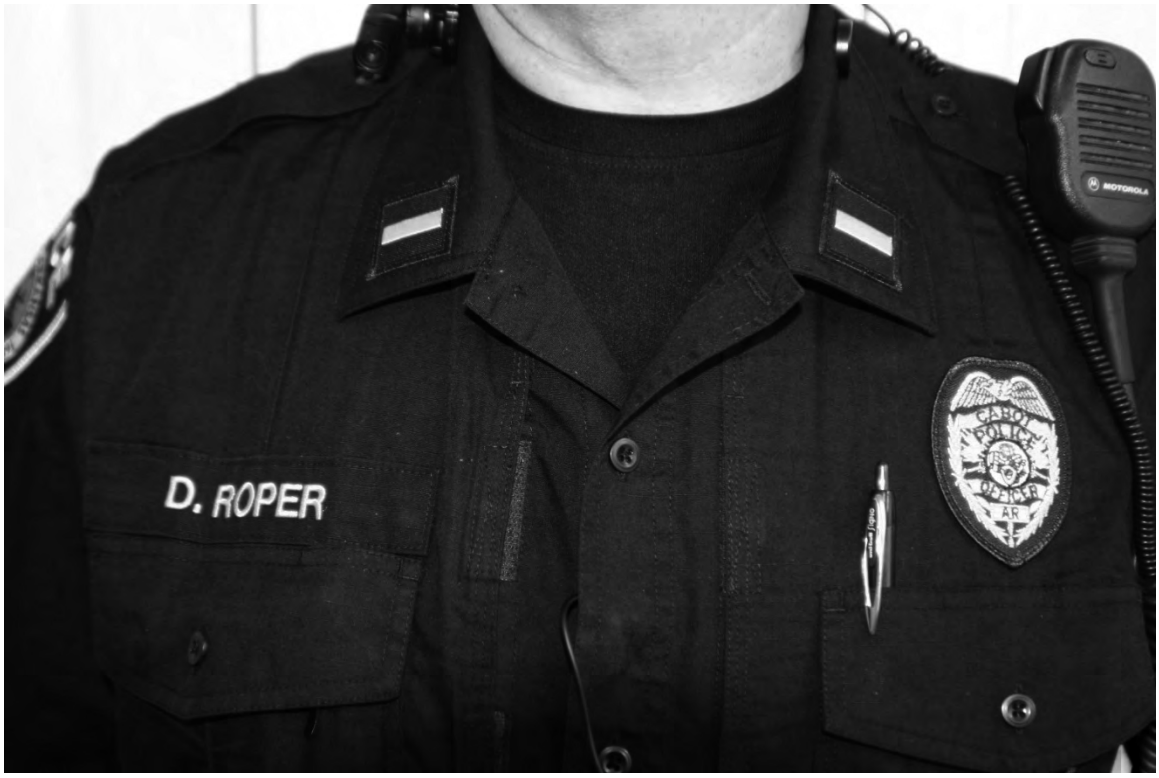
a. The department will furnish and issue the type of pepper spray authorized and approved to each officer as needed.
b. The type of pepper spray issued will be replaced by the department every two (2) years or as needed.
c. Only officers certified or who have completed a familiarization course may carry and deploy pepper spray.

x. Police Identification:

a. Communications personnel will be issued one (1) police department magnetic photograph identification card upon employment.
b. Officers will receive two (2) police department magnetic photograph identification cards. One (1) card will be issued to be worn with a lanyard while on-duty in civilian attire and the other will be issued to be carried in the officer's billfold or purse.
c. Any time an officer is on-duty representing the department in civilian attire the officer should wear their police department identification with a lanyard.
d. All employees, while acting in an official capacity, must produce their name, badge number and police department identification upon request of any supervisor, city administrator or citizen.
e. If an employee's identification card is lost or stolen the employee must report this to their supervisor immediately and a RPS report shall be made. Notification must be made so the magnetic card can be deactivated immediately.
f. Replacement cards must be authorized by a captain or above before being made or issued. The magnetic card must also be activated.
g. Employees dismissed from the department must surrender all police department identification cards or material immediately.

UNIFORM VISUAL REFERENCE

These pictures depict the proper placement of Cabot Police Department patches, badges, pins, and collar brass. These are a visual reference only and do not depict every uniform combination.



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S.MOORE

S.O.R.T.
FTO

CPD

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Take Home Police Vehicle Program
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to provide sworn officers of the Cabot Police Department with guidelines for the assignment of home storage vehicles. Establish guidelines that will ensure all police department vehicles receive the proper maintenance and care.

II. **Policy:** Sworn Officers of the Cabot Police Department may be provided a take home vehicle. The purpose of this program is to extend the life of the patrol fleet, provide a mechanism for rapid deployment of manpower and assets, to increase patrol presence and to provide a deterrent to crime in the areas where our sworn personnel reside. Police Department vehicles are public property and employees should regularly maintain and care for the vehicle assigned.

III. **Procedure:**

A. Vehicle Assignments:

i. Participation in the home storage program is considered a privilege. Participation may be denied or removed without notice.

ii. Vehicles will be assigned to officers as available.

iii. Home storage vehicles will be assigned after considering an employee's driving record, work history, disciplinary record and overall work performance. Seniority shall not be a deciding factor.

B. Eligibility Requirements for Participation:

i. Officers are eligible for the participation in the home storage program if they possess a good work history and;

ii. Complete the FTO Program and;

iii. Recommendation from their first line supervisor and;

iv. Approval by the Chief of Police or his designee and;

v. Shall reside within twenty (20) road miles from the Cabot Police Department.

C. Authorized Operation of Vehicles:

i. Home storage vehicles will only be operated by the assigned employee, maintenance and repair personnel, probationary employees riding with the assigned officer, situations requiring the use of the vehicle by another officer or others as directed by Chief of Police or his designee.

ii. Officers assigned home storage vehicles may utilize them as follows: for travel to and from the Cabot Police Department, during the employee's tour of duty and as transportation to appear as a witness in any court as it is job related. Police vehicles can be used for law enforcement activities, training or physical fitness training prior to and from officer's tour of duty. Physical fitness training location shall be within the city limits of Cabot, unless approved by the Chief of Police or his designee.

iii. Passengers will generally be limited to police department employees, city of Cabot employees covered by the city's insurance, city government, public service assistance, police related activities, persons that have been approved for the ride-a-long program and has signed a waiver, or other persons as assigned by the Chief of Police or his designee.

iv. Home storage vehicles must be parked outside the officer's residence on the driveway or designated parking space. Officers shall not park their assigned home storage vehicle on the street except for temporary circumstances. Officer should never park their vehicle in an area that would cause a hazard.

v. Police vehicles that are parked on the police department parking lot may be allowed to be taken home on a case by case basis for cleaning or removal from the police department parking lot during special occasions.

vi. Police vehicles shall be readily available and accessible for department needs.

D. Officers Responsibilities:

i. Officers assigned a home storage vehicle are required to keep the vehicle clean inside and out and arrange for maintenance and repair as needed.

ii. Supervisors will be responsible for assuring that officers under their command are maintaining their assigned vehicles in accordance with departmental/city guidelines.

iii. Officers operating a departmental vehicle must carry an approved handgun.

iv. Employees operating a department vehicle must have their Cabot Police Department identification readily available.

v. When operating a police vehicle, officer are expected to provide police services that come to their attention such as assisting stalled motorist, assisting at an accident scene until an on-duty unit arrives, giving directions or responding to a nearby emergency call.

vi. While officers are off-duty, they are discouraged from making traffic stops and encouraged to allow the on-duty officers to handle all calls and complaints. There are times when an emergency may exist and the off-duty officer may have to respond to the call. All off-duty officers should notify dispatch and a supervisor before responding to any incident, time permitting.

vii. Officers on restricted duty shall not operate a city owned vehicle.

viii. To maintain participation in the program, officers must keep their residence and lawn maintained in such a manner as to project a positive image.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Police Vehicles
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to establish guidelines that will ensure all police department vehicles receive the proper maintenance and care.

II. **Policy:** It shall be the policy of this department that all employees whether assigned a police vehicle or share a vehicle follow the guidelines of this policy and properly maintain and care for the assigned vehicle. Police department vehicles are public property and employees should regularly maintain and care for the vehicle assigned.

III. **Procedure:**

A. Fuel:

i. Any police department employee operating a department vehicle is responsible for keeping the vehicle fueled to capacity. Employees are responsible for fueling the vehicle assigned or operating once the fuel gauge reaches half tank unless traveling. The vehicle will then be fueled to capacity.

ii. Each police vehicle is assigned a fuel card that is to be used for that vehicle unless unique circumstances exist for the use on other police vehicles. This fuel card will only be used for police department vehicles or police department equipment unless authorized for other use by the Chief of Police or his designee.

iii. If a fuel card is used to fuel another vehicle or police equipment, the employee fueling the vehicle or police equipment will be responsible for notifying the Patrol Captain as soon as possible via email. Include the mileage of the vehicle being fueled and the assigned vehicle number.

iv. When fueling the police vehicle with a fuel card, a pin number and mileage for that vehicle is required. Employees are responsible for entering the correct pin number and mileage. It is imperative that the correct mileage is entered for

billing and tracking purposes. If an incorrect mileage is entered, notify the Patrol Captain via email as to the discrepancy.

v. Employees that continually fail to enter the proper mileage will be disciplined.

vi. Employees are not permitted to use any city issued fuel card for personal use at any time.

vii. If a fuel card is lost or stolen, the employee must report it immediately to their supervisor and complete a police report. The supervisor will then notify the Patrol Captain as soon as possible so the fuel card can be deactivated. A new fuel card will then be ordered and issued.

B. Fluids:

i. Employees assigned or operating a police department vehicle are responsible for checking and maintaining the fluid levels of the vehicle.

ii. Employees with assigned take home vehicles must check their vehicle fluid levels weekly and maintain the proper fluid levels (oil, antifreeze, washer fluid, etc.).

iii. Employees who are assigned or operate pool vehicles will be responsible for checking the fluid levels daily at the beginning of each shift and maintain the proper fluid levels (oil, antifreeze, washer fluid, etc.).

iv. Fluids used to maintain police vehicles will be stored at the police department. These fluids will only be used on police department vehicles. Employees are not permitted to use these fluids for personal use.

v. Police vehicles will be required to have the oil changed every forty-five hundred (4500) miles. The maintenance will then be logged with the mileage and type of service in the vehicle maintenance log.

vi. Police vehicles will be required to have the transmission serviced every fifty to sixty thousand (50,000 – 60,000) miles. The maintenance will then be logged with the mileage and type of service in the vehicle maintenance log.

vii. Unless maintenance issues are required due to leakage or other issues, the antifreeze should be serviced if needed every one hundred thousand (100,000) miles.

C. Parking:

i. Police vehicles will be parked in marked parking spaces on parking lots, when practical. Home storage vehicles must be parked outside the officer's residence on the driveway or designated parking space. Officers shall not park their assigned home storage vehicle on the street except for temporary circumstances. Officer should never park their vehicle in an area that would cause a hazard.

ii. Parked police vehicles should be locked at all times, when practical.

iii. Employees should use good judgment when parking police vehicles at accidents, police scenes, fire scenes, etc. Employees should be aware of fire hydrants and areas needed to park fire engines for the Fire Department when responding to fire scenes and to make sure they will not be prohibited from leaving the scene due to fire apparatus. Employees shall not park in such a way to prohibit fire apparatus when responding to fire scenes.

D. Out of Service:

- **i.** If a police department vehicle is placed out of service, the employee placing the vehicle out of service will notify their supervisor via email.
- **ii.** The employee must place an out of service sign on the steering wheel stating the vehicle is out of service and the reason unless the vehicle is taken directly to a repair shop.
- **iii.** The vehicle will be serviced or repaired as soon as possible.
- **iv.** Police vehicles that need to be towed due to being out of service or in need of repair will be towed by the next towing company in line as indicated by the CAD system. The vehicle must be towed to the police department parking lot or place of business for repair as chosen by the department.
- **v.** All efforts should be made to avoid criminal mischief or theft from police department vehicles.

E. Public Assistance:

- **i.** Although the police department is a public service department it is also important that we protect the equipment provided and keep from causing unnecessary damage to police vehicles and equipment.
- **ii.** Officers should consider the circumstances when attempting to assist a motorist with jump starting another vehicle with a police vehicle. The department does not furnish booster cables for this purpose.
- **iii.** Officers may use booster cables or a booster box to assist with starting other police vehicles but must follow the rules to protect the police vehicle equipment. Booster box must be returned to the police department for charging and storage after use.
- **iv.** If the circumstances create a hazard and a motorist needs to receive a boost to help start their vehicle the officer may assist as long as booster cables of good quality are provided. Should this occur, the officer will make sure the police vehicle equipment is turned off prior to boosting another vehicle. After the boost is complete the officer will make sure all equipment is turned on and operational. Any damaged equipment will be reported immediately to their supervisor via email.
- **v.** Officers will not be permitted to push another vehicle with a police vehicle.
- **vi.** If the officer feels that damage may occur as a result of assisting a motorist with a boost then the officer may suggest other means of assistance, but will refrain from particularly choosing a specific business or person.
- **vii.** Police vehicles will not be permitted to be used for taxi purposes. However, officers may assist the public for police related or other situations that may require transporting someone to keep them out of harm's way. The officer's supervisor should be notified. Mileage will be logged with communications.

F. Contraband:

- **i.** Officers are responsible for checking and searching the police vehicle they are operating for contraband, weapons or other items.
- **ii.** Officers should search their police vehicle at the beginning of each shift and will be required to search their police vehicle for contraband, weapons or other items after transporting any person.

G. Care and Maintenance:

- **i.** Officers are responsible for keeping the police vehicle they are operating clean and clear of unnecessary clutter.
- **ii.** Officers will keep their assigned police vehicle vacuumed on the inside, and the dashboard, door panels and windows clean.
- **iii.** Officers will be responsible for keeping the outside of the police vehicle washed and clean. The department furnishes funds for keeping the police vehicle clean. The department may also have community service people available at times that will be allowed to wash the exterior of the police vehicle only.
- **iv.** The Department provided funds will be kept in the Patrol Lieutenant's Office. The maximum amount allowed for one cleaning or washing will be two ($2.00) dollars.
- **v.** If community service people are allowed to clean the inside of the police vehicle the officer assigned or operating that police vehicle will remain present during the cleaning.
- **vi.** Officers are allowed to wash and clean their assigned vehicle themselves if they desire on their personal time. However, it is not demanded of the department and the officer will be responsible for their own time, cleaning items and funds.
- **vii.** Officers may have drinks/food in their assigned police vehicle. All drinks will have secure lids or containers. Officers will be responsible for cleaning of any spills or food stains that may occur. Any police equipment damaged from spills or food particles will not be tolerated and will subject the officer to discipline.
- **viii.** Officers must report any spills, food stains or damage to police equipment as a result of a spill or food contamination to their supervisor immediately. The supervisor will then notify the chain of command.

H. Equipment:

- **i.** Any equipment that is missing, fails to work or is not working properly must be reported to the officer's supervisor so repairs can be scheduled.
- **ii.** A written notice stating the equipment failure should be given to the supervisor in order for the proper maintenance to be scheduled.

I. Accidents (crash):

- **i.** Any time a police vehicle is involved in a crash where property damage or an injury has occurred, the officer/employee will immediately notify a supervisor.
- **ii.** If there are injuries reported the officer/employee will immediately request medical services.
- **iii.** When practical, all vehicles involved will be marked for measurement purposes and photographed before being removed. The vehicles should then be moved from the roadway if possible.
- **iv.** Police vehicles needing to be towed will be towed by a wrecker service within the department rotation as generated by the CAD System. The request will be for the next wrecker available in the rotation.
- **v.** Photographs will be taken of all vehicles involved, damage to other property and the location of the crash.
- **vi.** A police report of the crash will be made. If the crash is not conflicting, the supervisor may investigate the crash. Otherwise, the department will request the Lonoke County Sheriff's Department or the Arkansas State Police investigate the crash.

J. Personnel in Police Vehicles:

- **i.** Vehicles will only be operated by the assigned employee, maintenance and repair personnel, probationary employees riding with the assigned officer, situations requiring the use of the vehicle by another officer or others as directed by Chief of Police or his designee.
- **ii.** Officers with other departments who are on-duty and conducting police business for their departments.
- **iii.** City of Cabot employees covered by city insurance.
- **iv.** Individuals under arrest or being transported in relation to police business.
- **v.** Members of the Cabot city government.
- **vi.** Persons requested by the department head.
- **vii.** Employees on suspended status, terminated or resigned from this department will not be permitted to be in police vehicles unless authorized by the department head.
- **viii.** Persons over the age of eighteen (18) who have been approved by the Chief of Police or his designee for the Ride-A-Long program.
- **ix.** Persons under arrest will be handcuffed and have their seat belt buckled before transport. If the prisoner is uncontrollable and the officer's safety is compromised the seatbelt will be optional.
- **x.** All employees and other persons in police vehicles will be required to wear a seatbelt while the vehicle is in transport.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Prescription Medications
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: Law enforcement is expected to be delivered by employees who are physically and mentally prepared for whatever might be required to satisfactorily perform assigned police duties. It is essential that all police employees who will or might be called upon to act in an enforcement capacity, control prisoners, or transport persons in a department vehicle be in a position to act in a professional and competent manner. It is well known that law enforcement employees may be taking prescription medications which have been legitimately prescribed to them for medical/psychological needs. This policy is designed to ensure that the employee, the community, and other officers are not impacted by the effects of such medication.

II. Policy: It is the policy of this department to require all employees to report the use of prescription medication to an appropriate supervisor when the use of such medication may cause drowsiness or in some other way may cause the officer to be unfit for duty.

III. Definition:

A. Enforcement Employees: Those employees who are either in a direct enforcement capacity or who may be called upon to act in an enforcement capacity, are assigned to control prisoners, and employees who may be called upon to transport persons in department vehicles. This includes all sworn personnel unless the employee is on restricted duty and/or prohibited from carrying firearms. Non-sworn employees who fit in this category include employees who engage in some form of enforcement duty, detention duties, dispatchers, drive department vehicles or transport persons being detained.

IV. Procedure

A. All employees designated as Enforcement Employees are subject to the provisions of this policy.

B. Enforcement Employees who have been prescribed medication that indicates it may make them unfit for normal duty shall report this fact to the appropriate supervisor. Employees will provide a note from the prescribing medical professional indicating if the officer is unfit for duty. This note shall include:

i. An express conclusion that the officer is unfit for duty.

ii. A copy of the prescription medication label to their immediate supervisor.

C. This documentation must be placed in the employee's medical file.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Property & Evidence Management
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to outline the procedure of this department with respect to property, contraband or evidence that is seized. All property, with the exception of vehicles, will be dealt with under this policy.

II. **Policy:** It is the policy of this department to provide for the reasonable safekeeping of all property that comes into its possession. With respect to evidentiary items, this department shall maintain a proper chain of custody and secure such items in a manner that will ensure that the evidence is available to be admitted at trial.

III. **General Provisions Applicable To All Seized Items**

A. Members of this department shall only seize items under the following conditions:

i. The officer has probable cause to believe that an item is contraband. (Contraband is an item(s) that by their very nature are illegal to possess. e.g. illegal narcotics.)

ii. The officer has probable cause, at the moment of seizure, to believe that the item to be seized is stolen.

iii. The officer has probable cause, at the moment of seizure, to believe that the item is evidence of a crime;

iv. The officer has a lawful reason to store items that have come into his possession until returned to rightful owner or otherwise disposed in accordance with Arkansas law.

B. The evidence custodian or case officer will return seized items (other than contraband or items required to be maintained for evidentiary purposes) to their rightful owner upon satisfactory proof of ownership and after meeting all needs of any potential criminal prosecution.

C. When seizing items of value (money/jewelry/precious metals) two officers shall inventory the items at the scene of the seizure when feasible. The inventory will be documented via police report as well as the evidence management system.

D. In cases where professional expertise is required to make a proper accounting of the property, the Chief of Police or his designee shall be notified so that the services of an expert may be obtained;

E. Once an item is seized and inventoried, it shall be transported to the police department for processing;

F. The officer who has seized the property shall complete all appropriate forms/report(s);

G. Items seized shall be properly marked and or tagged with the report number, date of seizure, description of evidence, arresting officer's name, identification number, and suspect's name where applicable;

H. The item(s) shall be entered in the evidence management system and stored in temporary evidence/property storage designated by the Chief of Police or his designee. All temporary evidence/property storage will be locked, secured, and function in such a way as to ensure that once seized items have been deposited, only approved evidence custodians will have subsequent access to the items. In cases where the seizing officer is not the reporting officer, the seizing officer may turn over seized items to the reporting officer for temporary evidence/property storage and documentation in the evidence management and report management system. Otherwise, the seizing officer will ensure that all evidence processing is completed and the initial report is supplemented regarding the seizure.

I. Items secured in temporary evidence/property storage shall remain in this location until the items can be transferred to the permanent evidence/property storage area by assigned evidence custodians.

J. The Chief of Police or his designee shall designate evidence custodians who shall ensure that all seized items are properly packaged, documented, entered in the evidence management system, and delivered to the permanent evidence/property storage area.

K. Evidence custodian(s) shall be limited in number. Once approved, the evidence custodian(s) will have sole access to the permanent evidence/property storage area as well as keys, pass cards, combinations, or any other mechanism required for entry. At no time will an evidence custodian permit any person (including the Chief of Police) to have access to any mechanism required to enter the permanent evidence/property storage area. At no time will any member of the department, other than approved evidence custodian(s), be permitted access to the permanent evidence/property storage area unless accompanied by an evidence custodian. Evidence custodians will immediately report any sign of unauthorized or attempted unauthorized entry, missing items, inventory discrepancies, violations of this policy, or any other matter of concern regarding the storage of seized items to the Chief of Police or their designee.

L. If any discrepancies are discovered between items listed on the property form and the items being delivered to the permanent evidence/property storage area the evidence custodian shall ensure that all issues are resolved. In the event an issue cannot be resolved, the evidence custodian shall report this discrepancy, in writing, to the Chief of Police or his designee.

M. In cases where a discrepancy has been reported, the Chief of Police or his designee shall cause an immediate investigation to resolve the discrepancy at issue.

N. Evidence custodians will ensure that appropriate entries are made to the evidence management system for all movements of seized items (i.e. court, crime labs, prosecutors review, etc.) until such items are destroyed, returned to owner, or are otherwise lawfully disposed.

O. Any seized item released to the custody of its owner or other approved individual will be documented via a signed property release form and appropriate entries made to the evidence management system and or report management system. Items returned should be particularly described including the status of their condition. The receiver will sign affirming the receipt and condition of items.

P. All firearms seized by this department that are no longer necessary for evidentiary purposes and are not returned to a rightful owner following a criminal history check, shall be disposed of in accordance with Arkansas law.

Q. No items in the custody of this department will be disposed of in any manner contrary to law.

R. Evidence custodians should consider photographing seized items returned to owners or other approved individuals when there is a potential for disagreement regarding the state of the items returned.

S. The permanent evidence/property storage area will be locked and secured.

IV. Special Provisions Regarding Money

A. Monetary items may come into the possession of members of this department via confiscation for asset forfeiture, stolen property, found property, safe keeping, etc.

B. All monetary items will be placed in a secondary locked area of the permanent evidence/property storage area pending lawful disposition.

C. Seizure of monetary items related to asset forfeiture will comply with Arkansas law. These laws typically provide a procedure for maintaining of these items that may differ from this policy.

D. Stolen monetary items, if at all possible, will be immediately released to the rightful owner or their designee following photographing and inventorying for police reports. A property release form will be executed particularly describing and accounting for denominations returned.

V. Special Provisions Regarding Narcotics

A. Evidentiary narcotics, excluding marijuana, should be field tested when possible. Positive test(s) should be photographed and documented.

B. Seized narcotics should be weighed and photographed when possible. The drug weight, inclusive of original packaging, as well as a gross weight of drugs and evidence container should be recorded in the description area of the evidence tag.

C. The evidence custodian shall ensure that a crime lab submission form is completed and shall submit evidentiary narcotics to the appropriate laboratory for toxicological examination. A member of the laboratory will sign a receipt for the evidence.

D. The evidence custodian shall cause the receipt to be filed in the appropriate case file and make all appropriate entries into the department's evidence management system.

E. Once a toxicology report is received, the evidence custodian and or receiving officer shall notify necessary and appropriate personnel of the results of the report and cause the report to be filed in the appropriate case file.

F. The evidence custodian shall be responsible for ensuring that narcotics sent for toxicological testing are returned, properly documented, and stored in the designated area of the Permanent Evidence/Property Storage Area.

G. When large amounts of narcotics are seized and storage is impractical, the Chief of Police or his designee will contact the prosecuting attorney's office for authorization for immediate destruction of a substantial portion of narcotics seized. A representative sample as determined by the prosecuting attorney would be maintained for prosecution purposes. If the prosecuting attorney concurs with the request, a destruction order will be obtained. All evidence to be immediately destroyed will be photographed and otherwise described and documented in official reports.

H. Narcotics that are abandoned or turned over to police as articles found and are not used as evidence in criminal trials do not require a toxicology exam.

I. Officers who initially take custody of non-evidentiary narcotics must complete an incident (found property) report documenting the facts and circumstances surrounding the seizure. Items obtained will be handled in accordance with the general provisions of this policy. This shall exclude prescription drugs submitted for the Drug Take Back Program.

J. Non-evidentiary narcotics, in the discretion of the court (order required), may be maintained for lawful purposes (i.e. training or demonstrations). Such items shall be maintained in a secure manner and accessed only by authorized personnel as directed by the Chief of Police or his designee.

VI. Evidence Demanded in Court

A. When evidence is needed for court, the officer assigned to the case shall notify the evidence custodian twenty four (24) hours prior to court. The evidence custodian shall retrieve the evidence requested by the court and provide it to the case officer. All appropriate entries will be made in the evidence management system documenting the transfer of evidence.

B. When evidence is returned from court, it shall be returned to the evidence custodian in sealed packaging. The evidence custodian shall complete all appropriate entries in the evidence management system and return the evidence to proper storage. If the evidence custodian is unavailable, the officer returning from court shall utilize the temporary storage procedures.

C. In cases where items of evidence are needed for court on several occasions but are not held by the court, officers must follow the above outlined procedure. In no case, will evidence be stored in any other manner than outlined in this policy when held in the custody of this department and its members. When a case is completed through a trial or plea, the officer handling the case shall notify the evidence custodian of the

disposition of the case. The evidence custodian shall verify this disposition with the court so that a determination can be made regarding the continued custody or disposal of the evidence.

VII. Evidence/Property Disposal

A. Evidence/Property disposal will adhere to procedures promulgated by the State of Arkansas and/or this policy. Unless other disposition is specifically provided by law, when property seized or held is no longer required to be maintained, it shall be disposed of by the law enforcement department as follows:

i. Property stolen, embezzled, obtained by false pretenses, or otherwise obtained unlawfully from the rightful owner thereof shall be restored to the owner;

ii. Money shall be restored to the owner unless it was seized under laws pertaining to asset forfeiture. In such cases, money will be forfeited or returned to owner in the event of a negative finding.

iii. Contraband shall be destroyed unless they may reasonably be returned to a condition or state in which such goods may be lawfully used, possessed, or distributed by the public. In such a case the item(s) must be disposed of by court order.

iv. Firearms, explosives, ammunition, bombs, and like devices shall be destroyed. Firearms which may have a lawful use may be held without destruction and disposed of by way of a court order. These weapons shall not be used for personal or private use unless disposed of at auction pursuant to a court order.

v. Animals seized as evidence and are no longer required to be maintained, will be disposed of pursuant to a court order.

vi. Any other property shall be disposed of in accord with a court order.

B. Non-evidentiary property that does not fall within the jurisdiction of the court (i.e. found items, unclaimed items, etc.) may be disposed of in accordance with Arkansas law 90 days after receipt by the order of the Chief of Police or his designee. Such destructions do not require a judicial order

C. Evidentiary items, not required to be maintained following criminal and or appellate process under Arkansas Law, will be returned to owner, destroyed pursuant to a destruction order, or otherwise lawfully disposed under Arkansas law following the disposition of the criminal case and the statutory time for appeal.

D. In all subsequent court proceedings following the disposition of the case, all evidence presented at the original proceedings is admissible through introduction of the certified record of the case.

E. It shall be the responsibility of the CID Supervisor(s) to perform periodic reconciliations between evidence/property in the custody of this department and the disposition of cases. The purpose of this reconciliation is to determine those cases where evidence/property is no longer required to be maintained.

F. Destruction orders, when required, shall be prepared by the CID Supervisor. This destruction order shall include the following information: Police department case number and description of evidence/property.

G. Destruction orders will be reviewed by the Chief of Police or his designee who will verify the dispositions of the case and compliance with evidence procedures.

H. If it is determined that the destruction order does not meet the criteria set forth in this policy, the designated officer shall direct the individuals responsible for compliance on what is necessary to correct the deficiencies. No evidence/property will be destroyed before there is complete compliance with destruction order procedures when such an order is required.

I. Following judicial approval, evidence/property will be destroyed in accordance with the procedure set forth by the State of Arkansas and the procedures outlined in this policy. Evidence custodians in charge of the physical destruction will ensure that the date, time, and location of destruction as well as a minimum of two (2) witnesses to the destruction are entered in the evidence management system and or attached to the destruction order.

VIII. Arkansas Statute Regarding Physical Evidence in Sex or Violent Offense Prosecutions, Retention and Disposition

A. Per ACA 12-12-104, in a prosecution for a sex offense or a violent offense, the law enforcement agency shall preserve, subject to a continuous chain of custody, any physical evidence secured in relation to a trial and sufficient official documentation to locate that evidence. After a trial resulting in conviction, the evidence shall be impounded and securely retained by a law enforcement agency. Retention shall be the greater of:

- **i.** Permanent following any conviction for a violent offense up until the death of the offender;
- **ii.** For twenty-five (25) years following any conviction for a sex offense; and
- **iii.** For seven (7) years following any conviction for any other felony for which the defendant's genetic profile may be taken by a law enforcement agency and submitted for comparison to the State DNA Database for unsolved offenses.

B. After a conviction is entered, the prosecuting attorney or law enforcement agency having custody of the evidence may petition the court with notice to the defendant for entry of an order allowing disposition of the evidence if, after a hearing and a reasonable period of time in which to respond, the court determines by a preponderance of the evidence that:

- **i.** The evidence has no significant value for forensic analysis and must be returned to its rightful owner; or
- **ii.** The evidence has no significant value for forensic analysis and is of a size, bulk, or physical character not usually retained by the law enforcement agency and cannot practicably be retained by the agency.

C. The court may order the disposition of the evidence if the defendant is allowed the opportunity to take reasonable measures to remove or preserve portions of the evidence in question for future testing.

D. It is unlawful for any person to purposely fail to comply with the provisions of this section. A person who violates this section is guilty of a Class A misdemeanor. As used in this section:

i. "Law enforcement agency" means any police force or organization whose primary responsibility as established by statute or ordinance is the enforcement of the criminal laws, traffic laws, or highway laws of this state;

ii. "Sex offense" means:

- **a.** Rape, § 5-14-103;
- **b.** Sexual indecency with a child, § 5-14-110;
- **c.** Sexual assault in the first degree, § 5-14-124;
- **d.** Sexual assault in the second degree, § 5-14-125;
- **e.** Sexual assault in the third degree, § 5-14-126;
- **f.** Sexual assault in the fourth degree, § 5-14-127;
- **g.** Incest, § 5-26-202;
- **h.** Engaging children in sexually explicit conduct for use in visual or print medium, §5-27-303;
- **i.** Transportation of minors for prohibited sexual conduct, § 5-27-305;
- **j.** Employing or consenting to use of child in sexual performance, § 5-27-402;
- **k.** Producing, directing, or promoting a sexual performance by a child, § 5-27-403;
- **l.** Computer child pornography, § 5-27-603;
- **m.** Computer exploitation of a child in the first degree, § 5-27-605(a);
- **n.** Promoting prostitution in the first degree, § 5-70-104;
- **o.** Stalking, § 5-71-229;
- **p.** An attempt, solicitation, or conspiracy to commit any of the offenses enumerated in this subdivision (f)(2); or
- **q.** A violation of any former law of this state that is substantially equivalent to any of the offenses enumerated in this subdivision (f)(2);

and

iii. "Violent offense" means:

- **a.** Capital murder, § 5-10-101, murder in the first degree, § 5-10-102, or murder in the second degree, § 5-10-103;
- **b.** Manslaughter, § 5-10-104;
- **c.** Kidnapping, § 5-11-102;
- **d.** False imprisonment in the first degree, § 5-11-103;
- **e.** Permanent detention or restraint, § 5-11-106;
- **f.** Robbery, § 5-12-102;
- **g.** Aggravated robbery, § 5-12-103;
- **h.** Battery in the first degree, § 5-13-201;
- **i.** Battery in the second degree, § 5-13-202;

j. Aggravated assault, § 5-13-204;
k. Terroristic threatening in the first degree, § 5-13-301;
l. Domestic battering in the first degree,§ 5-26-303, domestic battering in the second degree, § 5-26-304, and domestic battering in the third degree, § 5-26-305;
m. Aggravated assault on family or household member, § 5-26-306;
n. Engaging in a continuing criminal gang, organization, or enterprise, § 5-74-104;
o. An attempt, solicitation, or conspiracy to commit any of the offenses enumerated in this subdivision (f)(3); or a violation of any former law of this state that is substantially equivalent to any of the offenses enumerated in this subdivision (f)(3).

IX. Firearms

A. All handguns seized for evidentiary purpose pursuant to a felony criminal offense should be submitted to the appropriate crime laboratory for forensic testing of the weapon and entry in the National Integrated Ballistic Information Network (NIBIN). Once the testing has been completed the firearm will be returned to the submitting officer. The chain of custody shall be properly documented and the weapon logged in and out of the evidence storage area.

B. All handguns should be stored with some type of protective covering (i.e. a gun box designed for this purpose or some type of brown paper wrapping). Gun boxes are preferred over the wrapping. With DNA always an issue in criminal cases and the likelihood it could exist on a firearm, protection of that evidence should always be a consideration. Long guns, rifles and shotguns pose a storage problem due to their size. Long gun boxes are the recommended method of storage, for submission to Crime Lab.

C. Safety procedures should be in place and require that any weapon seized by an officer is made “safe” and “inoperable” by physically inspecting the weapon to ensure that the weapon is unloaded and placing some type of device on the weapon to keep it from functioning as designed (i.e. This may be accomplished using a wire-wrap tie down secured through the breach of a firearm to prevent operation/discharge). These weapons should be placed in an individual gun storage box and sealed. Some means of visibly identifying the weapon as inoperable – “SAFE” would increase safety and ensure policy compliance.

D. No firearm held by the department will be returned to the rightful owner until a criminal history check and other appropriate database checks have been completed to determine if the owner would be in violation of law to possess a firearm. No firearm should ever be returned to the owner who is prohibited from lawful possession. A note that appropriate checks were completed prior to return should be documented in the evidence management system.

E. Pursuant to Act 688 of 2015, amending Arkansas Code 5-73-110, firearms or other deadly weapons seized shall be:

i. Held by for seventy-two (72) hours by the law enforcement agency employing the law enforcement officer who seized the property; and

ii. After the seventy-two (72) hour hold and upon request and presentation of valid proof of ownership, returned to the;

a. Owner, if he or she is (18) years of age or older and may lawfully possess the property; or

b. Parent or legal guardian of the owner, if the owner is a minor, and the parent or legal guardian my lawfully possess the property.

X. Arkansas Statute Regarding Unclaimed Seized Property

A. Except as provided in subdivision (d)(2) of A.C.A. § 5-5-101 (contraband), unclaimed seized property shall be sold at public auction to be held by the chief law enforcement officer of the county, city, or town law enforcement department that seized the unclaimed seized property or the chief law enforcement officer's designee.

Disposition of unclaimed property shall be in accordance with A.C.A. § 5-5-101 (2011). The proceeds of the sale, less the cost of the sale and any storage charge incurred in preserving the unclaimed seized property, shall be paid into the general fund of the county, city, or town whose law enforcement department performed the seizure.

Unclaimed seized property that is a recreational item may be donated at no cost to a local or state department, a nonprofit organization, or an educational program designed to provide education, assistance, or recreation to children.

A "recreational item" means an item generally used for children's activities and play. "Recreational item" includes without limitation a bicycle but does not include a motor vehicle or motorcycle.

The time and place of sale of seized property shall be advertised:

For at least fourteen (14) days next before the day of sale by posting written notice at the courthouse door; and

By publication in the form of at least two (2) insertions, at least three (3) days apart, before the day of sale in a weekly or daily newspaper published or customarily distributed in the county.

Any seized property to be sold at public sale shall be offered for sale on the day for which it was advertised between 9:00 a.m. and 3:00 p.m., publicly, by auction, and for ready money.

The highest bidder shall be the purchaser.

The proceeds from any sale of seized property shall be delivered to the county, city, or town treasurer, as the case may be, to be held by him or her in a separate account for a period of three (3) months.

XI. Inspections/Audits

A. Inspections of the Evidence/Property Storage Areas will be conducted to ensure:

- **i.** Storage areas are clean and orderly
- **ii.** Integrity of property is maintained
- **iii.** Provisions of agency orders and directives are followed
- **iv.** Property is protected from damage and deterioration
- **v.** Accountability procedures are maintained
- **vi.** Property having no further evidentiary value is disposed of promptly.

B. Inventories, audits and Inspections will be conducted as follows:

- **i.** Annually, the primary property/evidence manager shall conduct an inspection to determine adherence to procedures used for the control of property. This inspection shall be documented via memorandum directed to the Chief of Police.
- **ii.** Whenever the primary property manager is assigned and/or transferred from the property and evidence control function, an inventory of all property/evidence will be conducted, to ensure that records are correct and properly annotated. This inventory will be conducted jointly by the newly designated property manager and the outgoing primary property manager or other person as designated by the Chief of Police. This inventory shall be documented via memorandum directed to the Chief of Police.
- **iii.** An annual inventory of property will be conducted by a Supervisor not routinely or directly connected with property control. The Supervisor will be accompanied by an evidence custodian. It is highly recommended that this inventory be inclusive of all property held by the Department; however it may include only a random sample of a sufficient number of property records to ensure proper accountability. This inventory shall be documented via memorandum directed to the Chief of Police.
- **iv.** Unannounced inspections and random sample inventories of property storage areas may be conducted as directed by the department's Chief of Police or his designee. Unannounced inspections shall be documented via memorandum directed to the Chief of Police.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Registered Sex Offender Notification Plan Guideline
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this Office for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to establish a guideline to direct Detectives and Supervisors in the proper protocol in notifying the residents of the City of Cabot when a Registered Sex Offender has been registered in the city or been relocated to the City Limits of Cabot, Arkansas.

II. Policy: It is the policy of this department to follow the state guidelines when notifying the residents as to the area, address or location of a registered sex offender.

The notification guidelines indicate which segment of the community must be notified. Notification given to any individual or agency to disseminate information beyond those residing with the individual, or beyond those who have a need to know within the agency.

The higher the community notification level assigned, the broader the notification that must be given. These notification guidelines apply to adult offenders. Should circumstances change that may increase the offender's threat to the community, it is the responsibility of the Chief of Police, or his designee, to modify the existing notification plan or request a reassessment.

Discretion must be used in applying the guidelines to any offender. The harm that may be caused by a particular notification must be weighed against the protection that would be afforded the public.

III. Definitions: A registered sex offender is a person, male or female, who has been convicted of a crime involving a sexual act where the federal, state or local laws require them to be placed on the sexual offender registry after they have served their criminal sentences or when they have been released on parole.

IV. Procedure:

A. Upon conviction and before release from sentencing a person convicted and ordered to be registered as a sexual offender must be assessed by SOSRA, this assessment will be the documentation the Cabot Police Department requires when registering a sex offender inside the city limits.

B. The Cabot Police Department will notify the following parties per the state guidelines as follows depending on the assessment level of the offender.

C. Level 1: The Cabot Police Department having jurisdiction, and other law enforcement agencies likely to encounter the offender. This may include state and federal law enforcement agencies, campus police, school safety officers, and the like.

All adult members of the household where the offender is residing or intends to reside, unless the offender is residing or intends to reside in a residential treatment facility, group home, foster home, half-way house or other supervised living arrangement, in which case only the residence supervisor or foster parent should be notified.

Victims or guardians of victims of adult offenders are notified through the VINE system operated by the ADC. Victims or guardians of victims of juvenile offenders should be notified by law enforcement.

D. Level 2: All parties specified in level 1 must be notified.

The heads of agencies and organizations that serve individuals in the offender's target group must be notified. This may include, but is not limited to, schools, day care centers, community and youth groups, religious organizations, libraries, the DHS, women's organizations and shelters, park security, businesses frequented by children.

Employers must be notified.

State licensing boards will be notified as deemed appropriate by local law enforcement, when the person is licensed by the board.

Individuals or heads of families with members within the offender's target group who are likely to encounter the offender, or live in the same neighborhood as the offender must be notified.

Offender Fact Sheet information on adult offenders rated at Level 2 with a victim who is fourteen (14) years of age or younger will be available to the public on the ACIC web site (http://www.acic.org/).

The Cabot Police Department shall utilize social media releases when appropriate and approved by the Chief of Police or his designee.

E. Level 3: All of the entities and individuals listed for Levels 1 and 2 must be notified, unless to do so would cause harm to the victim(s).

Notification must be made to any member of the community whom the offender is likely to encounter, based on the offender's prior history, recreational or religious interests, employment, or the characteristics of the offender's victims.

Notification should be conducted face-to-face between law enforcement and citizens to the extent possible. Those likely to encounter the offender, including all neighbors, are to be given an Offender Fact Sheet and cautioned about the appropriate use of the information.

Offender Fact Sheet information on offenders rated at Level 3 (high) or Level 4 (Sexually Violent Predator) will be available to the public on the ACIC web site (http://www.acic.org/).

F. Level 4. All of the entities and individuals listed for Levels 1 through 3 must be notified.

Notification of members of the general public in the vicinity of where the offender lives, travels and works should be done. It is preferable to notify these individuals in a face-to-face meeting, and to encourage assistance in monitoring the offender rather than instigating harassment, fear or hatred. However, open community meetings or meetings with neighborhood watch groups are also acceptable.

Any individual having good reason may request an Offender Fact Sheet from the Chief Law Enforcement Officer. Each individual given an Offender Fact Sheet must be advised that it is not for publication, but may only be used in accordance with the law and these guidelines.

The media may also be used to conduct level 4 notification, if the Chief Law Enforcement Officer having jurisdiction deems it necessary to protect the community.

Printed material, posters, and electronic media may be used to notify and inform the public in the most necessary and potentially dangerous situations.

The Offender Fact Sheets of all Sexually Violent Predators will be available to the public on the ACIC website.

G. Any deviation from the notification plan must be written and described in a report.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Reports
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to control when different types of reports must be turned in and completed.

II. **Policy:** It shall be the policy of this department that all employees completing reports for this department follow the guidelines set forth in this policy.

III. **Definitions:**

A. Motor Vehicle Accident/Crash Report – A handwritten, typed or computer generated prescribed report for every crash that occurs on any public roadway and involves at least one motor vehicle in transport, and one or more of the following:

- **i.** Crashes resulting in one or more fatalities;
- **ii.** Crashes resulting in one or more injuries; or
- **iii.** Crashes resulting in total property damage in excess of $1000.00.

B. Motor Vehicle Private Property Accident/Crash Report – a handwritten, typed or computer generated prescribed report for every crash that occurs on private property and involves at least one motor vehicle in transport and one or more of the following criteria:

- **i.** Crashes resulting in one or more fatalities;
- **ii.** Crashes resulting in one or more injuries; or
- **iii.** Crashes resulting in any damage where the owner requests such a report
- **iv.** Crashes involving fatalities must include a RPS report.

C. Relativity Public Safety (RPS) Report – Electronic reporting system for reporting incidents, criminal activity, crimes, property damages, criminal mischief, etc.

D. Arrest Disposition Report (ADR) – a handwritten, typed, or computer generated prescribed report completed on all arrest of persons taken into police custody within this department.

E. Jail Log – a handwritten, typed or computer generated log that list all persons booked in and out of the jail.

F. Medical Questionnaire – a predetermined questionnaire that ask medical question for medical history of persons booked into the jail for purposes to protect other inmates and individuals with medical or dietary needs.

IV. Procedures:

Motor vehicle accidents/crashes:

A. Motor Vehicle Accident/Crash Reports must be turned in within thirty-six (36) hours after the accident/crash occurred unless further investigation is required.

B. Additional time needed to complete the report must be approved by the shift supervisor.

C. Accident statements and driver information forms must be completed on all accidents/crashes.

D. Driver information forms must be exchanged between each vehicle operator before the investigating officer or vehicle operators leave the accident/crash scene.

E. The investigating officer will be responsible for obtaining all information required to complete the accident/crash report before leaving the scene. Measurements may be taken at a later time depending on the circumstances.

F. All motor vehicle accidents/crashes involving a fatality or serious injuries will be measured and diagramed.

G. Fatality accident/crashes will be measured using steel tape measures.

H. Motor vehicle accident/crashes where the vehicles have not been moved and no injuries have been reported will be diagramed. If the damages is in access if five thousand dollars the accident/crash should be measured. These measurements may be taken with a rola-tape style measuring device.

I. Citations should be issued on motor vehicle accident/crashes that result in estimated damages in excess of twenty-five hundred dollars to one vehicle.

J. Although the definition of a motor vehicle accident/crash reports defines a reportable accident when the dollar amount is in excess of one thousand dollars, officers of this department will be required to complete a report when the dollar amount is less than one

thousand dollars unless the parties involved decline to make a report. Any declination of a report will be documented in the CAD system before the officer leaves the scene.

K. Upon completion of the accident/crash report the shift supervisor will examine each report and place their signature on the report indicating they have read and approve the report before the report may be turned in. If the shift sergeant is not present, the report will be turned into the shift lieutenant for approval.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Response to Resistance
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct officers in the appropriate use and reporting of force.

II. Policy: In an effort to: protect and serve all citizens and visitors within this jurisdiction; respect the rights of suspects; and maximize officer safety in response to resistance events, it is the policy of this department that officers will only use objectively reasonable force to bring an incident or event under control and that all response to resistance events directed against active resistance be reported and reviewed as outlined in this policy.

III. Definitions

A. Deadly Force: Any force that creates a substantial likelihood of causing serious bodily harm or death.

B. Non-Deadly Force: All uses of force other than those that are substantially likely to cause serious bodily harm or death.

C. Imminent: Impending or about to occur or circumstances are such that it is reasonable to believe it is impending or about to occur.

D. Objectively Reasonable: The amount of force that would be used by other reasonable and well-trained officers when faced with the circumstances with which the officer using the force is presented.

E. Reasonable Belief: Reasonable belief means that the person concerned, acting as a reasonable person, believes that the prescribed facts exist.

F. Serious Bodily Harm/Injury: Serious bodily injury shall mean bodily injury which involves a substantial risk of death, or which involves substantial risk of serious permanent disfigurement, or protracted loss or impairment of the function of any part or organ of the body.

G. Active Resistance: a subject actively resists when they take affirmative action to defeat an officer's ability to take them into custody.

H. Passive Resistance: A subject who takes no affirmative action to defeat the member's ability to make an arrest but who does not respond to verbal commands and presents a refusal to comply.

I. Electronic Control Device: Electronic Control Devices, TASER™, or stun-guns that disrupt the central nervous system of the body.

IV. Response to Resistance Procedure

A. In determining the appropriate level of force officers should apply the levels of force under the department's trained response to resistance options, along with the following three factor test:

i. How serious was the offense the officer suspected at the time the particular force was used?

ii. What was the physical threat to the officer or others?

iii. Was the subject actively resisting or attempting to evade arrest by flight?

B. Arkansas statutory law provides:

i. A law enforcement officer is justified in using non-deadly physical force or threatening to use deadly physical force upon another person if the law enforcement officer reasonably believes the use of non-deadly physical force or the threat of use of deadly physical force is necessary to:

a. Effect an arrest or to prevent the escape from custody of an arrested person unless the law enforcement officer knows that the arrest is unlawful; or

b. Defend himself or herself or a third person from what the law enforcement officer reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

C. Deadly Force: The use of deadly force is objectively reasonable when:

i. The officer is faced with an imminent threat of serious bodily harm or death to him/herself, or some other person who is present, or;

ii. To prevent the escape of an individual in cases where the officer has probable cause to believe that the subject has committed a violent felony involving the infliction or threatened infliction of serious bodily harm or death and by the subject's escape they pose an imminent threat of serious bodily harm or death to another.

iii. Officers should warn the subject prior to using deadly force where feasible.

iv. Under Arkansas law**:** A law enforcement officer is justified in using deadly physical force upon another person if the law enforcement officer reasonably believes that the use of deadly physical force is necessary to:

a. Effect an arrest or to prevent the escape from custody of an arrested person whom the law enforcement officer reasonably believes has

committed or attempted to commit a felony and is presently armed or dangerous; or

b. Defend himself or herself or a third person from what the law enforcement officer reasonably believes to be the use or imminent use of deadly physical force.

D. Once the subject's active resistance has ceased and control has been gained an officer is no longer authorized to use force. Officers should immediately provide any necessary medical assistance to the subject to the degree to which they are trained and/or provide for emergency medical response where needed and where reasonable to do so.

E. Force options: Officers have several force options that will be dictated by the actions of the suspect upon the appearance of the police officer. Officers may be limited in their options due to the circumstances and actions of the subject. In any given circumstance there will be a range of options that may be reasonable. At no time should these options be considered a ladder which must be attempted one progressive step at a time. For example, an officer who immediately observes a subject with a firearm unjustifiably threatening another may immediately respond with deadly force without considering other force options.

i. Command Presence: Visual appearance of the officer where it is obvious to the subject, due to the officer's uniform or identification, that the officer has the authority of law.

ii. Verbal Commands: Words spoken by the officer directing the subject as to the officer's expectations.

iii. Soft Empty Hand Control: Officers use of hands on the subject to direct the subject's movement; techniques that have a low potential of injury to the subject.

iv. Chemical Spray: Where subject exhibits some level of active resistance/active aggression, officers may use chemical spray to temporarily incapacitate the subject.

v. Electronic Control Devices: Where subject exhibits some level of active resistance/active aggression an officer may use an electronic control device to temporarily incapacitate the subject.

vi. Hard Hand Control: Punches and other physical strikes, including knees, kicks and elbow strikes that have the possibility of creating a stunned mental state and/or motor dysfunction.

vii. Impact Weapons: Batons, expandable batons, projectile impact devices or other impact weapons as allowed by departmental policy, or weapons of opportunity as may be dictated by the circumstances facing officers may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control. Examples would be where other options have been utilized and failed or where based on the officer's belief at the time, the other options would not be successful in bringing the event to a successful conclusion.

viii. Canine: Use of canine to bite and hold subject to prevent escape or to gain control of a subject who is actively aggressing toward officer(s). Prior to deployment of a canine, a warning in the form of an announcement should be made when reasonable to do so.

ix. Deadly Force: Force that creates a substantial likelihood of causing serious bodily harm or death.

F. Firearms Restrictions:

i. Warning shots are prohibited.

ii. Discharge of firearms is prohibited when the officer is presented with an unreasonable risk to innocent third parties, unless deadly force is directed at the officer from that location.

iii. Discharging a firearm at an occupied vehicle is prohibited unless deadly force is justified.

G. Less Lethal Weapons/Tactics: Prior to deployment of any less lethal weapon, officers must be trained and certified where applicable in the proper use of the weapon.

i. Chemical Spray:

a. Chemical Spray shall not be deployed as a compliance technique for a person who is passively or verbally non-compliant.

b. Chemical Spray shall never be used as a punitive measure.

c. Officers should avoid spraying from a pressurized can directly into a subject's eyes from a close distance due to the potential for eye injury as a result of the pressurized stream. Officers should avoid spraying directly into a subject's eyes from closer than three feet or the distance recommended by the manufacturer of the spray (whichever is shorter), unless deadly force would be justified.

d. Officers should consider alternatives to chemical spray when attempting to control a subject in a crowded-enclosed area due to the innocent over-spray that may cause the onset of panic.

e. Officers should consider alternatives to chemical spray when the event is inside a building, particularly where the building has a closed-ventilation system due to the potential impact on innocent persons who may have to be evacuated (temporarily) from the locations.

f. Once control is gained, officers should immediately provide for the decontamination of the subject when reasonable and practical to do so.

g. If the person shows any signs of physical distress or does not recover in a reasonable amount of time, officers should immediately direct an emergency medical response and render first-aid at the degree for which they are trained.

ii. Impact Weapons: Batons, expandable baton, projectile impact devices or other impact weapons

a. Impact weapons may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control.

b. Examples would be where other options have been utilized and failed or where based on the officer's perception at the time, the other options would not be successful in bringing the event to a successful conclusion.

c. Officers shall not intentionally strike a person with an impact weapon where it would create a substantial likelihood of causing serious bodily harm or death, unless the use of deadly force would be justified.

V. Reporting Response to Resistance

A. Whether on or off duty, officers will report responses to resistance, via approved departmental Response to Resistance form, when one of the following force options are utilized in response to active resistance.

i. Chemical Spray

ii. Electronic Control Devices

iii. Hard Hand Control

iv. Impact Weapons

v. Pointing of Firearms: Any time a member points a firearm at an individual, notwithstanding the fact that deadly force is not ultimately deployed is a reportable event under this policy. This does not include drawing a firearm and maintaining at the ready position.

vi. Firearms Discharges: Any intentional or unintentional discharge of a firearm, not inclusive of training scenarios or approved humane life terminations of injured animals.

vii. Canine Use: Use of a department canine will be reported on a special form to capture any form of use whether there is contact with a subject or not.

viii. Deadly Force

ix. Any incident, arrest, or circumstance, which in the officer's or supervisor's opinion involved a physical confrontation necessitating documentation of circumstances.

B. Officers involved in an incident where a reportable response to resistance did not involve death or serious bodily injury, the officer will:

i. Notify their supervisor as soon as practical.

ii. Document the response to resistance via a police report

iii. Complete the approved departmental Response to Resistance form and forward to their immediate supervisor prior to ending their tour of duty. The form will be completed in detail including a narrative account describing the following:

a. Actions of the subject that necessitated a response

b. Force utilized in overcoming the resistant subject

c. Substantiated injuries or complaints thereof sustained by the subject and/or officer

d. Medical treatment received.

C. Officers involved in an incident where a reportable response to resistance involved death, serious bodily injury, or the discharge of a firearm will notify the on duty and/or designated supervisor immediately.

D. In the event of a reportable response to resistance involving death or serious bodily injury, the department will ensure that:

i. Criminal Investigation: A detective will respond to the scene, conduct an investigation, and complete the initial police report. In the event a department has no available personnel for this purpose or a department believes it is in their best interest to request an outside department conduct the investigation, they may utilize an outside department (such as the Arkansas State Police) for this purpose.

ii. Officers are reminded that a criminal investigation will be conducted and that criminal liability may attach to their actions. In order to ensure officers 5th amendment protections are not violated the following procedure is established:

a. Officers will be removed from the scene as soon as practical.

b. Officers will be allowed time to reflect about their actions and speak with an attorney if they desire prior to any criminal questioning.

c. Officers are not required to submit to a criminal investigative interview and are subject to 5th Amendment protections if they so choose.

iii. Internal Affairs Investigation: Officers should understand that an internal affairs investigation may begin at any time as determined by the Chief of Police or his designee. Internal affairs investigations will be separate and distinct from the criminal investigation. Prior to an internal affairs interview, Garrity warnings will be issued and signed by the officer(s) investigated. Officers involved in an internal affairs investigation, are not afforded protection under the 5th Amendment to the United States Constitution, and therefore may not refuse to provide complete and truthful information. Internal affairs investigations will follow procedures established under separate policy.

E. Supervisory Responsibilities:

i. If available, an on duty supervisor will respond to the scene of all incidents involving a reportable response to resistance.

ii. Appropriate supervisor(s) and investigator(s) will respond to all response to resistance events involving death or serious bodily injury (or the likelihood thereof).

iii. The ranking supervisor at the scene of an incident involving a reportable response to resistance will ensure that adequate investigation is conducted, forensic evidence is preserved, video graphic evidence is obtained, case investigation is sufficiently reported, and that response to resistance forms are

completed. In those cases where a supervisor is not present, the Reporting Officer will ensure that adequate investigation and all required reports are completed.

iv. For all response to resistance events not involving death or serious bodily injury, the officer's immediate supervisor or the supervisor responding to the scene will review the response to resistance form and preliminary investigative information to determine policy compliance. The supervisor will meet with the involved officer(s) to discuss the event, review policy, and clarify any matters of concern. The supervisor will forward the response to resistance report to the appropriate personnel. Anytime during the supervisor's review he or she believes that a serious policy infraction or criminal act occurred, the supervisor will immediately cease investigation and forward all information to the Chief of Police or his designee. The designee responsible for the investigation will conduct a logical investigation per departmental policy.

v. All response to resistance events involving death or serious bodily injury will be reviewed for legal and policy compliance by the Chief of Police or his designee.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Returning Veterans
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to facilitate the reintegration of returning veterans to full duty.

II. **Policy:** It is the policy of this department to be supportive of its personnel called to active duty service in the United States military as well as provide uniform strategies to facilitate a smooth and beneficial transition when the veteran returns to resume their role in department operations. The department believes an active role in the "reintegration" of veterans is vital to both the veteran's and department's success.

III. **Definitions**

A. Veteran: A member of the department who separated from the department to serve on active duty for a period of more than 180 days and was discharged/released with other than a dishonorable discharge; was discharged/released from active duty because of a service-connected disability or as a member of a reserve component or national guard unit under an order to active duty; served on active duty for any length of time during a period of war or in a campaign or expedition for which a campaign badge is authorized; and was discharged/released from such duty with other than a dishonorable discharge.

B. Reintegration: The process of integrating and assimilating returning veterans into department operations in a safe and comprehensive way.

IV. **Procedure**

Each returning veteran will participate in the department's reintegration program for a time period to be determined by the Chief of Police or his designee. While time periods may differ depending upon the veteran's deployment time and military activities with which the employee participated during military deployment, a 30-day minimum reintegration period is recommended. However, the 30-day minimum is not required.

V. Officer Reintegration Program

Irrespective of job assignment or sworn or non-sworn status, the Chief of Police or his designee will assign the veteran to work with a partner for a minimum of 30 days where feasible or required. Although not mandatory, it is recommended that the partner be a veteran, preferably with comparable military experience. It will be stressed to the partner that his/her job is not to act as a Field Training Officer, but rather as an experienced officer working with a peer, mentoring and preparing them to resume their role following an extended absence from the department. Reintegration will include:

A. All administrative and auxiliary tasks to assimilate the veteran into department systems and processes, and obtaining the necessary access to records, databases, and communication networks;

B. Retraining and recertification with department issued weapons prior to performing any law enforcement function;

C. The veteran's supervisor will advise the returning veteran of departmental resources available to them during and after the reintegration;

D. A particularized audit of required training needs and certification requirements as well as a training plan will be created and or conducted to ensure necessary competencies and certifications are met or updated in a reasonable and timely fashion, to include compliance with all certifications required by the State of Arkansas to accomplish the returning veteran’s job function;

E. A review of use of force policy, options and concepts where applicable;

F. The assigned partner will assist the returning veteran in relearning matters that pertain to their job function which may include: radio procedures, re-familiarization or familiarization with technologies, introductions to new personnel and or local officials where necessary, as well as legal and policy review with emphasis on new policies and procedures that may have been enacted during the veteran's separation from the department;

G. The returning veteran will merely assist their assigned partner with law enforcement actions for a minimum of 20 days (if required) allowing the assigned partner to take the lead role unless this is otherwise not feasible;

H. At the end of a minimum 20 day period (if required) or whenever the returning veteran feels comfortable returning to the primary law enforcement role, whichever is less, the returning veteran will assume the lead law enforcement role for the remaining time period of the reintegration. Additional time for reintegration may be granted by the Chief of Police or his designee if needed. During this time period, the first line supervisor will conduct weekly observations and performance reviews;

I. At the end of the reintegration period the first line supervisor will make recommendations concerning the veteran’s return to full duty status. The veteran’s assigned first line supervisor will continue to monitor job performance for any signs of distress and need for further reintegration intervention; and

J. Additional training/re-familiarization may be required for returning veterans assigned to a CID function such as raid planning, undercover operations, surveillance operations, use of confidential informants, etc.

VI. First-Line Supervisors Responsibilities

During the reintegration period, the first line supervisor will meet with the veteran and assigned partner on a weekly basis and document the veteran's progress via email to the Chief of Police or his designee. At the end of the reintegration period the first line supervisor will submit a request to restore the returning veteran to a full duty status or retain the veteran for a 2 week extended period of time in the reintegration program. All such requests will be made to the Chief of Police or his designee via email. In cases where an extended period of time is requested and approved, the first line supervisor will continue weekly meetings and observations and forward a request to return the veteran to full duty status when appropriate. The Chief of Police or his designee may grant additional extensions.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Ride-Along Policy
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to set forth the department's mandates with respect to citizen ride-along and civilian passengers. Sworn police officers are exempt from this policy. Officers of this department are prohibited from transporting civilian passengers unless such transportation is in the ordinary course of their law enforcement duties, in compliance with this policy, or otherwise approved by the Chief of Police or his designee.

II. Policy: It is the policy of this department to establish a ride-along program in an effort to enhance the mutual respect of police officers and the community. This program will provide its participants with a greater understanding of law enforcement in our community.

III. Procedures

A. Who can participate in the ride-along program:

i. All participants must be approved by the Chief of Police or his designee and be at least 18 years of age.

ii. All participants must complete an application and waiver of liability form.

iii. Media representatives must complete all documents required of any other participant. In addition, members of the media must have express written authorization from the Chief of Police or his designee before recording by any means (audio, video, film, photo) any portion of the ride-along.

iv. Participation may be revoked or denied at any time without cause.

B. Application Process:

i. Applications and regulations for ride-alongs shall be available at the police department. Applications, along with photo identification, must be returned to the department once they are completed.

ii. Completed applications shall be forwarded to the Chief of Police or his designee for review.

iii. Application review will include a record check and NCIC inquiry. An applicant who has a felony record or a misdemeanor record that involves moral turpitude or dishonesty may be excluded from participation in this program.

iv. Once approved, the applicant shall be notified and assigned a date for the ride-along.

v. Participants shall only be allowed to participate in this program once every 3 months unless authorized by the Chief of Police or his designee.

C. Reporting for ride-along:

i. The ride-along program shall be scheduled by the Chief of Police or his designee.

ii. Participants should report to the police department 15 minutes prior to their scheduled participation.

iii. The on-duty officer shall meet with the ride-along participant. The ride along participant and the officer shall review and sign the liability waiver form. The officer must sign as a witness. Any participant who decides not to sign the liability waiver form shall not be allowed to participate in the program.

iv. The officer shall review the rules of the ride-along program with the participant. In this review, the participant should be reminded that they might be called as a witness in court, if they observe a police event that becomes subject to court action.

D. Duties of the Participant:

i. Participants shall play no active role in the police function. They must only act as an observer unless otherwise directed by their host-officer.

ii. Participants shall not be allowed to operate any police equipment unless directed to do so by a police officer in an extreme emergency.

iii. Participants must remain in the police vehicle at all times until directed otherwise by the host officer.

iv. Participants must not speak to victims, witnesses, prisoners or other persons associated with a police event. Should a witness, prisoner, victim or other person speak to the participant, the participant should politely direct the person to speak to one of the officers present.

v. Participants shall not video/audio record, or take photographs without the express written permission of the Chief of Police or his designee.

vi. Participants shall not enter any person's home while participating in the ride-along unless the host officer has asked and has been granted express permission from the homeowner/occupant to allow the ride-along participant entry.

vii. Participants shall follow the instructions of the host-officer at all times during the ride-along.

viii. Participants shall not be allowed to carry any firearm or other weapon, even when otherwise authorized by law, while participating in the ride-along program.

ix. Participants should be dressed in comfortable, casual, but conservative clothing during the ride-along. Participants who are inappropriately dressed shall not be allowed to participate in the program on the assigned date.

E. Duties of Host Officer:

i. Host officers, in their discretion, may drop a participant off in an area of safety while responding to a dangerous police event in order to avoid exposing the participant to danger.

ii. All participants are responsible for and must have available to them a cell phone or some means to contact someone for transportation should the host officer need to drop the participant off due to an emergency or dangerous situation.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Safe Storage of Departmental Firearms
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to direct members of this agency with respect to the safe storage of firearms.

II. **Policy:** The policy of this agency is to recognize the inherent danger of firearms and to take reasonable steps to prevent unauthorized persons from taking control of departmental firearms.

III. **Definitions**

A. Safe storage locker/area: a lock-box, safe, specifically designed lockable container or lockable room/closet.

B. Trigger-lock: a locking mechanism which prevents a firearm from being fired while locked.

C. Department firearms: those firearms which are owned by this department.

IV. **Procedure:** Departmental personnel are at all times responsible for the security of their departmental firearms. Departmental firearms not being carried or in the immediate physical control of an officer shall be secured in a manner which makes them inaccessible to anyone but the officer.

A. On-Duty storage of departmental firearms

i. Person: Only departmental approved holsters are authorized.
ii. Offices: At no time shall a handgun be left unsecured in an unlocked office or unlocked desk.
iii. Jail/Holding/Booking Facilities: When entering any jail or holding facility, members shall safely store their firearm in a safe storage locker prior to entry.

B. Off-Duty Storage of Firearms

i. Vehicles: Officers shall never leave a departmental firearm unsecured and in plain view in the passenger compartment of any vehicle.
ii. If a take home vehicle is to be parked, unattended, for seven (7) or more days, all firearms shall be removed and placed in a safe storage locker/area in the officer's home or a departmental facility.

iii. Home

a. All officers of this department are directed to maintain a safe-storage locker/area for department firearms within their home.

b. Officers are directed that when department firearms are not carried on the officer's person, they should be immediately locked in the safe-storage locker/area.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Safety/Sobriety Checkpoint
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose

A. To provide policy and procedural guidelines for the operation of D.W.I. sobriety and safety checkpoint programs and to ensure a safe and efficient operating environment for all City of Cabot citizens and motorist.

B. To provide guidelines for recommended equipment and personnel when conducting D.W.I. sobriety and safety checkpoints.

II. Goal

A. To deter and combat driving while intoxicated, thereby reducing death, injury, and property damage caused by alcohol and drug related traffic accidents.

B. All sobriety checkpoints shall be conducted in such a manner as to minimize any intrusion or inconvenience upon the motoring public and to maximize program effectiveness, enforcement uniformity and, above all else, safety.

C. To provide information to the public, utilizing the media through driver contacts, informing the public of the dangers of operating motor vehicles while under the influence of an alcoholic beverage or controlled substances.

III. Objectives

A. To increase the perception of the risk of apprehension in drivers who operate vehicles while under the influence of alcohol or controlled substances.

B. To ensure the constitutionally guaranteed rights of individuals are protected.

C. To remove impaired drivers from City of Cabot roads, streets and highways.

IV. Sobriety checkpoint locations

A. General D.W.I. checkpoint locations.

The selection of highways/roads within the City of Cabot will be chosen with consideration given to the following;

i. Accidents involving impairment.
ii. Driving while intoxicated and driving under the influence arrest.
iii. Complaints from the public and other law enforcement agencies.
iv. Law enforcement cooperation.
v. Law enforcement resource availability.

V. Specified D.W.I. sobriety checkpoint locations

A. The choice of D.W.I. Sobriety Checkpoint locations in Cabot shall be based on the following;

i. Safety of all citizens living and traveling in Cabot. The location shall have a safe area for stopping vehicles and afford oncoming traffic sufficient sight distance for the driver to safely come to a stop upon approaching the checkpoint.
ii. The location must ensure minimum inconvenience for the driver and insure the safe stopping of traffic in one or both traffic lanes as necessary.
iii. Locations that are chosen must ensure that sufficient space be available to pull vehicles off the road for further investigation and field sobriety testing.
iv. Amount of traffic volume will be used as a consideration for the sobriety checkpoint location.

VI. Safety/sobriety checkpoint operations

A. Briefing/debriefing

i. Officers are to be instructed regarding procedures to be followed. This shall consist of a briefing to be conducted at a predetermined location/time. At this briefing, officers will be instructed as to the location of the sobriety checkpoint, legal considerations involved, and procedures to be followed with approaching vehicles, initial contact with drivers, and information/instructions on handling various situations. Law enforcement and citizen safety will be stressed at each checkpoint operations briefing.
ii. A debriefing will be conducted following the checkpoint operation(s) with the shift supervisor if time allows. The purpose of the debriefing is to provide an opportunity for law enforcement officers to share information and engage in discussion for the continued safe and efficient operations of future safety/sobriety checkpoints.

B. Scheduling

i. The time and location of sobriety checkpoints will not be made public in advance, but their use will be publicized to enhance the desired deterrent among potential intoxicated drivers and the general public.

ii. For safety purposes safety/sobriety checkpoint(s) shall not be conducted during inclement weather conditions.

C. Safety considerations

i. Each location will be operated by a sufficient number of law enforcement officers to maintain a safe and efficient checkpoint operation.
ii. Safety of law enforcement officers and the public is the main concern at sobriety checkpoints.
iii. Safety and sobriety checkpoint notification equipment will be set-up and utilized at the discretion of the sobriety checkpoint supervisor depending on the type, time and or location of sobriety checkpoint.
iv. Examples of safety equipment utilized will be, as needed, but not limited to the following: Rectangular/reflective "Sobriety/Safety Checkpoint" signs, stop signs, orange reflective traffic cones, orange flashlight safety wands, reflective personnel vest, flashing safety beacons, etc.
v. Examples of unit mounted safety equipment will be, but not limited to the following: Overhead light bars, rear-deck lights or light bars, emergency hazard lights, etc.
vi. In addition, unit mounted spotlights will be utilized at the discretion of the checkpoint supervisor to illuminate the roadway, safety/sobriety checkpoint area.

D. Coordination and notification

i. Shift supervisor or his/her designee shall contact and coordinate with law enforcement agencies in the area's in which checkpoints will be conducted for assistance, if required.
ii. Officers conducting safety/sobriety checkpoints will forward, prior to performing their duties, a detailed report of the safety/sobriety checkpoint locations and number of personnel utilized. This information will be provided to the shift supervisor who will forward this information through the chain of command.
iii. Once the operation or shift has concluded and all personnel are accounted for a report shall be completed by the shift supervisor outlying the locations checked, names of personnel utilized, number of arrest with personal information, any incident during the operation that could be news-worthy and information, (e.g. legal, policy or safety matters), that should be evaluated for future safety/sobriety checkpoint operations.

E. Motorist contact

i. All vehicles passing through the checkpoint location will be stopped. Motorist will be advised that they are at a sobriety/safety checkpoint intended to deter and arrest impaired drivers.
ii. During the motorist contact, officers will ask for operator's driver's license.

iii. Should evidence/indications of impairment be present, further investigation will be conducted.

iv. If driver's license is not presented or probable cause exists for further contact, officer will direct driver to the designated stop area.

v. The driver may then be requested to consent to a Portable Breath Test (PBT), and to perform standardized field sobriety test(s). If sufficient evidence of impairment is present, the driver will be arrested.

vi. If a vehicle approaching a sobriety checkpoint avoids the checkpoint, the decision to investigate/pursue/follow may be authorized by the checkpoint supervisor(s).

VII. Staffing

Sobriety checkpoint operations should consist of the following positions;

A. Command personnel:

i. A Cabot Police Department supervisor of the rank of lieutenant or higher shall be the officer in charge of the safety/sobriety checkpoint location. An assistant position is optional and may be assigned as needed. Responsibility shall include direct overall supervision of law enforcement personnel assigned to the checkpoint and the proper operation of all activities in accordance with departmental approved policies, procedures, and guidelines.

ii. If, at any time during the operation of the checkpoint, traffic congestion or other circumstances arise that warrant the discontinuing of the operation, the supervisor in charge may close down the operation for any length of time necessary.

B. Approach safety/observation officer(s)

i. Approach safety/observation officers with vehicles, assigned at both ends of the checkpoint will observe traffic entering and leaving the checkpoint. Officers in vehicles will be stationed along the shoulder of the highway in the approach and or exit to the checkpoint. Responsibilities include observing vehicles in their approach to the checkpoint of any hazardous activities such as an obvious impaired driver or reckless driving approaching the checkpoint location. In addition these officers are also responsible for being alert for drivers who may avoid the checkpoint and determining if their driving behavior exhibits that of a potential impaired driver.

ii. On low-traffic volume roads, the approach safety/observation officer is optional and at the discretion of the checkpoint supervisor(s).

C. Checkpoint contact officer(s)

i. These officers shall be stationed at the checkpoint locations. It shall be their responsibility to make contact with the respective motorist and make a determination of vehicle safety and motor vehicle/traffic law violations.

a. Contact officers will be stationed in the roadway to check motorist for signs of impairment.

b. All vehicles/operators entering the checkpoint will be stopped, identified and checked for signs of impairment, safety issues and other motor vehicle regulation violations.

c. During this contact, the officer will look for any signs of impairment. If the officer observes signs of impairment the motorist will be detained for further investigation. If the situation warrants, the driver will be requested to submit to a Portable Breath Test (P.B.T.) and/or standardized field sobriety testing.

D. Support personnel

Additional support personnel (e.g. vehicle inventory/paperwork officers, transport officers, etc.), may be assigned as replacement or support officers for any of the above positions, or for other officers which may be identified as necessary in the conduct of a safe and efficient sobriety checkpoint operation. In addition, the Cabot Police Department Communications will be notified where they can provide necessary BAC operators to support the checkpoint operations.

E. Mutual assistance

In the event that law enforcement officers working outside of their ordinary jurisdiction participate in a sobriety checkpoint, a mutual assistance agreement shall be executed, if appropriate.

VIII. Severability:

A. Guidance

i. If any provision of this procedure shall, for any reason and to any extent, be declared invalid, or is modified by the order of a court of law of competent jurisdiction, the remainder of this procedure shall not be affected thereby but rather shall remain in full force and effect until and unless modified or replaced.

ii. This procedure is deemed to be only for the purpose of guidance in the operation of a sobriety checkpoint and shall not be strictly construed. The Cabot Police Department recognizes that the operation of sobriety checkpoints is governed by federal and state judicial rulings. Failure to follow specific recommendations herein shall not invalidate the operation of any checkpoint.

SOBRIETY CHECKPOINT
CHECKLIST

Date of Sobriety Checkpoint: _____

Primary Location of Sobriety Checkpoint: _____

Alternative Location of Sobriety Checkpoint: _____

Officer in Charge: _____

Police Agencies Involved: _____

_____

_____

____ Copy of procedure
____ Approval of Primary Location
____ Approval of Alternative Location
____ Media Notice
____ Prosecutor Notice
____ DUI equipment scheduled or obtained
____ Briefing Guide
____ Diagram or sketch of Primary Location
____ Diagram or sketch of Alternative Location
____ Signage listing or diagrams
____ Copy of Personnel Sheet
____ Certification of Officer in Charge
____ Designation of secondary testing
____ Mutual Assistance Agreement (if applicable)
____ Notify tow companies
____ _____

_____
Signature, Officer in Charge

_____
Type or print name

SOBRIETY CHECKPOINT
BRIEFING GUIDE

Date of Sobriety Checkpoint: _____

Location / Time of Briefing: _____

Primary Location of Sobriety Checkpoint: _____

Alternative Location of Sobriety Checkpoint: _____

Police Agencies Involved: _____

_____

_____

Prior to conducting the sobriety checkpoint, the following items should be discussed and thoroughly explained to all officers, supervisors and others participating.

1. Purpose of sobriety checkpoints
2. The need for safety for both the motoring public and participants
3. Primary and alternative locations and criteria used in selecting each
4. Checkpoint operational procedures
5. Assignment and responsibilities
6. Placement and utilization of safety equipment, signage and vehicles
7. Site drawing or sketch
8. Handling of DUI arrest, other arrest and citations, secondary chemical testing, processing and transport of arrestees
9. Disposition of vehicles of drivers arrested
10. Passengers in vehicles of drivers arrested
11. Any other pertinent matters

Instruct all participating officers to explain the purpose of the checkpoint to the motorist as they approach a vehicle. Review with and ensure that all personnel are familiar with the Sobriety Checkpoint Policy.

BRIEFING CONDUCTED BY:

_____ _____
Type or print name Signature

_____
Agency

PROSECUTOR NOTIFICATION
OF
SOBRIETY CHECKPOINT

The Cabot Police Department will be conducting a Sobriety Checkpoint on (date and hours) at the following location(s).

1.

2.

3.

4.

The Cabot Police Department has a procedure in place detailing the selection, setup and operation of sobriety checkpoints. This procedure and all applicable court decisions will be followed during the conduct of this checkpoint.

For more information contact Public Information Officer, Cabot Police Department, 501-843-6526.

_____
Signature

_____
Type or print name

_____
Date distributed

PERSONNEL SHEET

Date of Sobriety/Safety Checkpoint: _____

Primary Location of Checkpoint: _____

Alternative Location of Checkpoint: _____

Officer in Charge: _____

Police Agencies Involved: _____

_____

_____

Personnel:

1. _____
2. _____
3. _____
4. _____
5. _____
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16. _____
17. _____
18. _____
19. _____
20. _____

_____
Signature, Officer in Charge

_____
Type or print name

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Search and Seizure - Residences
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct officers and supervisors with respect to home entries.

II. Policy: The policy of this department is to protect and serve the constitutional rights of all citizens when conducting home entries while balancing the needs of law enforcement in solving crime for the protection of the community.

III. Definitions

A. Probable Cause (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.

B. Exigent Circumstances Entry: Entry of a dwelling without a warrant due to some existing emergency that would not allow an officer time to get a warrant.

C. Search Incident to Arrest: A search of the arrestee and their immediate area of control that is allowed whenever a custodial arrest is made.

D. Consent: The voluntary granting of permission for an officer to enter an area that is protected by the 4th Amendment, by a person who has a reasonable appearance of authority over that area.

E. Dynamic Entry: The utilization of a special team i.e. SWAT, SORT, ERU etc. when executing a high-risk warrant, entering to control a barricaded subject, or similar high risk event.

IV. Procedure: At the outset officers are directed that there are only three lawful methods upon which he or she may enter a person's dwelling. These methods include a warrant (arrest or search-with differing rules for each), exigent circumstances, or consent.

A. Threat Assessment Form: Unless exigent circumstances exist officers shall compile a Threat Assessment Form prior to planning any dynamic entry of homes or other buildings.

B. Written Operations Plan: Unless exigent circumstances exist officers shall complete a written operations plan prior to any dynamic entry of a home or other building.

C. Knock and Announce: Prior to considering a forced entry into a dwelling, officers must knock at the entrance and announce their identity and purpose unless one of the following circumstances exist:

- **i.** The officer's purpose is already known to the occupant.
- **ii.** When the personal safety of the officer or others would be jeopardized by the announcement.
- **iii.** When the delay caused by the announcement may enable the suspect to escape.
- **iv.** When a prisoner has escaped and retreated to his home.
- **v.** When the announcement may cause evidence to be destroyed.
- **vi.** Note: If officers believe that one of the above circumstances exist prior to obtaining the warrant, they should seek judicial approval for a "no-knock" warrant by outlining the factors believed to exist in their affidavit.
- **vii.** In determining how long an officer must wait before forcing entry following the knock and announcement, officers should consider the nature of the item sought and how long it would take to destroy the item. The United States Supreme Court found 15-20 seconds to be a reasonable amount of time in a drug warrant case.

D. Arrest Warrant-Felony or Misdemeanor: An officer may enter the home of the subject of an arrest warrant in cases where the officer also has probable cause to believe the subject is home.

- **i.** Knock and announce rules apply
- **ii.** Search incident to arrest - 3 zones
  - **a.** Officers may, at the time of the arrest, search the arrestee's immediate area of control in the room of arrest at the time of the arrest.
  - **b.** Officers may, at the time of arrest, also look into, but not go into, areas adjoining the room of arrest, from which an attack could be launched.
  - **c.** Officers may conduct a protective sweep, limited to those places where a person could be, in cases where the officers have reasonable suspicion to believe someone else on the premises poses a danger to the officer.
  - **d.** Under Arkansas law these searches are limited to those events where at the time of the arrest:
    - **1.** the accused is in or on premises all or part of which he is apparently entitled to occupy; and
    - **2.** in view of the circumstances the officer has reason to believe that such premises or part thereof contain things which are:

      subject to seizure; and

      - **a)** connected with the offense for which the arrest is made; and
      - **b)** likely to be removed or destroyed before a search warrant can be obtained and served;

c) the arresting officer may search such premises or part thereof for such things, and seize any things subject to seizure.

iii. Officers must obtain a search warrant before entering the residence of a third party in order to search for the subject of an arrest warrant unless exigency or consent exists.

E. Search Warrants-Officers must have probable cause to believe that evidence of crime exists and must have probable cause to believe it will be located at the place to be searched.

i. Knock and announce rules apply: All necessary and reasonable force may be used to effect an entry into any building or part thereof to execute a search warrant if, after verbal notice or a good faith attempt at verbal notice by the officer executing the warrant which states the officer's authority and purpose:

a. He or she is refused admittance;

b. The person or persons on the premises refuse to acknowledge the verbal notice or the presence of persons inside the building is unknown to the officer; or

c. The building or property is unoccupied.

d. Note: where the officer has reasonable grounds to believe that the announcement will place the officer in greater peril or lead to the immediate destruction of evidence, the officer may dispense with the knock and announce requirement.

ii. The court issuing the warrant may authorize the officer executing the warrant to make entry without first knocking and announcing his or her office if it finds, based upon a showing of specific facts, the existence of the following exigent circumstances:

a. The officer reasonably believes that if notice were given a weapon would be used;

1. Against the officer executing the search warrant; or

2. Against another person.

b. That if notice were given there is an imminent danger that evidence will be destroyed.

iii. Nighttime searches: During all searches which are executed between the hours of 8:00 p.m. and 6:00 a.m., the affidavit must set forth facts justifying a nighttime search - the affiant must articulate facts outlining why:

a. The place to be searched is difficult of speedy access;

b. The objects to be searched are in danger of imminent removal; or

c. The warrant can only be safely or successfully executed at nighttime.

iv. The search warrant itself must particularly describe the place to be searched and must also particularly describe the items to be seized.

v. The scope of a search warrant is limited by information (i.e. information developed indicates that items are stored in a specific location). Scope may also be limited by the size of the item; (i.e. if looking for a stolen piano, one would not open a bureau drawer).

vi. All search warrants must be executed in a reasonable manner.

vii. Detention and search of persons on the premises: When executing a search warrant, the officer may reasonably detain, and in some cases frisk any person in the place at the time under the following limitations (these limitations apply even in cases where the warrant calls for the "search of any person present"):

a. Frisk: To protect him or herself from attack when the officer has reasonable suspicion, based upon specific facts, to believe that the individual present is armed and poses a threat.

b. Search: To prevent the disposal or concealment of any item particularly described in the warrant where there is probable cause, based upon specific facts, to believe that the person to be searched is in possession of said item.

c. Detain: Officers may detain any person who is present at the scene of a residence where officers are executing a search warrant. Where officers are executing a dangerous search warrant, all persons present may be handcuffed while officers' conduct their search. If at any time it is determined that the person restrained in handcuffs is not dangerous, the handcuffs should be removed.

F. Consensual Entry-Officers may, without reasonable suspicion or probable cause, enter a dwelling based upon the consent of a person who appears to have authority over the premises.

Note: These provisions apply to Knock and Talk events

i. Consent must be voluntary

ii. When dealing with a residence the person granting consent must be told that they have the right to refuse consent.

iii. Consent need not be in writing but written documentation will assist officers in proving that the consent was voluntary.

iv. Officers may not enter a dwelling in a case where a co-occupant is present and objecting to the entry.

v. The scope of a consensual entry and search rests with the consenting party who controls both how long the entry and search may last as well as what locations within the residence may be searched.

vi. Officers should not rely on the consent of a juvenile under the age of 15.

G. Exigent Entry-An officer may enter a home based on emergency circumstances when any of the following circumstances exist:

i. Hot pursuit of a fleeing felon.

ii. Imminent destruction of evidence for any jailable offense.

iii. Need to prevent suspect's escape from a serious misdemeanor which is a jailable offense.

iv. Risk of danger to police or others inside or outside the dwelling.

v. Officers may enter a home without a warrant when they have an objectively reasonable basis for believing that an occupant is seriously injured or imminently threatened with such an injury.

vi. Once exigency has ended, officers should secure the scene and obtain a search warrant.

vii. The fact that an area is a crime scene does not create automatic exigency- There is no crime scene exception to the warrant requirement.

viii. Emergency searches: An officer who has reasonable cause to believe that premises or a vehicle contain:

a. individuals in imminent danger of death or serious bodily harm; or

b. things imminently likely to burn, explode, or otherwise cause death, serious bodily harm, or substantial destruction of property; or

c. things subject to seizure which will cause or be used to cause death or serious bodily harm if their seizure is delayed;

d. may, without a search warrant, enter and search such premises and vehicles, and the persons therein, to the extent reasonably necessary for the prevention of such death, bodily harm, or destruction.

H. Dynamic Entry-Whenever entering a residence in a manner designed to anticipate a potential deadly force encounter, the specially trained team should be utilized to ensure the safety of all persons involved. This determination as to whether a dynamic entry is necessary is done through the completion of a threat assessment form.

i. Due to the nature of executing this high-risk entry, extreme care must be utilized in order to ensure that only the proper residence is entered. When considering the use of a dynamic entry, the following precautions must be followed:

a. A supervisor must be present and take responsibility for reviewing and approving the warrant as well as the affidavit prior to the execution of the warrant.

b. If the warrant involves narcotics, ensure that a purchase has been made or contraband observed within a reasonable time period preceding the execution of the warrant.

c. If utilizing an informant for a narcotics purchase, an investigator must ensure that the informant has been observed at all possible times.

d. The officer supervising the special team should conduct a drive-by of the location with the lead investigator using the legal description on the warrant to locate the residence to ensure that the residence to be entered is verified with the warrant. If any discrepancies exist or if the house cannot be located by the description on the warrant, the warrant shall not be served.

e. A written operations plan will be prepared identifying the specific mission for the team, intelligence considered, a description of the targeted subjects and location, and the specific tasks assigned to each member of the entry team.

f. The lead investigator will accompany the special team during the execution of the warrant and direct officers to the doorway of the residence to ensure that the correct residence is entered.

g. Upon completion of the operation, photographs of all entry-ways into the building shall be taken to document both damage and lack of damage.

I. Warrantless search by law enforcement officer for a supervised probationer or parolee.

i. A person who is placed on supervised probation or is released on parole is required to agree to a waiver as a condition of his or her supervised probation or parole that allows any certified law enforcement officer to conduct a warrantless search of his or her person, place of residence, or motor vehicle at any time, day or night, whenever requested by the certified law enforcement officer. A warrantless search that is based on a waiver shall be conducted in a reasonable manner (16-93-106).

ii. Though Arkansas law does not require an articulable suspicion that the person is committing or has committed a criminal offense, this agency requires that an officer have some articulable law enforcement concern, however slight, prior to conducting such searches without the direct assistance of a parole or probation officer, or that the parolee/probationer be a party to an otherwise lawful stop based on reasonable suspicion or probable cause.

iii. Examples of a law enforcement concern include but are not limited to: Anonymous tips/reports that would otherwise not be sufficient to conduct a search; parolee/probationer found in known crime areas or otherwise under suspicious circumstances less than reasonable suspicion for a terry stop; parolee/probationer is a party to a lawful traffic stop or other detention whereby a search would otherwise be unlawful.

iv. Officers are prohibited from using this statute to harass.

v. Prior to a 4th amendment seizure (detention or stop) and or search of a parolee/probationer based on the sole fact that the person is merely a parolee/probationer, a member of this agency shall verify the status of the person believed to be on supervised probation or parole and that a waiver exists prior to conducting a seizure and or search by one of the following methods:

a. As part of a consensual contact, a person admits to being on probation or parole, admits that a waiver exists, and consents to search. Under this scenario, no seizure has occurred and the Officer is conducting a search under the consent to search doctrine without having verified that a waiver exists via logical means.

b. Officer determines person is on probation/ parole via ACIC and confirms that a waiver is on file.

c. Officer determines person is on probation /parole and that a waiver exists through personal contact with the Departments of Correction or Community Correction or by contacting a Community Correction Officer prior to any warrantless search being conducted.

vi. Authority granted under this statute does not preclude other restrictions that may be applicable under law including 3rd party rights, co-occupants, etc.

vii. In the event a co-occupant or other lawful third party prevents the search of a residence where a parolee or probationer resides based on applicable law, Officer will advise the third party that the parolee/probationer may be in violation of his/her parole based on their lawful objection and the Officer will report the incident to Parole/ Probation for their consideration of enforcement.

viii. Officers will document all parole/probation searches or attempts to search in a manner approved by their agency. The report should document the date, time, location, parolee/probationer searched, scope of the search, the law enforcement concern that led to the search or an otherwise lawful stop, and the result of any such search.

ix. In addition to typical enforcement that may occur, the discovery of any criminal violation will be promptly reported to the appropriate Parole/Probation Officer for further administrative consideration.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Secondary Employment
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to establish guidelines governing extra duty details and outside employment by employees of this department.

II. **Policy:** It is the policy of this department to allow employees the opportunity to perform extra duty details within the scope of their job classifications and to allow them to engage in outside employment which does not conflict with their official duties.

III. **Definitions**

A. Extra Duty Details: Performance of law enforcement duties not within regularly scheduled hours provided to any business, person, or enterprise which has made application to the department and has been approved to secure the services of an employee of the department. These services will be compensated according to an arrangement established by the department.

B. Outside Employment: Employment of a non-police nature in which vested police powers is not a condition for employment. The work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.

IV. **Procedures**

A. Approval Process: The department will establish an approval process that will ensure compliance with all elements of this policy concerning extra duty details. The approval process must be completed prior to a member of this department accepting a detail and will include the following:

i. A clearly established hourly rate with a four hour minimum, per contract, per officer;

ii. The number of employees required to safely handle the detail; and

iii. All fees will be paid as directed in the agreement.

B. Compliance with department policies and procedures: Employees shall comply with all department policies and procedures while employed in an extra duty detail. Department provisions will supersede any of the entity hiring the employee. Employees shall comply with all departmental regulations concerning uniform standards and personal appearance during any Extra Duty Detail and will carry all necessary equipment subject to the nature of the assignment.

C. Schedule: The Chief of Police or his designee will coordinate the extra duty detail program. The Chief of Police or his designee will ensure that all employees interested in working are provided an equal opportunity for assignment via a rotating list or other mechanism to ensure fairness in the assignments.

D. Limitations: The following are examples of limitations upon extra duty details, overtime, and outside employment that would not be approved:

- **i.** Employees are not permitted to work more than 24 additional hours per week unless approved in writing by the Chief of Police or his designee.
- **ii.** Officers shall not work more than 16 hours in a calendar day unless an emergency exists and the Chief of Police or his designee has authorized the emergency schedule.
- **iii.** Employees shall not be eligible while on sick leave.
- **iv.** Employees who have received an unsatisfactory evaluation in the previous rating period may not be eligible for extra duty detail assignment.
- **v.** Employees who are under suspension, relieved of duty, or placed on administrative leave are not eligible for assignment.
- **vi.** Officers who have not completed the academy or released from direct supervision are not eligible for assignment.

E. Prohibitions: Extra duty details will not be approved for the following types of assignments unless approved by the Chief of Police:

- **i.** Establishments where alcohol is served;
- **ii.** Private clubs requiring bouncers or related duties;
- **iii.** Private security agencies or private investigation agencies;
- **iv.** Body guard;
- **v.** Adult entertainment establishments; and
- **vi.** Any use of departmental personnel that is not in the best interest of the department.

F. Outside Employment: The employee will notify, in writing, the Chief of Police or his designee via the chain of command whenever an employee seeks to engage in employment during their off duty hours. The notification will at a minimum contain the following information:

- **i.** Description of the type of work to be performed, (i.e. teaching, sales, construction, etc.) and information concerning the potential employer;

ii. Maximum number of hours per week employee will engage in the outside employment;

iii. Statement indicating that no aspect of the employment could be considered questionable in nature such as placement in compromising situations, use of police powers, or have the potential to bring discredit to the department; and

iv. Statement indicating the services rendered will not involve any law enforcement duties.

G. Approval: Approval to engage in any outside employment will be submitted through the employee's chain of command, requiring final approval by the Chief of Police or his designee. Permission can be withdrawn at any time.

H. Annual Approval: An employee who has obtained written approval for outside employment must re-submit application for re-approval on an annual basis.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Sexual Misconduct
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** Law enforcement officers are empowered with authority by their government to protect the public from criminal activity. When an officer abuses this authority for sexual purposes, and violates another person, the officer not only commits a crime against the victim, but damages the credibility and trust of the entire law enforcement community with the public. The purpose of this policy is to caution all officers that any violation of the public trust involving sexual misconduct will result in severe consequences including prosecution to the fullest extent possible.

II. **Policy:** It is the policy of this department to train all officers concerning the potential for criminal sexual misconduct within law enforcement, how to recognize it, and the requirements for reporting any violation to the appropriate authorities.

III. **Definitions:**

A. Criminal Sexual Misconduct: The abuse of authority by a law enforcement officer for sexual purposes that violates the law.

B. Sexual Misconduct: Any sexual activity while on-duty or stemming from official duty. Sexual misconduct includes but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.

C. Intimate Part: Genital area, inner thigh, groin, buttocks or breasts of a person.

D. Actor: The person accused of sexual assault

E. Sexual Contact: Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person not married to the actor.

IV. **Procedure**

A. Sexual activity of any nature while on duty is prohibited.

B. Any use of official position and official resources to obtain information for purposes of pursuing sexual conduct is prohibited.

C. Sexual misconduct is prohibited and shall be disciplined up to and including termination.

D. Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.

E. A police officer shall not engage in sexual contact with another person who is in custody and such officer has supervisory or disciplinary authority over such other person.

F. Training: All sworn officers of this department including supervisors will receive specific training about the elements of sexual misconduct involving law enforcement officers. The training will also include all elements of this policy.

G. Reporting Requirements: Any employee of this department who is made aware of any violation of this policy, is required to report the violation to their supervisor. The supervisor will immediately contact the command level personnel having internal affairs responsibility who will immediately initiate an investigation in accordance with their established investigative policy. The investigation will involve other investigative elements of the department as necessary and any forensic evidence will be protected and processed immediately. The accused officer's supervisor will not attempt to resolve a complaint of this nature with the complainant, and is required to make immediate contact with internal affairs or the command level personnel having internal affairs responsibility.

V. Discipline

A. Any officer found to be in violation of the provisions of this policy shall be disciplined up to and including termination and criminal charges where appropriate.

B. Any employee having knowledge of a violation of this policy, who fails to report said violation shall also be disciplined up to and including dismissal and criminal charges if appropriate. If the violation involves supervisory personnel, the reporting officer will notify the appropriate command level officer and will not be strictly held to his or her chain of command.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Shift Changes/Reporting for Duty
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to establish the times employees are to report for duty and remain on duty.

II. **Policy:** It shall be the policy of this department that all employees of the police department report for duty as assigned and described in this policy.

III. **Procedure:**

A. Communications Personnel:

- **i.** All communications personnel shall report for duty with sufficient rest, groomed, properly dressed and prepared to perform their required duties.
- **ii.** Communications personnel will report for duty on the hour of their required shift and remain on-duty for eight (8) hours unless required to work longer.
- **iii.** Communications personnel may, if time allows, take one (1) fifteen (15) minute break every two (2) hours after the first two (2) hours worked. No more than three (3) breaks may be taken in an eight (8) hour period.
- **iv.** Breaks may not be taken consecutively to create a forty-five (45) minute break.
- **v.** Abuse of this privilege will result in disciplinary action.
- **vi.** Communications personnel will have a working lunch and will be required to perform their assigned duties during this time.
- **vii.** Communications personnel may, at the request of a supervisor, be required to work beyond their normal eight (8) hour duty assignment. However, personnel may not work longer than sixteen (16) consecutive hours without time off unless an emergency exists.

B. Officers (8.5 hour shift):

- **i.** Officers shall report for duty with sufficient rest, groomed, properly dressed and prepared to perform their required duties.
- **ii.** Officers shall report for duty, clock-in at their assigned time, and clock-out at their assigned time.
- **iii.** Officers may at the request of a supervisor be required to work longer than their eight and one half hour (8.5) shift. However, officers may not work longer than sixteen (16) consecutive hours without time off unless an emergency exists.
- **iv.** Officers will be privileged to a reasonable working lunch break, approximately thirty (30) minutes. Officers may be subject to call during this time if needed and must respond.

C. Officers (12.25 hour shift):

- **i.** Officers shall report for duty with sufficient rest, groomed, properly dressed and prepared to perform their required duties.
- **ii.** Officers shall report for duty, clock-in at their assigned time, and clock-out at their assigned time.
- **iii.** Officers may at the request of a supervisor be required to work longer than their twelve and one quarter (12.25) hour shift. However, officers may not work longer than sixteen (16) consecutive hours without time off unless an emergency exists.
- **iv.** Officers will be privileged to a reasonable working lunch break, approximately thirty (30) minutes. Officers may be subject to call during this time if needed and must respond.

D. Condition:

- **i.** Under no circumstances will an employee report for duty under the influence of alcohol or drugs that may cause impairment.
- **ii.** If alcohol is suspected, the employee will be required to take an alcohol breath test, urine test, and/or blood test.
- **iii.** In the event drugs are suspected the test will be a urine test.
- **iv.** No employee of the Cabot Police Department may refuse any administrative request for a breath, urine or blood test requested by a supervisor.
- **v.** If an employee does not comply, it will be considered insubordination and a direct violation of this policy.
- **vi.** The employee refusing to comply will be disciplined up to and including termination.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Special Operations
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** Law enforcement experience has demonstrated that there are police service demands, which require specialized units that are equipped and trained to successfully handle these demands. SORT (Special Operation Response Team) is such a unit. The mission of this highly trained and specially equipped unit is to safely resolve police incidents involving highly volatile situations including but not limited to persons with weapons, barricaded and/or hostage incidents, suicidal calls, and high risk warrant service operations. This type of unit is the most heavily armed within any police department and demands deliberative decision-making and oversight.

II. **Policy:** It is the policy of this department to develop and deploy a specialized tactical unit. The specialized equipment and training of this unit provides for greater safety of the subjects being confronted, police employees directly involved, and the community. The police department will use this specialized unit in situations warranting the need for the enhanced weaponry and training.

III. **Procedure:** The following shall be implemented for the assignment to and use of the specialized tactical team:

A. Selection process: The Chief of Police or his designee may assign or dismiss members at his discretion. Personnel selected shall satisfactorily complete a physical agility test or examination. The department will consider the candidate's work history during this selection process.

B. Fitness: SORT team candidates will initially be required to pass a physical agility test or examination based off of operational fitness requirements. SORT members will be required to pass such test or examination on a semi-annual basis. Any member unable to pass the agility test provided may be placed on inactive status until such time they are able to pass the course or are removed from the team.

C. Negotiators: SORT teams should have trained hostage negotiators available for tactical situations requiring negotiations.

D. Training Requirement

i. Hourly Training Requirements

a. Initial Certification - All SORT members must be qualified before deploying as an operational SORT member. Qualification will be determined by the Team Leader and Team Commander. Certified team members should obtain a 40 hour advanced SORT Training course as soon as practical.

b. Monthly Team Training- All SORT should train 8 hours per month and maintain a yearly log documenting the firearms and tactical issues covered.

c. Sniper Training- All snipers are required to successfully pass a 40 hour certified sniper course and be certified as a sniper before deploying as a sniper.

ii. Firearms Training Requirements

a. All SORT members must qualify before they are considered operational with their weapons. Initial qualifications and familiarization with weapons will be conducted during the initial 40-hour SORT course for primary and secondary weapons.

b. All SORT members must qualify quarterly (4) on an approved qualification course.

c. All SORT firearm qualification courses must be completed with the following minimum scores;

1. Handgun Speed and Accuracy Course – 86% (430/500)
2. Patrol Rifle (AR15) – 80% (160/200)
3. Patrol Rifle (UMP) – 80% (320/400)
4. Precision Rifle – 100% (10/10)

d. Any team member who fails any SORT qualification with their assigned weapon(s) may not deploy during SORT activations until qualifying at the minimum SORT firearm standard.

e. SORT weapons training is divided into two approaches: skill courses and combat/tactical courses. Skill courses provide each officer the opportunity to practice skills and show proficiency by numerical score. Combat courses allow for practicing tactics and skills. All qualifications shall be conducted in body armor.

f. SORT qualification courses should be specific to each weapons system utilized by each team and follow state accepted standards.

iii. Specialized Equipment Training Requirements

a. Flash/Noise Diversionary Devices: All SORT members shall receive initial training and qualification on flash/noise diversionary devices. Ongoing training will be conducted annually.

b. Less-Than-Lethal: All SORT officers will receive initial training/certification prior to deploying with less than lethal weapons.

c. Chemical Munitions**:** SORT officers shall receive initial training/certification prior to deploying with chemical munitions.

E. Equipment

i. Minimum Equipment: Each member of a SORT will be provided with the following minimum equipment. All other equipment shall be approved by the Chief of Police or his designee.

a. Ballistic helmet
b. Eye Protection
c. Hearing protection
d. Threat level IIIA ballistic entry vest with two (2) ballistic inserts with a minimal threat level IV, and attachable modules, or load bearing vest with attachable modules
e. Nylon duty belt and accessories for tactical equipment
f. Special weapons as authorized (weapons should be equipped with lights, slings and optics as required)
g. Duty ammunition
h. Communication equipment
i. Gas Mask
j. Gloves (protective)

ii. Specialized Team Equipment: SORT should have the following minimum equipment:

a. Less than lethal option(s)/ammunition
b. Precision rifle
c. Flash/Noise diversionary devices
d. Breaching tools/ammunition
e. Ballistic shields
f. Tactical mirrors
g. Transportation vehicle

F. Deployment Limitations: This type of specialized unit is designed to operate as a team. When deployed, the team shall be at full complement. Individual members, however, may be used in other police field incidents to enhance the police operation by virtue of his/her specialized equipment. When the use of an individual member is considered, the SORT commander shall be notified for assessment and approval when possible.

G. Risk Assessment Form: This form is a guide to evaluate the need to deploy the specialized tactical unit to ensure that it meets the risk potential of the incident.

H. High Risk Warrants: A risk assessment form shall be completed prior to determination that a "high risk" exists.

I. Operational Planning: If time constraints permit, before deployment of the specialized tactical unit, an operational planning session shall be considered and should include:

- **i.** A written operational plan identifying the mission given to the unit and the tasks assigned to each member.
- **ii.** A reading of the warrant or description of the events leading to the decision to deploy the specialized unit.
- **iii.** Acknowledgment that current surveillance of the targeted location has been done.
- **iv.** Identification, if known, of the subjects believed to be present at the targeted location.
- **v.** A description of the violence potential and any weaponry that may be present.
- **vi.** A schematic of the targeted location, if available, and any known tactical hazards.
- **vii.** The stationing of medical support, when necessary.

J. Operational debriefing: The unit shall conduct and prepare a written After Action Report of each operational deployment. After Action Report shall be complete within 72 hours of each deployment.

K. Inter-jurisdictional support:

- **i.** When the department is requested to assist another jurisdiction by the deployment of the specialized tactical unit in a jurisdiction other than that policed by this department, the operational aspects and decisions will be made by Chief of Police or his designee in consultation with the SORT Commander. The manner of operational deployment will conform to this department's policy on the use of this specialized tactical unit.
- **ii.** When this department requires the assistance of another jurisdiction's specialized tactical team for either assumption of the mission or deployment with this department's tactical team, the policy of this department shall be considered. It is still the decision of this department's on duty commander to deploy any tactical unit within this department's jurisdiction.
- **iii.** Requests for assistance or mutual aid will be governed by compliance with Arkansas Law.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Stop, Arrest, and Search of Persons
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct the members of this agency on the lawful limits of authority with respect to contacts with persons.

II. Policy: The policy of this department is to protect and serve the constitutional rights of all citizens when stopping, arresting or searching individuals while balancing the needs of law enforcement in solving crime for the protection of the community.

III. Definitions:

A. Probable Cause: (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.

B. Probable Cause: (arrest): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that a crime has been or is being committed and the person to be arrested is the one who is or has committed the crime.

C. Reasonable Grounds: As used in this policy reasonable grounds shall have the same meaning as probable cause.

D. Reasonable Suspicion (temporarily detain): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that criminal activity is afoot.

E. Reasonable Suspicion (frisk): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that a person who is lawfully stopped is in possession of a weapon.

F. Frisk (weapon): A limited type of search where an officer may only conduct a search for weapons. With respect to a person such a search is limited to a pat-down of the subject's outer-clothing.

G. Strip search: The removal or rearrangement of clothing that results in the exposure or observation of a portion of the genitals, the buttocks, or the breasts of a female.

H. Consensual Contact: An interaction between a member of law enforcement and the public that is voluntary in nature. The law enforcement member has shown no authority that would cause a reasonable person to believe that they had no choice but to respond or comply with the officer's efforts. Under this type of contact an officer has no power to detain an individual who chooses not to participate in the contact.

I. Arrest: An arrest is the taking of a person into custody so that he may be held to answer for the alleged commission of a public offense.

J. Fresh pursuit: Shall include fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony in this state. It shall also include the pursuit of a person suspected of having committed a supposed felony in this state, though no felony has actually been committed, if there is reasonable ground for so believing. Fresh pursuit as used here shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

IV. Procedures

A. Consensual Contact - An officer may approach anyone and attempt a consensual contact.

i. Officers are not required to have reasonable suspicion for this type of contact.

ii. Officers may not take any steps through words or conduct to stop the person's movement under this type of stop.

iii. A person cannot be compelled in any way to participate in the stop.

B. Reasonable Suspicion Based Stops/Terry Stops-An officer who is aware of facts and circumstances that would lead a reasonable police officer to conclude that criminal activity is afoot, may stop a person, using reasonable force short of deadly force, and detain the person for a reasonable amount of time to investigate further.

i. A law enforcement officer lawfully present in any place may, in the performance of his duties, stop and detain any person who he reasonably suspects is committing, has committed, or is about to commit (1) a felony, or (2) a misdemeanor involving danger of forcible injury to persons or of appropriation of or damage to property, if such action is reasonably necessary either to obtain or verify the identification of the person or to determine the lawfulness of his conduct. An officer acting under this rule may require the person to remain in or near such place in the officer's presence for a period of not more than fifteen (15) minutes or for such time as is reasonable under the circumstances. At the end of such period the person detained shall be released without further restraint, or arrested and charged with an offense.

C. Reasonable Suspicion Based Frisk - An officer may conduct a limited frisk/pat-down of a person's outer clothing when the officer has reasonable suspicion to believe that a person who has been lawfully stopped is in possession of a weapon that poses a danger to the officer or others present.

i. Items that may support reasonable suspicion:

a. The type of crime for which the stop is based is one that would lead a reasonable officer to conclude generally involves a weapon.

b. The officer observes a bulge in the subject's clothing that has the appearance of a weapon.

c. The officer has information (anonymous tip merely providing description and location is not enough) indicating that a person is armed.

d. The officer is aware of the subject's history of carrying weapons.

e. The officer observes the subject reach as if reaching for, or reaching to hide a weapon (furtive movements).

ii. Plain feel: an officer may retrieve items which the officer feels during the frisk under the following circumstances:

a. The officer is conducting a valid frisk; and

b. The officer feels an item which the officer knows is not a weapon;

c. The officer immediately recognizes the item as evidence or contraband without making a further intrusion. Squeezing or manipulating the item during the frisk would constitute a further intrusion under this section and would therefore invalidate the seizure.

iii. The frisk is limited to a pat-down of the outer-clothing and does not include reaching into pockets etc. unless the officer feels an item during the frisk that the officer reasonably believes is a weapon.

D. Arrest: An officer may arrest an individual if the officer has probable cause to believe that a crime has been committed and probable cause to believe that the person to be arrested is the person who committed that crime. Once probable cause is established an officer may take custody of the subject and involuntarily transport the subject.

NOTE: If the person to be arrested is in a dwelling, refer to Search and Seizure Residence Policy. If the person to be arrested is in a vehicle, refer to Vehicle Search Policy.

E. Under Arkansas Law:

i. Procedure on Arrest: Upon making an arrest, a law enforcement officer shall

a. identify himself as such unless his identity is otherwise apparent;

b. inform the arrested person that he is under arrest; and

c. as promptly as is reasonable under the circumstances, inform the arrested person of the cause of the arrest.

ii. Authority to arrest without warrant. A law enforcement officer may arrest a person without a warrant if:

a. the officer has reasonable cause to believe that such person has committed a felony;

b. the officer has reasonable cause to believe that such person has committed a traffic offense involving:

c. death or physical injury to a person; or

d. damage to property; or

e. driving a vehicle while under the influence of any intoxicating liquor or drug;

f. the officer has reasonable cause to believe that such person has committed any violation of law in the officer's presence;

g. the officer has reasonable cause to believe that such person has committed acts which constitute a crime under the laws of this state and which constitute domestic abuse as defined by law against a family or household member and which occurred within four (4) hours preceding the arrest if no physical injury was involved or 12 (twelve) hours preceding the arrest if physical injury, as defined in Ark. Code Ann. § 5-1-102, was involved;

h. The officer is otherwise authorized by law.

iii. Arrest with Warrant:

a. Any law enforcement officer may arrest a person pursuant to a warrant in any county in the state.

b. A law enforcement officer need not have a warrant in his possession at the time of an arrest, but upon request he shall show the warrant to the accused as soon as possible. If the officer does not have the warrant in his possession at the time of the arrest, he shall inform the accused of the fact that the warrant has been issued.

iv. Authority to Arrest Outside of this Department's Jurisdiction: It is the policy of this department to assist local, state and federal law enforcement agencies in their legitimate law enforcement operations when requested. To provide such assistance, members of this department may travel outside this jurisdiction when requested by another law enforcement agency; under the terms of a mutual aid agreement; or when acting pursuant to applicable law.

a. An officer of this department may make an arrest outside of this department's jurisdiction within the State of Arkansas under the following circumstances:

1. Fresh Pursuit;
2. Warrant for arrest;
3. When requested by the local law enforcement agency for assistance and the officer requested is from an agency that has a written policy covering arrests outside of his jurisdiction;
4. When a county sheriff requests or grants permission for an officer from a contiguous county to come into the sheriff's county for purposes of

investigating and making arrests for violation of controlled substances laws.

F. Search Incident to Arrest of a Person:

i. When an officer arrests a person on the street, the officer may conduct a thorough search of the subject's person (not strip search) and the subject's immediate area of control.

ii. When possible and practicable, cross-gender pat-downs and searches will be conducted by an authorized person of the same sex as the arrestee.

iii. The purpose of this search is the following:

a. Protecting the officer from attack;

b. Preventing the person from escaping;

c. Discovering or seizing the fruits of the crime for which the person has been arrested; or

d. Discovering or seizing any instruments, articles, or things that are being used or which may have been used in the commission of the crime for which the person has been arrested.

iv. This search may include the subject's pockets as well as any items they are in possession of at the time of the arrest. For search incident to arrest in home (see Search and Seizure Residence Policy) for incident to arrest search in vehicle (see Motor Vehicle Stops Policy).

G. Privilege from Arrest:

i. Diplomatic and Consular Immunity

a. Background: Diplomatic immunity is a principle of international law by which certain foreign government officials are not subject to the jurisdiction of local courts and other authorities for both their official and, to a large extent, their personal activities. It should be emphasized, however, that even at its highest level, diplomatic immunity does not exempt diplomatic officers from the obligation of conforming with national and local laws and regulations.

b. Categories of persons entitled to diplomatic immunity are as follows:

1. Diplomatic Agent: Enjoys the highest degree of privileges and immunity. Diplomatic Agents may not be handcuffed (except in extraordinary circumstances), arrested or detained for any criminal offense. Generally, they are immune from any civil suits, but are not immune from receiving a citation/summons. Family members of these persons enjoy the identical privileges and immunity.

2. Diplomatic Administrative and Technical Staff: Enjoy privileges and immunity similar to Diplomatic Agents. Diplomatic Administrative and Technical Staff may not be handcuffed, arrested or detained for

any criminal offense. They enjoy immunity from civil suits arising in connection with the performance of their official duties. Officers may issue a citation for a motor vehicle violation. Family members enjoy identical privileges or immunity.

3. Diplomatic Service Staff: They are accorded few privileges and immunities. Diplomatic Service Staff may be arrested or detained for criminal offenses. They enjoy immunity from civil suits arising in connection with the performance of their official duties. Officers may issue a citation for traffic violations. Family members enjoy no privileges or immunities.

4. Consular Officers: Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Consular Officers may be arrested or detained, pursuant to an arrest warrant, for felony offenses. They may be prosecuted for misdemeanors, but may not be arrested or detained prior to trial or other disposition of charges. Officers may issue a citation for traffic violations. Generally, family members enjoy no privileges or immunity.

5. Consular Employees: Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Consular Employees may be arrested or detained for criminal offenses. Officers may issue a citation for traffic offenses. Family members enjoy no privileges or immunity.

6. Honorary Consuls: Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Honorary Consuls may be arrested or detained for criminal offenses. Officers may issue a citation for a traffic offense. Family members enjoy no privileges and immunity.

ii. Procedure for Notification When a Foreign National is arrested:

a. Determine the foreign national's country. In the absence of other information, assume this is the country on whose passport or other travel documents the foreign national travels.

b. All foreign nationals must be told of their right to Consular notification.

c. If the foreign national's country is not on the mandatory notification list:

1. Offer, without delay, to notify the foreign national's consular officials of the arrest/detention.

2. If the foreign national asks that consular notification be given, notify the nearest consular officials of the foreign national's country without delay.

d. If the foreign national's country is on the list of mandatory notification countries:

1. Notify that country's nearest consular officials, without delay, of the arrest/detention. Tell the foreign national that you are making this notification

e. Keep a written record of the provision of notification and actions taken.

iii. Arkansas Exemptions from Arrest:

a. The organized militia shall be privileged from arrest during their attendance at muster and attendance at drills and in going to and returning from attendance at muster and drills in all cases except treason, felony, and breach of the peace.

b. The volunteer and militia forces shall in all cases (except treason, felony and breach of the peace) be privileged from arrest during their attendance at muster and the election of officers, and in going to and returning from the same.

c. All witnesses shall be privileged from arrest in all cases except treason, felony, or breach of the peace during their attendance on any court where their attendance is required by subpoena, and going to and returning from the place where they may be required to appear to testify, allowing one (1) day for every twenty-five (25) miles from their residence.

d. The members of the Senate and House of Representatives and the clerks, sergeants-at-arms, and doorkeepers of each branch of the General Assembly shall be privileged from arrest during the session of the General Assembly and for fifteen (15) days before the commencement and after the termination of each session.

e. All persons qualified to vote for representatives in the General Assembly shall be privileged from arrest during their attendance at any election and while on their way going to and returning from the election.

f. No person shall be arrested while doing militia duty under the order of his commanding officer or while going to or returning from the place of duty or parade.

g. No person shall be arrested in the Senate chamber or House of Representatives during their sitting, or in any court of justice during the sitting of the court.

h. Nothing contained in this section shall be so construed as to extend to cases of treason, felony, or breach of the peace or to privilege any person named from being served at any time or place specified in this section with a summons or notice to appear.

i. Electors shall, in all cases (except treason, felony and breach of the peace,) be privileged from arrest during their attendance at elections, and going to and from the same.

H. Strip Search: In order to conduct a strip search of an individual two threshold issues must be met:

i. The person must first be arrested based upon probable cause to believe that person has or is committing a crime.

ii. Field: The officer must have probable cause to believe that the arrestee is concealing evidence, contraband or weapons on their person. These searches shall be conducted at the police station or jail, unless exigent circumstances exist that make the search necessary to protect the officer or others from serious bodily harm or death. In such a case, the officer shall obtain supervisory authorization before making this search. In all cases the officer must seek a private area to conduct the search which is out of view of the public and other persons.

I. Booking: Strip searches during the booking process may only be conducted when officers can articulate reasonable suspicion to believe that the subject is concealing weapons or contraband.

i. All strip searches conducted shall be performed by persons of the same sex as the arrested person, in a professional manner, and on premises where the search cannot be observed by persons not physically conducting the search.

ii. Officers performing strip searches must obtain authorization from a supervisor for the purpose of authorizing the strip search.

iii. In all cases where a strip search has been conducted, the officer will document the following:

a. The name of the person searched;

b. The person who conducted the search;

c. The supervisor who authorized the search;

d. The offense the suspect was arrested for;

e. Facts and circumstances that led the officer to believe that the suspect was hiding weapons or contraband on his or her person;

f. The manner in which the search was conducted;

g. The persons who were present during the search;

h. The location where the search occurred;

i. The items that were recovered as a result of the search.

J. Body Cavity Searches: No search of any body cavity other than the mouth shall be conducted without a duly executed search warrant. Any warrant authorizing a body cavity search shall specify that:

i. The search must be performed under sanitary conditions;

ii. The search must be conducted by or under the supervision of a physician or registered nurse licensed in this state.

iii. In all cases where a cavity search has been conducted, the officer will document the following:

a. The name of the person searched;

b. The person who conducted the search;

c. The offense the suspect was arrested for;

d. The manner in which the search was conducted;

e. The persons who were present during the search;

f. The location where the search occurred;

g. The items that were recovered as a result of the search.

K. Warrantless Search by Law Enforcement Officer for a Supervised Probationer or Parolee.

i. A person who is placed on supervised probation or is released on parole is required to agree to a waiver as a condition of his or her supervised probation or parole that allows any certified law enforcement officer to conduct a warrantless search of his or her person, place of residence, or motor vehicle at any time, day or night, whenever requested by the certified law enforcement officer. A warrantless search that is based on a waiver shall be conducted in a reasonable manner (16-93-106).

ii. Though Arkansas Law does not require an articulable suspicion that the person is committing or has committed a criminal offense, this agency requires that an officer have some articulable law enforcement concern, however slight, prior to conducting such searches without the direct assistance of a parole or probation officer, or that the parolee/probationer be a party to an otherwise lawful stop based on reasonable suspicion or probable cause.

iii. Examples of a law enforcement concern include but are not limited to: Anonymous tips/reports that would otherwise not be sufficient to conduct a search; parolee/probationer found in known crime areas or otherwise under suspicious circumstances less than reasonable suspicion for a terry stop; parolee/probationer is a party to a lawful traffic stop or other detention whereby a search would otherwise be unlawful.

iv. Officers are prohibited from using this statute to harass.

v. Prior to a 4th amendment seizure (detention or stop) and or search of a parolee/probationer based on the sole fact that the person is merely a parolee/probationer, a member of this agency shall verify the status of the person believed to be on supervised probation or parole and that a waiver exists prior to conducting a seizure and or search by one of the following methods:

a. As part of a consensual contact, a person admits to being on probation or parole, admits that a waiver exists, and consents to search. Under this scenario, no seizure has occurred and the Officer is conducting a search under

the consent to search doctrine without having verified that a waiver exists via logical means.

b. Officer determines person is on probation/ parole via ACIC and confirms that a waiver is on file.

c. Officer determines person is on probation /parole and that a waiver exists through personal contact with the Departments of Correction or Community Correction or by contacting a Community Correction Officer prior to any warrantless search being conducted.

vi. Authority granted under this statute does not preclude other restrictions that may be applicable under law including 3rd party rights, co-occupants, etc.

vii. In the event a co-occupant or other lawful third party prevents the search of a residence where a parolee or probationer resides based on applicable law, Officer will advise the third party that the parolee/probationer may be in violation of his/her parole based on their lawful objection and the Officer will report the incident to Parole/ Probation for their consideration of enforcement.

viii. Officers will document all parole/probation searches or attempts to search in a manner approved by their agency. The report should document the date, time, location, parolee/probationer searched, scope of the search, the law enforcement concern that led to the search or an otherwise lawful stop, and the result of any such search.

ix. In addition to typical enforcement that may occur, the discovery of any criminal violation will be promptly reported to the appropriate Parole/Probation Officer for further administrative consideration.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Tire Deflation Devices
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. PURPOSE: Establishes guidelines for the issue and use of tire deflation devices by members of the Cabot Police Department.

II. POLICY: All marked patrol units should be equipped with tire deflation devices. Spike strips or any other approved tire deflation devices will only be used when a person(s) refuses to stop or pull over for a law enforcement officer attempting to affect a traffic stop or contact.

The safety of all officers, citizens, and suspects will be the priority when considering the use of any tire deflation device. The deployment of tire deflation devices will not be used on two (2) wheeled vehicles or all-terrain vehicles (ATV) unless the use of deadly force can be justified and with a supervisor's approval.

Caution should be used along with supervisor's approval when attempting to deploy any tire deflation device on school buses, passenger buses, vehicles transporting hazardous materials, or hostage situations. The use of tire deflation devices may pose an increased hazard in these situations.

Tire deflation devices may be used outside the Cabot city limits, with approval from a supervisor. Supervisors may give approval to assist other law enforcement agencies with a tire deflation device if assistance is requested by the other agency. Tire deflation devices, will not be used by any member of this department, unless he/she has been properly trained and certified in the use of such devices. After use of this system, the deploying officer will file a use of force report.

III. PROCEDURES:

A. Instructions located in each tire deflation device container will show the officer how to deploy the unit and how to make the necessary repairs once it has been used.

Communication between the pursuing officer, deploying officer, and other units involved is essential in achieving a safe and successful end to a pursuit. Whenever, the deploying officer has the assistance of another officer for communications, the safety and effectiveness of the deployment increases. When the deploying officer is a one man unit, other officers should consider providing assistance and work as a team rather than simply becoming another pursuing unit. A radio net should be directed to keep radio traffic to a minimum. This will also make it easier for the pursuing officer and the deploying officer to communicate with each other.

B. The following information should be obtained while these communications are in progress.

- **i.** The pursuing or assisting unit should advise direction of travel, vehicle description, number of vehicles involved, number of known occupants, lane of travel, etc.
- **ii.** The deployment officer(s) should make radio contact with the lead pursuit vehicle, if possible, and advise the pursuing unit of his location and intention to deploy the tire deflation device.

C. The deploying officer should use an area providing adequate sight distance and safety. Officer safety is the main objective at this time. If officer safety is questionable, deployment is not to be made.

- **i.** The lead pursuit unit will keep the deployment officer informed of his location, approaching speed, suspect driving ability, etc.

- **ii.** Identify any other law enforcement agencies involved.

- **iii.** The deploying officer(s) should not jeopardize their safety to retrieve a tire deflation device.

- **iv.** After the suspect vehicle passes over the tire deflation device, the deploying officer should immediately remove the device from the roadway so the pursuit unit may go through. The pursuit unit should slow down while traveling through the deployment area for officer safety and to keep from running over the deflation device. Damage may be caused by the tire deflation device to pursuing or non-involved vehicle.

- **v.** When the scene is secure, the deploying officer will clear any loose spikes from the roadway. The deploying officer will also replace any missing spikes from the tire deflation unit and check for damage before storing it away.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Training Directive
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. Purpose: The purpose of this policy is to direct continuous training for the members of this department as well as the essential documentation of said training.

II. Policy: It is the policy of this department to provide officers with continuous training on the recurring, high risk, critical tasks that an officer will face.

III. Definitions

A. High Risk Critical Tasks: These tasks include:

i. Tasks that the final policy maker of the department knows to a moral certainty that officers will face;

ii. The task is made easier with training or the policy maker knows that officers have historically made mistakes; and

iii. The wrong decision with respect to the task will lead to a physical or a constitutional injury.

IV. Procedure: Each member of the department will receive an annual block of training on each of the high-risk critical tasks in law enforcement including:

A. Annual Training

i. Use of force (Response to Resistance) to include qualification/certification of any weapons or special equipment the officer may utilize.

a. Firearms training must be conducted, at a minimum, once per year.

b. Firearms training must include low-light shooting as well as decision-making scenarios.

c. Firearms training must meet all other requirements promulgated by Arkansas Law Enforcement Officers Training and Standards Commission.

ii. Motor Vehicle Pursuit Training for each sworn officer and dispatcher under the control of the department

iii. Emergency operation of vehicles

iv. Search and seizure/arrest

v. Care, custody, restraints and transportation of prisoners

vi. Domestic violence & Department Employee involved Domestic Misconduct

vii. Off-duty conduct of officers/ Off-duty paid details

viii. Sexual harassment/ External Sexual Misconduct by Officers

ix. Complaints and internal affairs investigations

x. Special Operations: SWAT; Narcotics, High Risk Warrants Service (For Personnel who may be faced with this issue)

xi. Dealing with the disabled including the mentally ill, emotionally disturbed persons, and persons with diminished capacity/excited delirium.

xii. Biased based policing

xiii. Tire deflation devices

B. Specialized Training

i. All officers who are promoted or receive a functional re-assignment should receive training related to skill development for their new position.

V. Documentation: All training shall be documented in the following manner:

A. Each officer shall have a training file that indicates the training programs received by the officer to include:

i. Subject matter of the training

ii. Date of the training

iii. Number of hours

iv. Proficiency scores where applicable

B. Department files will contain a lesson-plan and outline of each in-house training session which indicates the following:

i. Subject matter

ii. Lesson plan

iii. Course objectives

iv. Course content

v. Handout materials

vi. Dates training was given

vii. Instructor of training

C. Department will also retain as part of department records, documentation relating to any external program an officer attends as part of continued training.

D. The department will maintain a file on all training required by state mandate and shall document that training in accordance with this policy.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Transportation & Restraint of Prisoners
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** To establish guidelines for the reasonable and safe transportation and restraint of prisoners.

II. **Policy:** It is the policy of this department to establish uniform procedures that provide adequately for the safety and security of prisoners, transporting officers, and the public during prisoner transport. Transportation and restraint by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity.

III. **Definitions**

A. Contraband: Articles or substances prohibited from the possession of prisoners.

B. Handicapped Prisoner: A prisoner with an anatomical, physiological, or mental impairment that hinders mobility.

C. Prisoner: A person who has been arrested and taken into custody.

D. Proper Search: The physical inspection of a prisoner's person, clothing, and effects for weapons or potentially hazardous articles to be used against law enforcement personnel. This search shall also have consideration for contraband, such as narcotics, narcotic paraphernalia and implements which may facilitate an escape from custody or confinement. A proper search shall be conducted in accordance with federal and state constitutions and statutes and be consistent with this department's policy on searches.

E. Restraining Devices: Equipment such as handcuffs, flex-cuffs, restraint belts, leg irons, hobble devices, and maximal restraint tools, used to restrain the movement of the prisoner.

F. Security Hazard: Any threat to the security of the prisoner, to the facility in which he/she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by department personnel to provide proper protection for and security of the prisoner.

G. Transporting Officer: A department employee who is responsible for transporting a prisoner from one point to another.

IV. Procedures

A. Vehicle Inspection

i. At the beginning and end of each shift, all vehicles regularly used for prisoner transport, shall be inspected by the department member assigned to that vehicle to determine that all safety devices are in working order and that the interior is free of weapons and contraband.

ii. Prior to placing a prisoner in a vehicle for transport or detention, the officer shall inspect the interior for weapons and contraband. An additional inspection shall be conducted after the prisoner has been delivered to the detention facility or other destination.

iii. Officers will utilize their in-car audio and video recording devices throughout the entire transport where such equipment is available.

B. Restraining Devices

i. Officers shall use only those restraining devices for which they have been trained.

ii. With few exceptions, all prisoners shall be handcuffed, double locked and checked for proper application, with their hands behind their back. Exception: When transporting prisoners for court or extended distances officers may choose to utilize restraint belts.

iii. Officers may use discretion in restraining persons or using other restraining devices in specific cases such as:

a. Obvious state of pregnancy;

b. Prisoner has a physical handicap;

c. Prisoner has injuries that could be aggravated by standard handcuffing procedures;

d. Elderly and very young persons.

iv. All prisoners shall be secured with seatbelts. No prisoner shall be handcuffed to any part of the police vehicle.

C. Where feasible and practical, an on-duty supervisor shall be notified when:

i. The officer is transporting a person who is handicapped;

ii. The officer is transporting a person known to be mentally ill;

iii. The officer is transporting a person with an injury;

iv. The officer is transporting a person known to have a communicable disease;

v. All transports involving the special circumstances outlined above shall be documented via police report as to the occurrence as well as the action taken if a report is completed. No reports are required for an uneventful transport.

D. Escape: In the event of an escape during transport:

i. The transporting officer shall:

a. Immediately notify the dispatcher and supervisory personnel;

b. Immediately coordinate with responding officers to establish a perimeter;

c. Brief responding supervisory personnel.

ii. The responding supervisor shall:

a. Take command of the perimeter and search operation

b. Determine the need for additional department/inter-department resources

c. Ensure that all proper notifications are made up the chain of command

d. Ensure that the events surrounding the escape and search operation are properly documented.

E. Transport

i. Prior to transport, the officer shall thoroughly search all prisoners for any weapons, tools of escape, or contraband.

ii. In the event that the transporting officer and prisoner are of the opposite sex, a search will be conducted prior to transport for the purpose of seizing any weapons, tools of escape or contraband. This search should be observed, if possible, by a witness or in front of the video camera system, and the officer will use the back of his/her hand on or around sensitive areas of the body. When possible and practicable, an authorized person of the same sex as the prisoner should be requested for these types of searches.

iii. Any search shall be documented by the transporting officer if a report is completed.

iv. Prior to transporting a prisoner, the transporting officer shall notify the dispatcher if the prisoner or passenger is the opposite sex. The transporting officer will notify dispatch of the starting and ending mileages.

v. Prisoners shall be transported in the following manner:

a. If the transport vehicle is equipped with a safety barrier, the prisoner should be placed in the rear, right-side seat.

b. If the transport vehicle is equipped with a safety barrier, and two prisoners are being transported the prisoners shall be placed in the rear seat.

c. Up to three prisoners may be transported in a vehicle equipped with a safety barrier. The prisoners shall be placed in the rear seat.

d. All prisoners being transported shall wear properly fastened seat belts. Officers will not place an arrested person in a reclined position inside a police vehicle prior to transportation.

e. Although the preferred method of transportation is a vehicle equipped with a safety barrier, a prisoner may be transported in a vehicle not equipped with a safety barrier if the prisoner is appropriately handcuffed and seat belted.

f. Any wheelchairs, crutches, and medication shall be transported with, but not in the possession of the prisoner.

g. Prisoners shall not be left unattended while being transported.

h. Unless approved by a supervisor, no stops will be made while transporting a prisoner except under extreme circumstances.

i. A transporting officer shall not respond to the need for law enforcement services or back-up unless the risk to other citizens or law enforcement officers is both clear and serious and the risk to the prisoner(s) is minimal.

j. Prisoners of the opposite sex may be transported together as long as they are properly handcuffed and seat belted.

k. If a prisoner is to be transported to court or any other facility and the prisoner is believed to be a security hazard, the transporting officer(s) shall inform the receiving law enforcement personnel in order that they may prepare to accept custody of the prisoner.

vi. Special Transport Situations

a. Use of restraints when dealing with persons of diminished capacities: These types of persons may present officers with conflicting considerations in determining the best means for restraint and transportation. The ultimate mission is to safeguard the interests of the subject and transporting officers. In some cases an ambulance may be required

b. If a prisoner becomes sick or injured incidental to arrest, the transporting officer, when possible, shall summons emergency medical support to examine the prisoner prior to transport.

c. If emergency hospital treatment is necessary, the prisoner shall be transported to the hospital accompanied by at least one officer. The officer shall remain with the prisoner unless prevented by emergency circumstances or treatment needs or released by a supervisor.

d. If emergency hospital treatment is not necessary, and a reasonable request is made by the prisoner to go to the hospital, the prisoner shall be transported in a department vehicle.

1. Prisoners with physical handicaps may be transported in department vehicles. All reasonable precautions shall be taken by the transporting officer to ensure the security and reasonable comfort of the prisoner, without compromising the safety of the transporting officer(s).

2. Appropriate measures for the security and control of prisoners in medical facilities shall be taken. Whenever an officer transports a prisoner or is transported with a prisoner to a medical facility, the officer shall:

- Maintain a constant view of the prisoner unless restricted by medical personnel;

- Ensure that proper restraints are applied to the prisoner until the medical staff needs them removed for medical treatment. Once treatment is completed, proper restraints shall be reapplied;
- Guard against any injury to the officer and all medical staff;
- If required to guard the prisoner, and when possible, rotate guarding assignments at regular intervals to avoid complacency;
- Ensure that the prisoner does not have contact with visitors;
- Notify hospital security, if available.
- If the prisoner is admitted to the medical facility, and cannot be arraigned by a magistrate or appropriate official, or issued a summons, notify the shift supervisor to arrange for 24 hour guard coverage;

e. Upon the prisoner's release from the medical facility, and prior to transport, the prisoner shall be thoroughly searched; and

1. Upon the prisoner's release from the medical facility, the transporting officer shall ensure that the prisoner's discharge papers and instructions for future treatment are secured and transported back to the detention facility and placed with the prisoner's property.

2. The detention facility shall note the instructions on the prisoner's detention medical forms and any future treatment and appointments.

f. Special safety considerations shall be adhered to when a prisoner being transported has been involved in the following types of incidents:

1. A violent struggle during apprehension;

2. Subjected to the use of a chemical agent, Taser, neck restraint hold, multiple body weight control, or impact strikes to the body;

3. Is highly intoxicated on either alcohol or drugs or a combination; or

4. Secured by a hobble tool.

g. Special safety considerations include:

1. Ensure that the prisoner remains in a seated, upright position;

2. Personnel shall maintain constant visual and audible observation of the prisoner;

3. If there is any indication that the prisoner is in medical distress the officer(s) shall administer emergency medical attention consistent with his/her level of training and shall immediately summon emergency medical support; and

4. Shall advise the detention staff accepting the prisoner of all of the above circumstances.

5. In all cases of restraint, once the restraint is accomplished officers will ensure that the person is turned on their side or in an upright position so as to facilitate the subject's ability to breathe.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Use of Force including Use of Less Lethal/Sound Diversionary Device/Personal Irritant Spray
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose**: The purpose of this policy section is to set guidelines for employees that may be required to use force.

II. **Policy:** The Department recognizes and respects the value and special integrity of each human life. Investing law enforcement officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this Department that law enforcement officers use that force that is objectively reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another.

III. **Procedure:**

Graham vs. Connor (1989), The Supreme Court decision held that an officer's decision to use force must be judged from the "perspective of the reasonable officer," within the circumstances that are "tense, uncertain, and rapidly evolving." This standard ask whether the officer's actions are objectively reasonable in light of the facts and circumstances confronting the officer and not whether the officer's subjective intent or motive was evil or good. Any inquiry into the reasonableness of an officer's action will view the use of force in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.

The four Graham factors considered are, but not limited to: (no single factor should be considered in a vacuum)

- What was the Severity of the Crime?
- Was the Suspect an Immediate Threat?
- Was the Suspect Resisting Arrest?
- Was the Suspect Fleeing from a Lawful Arrest?

A. A.C.A. 5-2-610 Use of physical force by law enforcement officers:

i. A law enforcement officer is justified in using non-deadly physical force, or threatening to use deadly physical force upon another person when he reasonably believes the use of non-deadly physical force or the threat of use of deadly physical force is necessary to:

a. Effect an arrest or to prevent the escape from custody of an arrested person unless the law enforcement officer knows that the arrest is unlawful; or

b. Defend himself or herself or a third person from what the law enforcement officer reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

ii. A law enforcement officer is justified in using deadly physical force upon another person if the law enforcement officer reasonably believes that the use of deadly physical force is necessary to:

a. Effect an arrest or to prevent the escape from custody of an arrested person whom the law enforcement officer reasonably believes has committed or attempted to commit a felony and is presently armed or dangerous; or

b. Defend himself or herself or a third person from what the law enforcement officer reasonably believes to be the imminent use of deadly physical force.

B. Guidelines - Use of Deadly Force;

i. In order to provide supplemental guidelines for the use of deadly physical force, the orders of this department specifically prohibit:

a. Firing into occupied structures, vehicles or other places where the offender is suspected to be hiding, except, when there is no doubt as to the offender's location and deadly physical force is being directed from that location at an officer or others.

b. Use of deadly physical force in cases involving misdemeanor offenses, or escape from custody for the commission of misdemeanor offenses, except, when an officer or others are in imminent danger of death or serious bodily injury.

c. Firing a warning shot.

d. The drawing or displaying of firearms, except, when an officer, in the exercise of sound judgment, has reason to fear for his or her own personal safety and/or the safety of others. This includes but is not limited to, the search of buildings for suspects, robberies in progress, or when the offender is suspected of having a deadly weapon in their possession, etc. The intent of this provision is to permit the officer to protect themselves, others and to thereby avoid the necessity of actually having to use his or her firearm, when the threat of doing so might accomplish the desired results.

C. Use of Less-Lethal Extended Range Impact Devices

i. Purpose: To establish policy and procedures for the issuance and use of Less-Lethal Extended Range Impact Devices by officers of the Cabot Police Department.

ii. Less-Lethal Force Philosophy: A concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional police tactics.

iii. Kinetic Energy Impact Projectiles: Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury, when compared to conventional projectiles.

iv. Policy / Procedure: It is the policy of the Cabot Police Department to provide the tools necessary for its officers to do their jobs in a safe, productive, and effective manner. The police department recognizes that combative, non-compliant, armed and or violent subjects cause handling and control problems that require special tactics and equipment. Thus, the Cabot Police Department has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations. Officers of this department will be instructed in the use of less-lethal extended range impact devices. These impact devices are not necessarily a replacement or substitute for other less-lethal devices or tactics and should only be used when it is determined to be the best available enforcement tool or tactic under the given circumstances. These impact devices are tools that can be used at the discretion of the officer when the decision is made that the use of force is reasonable under the circumstances. These devices are not intended to take the place of deadly force, when deadly force is justified. However, under certain circumstances these devices may be used as an alternative to deadly force when deadly force may be justified. As with any use of force, officers will be held accountable for their use of less-lethal devices. A use of force report/supplement will be completed in addition to any other reports any time less-lethal devices are used.

a. Only less-lethal extended range impact devices issued by the Cabot Police Department will be used by members of this department. The department issued shotgun will be carried with lethal ammunition in the magazine. The police unit will carry the approved less-lethal rounds within ready access at all times during a tour of duty.

b. Transition: When a qualified officer transitions the weapon from lethal to less-lethal ammunition, the following procedures shall be performed. The officer is solely responsible for the condition of the weapon (lethal vs. less-lethal rounds).

1. All duty ammunition will be removed from the weapon and remain under the control of the officer. The officer will visually and physically inspect the chamber and magazine to insure that all lethal ammunition has been removed from the shotgun. The officer will then load the less-lethal rounds into the shotgun, visually inspecting each round prior to insertion, ensuring that each round is in fact a less-lethal round.

c. Before transition to less-lethal ammunition, the officer shall consider: the level of force being confronted, the proximity/access of the subject to the officer, and safety priorities. The officer will always have a backup officer to provide lethal cover if necessary and appropriate. Special consideration of lethal cover should be made in all cases involving subjects with firearms.

d. Suspects who are struck with a less-lethal device should be restrained and transported to a medical facility for examination. Photographs of any and all injuries of persons involved in the incident. NOTE: a photograph showing a lack of injury may be as important as one which shows injury. Photos will be labeled with the following information: name of person being photographed, description of area photographed (bruise to right thigh, cut on left arm, etc.), place photo was taken, report number, date and time photo was taken, and name of person taking photograph.

e. Officers must ensure that all personnel on the scene are aware that less-lethal rounds are involved in the event and notification should be provided that such rounds are going to be deployed prior to deployment. The officer deploying less-lethal should direct or control the verbalized efforts to effect surrender from the suspect or subject.

f. The less-lethal projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities and the level of force authorized. The escalation of trauma by vital and vulnerable areas chart is the recognized department model for determining contact areas for kinetic energy impact weapons, based on potential for injury.

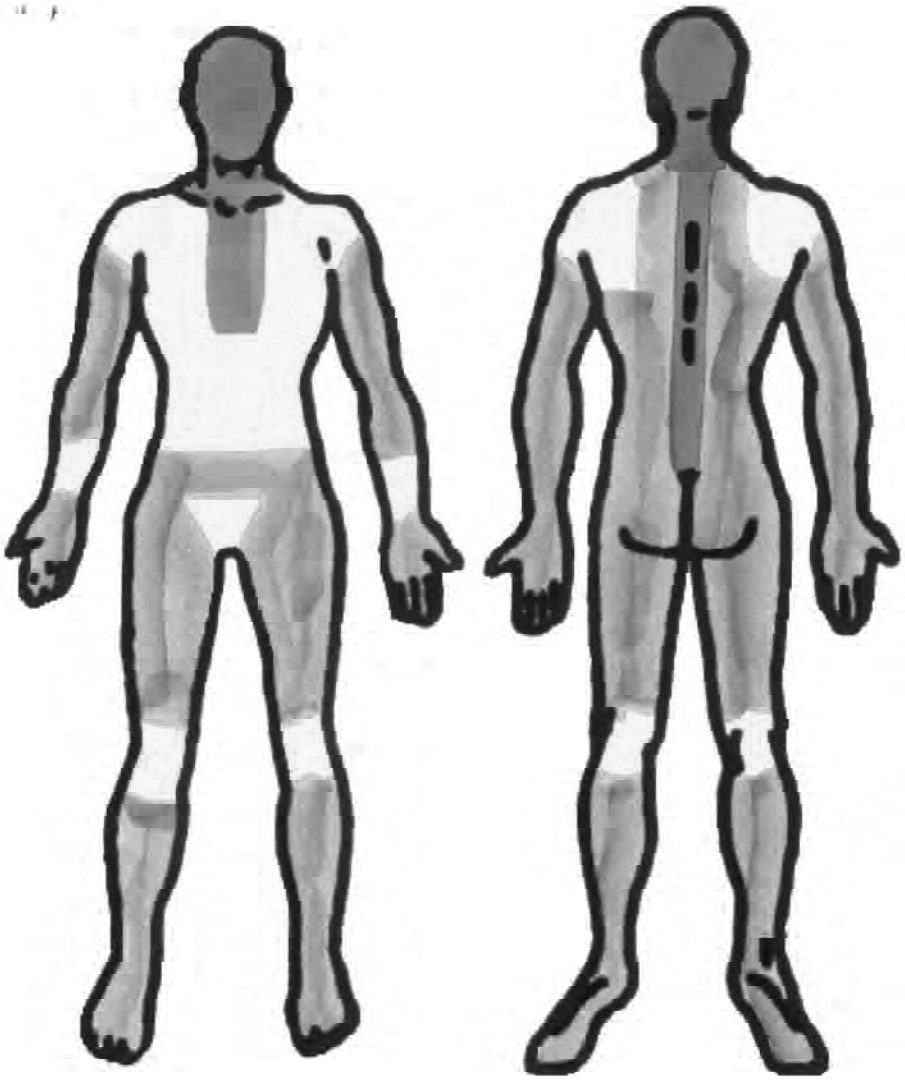
g. Delivery of less-lethal rounds should occur at ranges of no less than 10 yards (30 feet) and no more than 30 yards (90 feet), unless deadly force is justified. Not recommended beyond 15 yards (45 feet), due to accuracy declining.

D. Target Areas

i. PRIMARY (GREEN) Target areas, minimum level of resultant trauma. Injury tends to be temporary rather than permanent, however exceptions can occur. Areas are: instep, shins, thighs, lower abdomen, forearms, back of heels (Achilles tendon), calf, buttocks, back of hands, elbow joints, and upper arms.

ii. SECONDARY (YELLOW) Target areas, moderate level of resultant trauma. Injury tends to be more permanent, but may also be temporary. Areas are: knee joints, upper abdomen, shoulders, inside of wrist, shoulder blades.

iii. FINAL (RED) Target areas, highest level of resultant trauma. Injury tends to be permanent rather than temporary and may include unconsciousness, serious bodily injury, shock or death. Intentional impacts to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate.



PRIMARY **(GREEN)** target areas-minimum level of resultant trauma. Injury tends to be temporary rather than permanent, however exceptions can occur. Areas are: Instep, shin, thigh, lower abdomen, forearm, back of heel (Achilles tendon), calf, buttock, back of hand, elbow joint, upper arm.

SECONDARY **(YELLOW)** target areas-moderate level of resultant trauma. Injury tends to be more permanent, but may also be temporary. Areas are: Knee joint, upper abdomen, shoulder, inside of wrist, shoulder blades.

FINAL **(RED)** target areas-highest level of resultant trauma. Injury tends to be permanent rather than temporary and may include unconsciousness, serious bodily injury, shock or death. Intentional impacts to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate.

- Delivery of the less-lethal round shall occur at ranges of no less than 10 yards (30 feet) and no more than 30 yards (90 feet), unless deadly force is justified.
- Not recommended beyond 15 yards (45 feet), due to accuracy declining.

E. Less-Lethal Taser Devices: *Refer to Electronic Control Device Policy*

F. Use of Sound Diversionary Devices:

i. Purpose: The purpose of this policy section is to provide guidelines when deploying the use of sound diversionary devices.

ii. Policy: It will be the policy of this department to use sound diversionary devices in instances where it may mitigate high risk situations in attempt to protect the lives of the officers involved and the general public. However, in order to reduce any potential for injury, these lifesaving, less lethal devices must be properly deployed and their use, supervised.

iii. Procedure:

a. Only personnel who have successfully completed an approved training course in the proper use and deployment of sound diversionary devices shall be trained to use the devices; personnel should successfully complete annual familiarization training.

iv. Justification for Use:

a. Generally, sound diversionary devices may be considered whenever the use of a less lethal diversion would facilitate entry, enable arrest, and potentially reduce the risk of injury.

b. Circumstances justifying the use of sound diversionary devices shall include, but not be limited to:

1. Barricaded suspect and/or hostage situations

2. High risk warrant services

3. Circumstances wherein distraction of potentially violent persons is believed necessary in order to facilitate apprehension

4. Situations wherein the authorizing person deems their use necessary to safely resolve the incident.

v. Deployment Considerations:

a. Prior to deploying sound diversionary devices, personnel shall consider available intelligence information and circumstances (i.e., the presence of children, elderly person, etc.). Circumstances may dictate that exterior deployment is preferable to deployment on the interior of a structure. Devices should be deployed to an area visible to the deploying officer. Generally, these devices shall not be used solely for the preservation of evidence.

b. Sound diversionary devices have the potential to ignite flammable materials, therefor, a portable fire extinguisher shall be readily accessible whenever these devices are deployed.

c. Possible locations for deployment include but are not limited to:

1. Point of entry
2. Away from the point of entry as a distraction
3. Landings and stairwells
4. Suspected location of adversary
5. Wherever practicable in the circumstances

The use of sound diversionary devices in confined such as vehicles, closets, etc. should be considered lethal force.

vi. Documentation of the use of distraction devices:

a. When a distraction device is deployed, an incident/supplement report shall be completed which includes the following:

1. The reason for and manner of deployment
2. Reported injuries
3. Property damage
4. Photographs
5. Diagram showing area of deployment, including measurements.

G. Personal irritant spray

i. Purpose: This establishes the guidelines for the issue and use of aerosol irritant Oleoresin Capsicum by members of the Cabot Police Department,

ii. Policy: Oleoresin Capsicum Spray (OC Spray) should be used only in situations where physical force on the part of the officer is reasonably indicated and only as an alternative to a more extreme application of physical force. This weapon should never be used indiscriminately or punitively. Generally, as the use of force escalates, the use of an OC Spray is justified after attempts to use verbal direction has failed to bring about the subjects compliance and the subject has signaled that his intentions are to actively resist the officer's efforts to make an arrest. Officers should use this OC Spray to de-escalate a confrontation. Officers shall use this OC Spray only to effect a lawful arrest, prevent escape, or defend the officer or another from imminent physical force. Officers will not have in their possession any type of OC Spray except that which is currently issued by the department.

iii. Issue: Upon completion of an aerosol irritant training course, each officer will be issued a projector and a utility belt holder as standard equipment. The date of issue will be noted as to ensure each officer of full potency.

iv. Procedure: Instructions on each aerosol container and the following procedures govern the deployment of these projectors by members of this Department.

a. OC Spray is not to be used in the presence of the sick, debilitated, or infants unless other avenues of control are not feasible.

b. Only under conditions which represent as an extreme hazard to the officer will OC Spray be used at a distance of less than three (3) feet. Maximum effective distance is 8 - 12 feet. Try to maintain a distance of six (6) feet, this maintains your reactionary gap and gives you time to react to suspect actions.

c. OC Spray should not be deployed when another police officer is in close physical contact with the suspect to be sprayed.

d. Ideally, each spray should last for about one - half to one second bursts, and no longer than two (2) seconds.

e. If the first spray hits the target individual and is ineffective, a second spray should not be attempted.

f. Individuals who have been hit in the eyes or face at close range (less than three (3) feet), or those who did not respond to the OC Spray and received a prolonged dosage should be treated by a physician as promptly as possible after exposure.

g. Officers deploying OC Spray on an individual shall complete a Use of Force of Report.

v. Decontamination procedures and first-aid: As soon as reasonably possible after use of the OC Spray on a subject, the following decontamination procedures and first aid should be rendered to the subject.

a. Flush contaminated area with copious amount of clean water and expose to fresh air as soon as possible after exposure. Have the suspect rapidly blink their eyes in the water to help wash out the OC Spray.

b. Encourage the suspect to breathe normally. Allow the suspect to remove contact lenses; the officer should not remove them.

c. A moist towel may be used to pat the area, caution the subject not to rub his/her eyes - rubbing will irritate the skin and increase the burning sensation. Monitor the suspect.

vii. Briefing jailers: Further relief for the subject may be gained by showering and washing affected areas with soap and water. Advise jailers at the time of booking that the subject has been sprayed with Oleoresin Capsicum aerosol irritant.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Vehicle Pursuit & Emergency Vehicle Operation
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to provide guidelines and directions for the establishment of responsibility for the safe operation of police vehicles during a pursuit; for the initiation or discontinuation of pursuits; for the responsibility of participating officers and supervisor; and to provide the essential balancing of the necessity for the pursuit and more immediate apprehension of the fleeing subject against the risks involved with the pursuit which might include death, injury and/or property damage.

II. **Policy:** The department recognizes its responsibility to apprehend criminals and lawbreakers, but it also recognizes a higher responsibility to protect and foster the safety of all persons in the operation of police vehicles under pursuit conditions. Officers operating under pursuit conditions shall be constantly aware that no assignment is too important and no task is to be expedited with such emphasis that any of the basic principles of safety are jeopardized. Therefore, officers shall only engage in pursuits when the need for apprehension outweighs the risk to the officer and the public.

III. **Definitions**

A. Authorized Emergency Vehicle: As defined by ACA 27-36-303 and 27-37-202, vehicles designated emergency police vehicles will be equipped with: blue rotating or flashing emergency lights and a siren, bell or whistle capable of emitting sound audible under normal conditions from a distance of not less than 500 feet.

B. Discontinue the pursuit: the law enforcement officer ends his or her involvement in the pursuit by slowing down to the posted speed limit and turning off his or her emergency light and siren.

C. Authorization to continue pursuit: verbal approval, transmitted over the assigned radio channel, by the supervisor and acknowledgment by the dispatcher and the officer driving the primary unit.

D. Boxing-in: surrounding a violator's vehicle with emergency vehicles that are then slowed to a stop, forcing the violator's vehicle to do likewise.

E. Channelization: a technique where objects or vehicles are positioned in a manner intended to direct or redirect a fleeing vehicle into a clearly identifiable and unobstructed path.

F. Caravan: operating emergency vehicles in a line or alongside each other in a pursuit.

G. City vehicle: any motor vehicle that is owned, leased, or borrowed by the city.

H. Code-three emergency call: a request for police service that presents an actual and immediate danger of death or serious bodily injury.

I. Deadly force: force which creates a substantial likelihood of death or serious bodily harm.

J. Emergency operation: driving an emergency vehicle according to state law and this procedure in response to a code-three call or in pursuit of a fleeing vehicle.

K. Inter-Jurisdictional Pursuit: Any vehicle that crosses into a neighboring jurisdiction, such as across municipal, county or state line.

L. Marked police vehicle: a police vehicle displaying the emblem and marking of the police department equipped with emergency lights and audible warning devices per Arkansas statutes.

M. Paralleling: operating an emergency vehicle on streets or a route parallel to the pursuit route.

N. Police vehicle: a city vehicle assigned to the police department.

O. Primary unit: The authorized law enforcement vehicle that initiates a pursuit or any other unit, which assumes control of the pursuit.

P. Secondary unit(s): Any authorized law enforcement vehicle that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

Q. PIT (Precision Immobilization Technique): a controlled deliberate contact with the rear of a fleeing vehicle by a marked police vehicle with the intention of spinning the vehicle in a predetermined direction to bring it to a stop.

R. Ramming: deliberate contact with a violator's vehicle by a marked police vehicle to force the violator's vehicle off the roadway.

S. Roadblock: a barricade or other physical obstruction across a roadway set up to stop or prevent the escape of a fleeing vehicle.

T. Stop Stick/Spike Strip: a rigid column or a strip of belting containing specially designed hollow spikes which when deployed across a lane of roadway, penetrates tires, slowing the pursued vehicle usually to a complete stop.

U. Supervisor: the supervisor assigned or assuming control of a pursuit situation.

V. Terminate the Pursuit: The decision to discontinue the pursuit.

W. Unmarked police vehicle: a police vehicle not displaying the emblem or marking of the police department.

X. Vehicle Pursuit: an active attempt by a law enforcement officer operating an authorized law enforcement vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

Y. Violent felony: a serious felony that involves an actual or threatened attack that the officer has reasonable grounds to believe could result or has resulted in death or serious bodily injury (e.g. aggravated assault, armed robbery, and murder, etc.)

Z. Digital Recording: a recording device that records video and/or audio of a police event.

IV. Emergency Vehicle Operation:

A. The driver of any authorized emergency vehicle when responding to an emergency call upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety but may proceed cautiously past the red or stop sign or signal. At other times, drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal. During emergency vehicle operation, emergency lighting and sirens will be activated.

B. No driver of any authorized emergency vehicle shall assume any special privilege under the law except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law.

C. The driver of an emergency vehicle is not held to the prima facie speed limit or the maximum/minimum speed limits on the highway while on an emergency call. For purposes of this section, "emergency calls" means legitimate emergency situations which call for the operation of an emergency vehicle, including a police vehicle.

D. This law does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any emergency vehicle from the consequence of a reckless disregard of the safety of others.

E. Officers will not engage in emergency vehicle operation when transporting prisoners, witnesses, suspects, complainants, or any person who is not a member of this department except under extreme circumstances.

i. This shall not include persons approved for the ride along program. (See ride along policy)

V. Procedure

A. Pursuit Restrictions

i. Only two emergency vehicles - a primary unit and a secondary unit, shall engage in a pursuit, unless additional emergency vehicles are authorized specifically by the supervisor or administrative personnel.

ii. Digital Recordings: Emergency vehicles and officers equipped with mobile or body video recorders, officers shall ensure that the equipment is activated during the pursuit and remains running in accordance with policy.

iii. Roadblocks are prohibited.

iv. Use of tire deflation devices will be used in compliance with departmental policy.

v. Ramming of other vehicles should only be considered during deadly force situations. Officers shall not engage in boxing-in, caravanning or driving immediately alongside a fleeing vehicle unless authorized by the supervisor.

vi. If a pursuit is discontinued by the primary vehicle (unless for mechanical reasons) or the supervisor, then all officers shall discontinue the pursuit.

vii. Only emergency vehicles with emergency warning devices shall initiate or engage in a pursuit.

viii. Officers engaged in a pursuit shall not drive emergency vehicles the wrong way (against the regular flow of traffic) on a divided highway, interstate, or expressway or any other street or highway designated for one-way traffic, despite allowances in the state vehicular code. When a fleeing vehicle goes the wrong way against traffic, the primary officer shall:

a. Parallel the vehicle in the correct lane of traffic;

b. Notify dispatch of a wrong way driver;

c. Request assistance to shut down vehicular traffic on the highway coming in the fleeing subject's direction.

ix. Officers will not engage in a vehicle pursuit when transporting prisoners, witnesses, suspects, complainants, or any person who is not a member of this department. Exclusions may be made for sworn law enforcement officers acting in their official capacity.

B. Environmental Considerations: Officers shall carefully consider the facts and weigh the seriousness of the offense against the possible consequences of jeopardizing the safety of others by a continuous evaluation of the following at the time of the initiation and continuation of the pursuit:

i. Time of day and day of the week;

ii. Lighting conditions;

iii. Vehicular and pedestrian traffic;

iv. Type of roadway;

v. Condition of the roadway (e.g. dry, wet, paved, gravel, icy);

vi. Weather conditions (e.g. clear, overcast, rain, fog);

vii. Condition of the emergency vehicle and the condition and type of the fleeing vehicle;

viii. Driving ability of the officer; and

ix. Speeds of the emergency vehicle and the fleeing vehicle.

C. Pursuits will not initiate under the following conditions:

i. When the danger created by the pursuit outweighs the necessity for immediate apprehension;

ii. The officer knows the suspect's identity and knows that the suspect is wanted only for a traffic violation, misdemeanor, or nonviolent felony; or

iii. The pursuing officer knows, or has reason to believe, that the fleeing vehicle is being operated by a juvenile who has committed a traffic violation, misdemeanor or nonviolent felony, and who is driving in such an unsafe manner that it is obvious he does not have the maturity to deal with the danger involved.

D. Responsibilities of the Primary Vehicle Driver

i. At the earliest possible moment, activate the vehicle's emergency warning devices from the point of initiation to that of completion.

ii. Immediately notify communications of:

a. His or her unit number

b. The location

c. Direction of travel

d. Speed

e. Reasons for the pursuit

f. The description of the vehicle being pursued

g. The number of occupants

h. The presence of other law enforcement agencies

i. Location at the time the pursuit is discontinued

iii. Provide updated information regarding direction of travel, speed, and other pertinent details;

iv. Allow the secondary vehicle driver to assume all communications;

v. Abandon the pursuit if any mechanical problems develop in the primary vehicle;

vi. Discontinue the pursuit if the hazardous circumstances or environmental factors present an unreasonable risk to public safety.

E. Responsibilities of the Secondary Vehicle Driver

i. The first officer arriving to assist the primary vehicle driver shall notify communications and becomes the secondary vehicle driver;

ii. This officer shall activate all warning devices from the point of entry into the pursuit until it is ended while following the primary vehicle at a safe distance and shall assume the radio communications for the primary vehicle driver;

iii. This officer shall become the primary vehicle driver if the primary vehicle abandons the pursuit due to mechanical problems.

F. Responsibilities of the Supervisor

- **i.** Assume oversight of the pursuit.
- **ii.** Continuously review the incoming data to determine whether the pursuit should be continued or terminated.
- **iii.** Order units to clear intersections in the likely path of the pursuit where appropriate.
- **iv.** Ensure that not more than two (2) Cabot Police Department vehicles engage in the pursuit unless additional police vehicles are required based on the following circumstances:
  - **a.** The severity of the offense;
  - **b.** The number of occupants in the suspect vehicle;
  - **c.** The likelihood of the suspects being armed; or
  - **d.** Other relevant circumstances.
- **v.** Direct and approve necessary tactics in the pursuit; including authorizing termination of the pursuit through approved tactics.
- **vi.** Assign additional officers to traffic control, accident investigation, foot pursuit, and/or perimeter security;
- **vii.** Order the discontinuation of the pursuit at any time hazardous circumstances or environmental factors present an unreasonable risk to public safety; and
- **viii.** If on-duty and available, the supervisor will respond in all situations to the scene of any arrest resulting from the pursuit to control the scene where practical.

G. Responsibilities of the Communications Center:

- **i.** Clear the radio channel;
- **ii.** Assure that the on-duty supervisor is notified of the pursuit;
- **iii.** Notify the Patrol Captain;
- **iv.** Assure that all critical information received from the officers involved is relayed to other units;
- **v.** Record all information received from the pursuing officer;
- **vi.** Conduct an inquiry of the license plate through ACIC/NCIC;
- **vii.** Notify potentially affected jurisdictions of the pursuit, by telephone and terminal message;
- **viii.** Continue monitoring the pursuit.

H. Tactical Termination of Pursuit

- **i.** Tire deflation devices and use of firearms constitute seizures (i.e. a stopping of movement by a means intentionally applied) and use of force. In using these tactics officers should consider:

a. How serious is the offense that the officer suspects at the time they use the tactic?

b. Is there a physical threat to the officer or any other person and how significant is that threat?

c. Is the suspect actively resisting or attempting to evade arrest by flight?

ii. Use of firearms:

a. The use of firearms to affect the apprehension of a fleeing suspect is a use of deadly force.

b. Officers shall not shoot at or from a moving vehicle unless:

1. The officer has a reasonable belief that an occupant of the vehicle poses an imminent threat of death or serious bodily injury to the officer or another person, or

2. The officer has a reasonable belief that an occupant is using the vehicle in a manner that poses an imminent threat of death or serious physical injury to the officer or another person, and there is no avenue of escape.

iii. Roadblocks are prohibited.

iv. PIT Maneuvers are prohibited.

v. Tire Deflation Devices:

a. Only officers trained in the use of Tire Deflation Devices shall deploy them. The deploying officer shall advise pursuing units and all other units that they should distance themselves from the pursued vehicle and be prepared to slow down before entering the deployment site. Other traffic shall be diverted from the site if at all possible.

b. Officers deploying Tire Deflation Devices should be mindful of their own safety during deployment and not take unnecessary risks in their attempt to deploy or retrieve the Tire Deflation Devices.

c. Officers are responsible for making sure that their use is noted in the incident report and use of force report.

I. Officers should employ felony/high risk traffic stop techniques at the end of pursuits when circumstances warrant.

J. Reasons for Discontinuation of Pursuit: Any officer involved in a pursuit shall terminate the pursuit, and immediately notify communications of their point of discontinuation under any of the following conditions:

i. When ordered by any supervisor;

ii. When the officer believes the level of danger created by the pursuit outweighs the necessity for immediate apprehension;

iii. When the risk conditions have increased and the subject's identity has been established to the point where later apprehension can be accomplished and there is no longer any need for immediate apprehension;

iv. When the location of the pursued vehicle is no longer known;

v. Discontinuation of a pursuit requires the officer(s) to abandon all active attempts to stop the suspect vehicle. Officer(s) shall turn off all emergency equipment.

K. Inter-jurisdictional Pursuits:

i. Pursuits from this jurisdiction into another jurisdiction:

a. Notify, through communications, the other jurisdiction as soon as possible of the reasons for the pursuit, the vehicle description and if assistance is requested.

ii. Pursuits from another jurisdiction into this jurisdiction:

a. The communications staff should attempt to determine the number of police vehicles from the other jurisdiction that are involved in the pursuit, find out the circumstances of the pursuit to include the offense, vehicle description and if assistance is requested;

b. Supervisors will only approve assistance from this jurisdiction if the offense is in keeping with our justification for a pursuit. If the pursuit does not conform to this policy, officers shall not engage in the pursuit but may attempt to control intersections to promote the safety of innocent persons in the vicinity;

c. The supervisor should consider the nature of the offense for which the vehicle is being pursued;

d. The number of other agency vehicles involved in the pursuit. If there are two or more police vehicles from other agencies involved in the pursuit this agency will not engage unless the nature of the offense is so severe that the apprehension of the suspect(s) is imperative. Otherwise officers should monitor the pursuit through the city;

e. Should another agency be involved in a pursuit on U S Highway 67/167 officers of this department should standby at the exit or entrance ramps in an attempt to discourage the suspect from exiting and entering into the business and residential areas of the city. If the pursuit enters the city the supervisor will determine any involvement based on conformity with this policy;

f. Officers shall not attempt to block the exit or entrances with their police vehicle unless such act is approved by a supervisor based on the severity of the crime or approval of deadly force;

g. Officers should not engage in other agency pursuits on US Highway 67/167 unless authorized by a supervisor and the involvement conforms to this policy. Officers may monitor the pursuit on US 67/167 as it travels

through. Once the pursuit has traveled through, the officers should advise dispatch and return to duty;

h. If the pursuing agency requests assistance, officers may deploy tire deflation devices upon the approval from a supervisor;

i. When feasible, a supervisor will respond to the scene of any pursuit that ends in our jurisdiction;

j. The initiating agency will remain in control of any pursuit that crosses into this jurisdiction and will remain responsible for the pursuit.

L. Report and Review Process

i. The on-duty supervisor conducts an immediate investigation of the circumstances of the pursuit. An incident report shall be completed after any pursuit.

ii. The Chief of Police or his designee will determine compliance with all statutes and policies.

M. Training

i. Officers shall not be authorized to utilize any equipment or tactic during a pursuit unless the officer has received proper training and/or certification with respect to that equipment or tactic.

ii. Officers and dispatchers shall receive annual training on this policy.

VI. The Chief of Police or his designee shall prepare an annual report evaluating the pursuit history and frequency during that year. This report shall assess the adequacy of the written policy, training and field implementation of the department's pursuit policy.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Volunteers in Policing Service
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to set forth guidelines and mandates with respect to the use of volunteers to assist the department in providing for the public safety of the community.

II. **Policy:** It is the policy of this department to maintain an active group of civic-minded individuals who may serve as volunteers to assist this department in providing for the public-safety and welfare of the community. This department shall utilize volunteers in a capacity that diminishes risk to the volunteers and does not place the volunteer in a law enforcement function.

III. **Definitions**

A. Volunteer Coordinator: A paid member of this department designated by the chief of police or his designee to manage the volunteer services.

B. Volunteer: A non-salaried individual over the age of 18 who offers his or her time for the benefit of this department. The volunteer works willingly and of his or her own accord for a limited time and without promise, expectation or receipt of any type of compensation.

IV. **Procedure**

A. Selection Process:

i. Application: Each person who seeks a position as a volunteer with this department must complete an application. This application shall include all information as well as confidentiality waivers such that a proper background examination of the individual may be conducted. Each applicant must supply the names of three non-related references who may be interviewed during the background examination. The applicant must also provide an employment history for review.

ii. Background Examination: The department shall conduct a thorough and documented background examination of any person seeking to become a volunteer. This examination will be conducted by a sworn member of this

department and shall include a criminal history check, traffic records check, employment history check and references interview.

iii. Status: Once selected, volunteers must recognize that their status is "at-will" and that they may be dismissed at any time without cause. Volunteers are non-salaried and have no benefits or labor relation rights.

B. Maintaining Good Standing as a Volunteer:

i. Confidentiality**:** Volunteers must maintain confidentiality in the business of this department. Volunteers shall not release any information concerning any police event or make any public representation of the department without the express authorization of the Chief of Police or his designee.

a. Non-disclosure: each volunteer should not disclose any confidential information coming into the volunteer's knowledge through their position as a volunteer with this department.

b. Any request for information from the media or from the public regarding confidential information should be courteously directed to the office of the chief of police or his designee.

c. At no time shall a volunteer appear in the media or in the public as a representative of this department without the express permission of the Chief of Police or his designee.

ii. Time Requirements: This program requires a two-way commitment between the department and the volunteer. The department invests in the volunteer while the volunteer invests time in the department. Volunteers should complete four hours of volunteer time in the department per month in order to maintain their status as a volunteer.

iii. Training: Volunteers shall be trained in accordance with the functions they will be expected to fulfill within the department. Training shall include:

a. Overview of the Justice System: familiarization of the agencies within the justice system to include law enforcement, corrections and the courts.

b. Department orientation: familiarization with the department organization and structure as well as facilities and public resources.

c. Department reports and records management.

d. Being a good witness: The premise of this program with respect to volunteers who are placed in any public situation on behalf of the department is that volunteers do not take action when there is a law enforcement need, but rather, volunteers observe and report. With this in mind, volunteers should be made aware of the needs of law enforcement with respect to being a good witness. Training shall include: taking note of descriptive factors; direction of travel; and the actions of the suspect during the event.

e. Traffic and Crowd Management: At times, volunteers may be utilized to assist sworn personnel at special events. During such events, volunteers

may be utilized to assist with traffic and crowd management. Training in this area should include instruction on the proper methods of traffic and crowd management.

iv. Use of Equipment: Volunteers shall utilize equipment belonging to this department only when authorized to do so by the Chief of Police or his designee. At no time is a volunteer authorized to use any type of weapon belonging to this department.

a. Volunteers who are authorized to drive a vehicle belonging to this department are not authorized to drive the vehicle as an "emergency" vehicle as defined under Arkansas law. As such, any volunteer driving a vehicle belonging to this department shall obey all traffic laws.

b. No volunteer shall drive a vehicle belonging to the department unless it has been verified that the volunteer has a valid driver's license. Any volunteer who becomes aware of a change of their license status, shall immediately notify the department.

c. Vehicles that may be used by volunteers should be distinctively marked as volunteer vehicles or unmarked. This is necessary to ensure the safety of the volunteers who may be at risk if the public or persons who would harm an officer were to mistake a volunteer for an officer. Additionally, the expectations of the public upon seeing a marked vehicle belonging to this department may expect certain actions by law enforcement personnel that they would not expect from non-law enforcement personnel.

1. Seat belts shall be worn at all times while the vehicle is in motion.

2. Department vehicles shall be locked at all times when left unattended.

3. Department vehicles shall not be operated off paved roadways unless directed by a supervisor for special assignments or functions.

4. Department vehicles shall not be used for any purpose other than an assigned duty without permission of the Chief of Police or his designee.

5. No statements relating to a vehicle accident involving a department vehicle shall be made except that the volunteer shall provide information to the officer or supervisor investigating the accident.

d. Lighting Equipment: Vehicles that may be driven by volunteers may be equipped with "amber" emergency lighting to distinguish these vehicles from law enforcement vehicles. Volunteers shall not operate the lighting equipment while the vehicle is in motion. Emergency lighting shall only be used when the vehicle is in a stationary position and where said use is necessary for public safety.

v. Damage or Loss of Department Property: Volunteers shall not maliciously or unreasonably damage any department equipment or property. Any damage to

department equipment or property should immediately be reported to a supervisor.

vi. Uniforms: Volunteers shall wear the uniform prescribed by the Chief of Police or his designee, unless authorized to wear plainclothes. In such cases, the volunteer shall wear proper attire meeting the professional standards of this department.

C. Standards of Conduct

i. Expectations of Volunteers: Volunteers, like any member of this department, are expected to maintain the ethical standard of conduct demanded by this department. In all conduct relating to this department, volunteers are expected to act professionally and courteously to the public as well as to other department members. The role of a police volunteer does not include the duty to investigate crimes, pursue, apprehend or prosecute law breakers. Volunteers shall not go beyond an "observe and report" function.

ii. Representations: Volunteers shall not, at any time, represent themselves in any manner as a sworn member of this department. They shall make it clear that they are volunteers of this department.

iii. Weapons: Volunteers shall not be in possession of any weapon when acting in their capacity as a volunteer for this department.

iv. Alcoholic beverages: Volunteers shall not report for an assignment after consuming any quantity of alcoholic beverages or while any quantity of alcohol is present in their system. If the volunteer is scheduled for an assignment, they shall notify on-duty department personnel that they are unable to fulfill their allotted assignment. Volunteers are prohibited from drinking alcoholic beverages while identified as a volunteer of this department.

v. Prescription medications: Volunteers who are prescribed medications that may cause drowsiness or in some other way hamper their ability to function as a volunteer, shall report this fact to the department and should not be assigned volunteer duties.

vi. Arrest or investigation: Any volunteer who becomes aware that they are the subject of an investigation by a law enforcement agency or has been arrested, shall immediately report this fact to the department.

D. Duties and Limitations: Duties of the volunteers shall be directed by the Chief of Police or his designee.

i. Administrative Duties: Assist with report taking function and other administrative duties deemed appropriate by the Chief of Police or his designee.

ii. Search and Rescue.

iii. Citizens on Patrol shall be limited to high-visibility, non-confrontational assignments where the overall objective is to deter crime through visibility. Where observations are made with respect to suspected criminal activity, volunteers are to observe and report and shall not take action.

iv. Community education programs assist the department with crime prevention surveys and crime prevention education as well as other community education functions.

v. Special events: Volunteers may be utilized as directed by the Chief of Police or his designee to assist with special events to include traffic and crowd management. Such assignments shall be limited to non-confrontational positions and functions.

vi. Interpreter functions: In order to be utilized for this function, the volunteer must be certified as an interpreter unless such interpretation is for an emergency circumstance.

vii. Special Skills: In cases where a volunteer has a special skill that may be utilized for the good of the department, the Chief of Police or his designee may assign the volunteer to this special function. Under no circumstances shall the special function include one which involves confrontation or foreseeable danger to the volunteer.

CABOT POLICE DEPARTMENT

CABOT, ARKANSAS 72023

Wrecker Rotation/Request
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.
Date Implemented:

I. **Purpose:** The purpose of this policy is to ensure that each wrecker service within the Cabot Police Department rotation is properly selected through a computer generated request.

II. **Policy:** It shall be the policy of this department that all employees follow the guidelines set forth in this policy regulating the request for wrecker service from the rotational service established within the CAD system. Employees shall not deviate from this policy or use their professional or personal influence in the wrecker selection process.

III. **Wrecker Services:** Wrecker companies allowed to participate in the Cabot Police Department rotation are selected through a process with the city government as permitted by city ordinance. These wrecker services are governed by these city ordinances and must follow the guidelines of these ordinances in order to remain active within the wrecker rotational service.

IV. **Procedure:**

A. The only wrecker services allowed to participate with the Cabot Police Department must be approved by the city government and comply with city ordinance.

B. These wrecker services will then be placed on the wrecker rotational services within the CAD system.

C. On duty employees will not be allowed to recommend a wrecker service for any type of service.

D. Local wrecker services authorized by the Cabot Police Department will be used for non-consent towing such as driver arrests or abandoned vehicles and removal of disabled vehicles involved in accidents.

E. When requesting a wrecker the officer will advise dispatch to send the next wrecker on rotation. If the vehicle is involved in an accident and the operator/owner is unsure which wrecker service to use the officer will ask for the next wrecker on rotation.

F. Vehicles involved in accidents or disabled vehicles where the driver is present, the vehicles legal operator may request a particular wrecker service. If the vehicle is on the roadway or is a traffic hazard the wrecker service chosen by the individual must be able to be on scene as prescribed by the city ordinance. All wreckers must have the necessary equipment to properly tow the vehicle. If the wrecker chosen by the operator or owner cannot remove the vehicle from the roadway within the time allotted, the officer will then request the next wrecker on rotation. Vehicles towed from accident scenes will be noted on the report.

G. Unless the operator of the vehicle has requested particular wreckers and two vehicles need to be towed, each authorized wrecker service will tow one vehicle.

H. Wrecker services requested by owner's request will not interrupt the rotational service in CAD. The officer will make proper notification to dispatch of the owner's request for CAD entry. Dispatch will then note all information obtained for the towing in the CAD system. This information will be completed during the initial towing or impounding of the vehicle.

I. Individuals under arrest will not be allowed to choose or request the wrecker service.

J. All vehicles towed or impounded through non-consent circumstances will be inventoried and include a list of all property and items within the vehicle to protect the owner from theft. All information and property will be written on the department tow slip. The officer may include additional tow slips or forms if space is needed for documentation.

K. When practical, another officer should witness the vehicle inventory.

L. Unless probable cause for a search exists, no locked containers will be forcibly entered.

M. In the event of towing or impounding a locked abandoned vehicle, the vehicle should remain locked and items in sight inventoried on a department tow slip. The documentation must also indicate the vehicle was abandoned and locked.

N. The towing officer must make every attempt possible to document the property and items in the vehicle being towed or impounded under non-consent towing.

Ordinance No. 18 Of 2016

An Ordinance To Permit, Council Members, Officials, And/or Municipal Employees To Do Business With The City Of Cabot; Specifically Halton Roper; And For Other Purposes (THIRD READING)

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE 18 OF 2016

AN ORDINANCE TO PERMIT, COUNCIL MEMBERS, OFFICIALS, AND/OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; SPECIFICALLY HALTON ROPER; AND FOR OTHER PURPOSES

WHEREAS, Ark. Code Ann § 14-42-107(b)(1) states that no alderman, council member, official, or municipal employee shall be interested, directly or indirectly, in the profit of any contract for furnishing supplies, equipment, or services to the municipality unless the governing body of the city has enacted an ordinance specifically permitting alderman, council members, officials, or municipal employees to conduct business with the city; and

WHEREAS, Halton Roper has applied to do business with the City of Cabot to provide upholstery and auto glass/accessories services; and

WHEREAS, this ordinance does not waive the competitive bidding requirements of Ark. Code Ann §14-52-104, nor does it waive the requirement, enacted by Ordinance 5 of 1986, as amended, to obtain up to 3 quotes for purchases in excess of $1,000 but less than $20,000.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: Halton Roper is hereby permitted to conduct business with the City of Cabot, Arkansas, as described, upon the approval of this governing body.

SECTION 2: This Ordinance only gives authority for the services delineated on Exhibit "A", attached hereto and incorporated herein by this reference, and for none other. The authority for the given herein applies only to that activity which is specifically permitted and is the extent of the approval of that authority for the time period referenced herein.

SECTION 3: This Ordinance does not waive any requirements enacted by state or city law concerning competitive bidding.

SECTION 4: This Ordinance shall be in effect for two years from the date of its passage, ending August 15, 2018.

SECTION 5: REPEALER: All ordinances/resolutions and parts of ordinances/resolutions in conflict herewith are hereby repealed.

SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

_____
William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

_____
Jim Taylor, City Attorney

ATTEST:

_____
Tammy Yocom, City Clerk~Treasurer

Filed
AUG 10 2016
City of Cabot

7-1-16

RECEIVED
JUL 20 2016
Ym

"EXHIBIT A"

COUNCIL MEMBER, OFFICIAL, AND/OR MUNICIPAL EMPLOYEE APPLICATION TO DO BUSINESS WITH THE CITY OF CABOT

Individual Name: Halton D. Roper (Hal)

Company Name: Doyne's Glass & Upholstery

Relationship/Position with the City: Captain @ Fire Department

Services to be offered:

Auto Glass & Upholstery, Auto Accessories

Have you ever been approved to do business with the City of Cabot: ☑ Yes ☐ No

I understand that this application is subject to approval by the Mayor and City Council.

I also understand that this does not waive the competitive bidding requirements of Ark. Code Ann §14-52-104, nor does it waive the requirement, enacted by Ordinance 5 of 1986, as amended, to obtain up to 3 quotes for purchases in excess of $1,000 but less than $20,000.

I agree to attend the City Council meeting during which this document will be discussed.

Applicant Signature: _____

Mayor Signature: _____

EXHIBIT
A

Notes:

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Ordinance No. 20 Of 2016

An Ordinance To Repeal Any And All Legislation And Void Any And All Authority Previously Granted To Council Members, Officials And/or Municipal Employees To Do Business With The City Of Cabot; Declaring An Emergency; And For Other Purposes (SECOND READING)

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE NO. 20 OF 2016

AN ORDINANCE TO REPEAL ANY AND ALL LEGISLATION AND VOID ANY AND ALL AUTHORITY PREVIOUSLY GRANTED TO COUNCIL MEMBERS, OFFICIALS AND/OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, Ark. Code Ann § 14-42-107(b)(1) states that no alderman, council member, official, or municipal employee shall be interested, directly or indirectly, in the profit of any contract for furnishing supplies, equipment, or services to the municipality unless the governing body of the city has enacted an ordinance specifically permitting alderman, council members, officials, or municipal employees to conduct business with the city; and

WHEREAS, it is the City's desire to repeal any and all legislation and void any other authority that has authorized aldermen, officials, and/or municipal employees to do business with the City, prior to January 1, 2016.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: Any and all legislation that has been adopted and previously granted authority that has authorized aldermen, officials, and/or municipal employees to do business with the City, prior to January 1, 2016, is hereby repealed and/or voided; more specifically Ordinance 19 of 2012 is repealed in its entirety.

SECTION 2: EMERGENCY. The proper and efficient operation of the City of Cabot is of great importance to the health and welfare of its citizens. An emergency is therefore declared and this Ordinance being necessary for the preservation of the public peace, health, safety and welfare shall be in full force and effect from and after its passage.

SPONSOR:
William A. "Bill" Cypert, Mayor

FILED
SEP 14 2016
City of Cabot

APPROVED:
PASSED:
DATE:

William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

Jim Taylor, City Attorney

ATTEST:

Tammy Yocom, City Clerk

Ordinance No. 24 Of 2016

An Ordinance To Permit, Council Members, Officials, And/or Municipal Employees To Do Business With The City Of Cabot; Specifically Rick Prentice; And For Other Purposes (SECOND READING)

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE 24 OF 2016

AN ORDINANCE TO PERMIT, COUNCIL MEMBERS, OFFICIALS, AND/OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; SPECIFICALLY RICK PRENTICE; AND FOR OTHER PURPOSES

WHEREAS, Ark. Code Ann § 14-42-107(b)(1) states that no alderman, council member, official, or municipal employee shall be interested, directly or indirectly, in the profit of any contract for furnishing supplies, equipment, or services to the municipality unless the governing body of the city has enacted an ordinance specifically permitting alderman, council members, officials, or municipal employees to conduct business with the city; and

WHEREAS, Rick Prentice has applied to do business with the City of Cabot to provide new and used trucks/buses, parts, and service; and

WHEREAS, this ordinance does not waive the competitive bidding requirements of Ark. Code Ann §14-52-104, nor does it waive the requirement, enacted by Ordinance 5 of 1986, as amended, to obtain up to 3 quotes for purchases in excess of $1,000 but less than $20,000.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: Rick Prentice is hereby permitted to conduct business with the City of Cabot, Arkansas, as described, upon the approval of this governing body.

SECTION 2: This Ordinance only gives authority for the services delineated on Exhibit "A", attached hereto and incorporated herein by this reference, and for none other. The authority for the given herein applies only to that activity which is specifically permitted and is the extent of the approval of that authority for the time period referenced herein.

SECTION 3: This Ordinance does not waive any requirements enacted by state or city law concerning competitive bidding.

SECTION 4: This Ordinance shall be in effect for two years from the date of its passage, ending December 31, 2018.

SECTION 5: REPEALER: All ordinances/resolutions and parts of ordinances/resolutions in conflict herewith are hereby repealed.

SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

_____
William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

_____
Jim Taylor, City Attorney

ATTEST:

_____
Tammy Yocom, City Clerk~Treasurer

FILED
SEP 14 2016
City of Cabot

"EXHIBIT A"

COUNCIL MEMBER, OFFICIAL, AND/OR MUNICIPAL EMPLOYEE APPLICATION TO DO BUSINESS WITH THE CITY OF CABOT

Individual Name: RICK PRENTICE

Company Name: SUMMIT TRUCK GROUP / SUMMIT BUS COMPANY

Relationship/Position with the City: COUNCIL MEMBER

Services to be offered:

NEW AND USED TRUCKS AND BUSES / PARTS SERVICE AND SALES

Have you ever been approved to do business with the City of Cabot: ☒ Yes ☐ No

I understand that this application is subject to approval by the Mayor and City Council.

I also understand that this does not waive the competitive bidding requirements of Ark. Code Ann §14-52-104, nor does it waive the requirement, enacted by Ordinance 5 of 1986, as amended, to obtain up to 3 quotes for purchases in excess of $1,000 but less than $20,000.

I agree to attend the City Council meeting during which this document will be discussed.

Applicant Signature: Rick Prentice

Mayor Signature: Wm A. Gruner

Notes:

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Ordinance No. 25 Of 2016

An Ordinance To Permit, Council Members, Officials, And/or Municipal Employees To Do Business With The City Of Cabot; Specifically Eddie Cook; And For Other Purposes (SECOND READING)

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE 25 OF 2016

AN ORDINANCE TO PERMIT, COUNCIL MEMBERS, OFFICIALS, AND/OR MUNICIPAL EMPLOYEES TO DO BUSINESS WITH THE CITY OF CABOT; SPECIFICALLY EDDIE COOK; AND FOR OTHER PURPOSES

WHEREAS, Ark. Code Ann § 14-42-107(b)(1) states that no alderman, council member, official, or municipal employee shall be interested, directly or indirectly, in the profit of any contract for furnishing supplies, equipment, or services to the municipality unless the governing body of the city has enacted an ordinance specifically permitting alderman, council members, officials, or municipal employees to conduct business with the city; and

WHEREAS, Eddie Cook has applied to do business with the City of Cabot to provide printed and embroidered clothing apparel; and

WHEREAS, this ordinance does not waive the competitive bidding requirements of Ark. Code Ann §14-52-104, nor does it waive the requirement, enacted by Ordinance 5 of 1986, as amended, to obtain up to 3 quotes for purchases in excess of $1,000 but less than $20,000.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: Eddie Cook is hereby permitted to conduct business with the City of Cabot, Arkansas, as described, upon the approval of this governing body.

SECTION 2: This Ordinance only gives authority for the services delineated on Exhibit "A", attached hereto and incorporated herein by this reference, and for none other. The authority for the given herein applies only to that activity which is specifically permitted and is the extent of the approval of that authority for the time period referenced herein.

SECTION 3: This Ordinance does not waive any requirements enacted by state or city law concerning competitive bidding.

SECTION 4: This Ordinance shall be in effect for two years from the date of its passage, ending December 31, 2018.

SECTION 5: REPEALER: All ordinances/resolutions and parts of ordinances/resolutions in conflict herewith are hereby repealed.

SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

_____
William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

_____
Jim Taylor, City Attorney

ATTEST:

_____
Tammy Yocom, City Clerk~Treasurer

FILED
SEP 14 2016
City of Oxford

"EXHIBIT A"

COUNCIL MEMBER, OFFICIAL, AND/OR MUNICIPAL EMPLOYEE APPLICATION TO DO BUSINESS WITH THE CITY OF CABOT

Individual Name: EDDIE COOK

Company Name: COOK SCREEN PRINTING

Relationship/Position with the City: DIR. OF OPERATIONS

Services to be offered:

SCREEN PRINTING + EMBROIDERY ON CLOTHING.

Have you ever been approved to do business with the City of Cabot: ☒ Yes ☐ No

I understand that this application is subject to approval by the Mayor and City Council.

I also understand that this does not waive the competitive bidding requirements of Ark. Code Ann §14-52-104, nor does it waive the requirement, enacted by Ordinance 5 of 1986, as amended, to obtain up to 3 quotes for purchases in excess of $1,000 but less than $20,000.

I agree to attend the City Council meeting during which this document will be discussed.

Applicant Signature: Eddie Cook

Mayor Signature:

Notes:

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Ordinance No. 26 Of 2016
(Amended Numbering - Former 19)

An Ordinance To Prohibit Driving And Parking Upon Bike Lanes; To Prohibit All Wheeled Conveyances Upon Cabot Recreation Walking And Hiking Trails; To Authorize And Regulate Golf Cart Operation Upon Certain City Streets; To Repeal Ordinance 40 Of 2007; And For Other Purposes

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE ~~19~~ 26 OF 2016

(As Corrected)

AN ORDINANCE TO PROHIBIT DRIVING AND PARKING UPON BIKE LANES; TO PROHIBIT ALL WHEELED CONVEYANCES UPON CABOT RECREATION WALKING AND HIKING TRAILS; TO AUTHORIZE AND REGULATE GOLF CART OPERATION UPON CERTAIN CITY STREETS; TO REPEAL ORDINANCE 40 OF 2007, AND FOR OTHER PURPOSES

WHEREAS, bike lanes are used to create an on-street, separated travel facility for bicyclists and it is the desire of this governing body to enact regulations to protect bike lanes and cyclists while traveling upon lanes designated for cycling use; and

WHEREAS, to promote the health and safety of all citizens on walking, hiking, and bicycle trails designated for that use, this governing body desires to prohibit any and all wheeled conveyances, except wheelchairs and any other medical conveyance that is necessary to allow mobility for a disabled individual, upon all Cabot Recreation trails unless specifically designated for said use; and

WHEREAS, in accordance with Arkansas Code Annotated § 14-54-1410, the City of Cabot authorizes the operation of golf carts upon city streets and set forth regulations to protect the citizens that take advantage of such use.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CABOT, ARKANSAS THAT:

SECTION 1: Driving, Standing, or Parking on Bicycle Paths or Lanes Prohibited.

(a) This section of this ordinance shall be codified in the Cabot Code of Ordinances, Chapter 30 Traffic and Vehicles, Article I. In General, Section 30.6.

(b) Bicycle lanes shall have a shared use for the operation of bicycles and golf carts.

(c) The driver or operator of any vehicle shall not drive upon any bicycle lane, with the exception of a golf cart.

(d) The driver or operator of any vehicle, shall not park a vehicle upon any lane designated by official signs or markings for the use of bicycles, or otherwise drive or place the vehicle in such a manner as to impede bicycle traffic on such path or lane.

any time, if a vehicle is parked in a bicycle lane. If enforcement cannot make contact with the owner/operator of the vehicle in violation within 12 hours, enforcement will have the vehicle towed at the owner's expense and a citation may be issued. Upon the owner/operator being issued a written citation and if the vehicle in violation is not removed, the Cabot Police Department is hereby authorized to have the vehicle towed at the owner's/operator's expense.

(f) A person may operate a motor vehicle upon a bicycle lane for the limited purpose of making a turn, entering or leaving an alley, private road, or driveway.

(g) Enforcement. Cabot Police Department is authorized to enforce and issue citations to any individual in violation of the regulations set forth in Chapter 30 Traffic and Vehicles, Article I. In General, Section 30.6 of the Cabot Code of Ordinances.

SECTION 2: Wheeled Conveyances Upon Cabot Recreation Trails.

(a) This section of this ordinance shall be codified in the Cabot Code of Ordinances, Chapter 22 Parks and Recreation, Article II. City Parks and Recreation Areas, Section 22.1.

(b) For the purpose of this Ordinance, the term "wheeled conveyance" is defined as all wheeled objects such as but not limited to all-terrain vehicles of any kind, skateboards, coasters, scooters, conveyances, or similar devices used for transportation or sport which are not classified or considered to be baby strollers, or the like, wheelchairs or any other medical conveyance that is necessary to allow mobility for a disabled individual are exempt from this prohibition.

(c) For the purpose of this Ordinance, the term "shared use trails: is defined as a trail, designed for use by a variety of users, including pedestrians and bicyclists, located off-road, usually in a park or linear trail system.

(d) Any and all wheeled conveyances are prohibited upon all Cabot Recreation trails unless specifically designated for said use.

(e) Shared Use Trails are exempt from this probation.

(f) Baby strollers, or the like, wheelchairs, and any other medical conveyance that is necessary to allow mobility for a disabled individual are exempt from this prohibition.

(g) That signs shall be posted or erected at entrance points on all Cabot Recreation trails designating the use and prohibition of said trails.

(h) Enforcement. Cabot Police Department and Cabot Code Enforcement are authorized to enforce and issue citations to any individual in violation of the regulations set forth in Chapter 22 Parks and Recreation, Article II. City Parks and Recreation Areas, Section 22.1 of the Cabot Code of Ordinances.

SECTION 3: Requirements of Parks & Recreation Department

(a) This section of this Ordinance shall be codified in Chapter 22 Parks and Recreation, Article II. City Parks and Recreation Areas, Section 22.2 of the Cabot Code of Ordinances.

(b) The Parks Department shall provide to the Parks Commission, a list of each and every trail with its designated use and shall post the respective use, within ninety days upon the passage of this Ordinance.

(c) As new trails are built, the Parks Department shall provide to the Parks Commission, an updated list containing each and every trail with its designated use and said trails shall be posted with its respective use within sixty days from completion of said trail.

SECTION 4: Golf Carts – Authority and Regulations.

(a) That section 30.4 of the Cabot Code of Ordinances shall be repealed in its entirety and replaced with the regulations delineated in this section of this Ordinance.

(b) The operation of golf carts on city streets shall be exclusively authorized for travel from the owner's place of residence to the golf course and to return from the golf course to the owner's residence.

(c) Cabot citizens are authorized to operate a golf cart upon City streets of the municipality; however operation shall not be authorized on city street streets which are designated as federal or state highways or as a county road.

(d) Golf carts are authorized to operate upon bicycle lanes but golf carts shall yield to a cyclist.

(e) Golf carts are prohibited upon any and all City sidewalks.

(f) The operation of golf carts shall be prohibited by an unlicensed driver and such operation may result in the golf cart being towed by the Cabot Police Department at the owner's expense.

(g) All golf carts that operate on City streets as allowed herein shall maintain liability insurance on the golf cart, at the owner's expense.

(h) Enforcement. Cabot Police Department is authorized to enforce and issue citations to any individual in violation of the regulations set forth in Chapter 30 Traffic and Vehicles, Article I. In General, Section 30.4 of the Cabot Code of Ordinances.

SECTION 5: Penalty.

That it shall be unlawful for any person to violate any section of the Cabot of Ordinances or fail to comply with the provisions set forth in the Cabot Code of Ordinances. Any violation Cabot Code of Ordinances Chapter 22, Article II §§ 22.1 & 22.2 and Chapter 30, Article I §§ 30.4 and 30.6 shall be subject to a fine of not less than $75.00 nor more than $150.00 for the first offense; however; each subsequent offense thereafter shall result in a fine to increase by $150.00 increments but not more than $500 per violation.

SECTION 6: Repealer. All Ordinances and parts of Ordinances, in conflict herewith are hereby repealed to the extent of the conflict; specifically Ordinance 40 of 2007 is hereby repealed in its entirety.

SECTION 7: Severability Clause. If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions thereof which are valid, and that such valid portions shall be and remain in full force and effect.

SPONSOR:

_____
Doug Warner, Alderman Ward 2, Pos. 1

CO-SPONSOR:

_____
Ed Long, Alderman Ward 1, Pos. 1

PASSED:
DATE:
APPROVED:

_____
William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

_____
Jim Taylor, City Attorney

ATTEST:

_____
Tammy Yocom, City Clerk~Treasurer

FILED
SEP 15 2016
City of Cabot

Notes:

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Ordinance No. 29 Of 2016

An Ordinance To Set Millage Tax Rates To Be Collected In 2017 For The City Of Cabot; Declaring An Emergency; And For Other Purposes

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ORDINANCE NO. 29 OF 2016

AN ORDINANCE TO SET MILLAGE TAX RATES TO BE COLLECTED IN 2017 FOR THE CITY OF CABOT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, state law mandates that the county quorum court adopt an ordinance prior to the end of the year which establishes the various millage rates for assessments on real and personal property for the coming year; and

WHEREAS, the 2017 millage rates shall be established as stated in the following sections; subject to the approval of this governing body.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CABOT, ARKANSAS, THAT:

SECTION 1: The rate of taxation of real and personal property in the City of Cabot, Arkansas for certain City purposes are hereby fixed, established and levied as follows

SECTION 2: Application of Millage:

• City General	0.5 mills
• City General/LOPFI	0.5 mills
• Restrict to Fire Apparatus (Heavy Duty Fire Equipment)	0.4 mills
• Parks and Recreation	0.5 mills
• Restricted to Senior Citizens Center, Health Department, and Library Maintenance	0.5 mills
• Restricted to Library Operations	0.7 mills
• Restricted to Sidewalk Projects	0.4 mills
	3.5 mills

SECTION 3: If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions of the Ordinance which can be given effect without the invalid provisions or application, and to this end, the provisions of the Ordinance are declared to be severable.

SECTION 4: EMERGENCY. It is essential to the public health, safety, and welfare that the proper millage rates be stated each year, and this information be promptly communicated with the

Lonoke County government in order to assure that appropriate tax mileages are put in to effect for the following calendar year; an emergency is, therefore, declared to exist and this ordinance shall be in full force and effect from and after the date of passage.

SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

_____
William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

_____
Jim Taylor, City Attorney

ATTEST:

_____
Tammy Yocom, City Clerk-Treasurer

Filed
OCT 13 2016
City of Cabot

Exhibit A

City Council Agenda Meeting

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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Cabot City Council Agenda Meeting
Cabot City Annex / Council Chambers
October 3, 2016
6:30 p.m.

The Cabot City Council held its monthly Agenda Meeting on Monday October 3, 2016 in the City Annex Council Chambers. Council members present were: Ann Gilliam, Ed Long, Doug Warner, Rick Prentice, Doyle Tullos, Ronald Waymack, Kevin Davis and Jon Moore. Others present: Mayor Cypert, City Attorney Jim Taylor, City Clerk/Treasurer Tammy Yocom, and Eddie Cook, Director of Operations.

Ed Long, Chairman of the Public Works Committee called the meeting to order at 6:30 p.m.
Public Works:

1. Public Works Community Input – None

Budget & Personnel: (Ann Gilliam)

1. 2017 Millage Rates – No questions or concerns. Jon made a motion to place on this months Council Meeting Agenda, second by Doug. Motion passed with a vote of 8-0.
2. Financials – No questions or comments
3. Budget & Personnel Community Input –None

Police & Fire: (Rick Prentice)

1. Monthly Reports – Fire Department – None
2. Monthly Reports – Police Department- None
3. Police & Fire Community Input – None

Community Development: (Kevin Davis)

1. Community Development Input – None

Community Input: See attached for Mayor Cypert's comments

Meeting was adjourned at 7:03p.m.

We, the undersigned Councilmen and City Clerk/Treasurer for the City of Cabot do hereby certify the foregoing to be a true and correct record of the proceedings of the Cabot City Council Agenda Meeting held Monday October 3, 2016 at 6:30 p.m.

_____ _____

Ann Gilliam, Committee Chair Tammy Yocom, City Clerk/Treasurer

_____

Ed Long, Committee Chair

_____ _____

Rick Prentice, Committee Chair

_____

Kevin Davis, Committee Chair

Notes:

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Exhibit B

Parks & Recreation Commission

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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508 North Lincoln ◆ Cabot, AR 72023 ◆ 501-605-1506 ◆ www.cabotparks.com

Cabot Parks and Recreation Commission Meeting
September 20, 2016 – 6:30pm
Cabot City Annex Council Chambers
208 North First Street
Cabot, Arkansas 72023

I. Call to Order/Roll Call

Ken Kincade called the meeting to order at 6:30pm. Present: Ken Kincade, Rick Ezell, Maggie Cope, Eric Park, John C. Thompson

II. Minutes of Regular Meeting

The minutes from the regular meeting held August 19, 2016 were presented. **JOHN C. THOMPSON MOTIONED TO ACCEPT THE MINUTES OF AUGUST 19, 2016 AS PRESENTED, SECOND BY ERIC PARK. ALL VOTED AYE.**

III. Financials

August 2016 financials were discussed. Travis Young stated that the department will change software in January to Rec One.

RICK EZELL MOTIONED TO ACCEPT FINANCIALS AS PRESENTED, SECOND BY JOHN C. THOMPSON, ALL VOTED AYE.

IV. Programs

Cabot Youth Football -had 302 players register. There have been two injuries to date.

Cabot Youth Flag Football-reported no issue.

BMX – August is better for riding.

Cabot Youth Cheer – registered 150 girls and each team has cheerleaders.

Softball - the program is going well, but teams are backing out or are a no show. Rose Easter stated they would like to convert the original restroom area into an umpire room with the association paying the cost.

Representatives from Soccer were not in attendance.

Cabot Youth Volleyball – 164 girls registered with a total of 20 teams.

Cabot Youth Baseball – the league will be playing games on Monday and Tues this season.

Cabot Youth Basketball – will begin September 26th. Division will include Kindergarten Co-Ed, Girls 1st-2nd, 3rd-4th, 5th-6th, and 7th-9th. Boys 1st, 2nd, 3rd, 4th, 5th, 6th, and 7th-9th.

V. Old Business

Fairlen Ward Memorial Park was discussed. An email was received about an ice storm causing a lot of tree damage in 2014. The neighborhood would like to keep the park.

USSSA contract was discussed. **MAGGIE COPE MOTIONED TO PUT THE CONTRACT OUT FOR BID AND TO HAVE THE CONTRACT READY TO PRESENT, IN PERSON, TO THE COMMISSION AT NEXT MONTHS MEETING, SECOND BY ERIC PARK, ALL VOTED AYE.**

DRAFT

Renaming field 9 at the Cabot Sportsplex was discussed. **MAGGIE COPE MOTIONED TO CHANGE FIELD 9 TO BE NAMED AMERCIAN LEGION FIELD, IF CENTENNIAL BANK AGREES, SECOND BY RICK EZELL, ALL VOTED AYE.**

Conflict of interest Policy was discussed. **JOHN C. THOMPSON MOTIONED TO ACCEPT THE POLICY AS PRESENTED TO BE EFFECTIVE IMMEDIATELY, SECOND BY ERIC PARK, ALL VOTED AYE.** All employees will sign policy change.

VI. New Business

None

VII. New Construction

The booster pump for the Allman/Bevis Park has been ordered. The Community Center construction is 74% complete.

VIII. Community Input

Dog Park was briefly discussed. Travis Young asked that the committee to contact him during business hours.

Rose Easter asked for batting cages and awnings for the new softball complex. The awnings will be first priority.

IV. Adjournment

RICK EZELL MOTIONED TO ADJOURN AT 7:15, SECOND BY JOHN C. THOMPSON, ALL VOTED AYE.

CERTIFICATE

I, the undersigned Chairman, do hereby certify the foregoing to be a true and accurate record of the proceedings of the regular meeting of the Parks and Recreation Commission on September 20, 2016.

_____

Ken Kincade
Parks and Recreation Commission Chairman

DRAFT

Exhibit C

Water & Wastewater Commission

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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Cabot Water & Wastewater Commission Meeting
September 22, 2016 AT 6:00 P.M.
Cabot Waterworks Administrative Office
#1 City Plaza, Suite B

PRELIMINARY DRAFT
SUBJECT TO COMMISSION
APPROVAL AT OCTOBER MEETING

Attendees: Gary Walker, Richard Gray, Jim Burk, Bert Mayer, Bruce Brown, Tim Joyner and Karen Ballard. Jon Steelman attended meeting by phone.

Visitor: Erika Gee

Gary Walker called the meeting to order at 6:00 P.M.
Jim Burk led the opening prayer.

Bert Mayer made a motion to approve the minutes held on August 25, 2016, 2nd by Richard Gray. Motion Carried Unanimously.

GENERAL MANAGER'S REPORT:

There are no capital projects for water at this time.

Four Mile Creek Interceptor – Crews have made the last connection on the project. Crews will begin cleanup of the easement to clear brush and trees.

Crews are 30% complete on the Timberwood Sewer Interceptor project.

Review Sales Tax Bond projects total expenditures.

FINANCIAL REPORT:

Bruce Brown presented the August Financial Report. Bert Mayer made a motion to approve the Financial Report, 2nd by Jim Burk, Motion Carried Unanimously.

BUSINESS ITEMS:

A discussion of the Water Tank Interior Cleaning and Inspection Proposals was made. A motion was made by Richard Gray to authorize the GM to have the flexibility to choose a proposal based on timing of completion, 2nd by Jim Burk. Motion Carried Unanimously.

NON AGENDA ITEMS: NONE

PUBLIC INPUT: NONE

Gary Walker adjourned the meeting at 6:35pm

Minutes prepared by Karen Ballard

_____
COMMISSION SECRETARY, JIM BURK

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Exhibit D

Advertising & Promotion Commission

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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Cabot Advertising & Promotion Commission
Commons Room
September 20, 2016

PRESENT: Tommy Hignight, Billy Johnson, Ann Gilliam, Jay Lallu

GUESTS PRESENT: Amy Williams, Candy Miller, Travis Young, Jim Taylor, Eddie Cook, Becky Jones, Chris Roberts, Greg Harvey

Tommy Hignight called the meeting to order at 8:00 a m.

Candy Miller gave roll call.
Ann Gilliam led the pledge and Billy Johnson said the prayer.

Minutes-The Commissioners reviewed the minutes for the August meeting. Motion to approve made by Jay Lallu, with Billy Johnson making the second. Minutes were approved.

Funding Request(s)- **Cabot Gymnastics** – Becky Jones presented a funding request for $800.00 to purchase t-shirts to be given to each participant. Motion to approve the request was made by Billy Johnson, with Ann Gilliam making the second. The request was approved for $800.00. **APA Committee** – Chris Roberts presented a request for $3,000.00 to help with promotional items, ads and other programs for the LRAFB Military Expo. Tommy Hignight made the motion, with Ann Gilliam making the second. The request was approved for $3,000.00.

Funding Recap(s) - Greg Harvey gave a funding recap for the Randy Beaver Memorial Junior Golf Tournament. He stated it was a very successful tournament and thanked the commission for the funding.

Financial Report- The Commission reviewed the July financial report. Ann Gilliam made a motion to approve the financial report, with Billy Johnson making the second. The financial report was approved. Total revenues for July 2016: $74,748.84. Total ending cash: $376,504.94.

Parks and Recreation Report- Travis Young stated the final water park number was a little under $46,000.00. They were hoping to hit $50,000.00, which would be over and above a great season. The water park is officially shut down for the year. Community Center construction is up and going. Right now the banquet hall should be up by December, with the exercise area opening the first of January. There will be a ribbon cutting on January 3rd. All fitness equipment has been leased. Fall sports programs are up and running. Lots of teams will be in town for tournaments. Programs are going well with a lot of busy weekends.

Chamber Report- Amy Williams gave the Chamber report. She stated CabotFest is full speed ahead. The commercial will start running this weekend on Channel 11. We will be on every local news station the week of CabotFest. Trying to change it up every year and make it better and grow it. November 3rd there is an issue on the ballot, Issue 3, which is for economic development. She urged everyone to look at that. If the issue passes, the case with the Supreme Court will basically go away. Two new members last month, Kroger Marketplace and Big Red Stores.

General Discussion-

The motion to adjourn the meeting was made by Billy Johnson with Jay Lallu making the second at 8:35 a m.

MINUTES PREPARED BY CANDY MILLER, CABOT CHAMBER OF COMMERCE

THE MISSION OF THE CABOT ADVERTISING & PROMOTION IS TO MANAGE THE TAX RECEIPTS COLLECTED THROUGH THE 1 ½ CENT SALES TAX ON PREPARED FOOD & BEVERAGE AND HOTEL ROOMS TO ENHANCE THE LIVES OF THE CITIZENRY OF CABOT THROUGH TOURISM, PROMOTION AND THE GROWTH OF THE CITY'S PARKS & RECREATION DEPARTMENT.

APPROVED _____

Notes:

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Exhibit E

Planning Commission

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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City of Cabot Planning Commission
September 27, 2016
7:00 PM

Call to order
Reid called the meeting to order at 7:00 pm.

Roll Call
The following members were present:
- Cohea
- Hyland
- Reid
- Maxwell
- Prater
- Irvin
- Tullos

Approval of Minutes from the August 2016 Meeting
Motioned by Maxwell, Second by Hyland to accept the minutes of the August 2016 meeting.
All say aye. **Motion Carried**. **Vote as follows: 6-1-0.**

Reid opened the Public Hearing at 7:01 pm

Public Hearing
Rezone Request from C-2 to C-3 4.9 +/- Acre Track Hwy 5 (Lemons Engineering)
Motioned by Prater, Second by Cohea to approve the request C-2 to C-3 4.9 +/- acre track Hwy 5.
All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Rezone Request from I-1 to C-3 Lot 24, Cabot Commerce Center Phase II (Andrew Hick)
**** Records to reflect Irvin abstained from hearing this request ****
Motioned by Tullos, Second by Maxwell to approve the request I-1 to C-3 Lot 24, Cabot Commerce Center, Phase II. Rollcall vote as follows: Cohea, Hyland, Maxwell, Prater, Tullos aye. Reid abstained.
Motion Carried. Vote as follows: 5-1-0

Reid closed the Public Hearing at 7:15 PM

New Business
Site Plan Lot 1 Bean Addition (Lemons Engineering)
Motioned by Irvin, Second by Prater to approve the Site Plan Lot 1 Bean Addition with the following contingencies:
- Drive onto Hwy 5 will be right turn only.
- Light required at intersection of drive and Hwy 5.
- Light required at intersection of drive and Gateway.
- Knox box required for gate
- Hydrant must flow 1500 gpm
- Developers agreement.

All say aye. **Motion Carried. Vote as follows: 6-1-0.**

Old Business
Updates from Walden.

Community Input
None

There being no further business to come before the Planning Commission. Motioned by Cohea, Second by Prater to adjourn. **All say aye. Motion Carried. Vote as follows: 6-1-0**

Meeting Adjourned at 7:12 PM.

Exhibit F

Police & Fire Dept. Reports

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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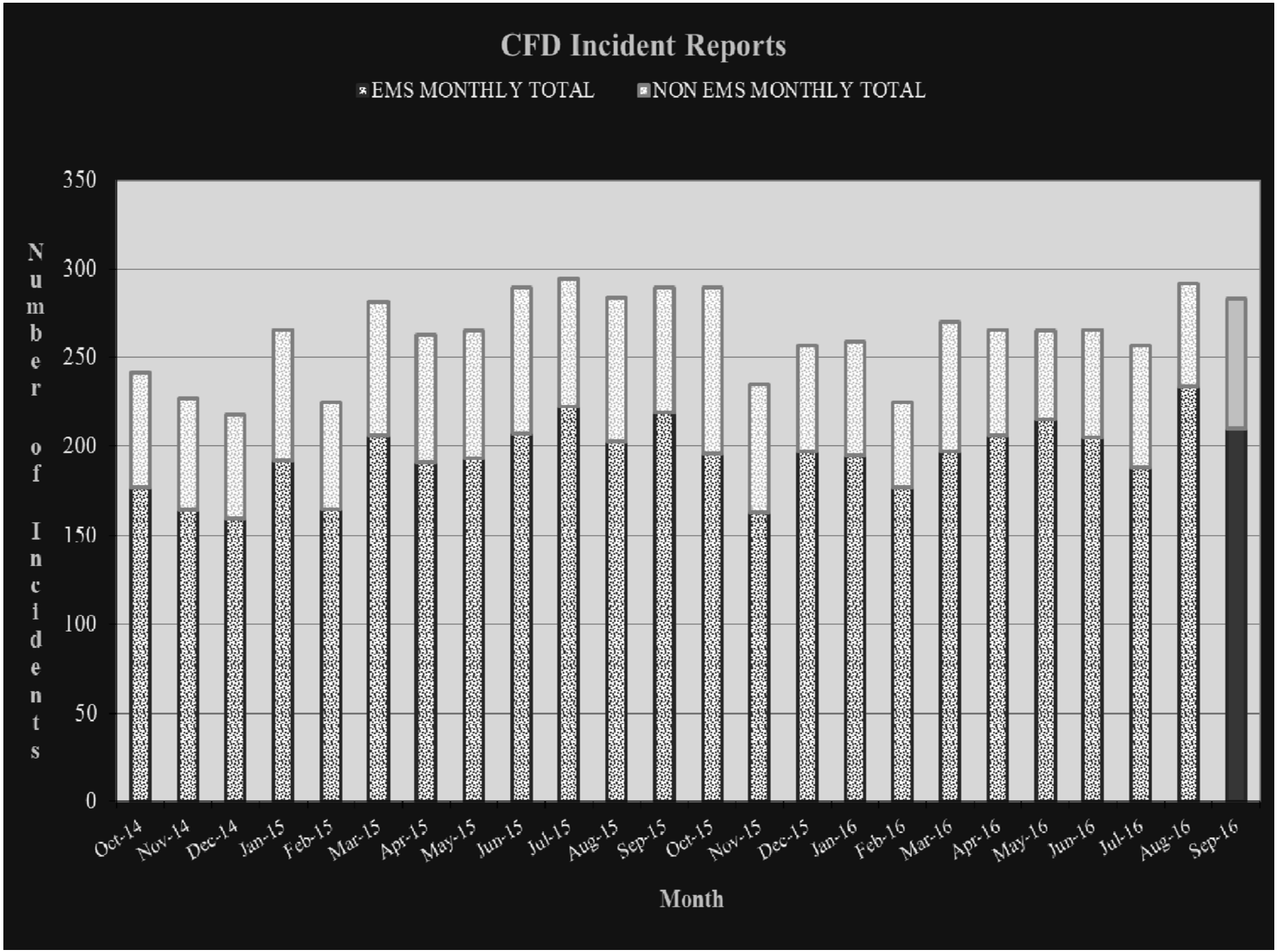
2016 Cabot Police Department Statistics

	September	YTD
Calls for Service	2,673	22,038
Accidents	58	571
Fatal	0	0
Incidents:	373	3,108
Domestic	17	108
Assaults	5	45
Fraud	48	458
Alarms:	104	1,083
Inmates:		
Males	24	229
Females	11	98
Total	35	327
Male Days	24	229
Female Days	11	95
Total Days	35	327
Phone Calls:		
911 Calls	3,497	31,852
Non-Emerg	5,440	48,746
Total Calls	8,937	80,598


CFD Incident Reports
EMS MONTHLY TOTAL
NON EMS MONTHLY TOTAL
Number of Incidents
350
300
250
200
150
100
50
0
Oct-14
Nov-14
Dec-14
Jan-15
Feb-15
Mar-15
Apr-15
May-15
Jun-15
Jul-15
Aug-15
Sep-15
Oct-15
Nov-15
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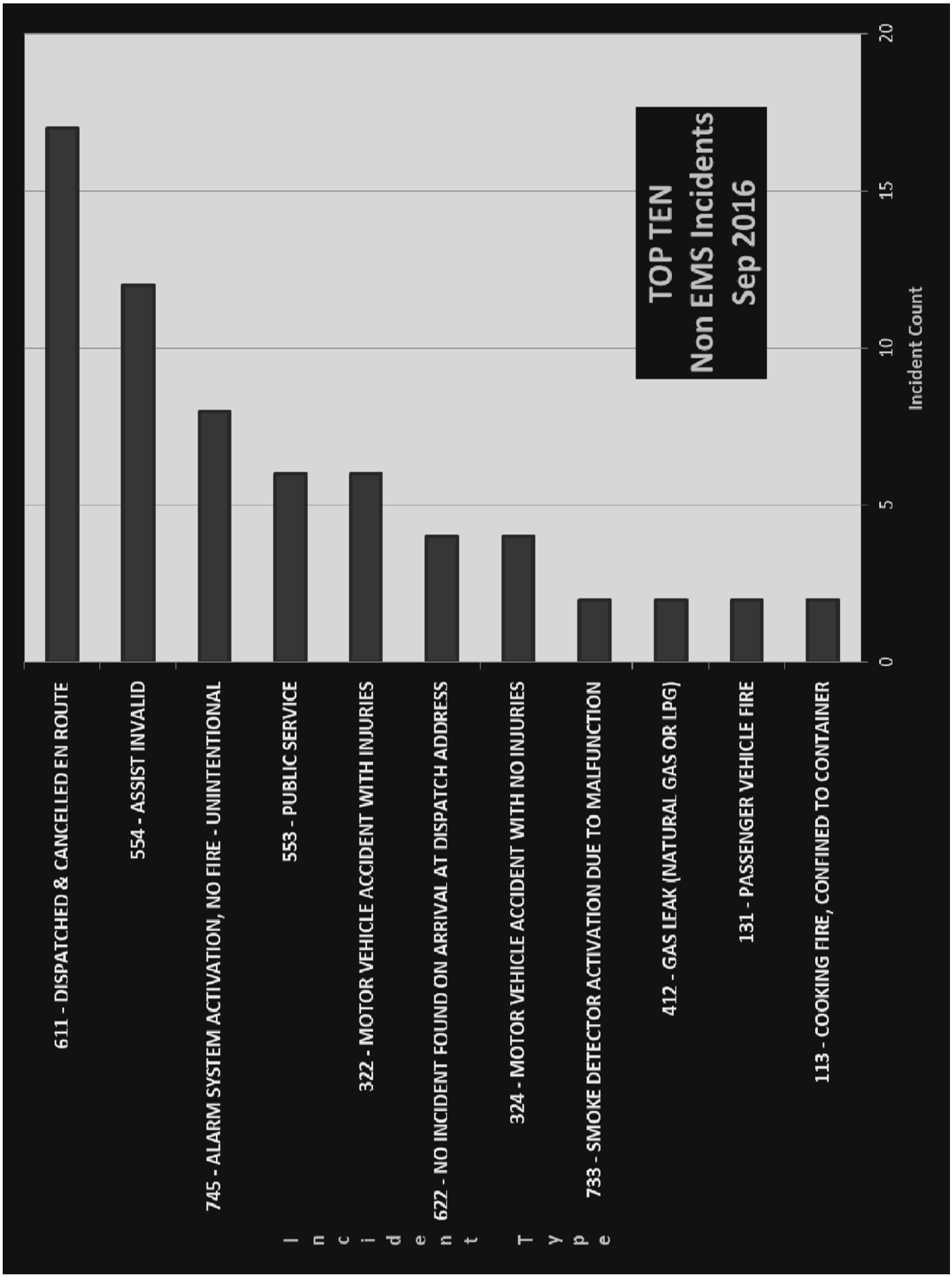
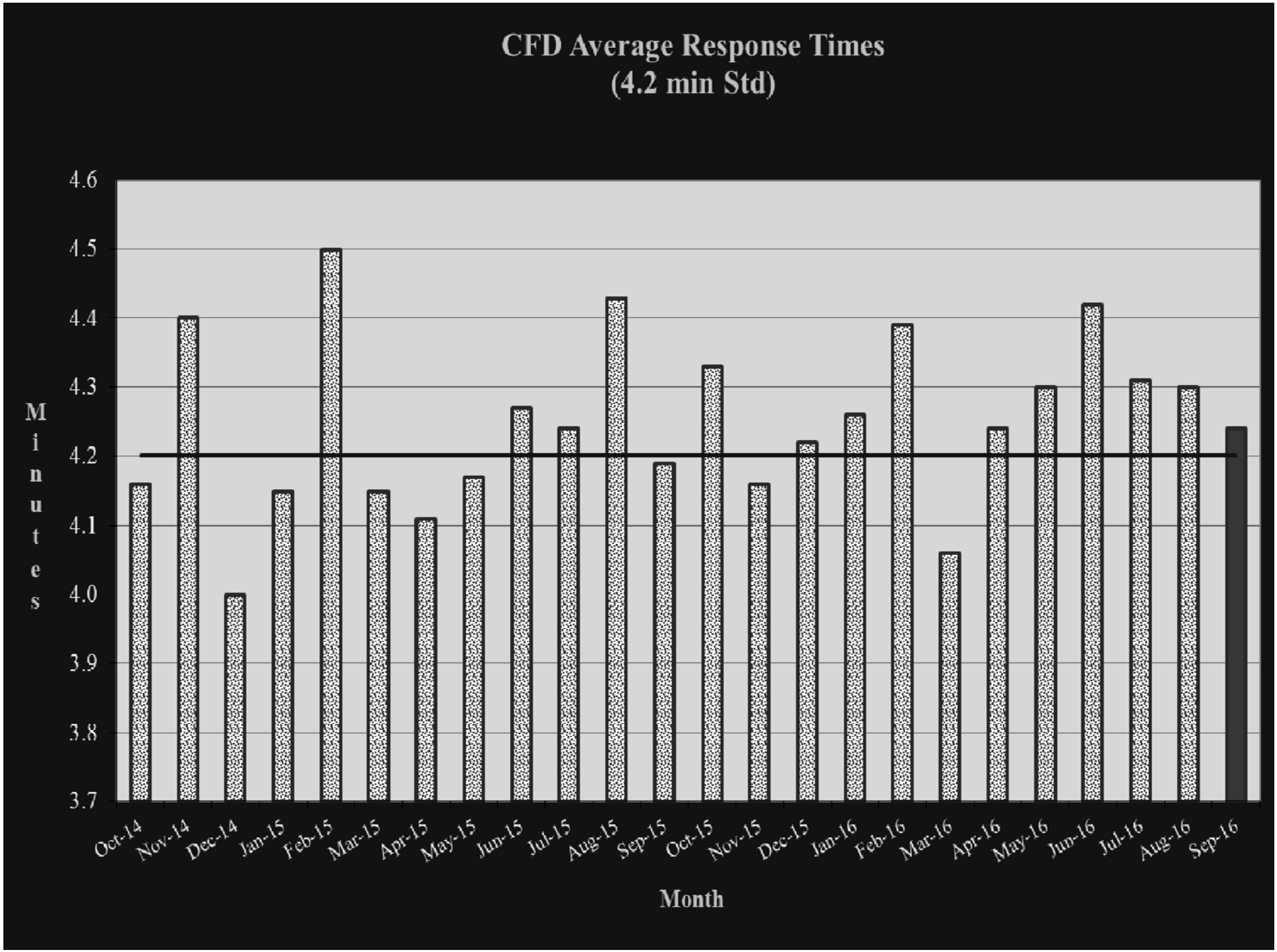
Mar-16
Apr-16
May-16
Jun-16
Jul-16
Aug-16
Sep-16
Month


TOP TEN
Non EMS Incidents
Sep 2016
611 - DISPATCHED & CANCELLED EN ROUTE
554 - ASSIST INVALID
745 - ALARM SYSTEM ACTIVATION, NO FIRE - UNINTENTIONAL
553 - PUBLIC SERVICE
322 - MOTOR VEHICLE ACCIDENT WITH INJURIES
622 - NO INCIDENT FOUND ON ARRIVAL AT DISPATCH ADDRESS
324 - MOTOR VEHICLE ACCIDENT WITH NO INJURIES
733 - SMOKE DETECTOR ACTIVATION DUE TO MALFUNCTION
412 - GAS LEAK (NATURAL GAS OR LPG)
131 - PASSENGER VEHICLE FIRE
113 - COOKING FIRE, CONFINED TO CONTAINER
Incident Type
0
5
10
15
20
Incident Count


CFD Average Response Times
(4.2 min Std)
Minutes
4.6
4.5
4.4
4.3
4.2
4.1
4.0
3.9
3.8
3.7
Oct-14
Nov-14
Dec-14
Jan-15
Feb-15
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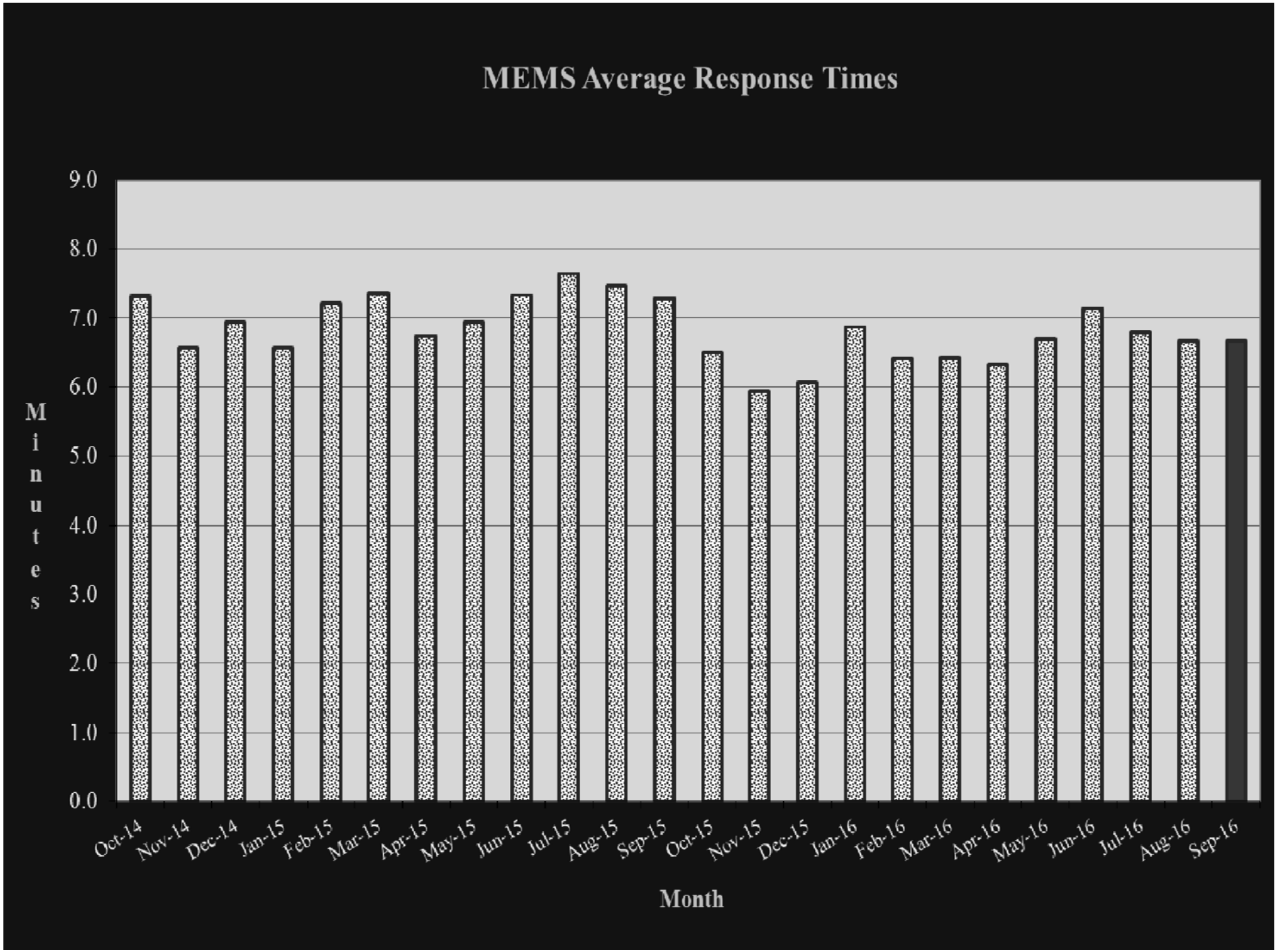
Sep-16
Month


MEMS Average Response Times
Minutes
9.0
8.0
7.0
6.0
5.0
4.0
3.0
2.0
1.0
0.0
Oct-14
Nov-14
Dec-14
Jan-15
Feb-15
Mar-15
Apr-15
May-15
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Mar-16
Apr-16
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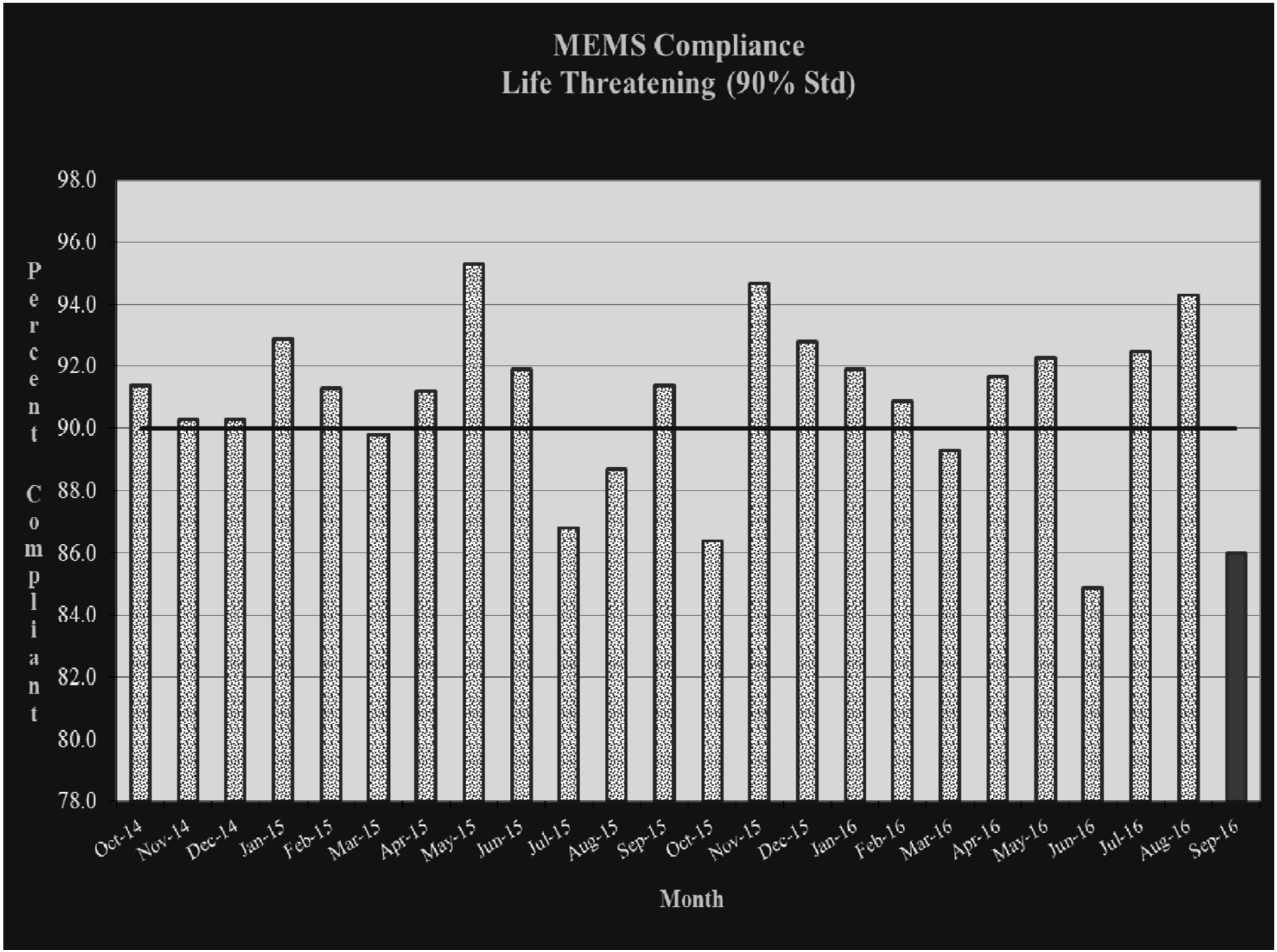
Jun-16
Jul-16
Aug-16
Sep-16
Month


MEMS Compliance
Life Threatening (90% Std)
Percent Compliant
98.0
96.0
94.0
92.0
90.0
88.0
86.0
84.0
82.0
80.0
78.0
Oct-14
Nov-14
Dec-14
Jan-15
Feb-15
Mar-15
Apr-15
May-15
Jun-15
Jul-15
Aug-15
Sep-15
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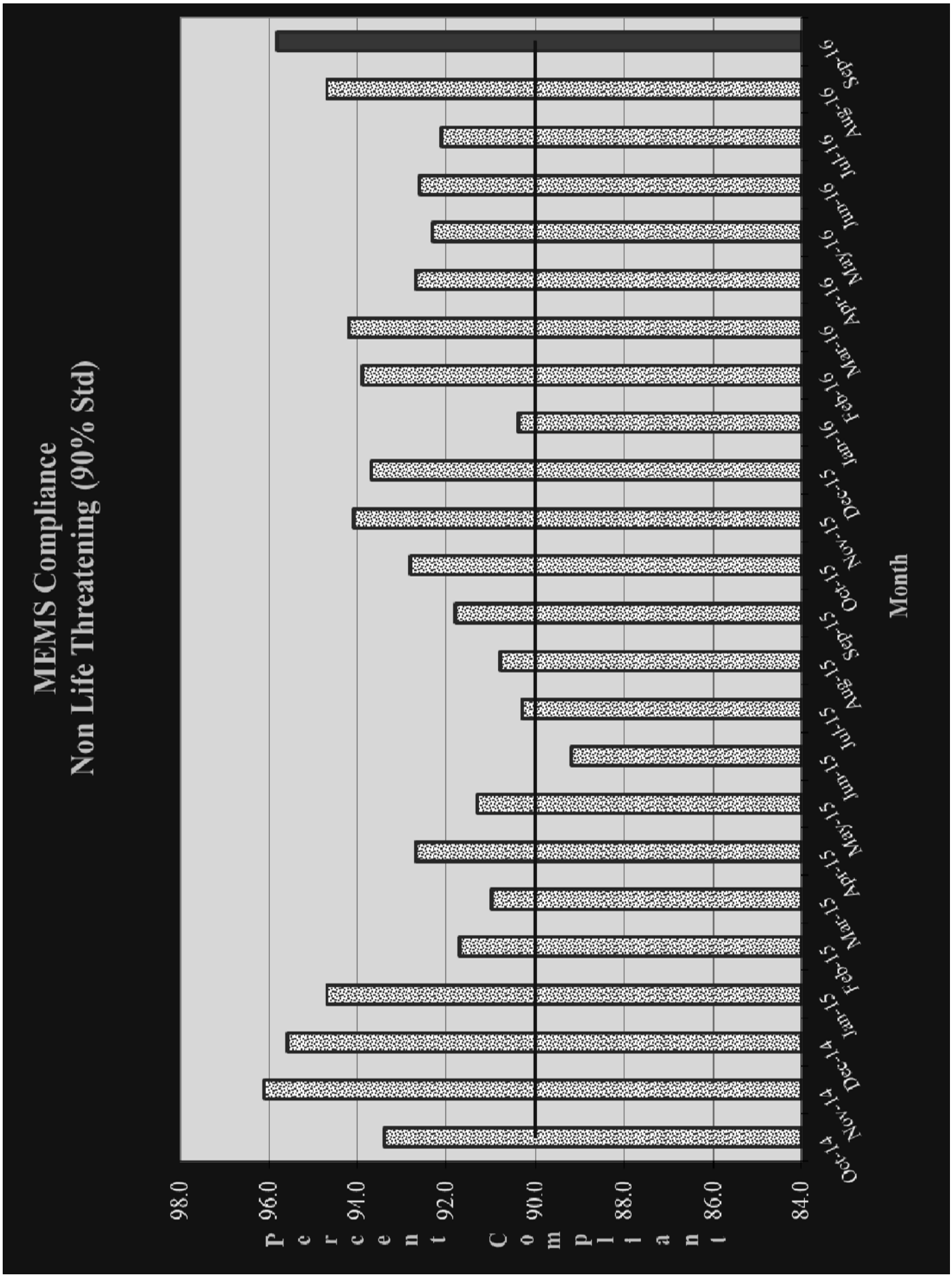
Jul-16
Aug-16
Sep-16
Month


MEMS Compliance
Non Life Threatening (90% Std)
Percent Compliant
98.0
96.0
94.0
92.0
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Oct-14
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Nov-15
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Jun-16
Jul-16
Aug-16
Sep-16
Month

Notes:

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Exhibit G
Financials

Quality Of Life Is Economic Development; We Are Building A City Where Your Kids And Grandkids Will Want To Live! Individuals Play Games, Teams Win Championships!

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ELLIS, TUCKER & ALDRIDGE, LLP
CERTIFIED PUBLIC ACCOUNTANTS
200 West Main Street
Cabot, AR 72023
(501) 843-6515 or 982-9192
FAX (501) 843-4944

Independent Accountant's Compilation Report

City Officials and Council Members
City of Cabot, Arkansas

Management of the City of Cabot, Arkansas is responsible for the accompanying financial statements of the City, which are comprised of the statement of revenues and expenditures-budget and actual (regulatory basis) of the general fund and street fund of the City of Cabot, Arkansas for the nine months ended September 30, 2016, (which are selected financial statements on two funds of the City) included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements included in the accompanying prescribed form, nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Under the regulatory basis of accounting as prescribed or permitted by Arkansas Code, revenues are recognized as soon as they are both measurable and available, rather than when received, and expenditures are recorded as incurred, rather than when paid. Management considers revenues to be available if they are collected within 60 days of the end of the current period. However, management has informed us that accrued revenues are not included in the financial statements. Revenues are reported when collected. The effect on the financial statements of this departure from the regulatory basis has not been determined.

The City's management has elected to omit substantially all of the disclosures ordinarily included in financial statements prepared on the regulatory basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the results of operations of the City. Accordingly, these financial statements are not designed for those who are not informed about such matters.

The supplementary information contained in the schedule of cash and cash equivalents is presented for purposes of additional analysis and is not a required part of the basic financial statements. The supplementary information has been compiled from information that is the representation of the City's management. We have not audited or reviewed the supplementary information and, accordingly, do not express an opinion or provide any assurance on such supplementary information.

Ellis, Tucker & Aldridge, LLP

Cabot, Arkansas
October 10, 2016

CITY OF CABOT, ARKANSAS
GENERAL FUND and STREET FUND
Statement of Revenues and Expenditures-Budget and Actual (Regulatory Basis)
Nine Months Ended September 30, 2016

	Annual Budget 2016	Prorated Budget Through 9/30/2016	Actual Through 9/30/2016	Variance Favorable (Unfavorable) 9/30/2016
Revenues				
General Fund				
General Government	$ 8,663,753	$ 6,497,815	$ 6,702,752	$ 204,937
Recycle Center	18,760	14,070	11,088	(2,982)
1 City Plaza	73,500	55,125	55,205	80
	$ 8,756,013	$ 6,567,010	$ 6,769,045	$ 202,035
Public Safety				
Fire Department	$ 191,673	$ 143,755	$ 312,185	$ 168,430
Public Works	103,272	77,454	131,072	53,618
	$ 294,945	$ 221,209	$ 443,257	$ 222,048
Law Enforcement				
District Court	$ 289,317	$ 216,988	$ 175,874	$ (41,114)
Police Department	438,881	329,161	381,814	52,653
Animal Control	149,000	111,750	112,281	531
	$ 877,198	$ 657,899	$ 669,969	$ 12,071
Sanitation Fees	1,737,946	1,303,460	1,312,725	9,266
Total General Fund	$ 11,666,102	$ 8,749,577	$ 9,194,996	$ 445,420
Street Fund	1,887,090	1,415,318	1,527,721	112,404
Total General & Street	$ 13,553,192	$ 10,164,894	$ 10,722,717	$ 557,823
Expenditures				
General Fund				
General Government				
City Council	$ 80,063	$ 60,047	$ 58,775	$ 1,272
Mayor's Office	386,165	289,624	285,240	4,384
City Attorney's Office	249,540	187,155	201,101	(13,946)
Other General	636,826	477,620	456,771	20,849
City Clerk-Treasurer	335,986	251,990	261,178	(9,189)
Planning Commission	52,711	39,533	33,136	6,397
Recycle Center	22,773	17,080	15,192	1,888
1 City Plaza	62,900	47,175	45,824	1,351
	$ 1,826,964	$ 1,370,223	$ 1,357,217	$ 13,006
Public Safety				
Fire Department	$ 2,944,513	$ 2,208,385	$ 2,313,079	$ (104,694)
Public Works	357,064	267,798	252,910	14,888
	$ 3,301,577	$ 2,476,183	$ 2,565,989	$ (89,806)

See Accountant's Compilation Report

CITY OF CABOT, ARKANSAS
General Fund and Street Fund
Statement of Revenues, and Expenditures-Budget and Actual (Regulatory Basis)
Nine Months Ended September 30, 2016

	Annual Budget 2016	Prorated Budget Through 9/30/2016	Actual Through 9/30/2016	Variance Favorable (Unfavorable) 9/30/2016
Expenditures (cont'd)				
General Fund (cont'd)				
Law Enforcement				
District Court	$ 255,822	$ 191,867	$ 172,008	$ 19,859
Police Department	3,894,492	2,920,869	2,803,242	117,627
Animal Control	400,906	300,680	293,950	6,730
	$ 4,551,220	$ 3,413,415	$ 3,269,200	$ 144,215
Sanitation Contractor	1,719,110	1,289,333	1,282,505	6,828
Total General Fund	$ 11,398,871	$ 8,549,153	$ 8,474,911	$ 74,242
Street Fund	1,887,090	1,415,318	1,501,339	(86,022)
Total General & Street	$ 13,285,961	$ 9,964,471	$ 9,976,250	$ (11,779)
Excess of Revenues Over (Under) Expenditures				
General Fund	$ 267,231	$ 200,423	$ 720,085	$ 519,662
Street Fund	-	-	26,382	26,382
Total Over (Under)	$ 267,231	$ 200,423	$ 746,467	$ 546,044
Other Financing Sources (Uses)				
General Fund				
Transfers In (Out)				
Parks & Recreation	$ (300,000)	$ (225,000)	$ (225,000)	$ -
District Court Costs	-	-	(4,000)	(4,000)
Total General Fund	$ (300,000)	$ (225,000)	$ (229,000)	$ (4,000)
Street Fund				
Transfers In				
General Fund	-	-	-	-
Excess of Revenues and Other Sources Over (Under) Expenditures and Other Uses				
General Fund	$ (32,769)	$ (24,577)	$ 491,085	$ 515,662
Street Fund	-	-	26,382	26,382
Total Sources and Uses	$ (32,769)	$ (24,577)	$ 517,467	$ 542,044

See Accountant's Compilation Report

CITY OF CABOT, ARKANSAS
ALL FUNDS (Except Water & Wastewater, Parks & Recreation, Capital Projects Funds, and Debt Service Funds)
Schedule of Cash and Cash Equivalents
As of September 30, 2016, and December 31, 2015

	September 30, 2016	December 31, 2015	YTD Increase (Decrease)
General Fund			
Unreserved Cash & Equivalents			
Operating Account	$ 347,215	$ 299,889	$ 47,326
Investment Account-Unassigned	369,149	91,328	277,821
Invstmnt Acct-Assigned for Maintenance	36,000	-	36,000
Payroll Account	41,825	36,669	5,156
Credit Card Clearing Account	22,700	4,937	17,763
Credit Card Payment Account	480	480	-
Drug Buy Account	500	500	-
Certificates of Deposit	103,855	103,855	-
Total Unreserved	$ 921,724	$ 537,658	$ 384,066
Reserved Cash & Equivalents			
Vehicle/Equipment Reserve	$ 12,536	$ 12,527	$ 9
Animal Control Donations	19,225	10,988	8,237
CD's	-	-	-
	$ 31,761	$ 23,515	$ 8,246
Total General Fund	$ 953,485	$ 561,173	$ 392,312
Street Fund			
Unreserved Cash & Equivalents			
Operating Account	$ 98,629	$ 170,440	$ (71,811)
Capital Reserve Account	718	717	1
Certificates of Deposit	-	-	-
Total Street Fund	$ 99,347	$ 171,157	$ (71,810)
Special Revenue Funds			
Sr. Citizens/Health/Liabrary			
Checking	$ 259,792	$ 218,145	$ 41,647
Certificates of Deposit	104,000	157,016	(53,016)
	$ 363,792	$ 375,161	$ (11,369)
Public Safety & Equipment	30,024	17,389	12,635
Municipal (District) Court Costs	7,008	5,355	1,653
Court Automation Fund	1,824	1,218	606
District Court Retirement Fund	23,607	21,664	1,943
State Law Enforcemt Drug Control	17,369	16,986	383
Act 833 Fire Protection	28,492	17,160	11,332
Half Street Improvements	8,087	8,081	6
Street Bond Refund Account	12,439	12,429	10
Sidewalk Fund	200,238	138,722	61,516
Fire Apparatus	140,220	120,835	19,385
	$ 833,100	$ 735,000	$ 98,100

See Accountant's Compilation Report

CITY OF CABOT, ARKANSAS
ALL FUNDS (Except Water & Wastewater, Parks & Recreation, Capital Projects Funds, and Debt Service Funds)
Schedule of Cash and Cash Equivalents
As of September 30, 2016, and December 31, 2015

	September 30, 2016	December 31, 2015	YTD Increase (Decrease)
Trust Funds			
Firemens Pension Fund	$ 7,765	$ 49,432	$ (41,667)
Firemens Pension Fund CDs	20,000	20,442	(442)
	$ 27,765	$ 69,874	$ (42,109)
Policemens Pension Fund	-	-	-
	$ 27,765	$ 69,874	$ (42,109)
Agency Funds			
Administration of Justice	$ 30	$ 30	$ -
Custodial			
Advertising & Promotion			
Checking-Operating	$ 318,980	$ 370,250	$ (51,270)
Checking-Investment	86,534	69,919	16,615
Certificates of Deposit	-	55,218	(55,218)
	$ 405,514	$ 495,387	$ (89,873)
Grand Total	$ 2,319,241	$ 2,032,621	$ 286,620

See Accountant's Compilation Report

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CERTIFIED PUBLIC ACCOUNTANTS
200 West Main Street
Cabot, AR 72023
(501) 843-6515 or 982-9192
FAX (501) 843-4944

Independent Accountant's Compilation Report

City Officials and Council Members
City of Cabot, Arkansas

Management of the City of Cabot, Arkansas is responsible for the accompanying financial statements of the City, which comprise the balance sheets-regulatory basis of the capital projects fund-2013 bonds, and debt service fund-2013 bonds as of September 30, 2016, and the related statements of revenues and expenditures-regulatory basis for the period June 27, 2013 through September 30, 2016, (which are selected financial statements on two funds of the City) included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements included in the accompanying prescribed form nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on

Under the regulatory basis of accounting as prescribed or permitted by Arkansas Code, revenues are recognized as soon as they are both measurable and available, rather than when received, and expenditures are recorded as incurred, rather than when paid. Management considers revenues to be available if they are collected within 60 days of the end of the current period. However, management has informed us that accrued revenues are not included in the financial statements. Revenues are reported when collected. The effect on the financial statements of this departure from the regulatory basis has not been determined.

The City's management has elected to omit substantially all of the disclosures ordinarily included in financial statements prepared on the regulatory basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the City's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

Ellis, Tucker & Aldridge, LLP

Cabot, Arkansas
October 12, 2016

CITY OF CABOT, ARKANSAS
Capital Projects Fund-2013 Bonds and Debt Service Fund-2013 Bonds
Balance Sheets-Regulatory Basis
As of September 30, 2016

	Capital Projects Fund	Debt Service Fund	Total
Assets			
Cash-Parks & Recreation	$ 124,030		$ 124,030
Investments-Parks & Recreation	-		-
Cash-North Exchange	578,264		578,264
Cash-Library Building	84		84
Cash-Wastewater System	595,371		595,371
Investments-Wastewater System	-		-
Cash-Highland Drainage	5		5
Cash-Community Center	1,283,516		1,283,516
Investments-Community Center	-		-
Cash-Bond Fund		$ 2,104,908	2,104,908
Cash-Debt Service Reserve		1,114,988	1,114,988
Cash-Redemption Fund		4,376	4,376
	$ 2,581,270	$ 3,224,272	$ 5,805,542
Liabilities			
Bonds Payable		$ 35,150,000	$ 35,150,000
Construction Accounts Payable			
Interest Payable			
	$ -	$ 35,150,000	$ 35,150,000
Fund Balances-Restricted			
Fund Balance-Parks & Recreation	124,030		$ 124,030
Fund Balance-North Exchange	578,264		578,264
Fund Balance-Library Building	84		84
Fund Balance-Wastewater System	595,371		595,371
Fund Balance-Highland Drainage	5		5
Fund Balance-Community Center	1,283,516		1,283,516
Fund Balance-Debt Service		$ 3,224,272	3,224,272
Funding by Future Sales Tax		(35,150,000)	(35,150,000)
	$ 2,581,270	$ (31,925,728)	$ (29,344,458)
	$ 2,581,270	$ 3,224,272	$ 5,805,542

See Accountant's Compilation Report

CITY OF CABOT, ARKANSAS
Capital Projects Fund-2013 Bonds and Debt Service Fund-2013 Bonds
Statements of Revenues and Expenditures-Regulatory Basis
June 27, 2013 through September 30, 2016

	Capital Projects Fund	Debt Service Fund	Total
Revenues			
City Sales Tax		$ 13,380,207	$ 13,380,207
Interest-Debt Service Fund		876	876
Interest-Parks & Recreation	2,594		2,594
Investments-Gain (Loss) Parks & Rec.	-		-
Interest-North Exchange	299		299
Interest-Library Building	384		384
Interest-Wastewater System	8,962		8,962
Investments-Gain (Loss) Wastewater	(1,329)		(1,329)
Interest-Highland Drainage	147		147
Interest-Community Center	8,807		8,807
Investments-Gain (Loss) Community Ctr.	(1,921)		(1,921)
	$ 17,943	$ 13,381,083	$ 13,399,026
Expenditures			
Debt Payment-Principal		$ 7,500,000	$ 7,500,000
Debt Payment-Interest		3,771,433	3,771,433
Trustee Fees		-	-
Improvements-Parks & Recreation	$ 13,380,147		13,380,147
Improvements-North Exchange	1,929,805		1,929,805
Improvements-Library Building	2,600,523		2,600,523
Improvements-Wastewater System	7,612,451		7,612,451
Improvements-Highland Drainage	500,182		500,182
Improvements-Community Center	4,183,810		4,183,810
	$ 30,206,918	$ 11,271,433	$ 41,478,351
Other Sources (Uses) of Funds			
Proceeds of Bonds		$ 42,625,000	$ 42,625,000
Bond Premium		823,901	823,901
Cost of Issuing Bonds		(524,823)	(524,823)
Transfers-Parks & Recreation	13,501,105	(13,501,105)	-
Transfers-North Exchange	2,507,769	(2,507,769)	-
Transfers-Library Building	2,600,213	(2,600,213)	-
Transfers-Wastewater System	8,200,671	(8,200,671)	-
Transfers-Highland Drainage	500,041	(500,041)	-
Transfers-Community Center	5,460,446	(5,460,446)	-
Transfer-2005 Bond Defeasance		(9,039,211)	(9,039,211)
	$ 32,770,245	$ 1,114,622	$ 33,884,867
Revenues in Excess of Expenditures	$ 2,581,270	$ 3,224,272	$ 5,805,542

See Accountant's Compilation Report

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Independent Accountant's Compilation Report

City Officials and Council Members
City of Cabot, Arkansas

Management of the City of Cabot, Arkansas is responsible for the accompanying financial statements of the City, which comprise the balance sheets-regulatory basis of the capital projects fund-2016 bonds, and debt service fund-2016 bonds as of September 30, 2016, and the related statements of revenues and expenditures-regulatory basis for the period April 5, 2016 through September 30, 2016, (which are selected financial statements on two funds of the City) included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements included in the accompanying prescribed form nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Under the regulatory basis of accounting as prescribed or permitted by Arkansas Code, revenues are recognized as soon as they are both measurable and available, rather than when received, and expenditures are recorded as incurred, rather than when paid. Management considers revenues to be available if they are collected within 60 days of the end of the current period. However, management has informed us that accrued revenues are not included in the financial statements. Revenues are reported when collected. The effect on the financial statements of this departure from the regulatory basis has not been determined.

The City's management has elected to omit substantially all of the disclosures ordinarily included in financial statements prepared on the regulatory basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the City's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

Ellis, Tucker & Aldridge, LLP

Cabot, Arkansas
October 12, 2016

CITY OF CABOT, ARKANSAS
Capital Projects Fund-2016 Bonds and Debt Service Fund-2016 Bonds
Balance Sheets-Regulatory Basis
As of September 30, 2016

	Capital Projects Fund	Debt Service Fund	Total
Assets			
Cash-North Exchange	$ 3,389,177		$ 3,389,177
Investments-North Exchange	-		-
Cash-Bond Fund		$ -	-
Cash-Debt Service Reserve		220,327	220,327
Cash-Redemption Fund		-	-
	$ 3,389,177	$ 220,327	$ 3,609,504
Liabilities			
Bonds Payable		$ 8,290,000	$ 8,290,000
Construction Accounts Payable			
Interest Payable			
	$ -	$ 8,290,000	$ 8,290,000
Fund Balances-Restricted			
Fund Balance-North Exchange	3,389,177		$ 3,389,177
Fund Balance-Debt Service		$ 220,327	220,327
Funding by Future Sales Tax		(8,290,000)	(8,290,000)
	$ 3,389,177	$ (8,069,673)	$ (4,680,496)
	$ 3,389,177	$ 220,327	$ 3,609,504

See Accountant's Compilation Report

CITY OF CABOT, ARKANSAS
Capital Projects Fund-2016 Bonds and Debt Service Fund-2016 Bonds
Statements of Revenues and Expenditures-Regulatory Basis
April 5, 2016 through September 30, 2016

	Capital Projects Fund	Debt Service Fund	Total
Revenues			
City Sales Tax		$ -	$ -
Interest-Debt Service Fund		10	10
Interest-North Exchange	170		170
Investments-Gain (Loss) North Exchange	-		-
	$ 170	$ 10	$ 180
Expenditures			
Debt Payment-Principal		$ -	$ -
Debt Payment-Interest		-	-
Trustee Fees		500	500
Improvements-North Exchange	4,575,164		4,575,164
	$ 4,575,164	$ 500	$ 4,575,664
Other Sources (Uses) of Funds			
Proceeds of Bonds		$ 8,290,000	$ 8,290,000
Bond Premium		10,934	10,934
Cost of Issuing Bonds		(115,946)	(115,946)
Transfers-North Exchange	7,964,171	(7,964,171)	-
	$ 7,964,171	$ 220,817	$ 8,184,988
Revenues in Excess of Expenditures	$ 3,389,177	$ 220,327	$ 3,609,504

See Accountant's Compilation Report

Schedule of General Fund Revenues - Not Directly Related to Departments

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Actual	Year to Date Actual	Budget	Variance $	Variance %
	Revenues					
00-600-00	City Sales Tax	$382,123.39	$3,283,319.65	$4,201,077.00	$917,757.35	21.85%
00-601-00	County Sales Tax	237,041.50	1,917,798.77	2,572,723.00	654,924.23	25.46
00-601-05	Paid to Parks & Rec-County S	(23,704.15)	(191,779.89)	(257,272.00)	(65,492.11)	25.46
00-602-00	County Property Tax	5,004.91	108,248.43	220,000.00	111,751.57	50.80
00-602-03	County Property Tax-LOPFI	5,004.93	108,212.36	155,000.00	46,787.64	30.19
00-604-01	Franchise Tax-Entergy	0.00	408,976.68	502,000.00	93,023.32	18.53
00-604-02	Franchise Tax-Suddenlink	0.00	80,358.81	106,000.00	25,641.19	24.19
00-604-03	Franchise Tax-Energy Arkla	0.00	11,084.67	11,100.00	15.33	0.14
00-604-04	Franchise Tax-CenturyTel	0.00	13,223.22	19,000.00	5,776.78	30.40
00-604-05	Franchise Tax-First Electric	46,862.33	273,108.48	394,450.00	121,341.52	30.76
00-604-06	Franchise Tax - Ritter Comm	0.00	0.00	11,000.00	11,000.00	100.00
00-605-00	State Turnback	25,942.46	302,022.17	356,640.00	54,617.83	15.32
00-606-00	Public Safety Transfer (CWW	0.00	245,877.07	248,000.00	2,122.93	0.86
00-606-05	Interest Income	132.25	1,072.06	900.00	(172.06)	(19.12)
00-606-08	Other Revenue	2,705.00	51,615.30	3,000.00	(48,615.30)	(1620.51)
00-606-10	Occupation Taxes/Bus Lic	661.90	41,701.25	65,000.00	23,298.75	35.84
00-606-40	Rebates	0.00	312.85	0.00	(312.85)	0.00
00-606-51	State Grant Proceeds	0.00	40,000.00	0.00	(40,000.00)	0.00
00-608-00	Rent Income	400.00	7,600.00	10,800.00	3,200.00	29.63
00-698-00	Sale of Richie Road Property	0.00	0.00	44,335.00	44,335.00	100.00
	Total Revenues	$682,174.52	$6,702,751.88	$8,663,753.00	$1,961,001.12	22.64%
	Expenditures					
	Total Expenditures	$0.00	$0.00	$0.00	$0.00	0.00%
	Net Excess (Deficit)	$682,174.52	$6,702,751.88	$8,663,753.00	$1,961,001.12	22.64%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Expenditures - City Council

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
	Total Revenues	$0.00	$0.00	$0.00	$0.00	0.00%
	Expenditures					
01-700-00	Salaries & Wages	$5,312.00	$46,480.00	$63,743.00	$17,263.00	27.08%
01-701-07	Life Insurance	39.75	342.00	560.00	218.00	38.93
01-701-01	Payroll Taxes	390.47	3,412.92	4,876.00	1,463.08	30.01
01-701-03	Workers Comp	0.00	96.00	96.00	0.00	0.00
01-701-02	Health Insurance	624.76	5,590.72	7,388.00	1,797.28	24.33
01-706-00	Travel	0.00	403.25	400.00	(3.25)	(0.81)
01-706-01	Education & Training	0.00	2,450.00	3,000.00	550.00	18.33
	Total Expenditures	$6,366.98	$58,774.89	$80,063.00	$21,288.11	26.59%
	Net Excess (Deficit)	($6,366.98)	($58,774.89)	($80,063.00)	($21,288.11)	26.59%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Expenditures - Mayor's Office

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
	Total Revenues	$0.00	$0.00	$0.00	$0.00	0.00%
	Expenditures					
02-700-00	Salaries & Wages	$31,278.00	$216,982.90	$290,112.00	$73,129.10	25.21%
02-700-09	Unscheduled Overtime	0.00	0.00	455.00	455.00	100.00
02-701-07	Life Insurance	21.00	214.00	340.00	126.00	37.06
02-701-09	EAP - Employee Assist Proc	0.00	105.00	154.00	49.00	31.82
02-707-10	Tuition Reimbursement	0.00	2,902.50	0.00	(2,902.50)	0.00
02-701-01	Payroll Taxes	2,312.41	15,847.33	22,150.00	6,302.67	28.45
02-701-03	Workers Comp	0.00	1,051.00	1,051.00	0.00	0.00
02-701-04	Unemployment	7.13	488.98	1,296.00	807.02	62.27
02-701-02	Health Insurance	1,600.98	15,529.54	22,552.00	7,022.46	31.14
02-706-00	Travel - Mayor	198.72	1,988.82	1,750.00	(238.82)	(13.65)
02-706-01	Education & Training - Mayc	0.00	603.24	650.00	46.76	7.19
02-706-04	Travel - HR	210.46	525.89	200.00	(325.89)	(162.95)
02-706-05	Travel - IT Admin	0.00	0.00	100.00	100.00	100.00
02-706-06	Education & Training - HR D	(52.47)	369.53	1,000.00	630.47	63.05
02-710-02	ID Machine Expense	0.00	125.85	125.00	(0.85)	(0.68)
02-703-08	Office Supplies - IT Dir	0.00	0.00	35.00	35.00	100.00
02-707-00	Dues & Subscriptions - May	0.00	314.95	300.00	(14.95)	(4.98)
02-707-01	Dues & Subscriptions - HR [	0.00	0.00	300.00	300.00	100.00
02-707-02	Dues & Subscriptions - IT Di	0.00	0.00	125.00	125.00	100.00
02-701-05	Retirement	0.00	26,463.75	42,450.00	15,986.25	37.66
02-701-16	Technology Expense - IT Di	0.00	0.00	140.00	140.00	100.00
02-709-05	Professional Services	541.50	541.50	0.00	(541.50)	0.00
02-710-10	Background Checks	0.00	200.00	300.00	100.00	33.33
02-712-09	Printing	280.04	321.60	65.00	(256.60)	(394.77)
02-712-11	Job Advertisements	0.00	663.60	450.00	(213.60)	(47.47)
02-712-13	Printing - IT Dir	0.00	0.00	65.00	65.00	100.00
	Total Expenditures	$36,397.77	$285,239.98	$386,165.00	$100,925.02	26.14%
	Net Excess (Deficit)	($36,397.77)	($285,239.98)	($386,165.00)	($100,925.02)	26.14%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Expenditures - General Government

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
	Total Revenues	$0.00	$0.00	$0.00	$0.00	0.00%
	Expenditures					
03-709-00	Payroll Services	0.00	13,558.54	14,663.00	1,104.46	7.53
03-701-03	Workers Comp	0.00	9,474.00	0.00	(9,474.00)	0.00
03-711-01	Building Insurance	0.00	23,753.33	18,000.00	(5,753.33)	(31.96)
03-711-02	Vehicle Insurance	0.00	153.33	22,126.00	21,972.67	99.31
03-712-25	Copier Lease	242.67	3,119.57	5,325.00	2,205.43	41.42
03-709-05	Professional Services	0.00	5,500.00	1,000.00	(4,500.00)	(450.00)
03-709-06	Municipal League Defense F	0.00	0.00	54,000.00	54,000.00	100.00
03-703-01	Bldg/Grounds Imprv	296.93	6,781.70	2,500.00	(4,281.70)	(171.27)
03-703-05	Equipment Expense	0.00	585.19	175.00	(410.19)	(234.39)
03-703-06	Office Supplies	12.90	6,150.78	5,500.00	(650.78)	(11.83)
03-704-03	Janitorial Supplies	254.39	1,721.10	3,275.00	1,553.90	47.45
03-713-02	Heat/AC Maintenance Contr	0.00	8,950.00	11,000.00	2,050.00	18.64
03-705-00	Utilities	2,481.77	18,566.48	25,000.00	6,433.52	25.73
03-705-01	Telephone	1,936.58	17,738.08	19,450.00	1,711.92	8.80
03-705-02	Telephone - Wireless	0.00	2,362.03	0.00	(2,362.03)	0.00
03-705-03	Wide Area Network (WAN)	(3,584.41)	0.00	0.00	0.00	0.00
03-800-02	Cap Expenditures - Gen Go'	0.00	90,398.45	89,963.94	(434.51)	(0.48)
03-701-00	County Sales Tax Due Libra	4,740.83	38,356.00	50,945.00	12,589.00	24.71
03-701-10	City Beautiful - Annual Amou	0.00	21,966.72	11,750.00	(10,216.72)	(86.95)
03-701-12	Technology Expense	1,672.83	22,821.04	38,590.00	15,768.96	40.86
03-703-02	Bldg/Grounds Imprv - City A	0.00	7,262.38	900.00	(6,362.38)	(706.93)
03-707-00	Dues & Subscriptions	0.00	2,411.88	2,073.00	(338.88)	(16.35)
03-709-08	Tax Payments/Filing Fees	21,106.00	21,828.32	24,500.00	2,671.68	10.91
03-709-09	Union Pacific Annual Lease	0.00	3,781.47	3,781.00	(0.47)	(0.01)
03-713-00	Employee Recognition Prog	0.00	198.59	300.00	101.41	33.80
03-713-03	Harmful Structure Demolitio	0.00	0.00	24,000.00	24,000.00	100.00
03-715-01	Community/Economic Devel	0.00	691.89	32,250.00	31,558.11	97.86
03-716-00	Website	0.00	0.00	12,000.00	12,000.00	100.00
03-716-04	Wide Area Network	7,160.48	31,945.55	76,300.00	44,354.45	58.13
03-716-05	Code Red Subscription	0.00	10,000.00	10,000.00	0.00	0.00
03-720-00	Special Elections	0.00	0.00	400.00	400.00	100.00
03-750-01	Signage Grant/GIF	0.00	37,760.42	0.00	(37,760.42)	0.00
03-750-02	Highland Drainage/Bond	0.00	10,269.05	0.00	(10,269.05)	0.00
03-798-00	Richie Road Property Impro'	0.00	0.00	44,335.00	44,335.00	100.00
03-706-03	Metroplan	0.00	21,874.00	21,874.00	0.00	0.00
03-708-00	Postage	1,682.20	8,323.35	8,000.00	(323.35)	(4.04)
03-709-01	Litigation Expense	0.00	3,000.00	0.00	(3,000.00)	0.00

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Expenditures - General Government

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
03-711-03	Safe Haven	0.00	2,725.00	425.00	(2,300.00)	(541.18)
03-712-35	Credit Card Fees	277.20	2,743.21	2,425.00	(318.21)	(13.12)
	Total Expenditures	$38,280.37	$456,771.45	$636,825.94	$180,054.49	28.27%
	Net Excess (Deficit)	($38,280.37)	($456,771.45)	($636,825.94)	($180,054.49)	28.27%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Expenditures - City Attorney's Office

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
	Total Revenues	$0.00	$0.00	$0.00	$0.00	0.00%
	Expenditures					
04-700-00	Salaries & Wages	$19,135.80	$127,572.00	$166,569.00	$38,997.00	23.41%
04-701-07	Life Insurance	17.00	203.70	201.00	(2.70)	(1.34)
04-701-09	EAP - Employee Assist Prgr	0.00	54.50	66.00	11.50	17.42
04-701-01	Payroll Taxes	1,418.99	9,348.97	12,687.00	3,338.03	26.31
04-701-03	Workers Comp	0.00	253.00	253.00	0.00	0.00
04-701-04	Unemployment	0.00	176.59	648.00	471.41	72.75
04-701-02	Health Insurance	1,619.04	14,819.56	19,894.00	5,074.44	25.51
04-706-00	Travel	19.44	1,047.81	3,500.00	2,452.19	70.06
04-706-01	Education & Training	0.00	2,056.04	3,400.00	1,343.96	39.53
04-709-05	Professional Services	0.00	4,950.00	200.00	(4,750.00)	(2375.00)
04-712-08	Legal Publications	0.00	3,880.72	3,700.00	(180.72)	(4.88)
04-705-01	Telephone	0.00	0.00	1,400.00	1,400.00	100.00
04-705-02	Telephone - Wireless	0.00	494.32	0.00	(494.32)	0.00
04-707-00	Dues & Subscriptions	0.00	871.00	700.00	(171.00)	(24.43)
04-701-05	Retirement	0.00	15,723.07	24,339.00	8,615.93	35.40
04-701-12	Technology Expense	1,162.66	2,925.92	2,600.00	(325.92)	(12.54)
04-703-05	Equipment Expense	0.00	211.46	500.00	288.54	57.71
04-703-06	Office Supplies	0.00	540.05	800.00	259.95	32.49
04-709-06	Library Publications	542.19	5,150.86	6,000.00	849.14	14.15
04-709-07	Re-codification / Municode S	0.00	9,321.01	500.00	(8,821.01)	(1764.20)
04-712-25	Copier Lease	55.60	1,500.72	1,583.00	82.28	5.20
	Total Expenditures	$23,970.72	$201,101.30	$249,540.00	$48,438.70	19.41%
	Net Excess (Deficit)	($23,970.72)	($201,101.30)	($249,540.00)	($48,438.70)	19.41%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Expenditures - City Clerk-Treasurer's Office

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
	Total Revenues	$0.00	$0.00	$0.00	$0.00	0.00%
	Expenditures					
05-700-00	Salaries & Wages	$21,568.80	$143,829.77	$188,497.00	$44,667.23	23.70%
05-701-07	Life Insurance	23.75	213.75	280.00	66.25	23.66
05-701-09	EAP - Employee Assist Prgr	0.00	75.00	110.00	35.00	31.82
05-701-01	Payroll Taxes	1,588.76	10,451.77	14,300.00	3,848.23	26.91
05-701-03	Workers Comp	0.00	280.00	280.00	0.00	0.00
05-701-04	Unemployment	0.00	340.67	972.00	631.33	64.95
05-701-02	Health Insurance	2,206.51	19,858.59	22,746.00	2,887.41	12.69
05-706-00	Travel	0.00	241.92	0.00	(241.92)	0.00
05-709-05	Professional Services	11,220.00	24,470.00	23,000.00	(1,470.00)	(6.39)
05-707-00	Dues & Subscriptions	0.00	380.00	360.00	(20.00)	(5.56)
05-701-05	Retirement	0.00	17,730.89	27,532.00	9,801.11	35.60
05-701-06	Retired Clerk Benefits	4,547.81	40,797.89	54,569.00	13,771.11	25.24
05-701-12	Technology Expense	0.00	2,240.00	2,190.00	(50.00)	(2.28)
05-712-09	Printing	0.00	108.39	1,000.00	891.61	89.16
05-712-08	Legal Publications	0.00	159.13	150.00	(9.13)	(6.09)
	Total Expenditures	$41,155.63	$261,177.77	$335,986.00	$74,808.23	22.27%
	Net Excess (Deficit)	($41,155.63)	($261,177.77)	($335,986.00)	($74,808.23)	22.27%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - District Court

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
06-606-13	County's 1/2 Cost Salaries	$0.00	$0.00	$44,317.00	$44,317.00	100.00%
06-606-20	Probation Fees	120.00	2,040.00	0.00	(2,040.00)	0.00
06-607-00	Court Fines/Fees/Restitutior	17,759.66	173,833.55	245,000.00	71,166.45	29.05
	Total Revenues	$17,879.66	$175,873.55	$289,317.00	$113,443.45	39.21%
	Expenditures					
06-700-00	Salaries & Wages	$16,608.25	$129,234.27	$183,869.00	$54,634.73	29.71%
06-701-07	Life Insurance	23.25	234.25	351.00	116.75	33.26
06-701-09	EAP - Employee Assist Prgr	0.00	90.00	132.00	42.00	31.82
06-701-01	Payroll Taxes	1,227.61	9,418.02	13,976.00	4,557.98	32.61
06-701-03	Workers Comp	0.00	252.00	252.00	0.00	0.00
06-701-04	Unemployment	0.00	510.05	1,620.00	1,109.95	68.52
06-701-02	Health Insurance	1,338.22	14,677.21	23,254.00	8,576.79	36.88
06-701-05	Retirement	0.00	17,591.72	32,368.00	14,776.28	45.65
	Total Expenditures	$19,197.33	$172,007.52	$255,822.00	$83,814.48	32.76%
	Net Excess (Deficit)	($1,317.67)	$3,866.03	$33,495.00	$29,628.97	88.46%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Fire Dept.

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
09-605-01	State Turnback/LOPFI	$0.00	$151,630.45	$191,673.00	$40,042.55	20.89%
09-606-08	Other Revenue	500.00	500.00	0.00	(500.00)	0.00
09-606-25	Auction Sales - Fire Dept	0.00	532.00	0.00	(532.00)	0.00
09-606-50	Federal Grant Proceeds	0.00	159,523.00	0.00	(159,523.00)	0.00
	Total Revenues	$500.00	$312,185.45	$191,673.00	($120,512.45)	(62.87)%
	Expenditures					
09-700-00	Salaries & Wages	$178,417.47	$1,228,764.15	$1,851,071.00	$622,306.85	33.62%
09-700-09	Overtime Wages	20,275.73	139,884.68	23,197.00	(116,687.68)	(503.03)
09-700-12	EMT Coordinator	0.00	1,538.50	4,000.00	2,461.50	61.54
09-701-06	Retirement Partially Pd by T	40,819.39	278,958.70	383,058.00	104,099.30	27.18
09-700-10	Uniform Allowance	4,753.45	41,112.38	49,200.00	8,087.62	16.44
09-701-07	Life Insurance	242.50	2,435.50	3,075.00	639.50	20.80
09-701-09	EAP - Employee Assist Prgr	0.00	370.50	858.00	487.50	56.82
09-701-10	Income Protection Plan	0.00	0.00	960.00	960.00	100.00
09-704-01	Uniforms	0.00	874.03	800.00	(74.03)	(9.25)
09-707-10	Tuition Reimbursement	0.00	0.00	400.00	400.00	100.00
09-712-15	Protective Equipment	1,777.23	20,147.85	20,000.00	(147.85)	(0.74)
09-701-01	Payroll Taxes	2,912.40	20,333.27	28,193.00	7,859.73	27.88
09-701-03	Workers Comp	0.00	61,502.00	61,501.00	(1.00)	0.00
09-701-04	Unemployment	77.62	5,079.12	15,876.00	10,796.88	68.01
09-701-02	Health Insurance	18,248.40	169,846.81	242,330.00	72,483.19	29.91
09-706-00	Travel	0.00	2,830.89	5,000.00	2,169.11	43.38
09-706-01	Education & Training	0.00	6,739.78	10,000.00	3,260.22	32.60
09-712-25	Copier Lease	194.52	2,093.39	4,300.00	2,206.61	51.32
09-702-00	Gas & Oil	187.73	14,367.09	19,000.00	4,632.91	24.38
09-703-02	Bldg/Grounds Imprv	(3,557.91)	(284.99)	12,000.00	12,284.99	102.38
09-703-04	Vehicle Expense	1,163.13	22,078.75	34,000.00	11,921.25	35.06
09-703-05	Equipment Expense	160.97	8,588.75	13,000.00	4,411.25	33.93
09-704-03	Janitorial Supplies	0.00	5,194.82	7,450.00	2,255.18	30.27
09-712-14	Public Relations	0.00	0.00	650.00	650.00	100.00
09-710-00	Medical Supplies	0.00	2,476.55	5,500.00	3,023.45	54.97
09-710-01	Employee Physicals & Evals	1,942.00	12,471.00	15,000.00	2,529.00	16.86
09-705-00	Utilities	603.47	15,712.96	25,500.00	9,787.04	38.38
09-705-01	Telephone	74.87	3,488.48	17,000.00	13,511.52	79.48
09-705-02	Telephone - Wireless	0.00	3,796.56	0.00	(3,796.56)	0.00
09-705-03	Wide Area Network (WAN)	1,364.49	15,295.47	0.00	(15,295.47)	0.00
09-707-00	Dues & Subscriptions	0.00	248.00	750.00	502.00	66.93
09-701-05	Retirement - LOPFI	50.40	403.20	544.00	140.80	25.88
09-800-00	Cap Expenditures - Fire	0.00	9,534.42	33,000.00	23,465.58	71.11

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Fire Dept.

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
09-701-12	Technology Expense	0.00	3,012.04	4,200.00	1,187.96	28.29
09-703-06	Office Supplies	0.00	1,209.02	500.00	(709.02)	(141.80)
09-703-07	Radio Expense	1,157.69	3,304.39	6,000.00	2,695.61	44.93
09-706-25	Fire Dept Auction Fees	0.00	126.36	0.00	(126.36)	0.00
09-706-50	SCBA Expenditures (Airpacl	0.00	175,388.47	0.00	(175,388.47)	0.00
09-710-03	Service Awards	0.00	629.66	300.00	(329.66)	(109.89)
09-712-03	Station Equipt & Supplies	0.00	4,594.42	5,500.00	905.58	16.47
09-712-09	Printing	0.00	81.03	0.00	(81.03)	0.00
09-716-00	New Central Station/Land	3,481.21	28,850.70	40,800.00	11,949.30	29.29
	Total Expenditures	$274,346.76	$2,313,078.70	$2,944,513.00	$631,434.30	21.44%
	Net Excess (Deficit)	($273,846.76)	$2,000,893.25)	$2,752,840.00)	($751,946.75)	27.32%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Police Dept.

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
10-605-01	State Turnback/LOPFI	$0.00	$168,531.22	$218,681.00	$50,149.78	22.93%
10-606-04	Accident/Incident Reprts	1,250.00	13,087.50	13,000.00	(87.50)	(0.67)
10-606-08	Other Revenue	0.00	53,723.81	0.00	(53,723.81)	0.00
10-606-11	Security Contract Services	0.00	98,177.22	145,000.00	46,822.78	32.29
10-606-16	Bond Money	600.00	5,140.00	9,400.00	4,260.00	45.32
10-606-50	Federal Grant Proceeds	0.00	7,144.89	4,800.00	(2,344.89)	(48.85)
10-610-12	911 Personnel Reimb	4,000.99	36,008.91	48,000.00	11,991.09	24.98
	Total Revenues	$5,850.99	$381,813.55	$438,881.00	$57,067.45	13.00%
	Expenditures					
10-700-00	Salaries & Wages	$245,230.68	$1,611,259.15	$2,239,386.00	$628,126.85	28.05%
10-700-09	Overtime Wages	14,755.16	84,604.32	57,126.00	(27,478.32)	(48.10)
10-700-10	Uniform Allowance	6,818.03	50,768.70	64,560.00	13,791.30	21.36
10-700-11	Extra Duty Pay	0.00	3,312.50	2,875.00	(437.50)	(15.22)
10-701-07	Life Insurance	340.00	2,971.25	4,200.00	1,228.75	29.26
10-701-09	EAP - Employee Assist Prgr	0.00	737.00	1,210.00	473.00	39.09
10-704-01	Uniforms	0.00	681.00	6,900.00	6,219.00	90.13
10-712-15	Protective Equipment	1,508.00	12,528.19	14,887.00	2,358.81	15.85
10-712-18	TASER Body Camera Contr	0.00	0.00	10,398.00	10,398.00	100.00
10-701-01	Payroll Taxes	19,279.09	124,654.24	172,345.00	47,690.76	27.67
10-701-03	Workers Comp	0.00	37,331.00	37,331.00	0.00	0.00
10-701-04	Unemployment	37.09	6,388.86	18,144.00	11,755.14	64.79
10-701-02	Health Insurance	21,479.52	187,233.93	275,882.00	88,648.07	32.13
10-701-10	Tri-Care Expense	421.66	2,811.06	0.00	(2,811.06)	0.00
10-706-00	Travel	0.00	2,273.85	3,750.00	1,476.15	39.36
10-706-01	Education & Training	50.00	7,607.99	6,000.00	(1,607.99)	(26.80)
10-702-00	Gas & Oil	6,076.20	50,863.16	95,600.00	44,736.84	46.80
10-703-01	Service Fees	685.36	20,616.11	28,500.00	7,883.89	27.66
10-703-02	Bldg/Grounds Imprv	0.00	1,853.26	2,750.00	896.74	32.61
10-703-04	Vehicle Expense	6,152.94	45,902.28	82,500.00	36,597.72	44.36
10-703-06	Equipment Expense	999.23	17,234.05	15,575.00	(1,659.05)	(10.65)
10-703-07	Radio/BAC Expense	410.14	10,805.55	17,000.00	6,194.45	36.44
10-703-05	Office Supplies	821.28	7,895.27	10,000.00	2,104.73	21.05
10-704-02	Vehicle Equipment	0.00	8,816.46	39,720.00	30,903.54	77.80
10-712-26	Drug Control	0.00	0.00	1,000.00	1,000.00	100.00
10-712-28	Prisoner Care	0.00	1,426.62	13,500.00	12,073.38	89.43
10-710-00	Medical Supplies	0.00	395.04	250.00	(145.04)	(58.02)
10-710-01	Employee Physicals & Evals	0.00	3,585.00	12,250.00	8,665.00	70.74
10-705-01	Telephone	0.00	2,909.06	14,350.00	11,440.94	79.73
10-705-02	Telephone - Wireless	0.00	5,758.95	0.00	(5,758.95)	0.00

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Police Dept.

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
10-707-00	Dues & Subscriptions	0.00	690.00	700.00	10.00	1.43
10-701-05	Retirement	0.00	28,819.99	45,983.00	17,163.01	37.33
10-701-06	Retirement Partially Pd by T	49,080.74	317,977.60	435,465.00	117,487.40	26.98
10-800-00	Cap Expenditures - Police	53,200.00	109,800.00	127,950.00	18,150.00	14.19
10-701-12	Technology Expense	4,244.93	8,262.83	9,300.00	1,037.17	11.15
10-704-03	Janitorial Supplies	0.00	418.97	300.00	(118.97)	(39.66)
10-712-09	Printing	13.69	2,200.88	2,400.00	199.12	8.30
10-712-10	Ammo/Targets/Fingerprints	519.65	12,079.35	11,500.00	(579.35)	(5.04)
10-712-25	Copier Lease	950.29	9,768.75	12,905.00	3,136.25	24.30
	Total Expenditures	$433,073.68	$2,803,242.22	$3,894,492.00	$1,091,249.78	28.02%
	Net Excess (Deficit)	($427,222.69)	$2,421,428.67)	$3,455,611.00)	$1,034,182.33)	29.93%

General Fund

Schedule of Revenues & Expenditures - Public Works

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
11-606-02	Inspections	$6,561.81	$61,452.22	$44,000.00	($17,452.22)	(39.66)%
11-606-03	Filing Fees/Planning	(55.50)	3,150.50	6,000.00	2,849.50	47.49
11-606-07	Building Permits/Signs	9,352.83	61,350.52	38,000.00	(23,350.52)	(61.45)
11-606-08	Mowing Reimbursement	0.00	1,750.39	8,500.00	6,749.61	79.41
11-609-03	Construction Surcharge	13.41	3,368.28	6,772.00	3,403.72	50.26
	Total Revenues	$15,872.55	$131,071.91	$103,272.00	($27,799.91)	(26.92)%
	Expenditures					
11-700-00	Salaries & Wages	$22,273.72	$151,744.98	$194,677.00	$42,932.02	22.05%
11-701-07	Life Insurance	37.50	337.50	395.00	57.50	14.56
11-701-09	EAP - Employee Assist Prgr	0.00	90.00	132.00	42.00	31.82
11-704-01	Uniforms	0.00	0.00	1,200.00	1,200.00	100.00
11-707-10	Tuition Reimbursement	0.00	0.00	1,400.00	1,400.00	100.00
11-701-01	Payroll Taxes	1,624.85	10,886.78	14,765.00	3,878.22	26.27
11-701-03	Workers Comp	0.00	1,930.00	1,930.00	0.00	0.00
11-701-04	Unemployment	0.00	628.87	1,620.00	991.13	61.18
11-701-02	Health Insurance	3,162.14	28,459.26	32,362.00	3,902.74	12.06
11-706-00	Travel	102.92	463.26	750.00	286.74	38.23
11-706-01	Training & Education	0.00	0.00	250.00	250.00	100.00
11-712-25	Copier Lease	287.42	2,487.49	3,033.00	545.51	17.99
11-709-05	Professional Services	(7,200.00)	14,396.00	37,000.00	22,604.00	61.09
11-702-00	Gas & Oil	291.15	2,115.15	2,900.00	784.85	27.06
11-703-01	Technology Expense	5,034.00	5,138.61	9,000.00	3,861.39	42.90
11-703-04	Vehicle Expense	0.00	783.31	2,500.00	1,716.69	68.67
11-703-06	Office Supplies	0.00	398.62	1,500.00	1,101.38	73.43
11-703-09	Code Enfrcmnt - Mowing	575.00	3,025.00	8,500.00	5,475.00	64.41
11-703-12	Rezone Advertising	8.26	1,091.02	300.00	(791.02)	(263.67)
11-712-09	Printing	0.00	152.64	300.00	147.36	49.12
11-705-01	Telephone	0.00	161.28	7,100.00	6,938.72	97.73
11-705-02	Telephone - Wireless	0.00	2,750.28	0.00	(2,750.28)	0.00
11-707-00	Dues & Subscriptions	0.00	100.00	275.00	175.00	63.64
11-701-05	Retirement	0.00	22,521.49	28,403.00	5,881.51	20.71
11-716-01	Construction Surcharge	70.18	3,248.36	6,772.00	3,523.64	52.03
	Total Expenditures	$26,267.14	$252,909.90	$357,064.00	$104,154.10	29.17%
	Net Excess (Deficit)	($10,394.59)	($121,837.99)	($253,792.00)	($131,954.01)	51.99%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Animal Services

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
13-606-17	Donations - GF #910089	$10.00	$590.00	$0.00	($590.00)	0.00%
13-606-18	Animal Rescue Trust	0.00	61.30	100.00	38.70	38.70
13-606-19	Dog Tag Sales	100.00	1,825.00	4,500.00	2,675.00	59.44
13-606-20	Cat Tag Sales	20.00	395.00	1,200.00	805.00	67.08
13-606-23	Animal Reclaim Fees	0.00	2,575.00	6,100.00	3,525.00	57.79
13-606-24	Rabies/Owner Surrender	385.00	3,693.00	11,000.00	7,307.00	66.43
13-607-01	Court Fines - Anim Srvs	2,365.00	11,772.50	13,000.00	1,227.50	9.44
13-607-02	Surgery Fees	4,355.00	60,688.75	57,200.00	(3,488.75)	(6.10)
13-607-03	Microchip Fees	210.00	4,575.00	15,500.00	10,925.00	70.48
13-607-04	Paperwork Fees	335.00	3,225.00	10,400.00	7,175.00	68.99
13-608-01	Donations - AC #500661251	7,625.00	22,879.72	25,000.00	2,120.28	8.48
13-612-00	Animal Control Grant Proce	0.00	0.00	5,000.00	5,000.00	100.00
	Total Revenues	$15,405.00	$112,280.27	$149,000.00	$36,719.73	24.64%
	Expenditures					
13-700-00	Salaries & Wages	$16,736.00	$119,771.88	$158,118.00	$38,346.12	24.25%
13-700-11	On-call Pay	325.00	2,075.00	2,875.00	800.00	27.83
13-700-09	Overtime Wages	1,125.00	5,125.42	2,644.00	(2,481.42)	(93.85)
13-701-07	Life Insurance	28.75	302.50	450.00	147.50	32.78
13-701-09	EAP - Employee Assist Prgr	0.00	69.50	88.00	18.50	21.02
13-704-01	Uniforms	0.00	4,145.85	4,500.00	354.15	7.87
13-701-01	Payroll Taxes	1,346.63	9,287.31	12,207.00	2,919.69	23.92
13-701-03	Workers Comp	0.00	1,363.00	1,363.00	0.00	0.00
13-701-04	Unemployment	62.46	782.16	1,944.00	1,161.84	59.77
13-701-02	Health Insurance	1,754.12	16,713.20	21,895.00	5,181.80	23.67
13-706-00	Travel	0.00	0.00	2,000.00	2,000.00	100.00
13-706-01	Education & Training	0.00	1,067.50	1,600.00	532.50	33.28
13-712-25	Copier Lease	213.31	1,582.49	2,028.00	445.51	21.97
13-702-00	Gas & Oil	317.24	3,254.44	6,750.00	3,495.56	51.79
13-703-02	Bldg/Grounds Imprv	433.02	5,287.16	2,000.00	(3,287.16)	(164.36)
13-703-04	Vehicle Expense	82.13	2,833.26	1,250.00	(1,583.26)	(126.66)
13-708-02	Bldg Imprv/Contributions Us	4,484.61	15,796.41	25,000.00	9,203.59	36.81
13-704-03	Janitorial/Kennel Supplies	127.04	3,850.35	5,250.00	1,399.65	26.66
13-712-21	Dog/Cat Food	664.46	6,121.50	9,000.00	2,878.50	31.98
13-712-23	Vet Expense & Supplies	1,177.65	14,336.06	21,000.00	6,663.94	31.73
13-705-00	Utilities	1,159.55	10,564.09	15,250.00	4,685.91	30.73
13-705-01	Telephone	12.03	705.37	5,550.00	4,844.63	87.29
13-705-02	Telephone - Wireless	0.00	2,456.10	0.00	(2,456.10)	0.00
13-705-03	Wide Area Network (WAN)	0.00	3,604.16	0.00	(3,604.16)	0.00
13-707-00	Dues & Subscriptions	0.00	15.00	0.00	(15.00)	0.00

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Animal Services

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
13-701-05	Retirement	0.00	15,502.86	23,844.00	8,341.14	34.98
13-701-12	Technology Expense	500.00	500.00	700.00	200.00	28.57
13-703-05	Equipment Expense	0.00	602.12	1,900.00	1,297.88	68.31
13-703-06	Office Supplies	0.00	407.31	650.00	242.69	37.34
13-704-05	Adoption Promo/Advertising	0.00	277.16	900.00	622.84	69.20
13-704-15	Microchip Expense	347.67	2,781.35	6,000.00	3,218.65	53.64
13-704-20	Surgery Fees	2,540.00	41,706.50	57,200.00	15,493.50	27.09
13-712-00	Use of Grant Proceeds	0.00	0.00	5,000.00	5,000.00	100.00
13-712-09	Printing	0.00	457.62	950.00	492.38	51.83
13-712-24	Refunds	0.00	605.00	1,000.00	395.00	39.50
	Total Expenditures	$33,436.67	$293,949.63	$400,906.00	$106,956.37	26.68%
	Net Excess (Deficit)	($18,031.67)	($181,669.36)	($251,906.00)	($70,236.64)	27.88%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Expenditures - Planning Commission

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
	Total Revenues	$0.00	$0.00	$0.00	$0.00	0.00%
	Expenditures					
14-700-00	Salaries & Wages	$1,336.00	$19,038.00	$28,025.00	$8,987.00	32.07%
14-701-01	Payroll Taxes	102.23	1,456.40	2,144.00	687.60	32.07
14-701-03	Workers Comp	0.00	42.00	42.00	0.00	0.00
14-706-01	Education & Training	0.00	0.00	900.00	900.00	100.00
14-709-05	Professional Services	7,200.00	12,600.00	21,600.00	9,000.00	41.67
	Total Expenditures	$8,638.23	$33,136.40	$52,711.00	$19,574.60	37.14%
	Net Excess (Deficit)	($8,638.23)	($33,136.40)	($52,711.00)	($19,574.60)	37.14%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Recycle Center

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
16-609-01	Recycle Bin Deposits	$0.00	$0.00	$1,500.00	$1,500.00	100.00%
16-609-06	CAPDD Salary Reimb	1,438.33	11,088.35	17,260.00	6,171.65	35.76
	Total Revenues	$1,438.33	$11,088.35	$18,760.00	$7,671.65	40.89%
	Expenditures					
16-700-00	Salaries & Wages	$1,697.76	$11,457.26	$16,082.00	$4,624.74	28.76%
16-701-01	Payroll Taxes	129.88	886.61	1,209.00	322.39	26.67
16-701-03	Workers Comp	0.00	642.00	642.00	0.00	0.00
16-701-04	Unemployment	14.52	89.46	324.00	234.54	72.39
16-703-02	Bldg/Grounds Imprv	0.00	102.47	0.00	(102.47)	0.00
16-704-05	Recycle Bin Expense	0.00	0.00	1,400.00	1,400.00	100.00
16-709-08	Bin Deposit Refunds	0.00	64.00	128.00	64.00	50.00
16-705-00	Utilities	84.52	555.42	650.00	94.58	14.55
16-701-05	Retirement	0.00	1,394.60	2,338.00	943.40	40.35
	Total Expenditures	$1,926.68	$15,191.82	$22,773.00	$7,581.18	33.29%
	Net Excess (Deficit)	($488.35)	($4,103.47)	($4,013.00)	$90.47	(2.25)%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - #1 City Plaza

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
18-608-01	Rent Income	$5,345.00	$55,205.00	$73,500.00	$18,295.00	24.89%
	Total Revenues	$5,345.00	$55,205.00	$73,500.00	$18,295.00	24.89%
	Expenditures					
18-711-05	Parking Lot Lease	200.00	1,800.00	2,400.00	600.00	25.00
18-703-02	Bldg/Grounds Imprv	3,056.99	13,232.85	7,500.00	(5,732.85)	(76.44)
18-705-00	Utilities	2,311.25	17,388.99	28,300.00	10,911.01	38.56
18-706-15	Employee Training Center	0.00	13,402.54	23,500.00	10,097.46	42.97
18-711-02	Arnett Realty	0.00	0.00	1,200.00	1,200.00	100.00
	Total Expenditures	$5,568.24	$45,824.38	$62,900.00	$17,075.62	27.15%
	Net Excess (Deficit)	($223.24)	$9,380.62	$10,600.00	$1,219.38	11.50%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Revenues & Expenditures - Sanitation Fees

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
19-609-02	Sanitation Fees Rec'd	$145,887.47	$1,312,725.14	$1,737,946.00	$425,220.86	24.47%
	Total Revenues	$145,887.47	$1,312,725.14	$1,737,946.00	$425,220.86	24.47%
	Expenditures					
19-703-11	Sanitation Contractor Fee	143,377.50	1,282,505.00	1,699,110.00	416,605.00	24.52
19-703-12	Billing Expense to CWW	0.00	0.00	20,000.00	20,000.00	100.00
	Total Expenditures	$143,377.50	$1,282,505.00	$1,719,110.00	$436,605.00	25.40%
	Net Excess (Deficit)	$2,509.97	$30,220.14	$18,836.00	($11,384.14)	(60.44)%

CITY OF CABOT, ARKANSAS

General Fund

Schedule of Fund Transfers

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
	Total Revenues	$0.00	$0.00	$0.00	$0.00	0.00%
	Other Financing Uses					
25-901-16	Transfers - Dist Crt Cost Fu	4,000.00	4,000.00	0.00	(4,000.00)	0.00
25-902-01	Transfers - Parks & Rec	25,000.00	225,000.00	300,000.00	75,000.00	25.00
	Total Expenditures	$29,000.00	$229,000.00	$300,000.00	$71,000.00	23.67%
	Net Excess (Deficit)	($29,000.00)	($229,000.00)	($300,000.00)	($71,000.00)	23.67%

CITY OF CABOT, ARKANSAS

Street Fund

Statement of Revenues & Expenditures

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
00-603-00	County Road Tax	$9,527.73	$206,072.20	$323,900.00	$117,827.80	36.38%
00-605-00	State Turnback	89,988.09	815,806.87	1,081,808.00	266,001.13	24.59
00-605-05	State Hwy Construction Dist	42,877.53	358,572.96	463,632.00	105,059.04	22.66
00-606-00	Other Revenue	0.00	20,200.94	14,500.00	(5,700.94)	(39.32)
00-606-05	Interest Income	23.12	139.83	250.00	110.17	44.07
00-606-14	Private Property Material Re	344.00	9,811.66	3,000.00	(6,811.66)	(227.06)
00-606-26	Auction Sales - Street	0.00	3,102.00	0.00	(3,102.00)	0.00
00-606-40	Rebates	0.00	59.21	0.00	(59.21)	0.00
50-606-18	Diamond Creek Drainage G	0.00	113,955.77	0.00	(113,955.77)	0.00
	Total Revenues	$142,760.47	$1,527,721.44	$1,887,090.00	$359,368.56	19.04%
	Expenditures					
00-700-00	Salaries and Wages	$63,135.97	$401,259.33	$562,550.00	$161,290.67	28.67%
00-700-04	Uniforms	642.87	5,965.10	0.00	(5,965.10)	0.00
00-700-09	Unscheduled Overtime	923.55	3,721.80	8,263.00	4,541.20	54.96
00-700-11	On-call Pay	0.00	0.00	2,875.00	2,875.00	100.00
00-701-01	Payroll Taxes	4,748.05	29,708.29	43,277.00	13,568.71	31.35
00-701-02	Health Insurance	5,397.73	45,109.85	80,340.00	35,230.15	43.85
00-701-03	Workers Comp	0.00	18,645.00	18,645.00	0.00	0.00
00-701-04	Unemployment	49.97	1,765.63	5,426.00	3,660.37	67.46
00-701-05	Retirement	9,065.48	54,306.74	82,935.00	28,628.26	34.52
00-701-07	Life Insurance	86.25	757.50	1,180.00	422.50	35.81
00-701-09	Employee Assistance Progr	0.00	195.50	308.00	112.50	36.53
00-701-12	Technology Expense	1,500.00	1,731.72	1,500.00	(231.72)	(15.45)
00-702-00	Gas and Oil	4,337.92	43,309.37	54,000.00	10,690.63	19.80
00-703-00	Street Improvements	52,724.26	123,001.70	200,000.00	76,998.30	38.50
00-703-02	Building/Grounds Improvem	1,036.50	3,045.04	20,000.00	16,954.96	84.78
00-703-04	Vehicle Expense	804.14	5,531.91	7,300.00	1,768.09	24.22
00-703-06	Office Supplies	0.00	83.11	200.00	116.89	58.45
00-703-07	Equipment Expense	1,238.62	28,024.43	40,000.00	11,975.57	29.94
00-703-08	Accident Repairs	0.00	210.67	500.00	289.33	57.87
00-703-11	Vehicle/Equipment Tires	2,312.47	9,196.13	7,500.00	(1,696.13)	(22.62)
00-703-14	Street Signs & Striping/Paint	3,315.80	21,867.98	15,000.00	(6,867.98)	(45.79)
00-703-15	Two Pine Landfill	0.00	0.00	200.00	200.00	100.00
00-703-17	Speed Calming	1,455.93	5,759.25	7,500.00	1,740.75	23.21
00-703-19	Mowing-Downtown	0.00	225.38	0.00	(225.38)	0.00
00-703-20	Mosquito Control	1,511.10	12,945.80	12,000.00	(945.80)	(7.88)
00-703-21	Traffic Signal Maint & Impro	907.70	7,201.54	25,000.00	17,798.46	71.19
00-703-22	Drainage, Ditches, Culverts	85,946.04	341,125.49	337,359.00	(3,766.49)	(1.12)
00-704-03	Janitorial Supplies	283.81	552.01	1,100.00	547.99	49.82

CITY OF CABOT, ARKANSAS

Street Fund

Statement of Revenues & Expenditures

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
00-705-00	Street Shop Utilities	615.88	4,827.86	7,500.00	2,672.14	35.63
00-705-01	Electricity - Street Lights/Sig	13,695.50	121,041.65	167,500.00	46,458.35	27.74
00-705-02	Telephone	74.78	672.43	8,000.00	7,327.57	91.60
00-705-03	Telephone - Wireless	639.93	6,201.91	0.00	(6,201.91)	0.00
00-705-04	Wide Area Network (WAN)	444.70	4,041.76	0.00	(4,041.76)	0.00
00-706-00	Travel	357.00	2,727.00	2,000.00	(727.00)	(36.35)
00-706-01	Education & Training	1,610.00	2,600.00	900.00	(1,700.00)	(188.89)
00-706-25	Street Auction Fees	0.00	232.65	0.00	(232.65)	0.00
00-709-05	Professional Services	0.00	12,540.00	500.00	(12,040.00)	(2408.00)
00-711-01	Property Insurance	0.00	5,965.36	6,350.00	384.64	6.06
00-711-02	Vehicle Insurance	0.00	298.32	11,400.00	11,101.68	97.38
00-711-04	Weed Control	7,250.00	27,190.42	30,000.00	2,809.58	9.37
00-712-03	Safety Supplies	505.24	5,933.41	4,500.00	(1,433.41)	(31.85)
00-712-20	Third Party Property Damag	0.00	3,240.15	0.00	(3,240.15)	0.00
00-712-24	Equipment Rental	0.00	2,111.62	8,000.00	5,888.38	73.61
00-712-25	Copier Lease	203.81	1,736.96	1,982.00	245.04	12.36
00-712-28	Prisoner Care	0.00	994.18	1,000.00	5.82	0.58
50-715-00	Diamond Creek - Construct	0.00	86,630.77	0.00	(86,630.77)	0.00
50-720-01	Diamond Creek Design Fee	0.00	17,300.00	0.00	(17,300.00)	0.00
00-721-00	Streetscape Project	0.00	47.83	0.00	(47.83)	0.00
00-800-00	Capital Expenditures	0.00	29,758.10	102,500.00	72,741.90	70.97
	Total Expenditures	266,821.00	1,501,338.65	1,887,090.00	385,751.35	20.44
	Other Income					
	Net Excess (Deficit)	(124,060.53)	26,382.79	0.00	(26,382.79)	0.00

CITY OF CABOT, ARKANSAS

Statement of Revenues & Expenditures - Sr. Cit / Health / Library Fund

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
00-606-05	Interest Income	$128.41	$467.54	$1,530.00	$1,062.46	69.44%
01-606-00	Sr Citz Property Tax Revenue	1,668.31	36,075.94	56,518.00	20,442.06	36.17
02-606-00	Hlth Dept Property Tax Rever	1,668.31	36,075.93	56,518.00	20,442.07	36.17
03-606-00	Library Property Tax Revenue	1,668.31	36,075.89	56,518.00	20,442.11	36.17
03-606-08	Other Revenue	0.00	15,115.59	0.00	(15,115.59)	0.00
03-900-00	Library Special Millage Rever	7,020.53	151,817.89	244,988.00	93,170.11	38.03
	Total Revenues	$12,153.87	$275,628.78	$416,072.00	$140,443.22	33.76%
	Expenditures					
01-703-01	Sr Citz Building/Grounds Impr	$0.00	$765.35	$1,500.00	$734.65	48.98%
01-703-02	Sr Citz Cleaning Contract	736.12	3,312.54	4,416.00	1,103.46	24.99
01-703-03	Sr Citz Janitorial Supplies	334.63	2,336.05	3,000.00	663.95	22.13
01-703-04	Sr Citz Equipment Expense	0.00	415.30	3,000.00	2,584.70	86.16
01-703-05	Sr Citz Pest Control	0.00	149.42	462.00	312.58	67.66
01-703-06	Sr Citz Office Supplies	0.00	553.68	550.00	(3.68)	(0.67)
01-703-07	Sr Citz Building Insurance	0.00	577.62	450.00	(127.62)	(28.36)
01-703-08	Sr Citz Vehicle Insurance	0.00	0.00	325.00	325.00	100.00
01-703-10	Sr Citz Vehicle Repair	1,035.50	1,463.33	300.00	(1,163.33)	(387.78)
02-703-01	Hlth Dept Building/Grounds Ir	100.00	2,863.68	1,500.00	(1,363.68)	(90.91)
02-703-02	Hlth Dept Cleaning Contract	4,221.38	8,346.34	7,071.00	(1,275.34)	(18.04)
02-703-03	Hlth Dept Janitorial Supplies	167.89	1,407.98	1,800.00	392.02	21.78
02-703-05	Hlth Dept Pest Control	0.00	149.42	197.00	47.58	24.15
02-703-07	Health Dept Building Insuranc	0.00	807.06	0.00	(807.06)	0.00
02-703-08	Hlth Dept Office Supplies	0.00	175.25	1,100.00	924.75	84.07
03-703-01	Library Building/Grounds Imp	177.50	477.28	500.00	22.72	4.54
03-703-02	Library Cleaning Contract	1,178.56	15,953.39	25,328.28	9,374.89	37.01
03-703-03	Library Janitorial Supplies	339.39	2,825.61	5,000.00	2,174.39	43.49
03-703-05	Library Pest Control	0.00	226.76	307.00	80.24	26.14
03-703-07	Library Building Insurance	0.00	5,739.56	4,336.00	(1,403.56)	(32.37)
01-704-01	Sr Citz Other Staffing	7,000.00	7,000.00	47,500.00	40,500.00	85.26
01-705-00	Sr Citz Utilities	1,152.14	7,208.89	11,000.00	3,791.11	34.47
01-705-01	Sr Citz Telephone - Landline	0.00	1,888.57	1,150.00	(738.57)	(64.22)
02-705-00	Hlth Dept Utilities	1,438.94	9,600.92	13,750.00	4,149.08	30.18
02-705-01	Hlth Dept Telephone - Landlir	0.00	2,895.65	4,800.00	1,904.35	39.67
03-705-00	Library Utilities	3,285.46	24,748.67	15,000.00	(9,748.67)	(64.99)
03-710-05	Library Expenses - Grant Stre	162.16	1,899.54	5,800.00	3,900.46	67.25

Statement of Revenues & Expenditures - Sr. Cit / Health / Library Fund

9/30/2016 **Budget vs Actual (Target 25.00%)**

1/1/2016 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
03-713-02	Library Heat/AC Maint Contra	0.00	425.00	0.00	(425.00)	0.00
01-800-00	Capital Expenditures - Sr Cer	0.00	0.00	49,713.00	49,713.00	100.00
03-902-00	Arlene Cherry Library	7,020.53	151,817.89	244,988.00	93,170.11	38.03
	Total Expenditures	$28,350.20	$256,030.75	$454,843.28	$198,812.53	43.71%
	Net Excess (Deficit)	($16,196.33)	$19,598.03	($38,771.28)	($58,369.31)	150.55%

Arlene Cherry Library

CITY OF CABOT, ARKANSAS

Statement of Revenues & Expenditures - District Court Cost

Budget vs Actual (Target 25.00%)

For 1/1/2016 To 9/30/2016

		Current Month Actual	Year to Date Actual	Annual Budget	Variance $	Variance %
	Revenues					
00-606-00	Court Cost Revenue	$2,043.66	$18,392.94	$14,600.00	($3,792.94)	(25.98)%
00-606-01	Other Revenue	0.00	210.58	0.00	(210.58)	0.00
00-606-05	Interest Income	0.53	3.17	12.00	8.83	73.58
00-606-06	Transfers in From General F	4,000.00	4,000.00	0.00	(4,000.00)	0.00
	Total Revenues	$6,044.19	$22,606.69	$14,612.00	($7,994.69)	(54.71)%
	Expenditures					
00-703-01	Building/Grounds Improvem	0.00	100.78	2,330.00	2,229.22	95.68
00-703-06	Office Supplies	488.32	4,092.89	5,300.00	1,207.11	22.78
00-704-03	Janitorial Supplies	147.60	1,530.93	600.00	(930.93)	(155.16)
00-705-00	Utilities	606.31	5,082.75	7,300.00	2,217.25	30.37
00-705-01	Telephone	149.13	1,209.32	3,075.00	1,865.68	60.67
00-705-03	Telephone - Wireless	0.00	0.24	0.00	(0.24)	0.00
00-705-04	Wide Area Network (WAN)	0.00	3,742.28	0.00	(3,742.28)	0.00
00-706-00	Travel	0.00	838.32	1,400.00	561.68	40.12
00-706-01	Education & Training	0.00	300.00	600.00	300.00	50.00
00-707-00	Dues and Subscriptions	107.40	307.40	400.00	92.60	23.15
00-709-05	Professional Services	2,000.00	2,000.00	0.00	(2,000.00)	0.00
00-712-15	Court Retirement	0.00	0.00	4,000.00	4,000.00	100.00
	Total Expenditures	$3,498.76	$19,204.91	$25,005.00	$5,800.09	23.20%
	Net Excess (Deficit)	$2,545.43	$3,401.78	($10,393.00)	($13,794.78)	132.73%

CITY OF CABOT, ARKANSAS

Fire Apparatus Fund

Statement of Revenues and Expenditures

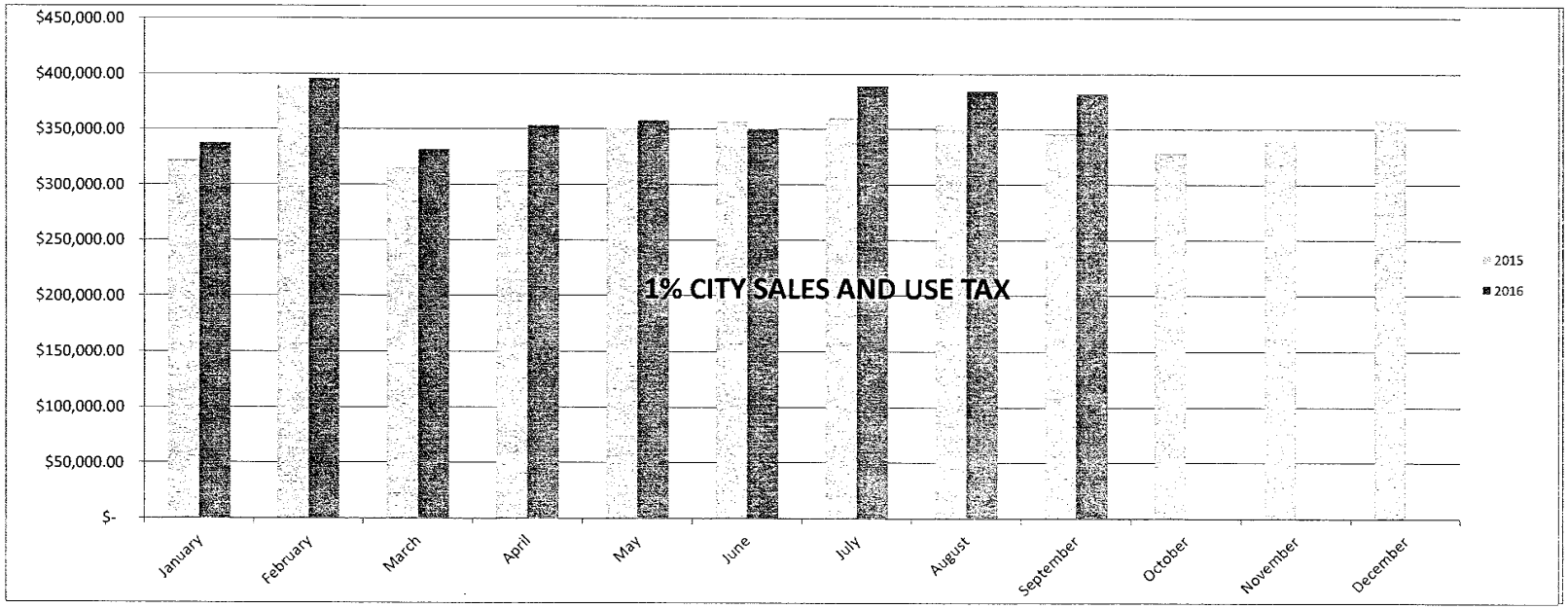
For 1/1/2016 To 9/30/2016

		Current Period	Current YTD
	Revenues		
00-606-01	County Tax Millage	$4,011.63	$86,778.19
00-606-05	Interest Income	11.67	93.24
		$4,023.30	$86,871.43
	Expenditures		
00-703-35	Fire Apparatus Purchases	$0.00	$0.00
00-850-00	Principal Paid - Note 1	6,978.59	62,541.26
00-950-00	Interest paid - Note 1	519.82	4,944.43
		$7,498.41	$67,485.69
	Revenue Excess (Deficit)	($3,475.11)	$19,385.74

CITY OF CABOT, ARKANSAS
City Sales and Use Tax

	2015			2016						
	Gross Sales Tax	Rebate Amount	Sales Tax Received	Gross Sales Tax	Rebate Amount	Sales Tax Received	Gross Sales Tax		Sales Tax Received	
							$ Variance	% Variance	$ Variance	% Variance
January	$ 339,241.23	$ 16,940.76	$ 322,300.47	$ 341,764.83	$ 3,995.76	$ 337,769.07	$ 2,523.60	0.74%	$ 15,468.60	4.80%
February	396,821.15	7,623.66	389,197.49	399,453.77	3,520.83	395,932.94	2,632.62	0.66%	6,735.45	1.73%
March	320,065.79	5,196.16	314,869.63	339,790.65	7,779.46	332,011.19	19,724.86	6.16%	17,141.56	5.44%
April	328,304.84	15,376.51	312,928.33	356,936.23	3,428.09	353,508.14	28,631.39	8.72%	40,579.81	12.97%
May	354,609.03	4,213.19	350,395.84	364,590.08	6,350.17	358,239.91	9,981.05	2.81%	7,844.07	2.24%
June	360,792.15	3,920.43	356,871.72	353,858.47	4,194.69	349,663.78	(6,933.68)	-1.92%	(7,207.94)	-2.02%
July	368,897.10	8,860.02	360,037.08	396,007.97	6,719.13	389,288.84	27,110.87	7.35%	29,251.76	8.12%
August	361,657.12	7,207.17	354,449.95	391,667.19	6,884.80	384,782.39	30,010.07	8.30%	30,332.44	8.56%
September	356,765.89	10,637.52	346,128.37	393,318.53	11,195.14	382,123.39	36,552.64	0.10	35,995.02	10.40%
October	338,436.23	9,442.63	328,993.60	-						
November	353,159.54	13,125.95	340,033.59	-						
December	369,879.64	12,375.52	357,504.12	-						
	$ 4,248,629.71	$ 114,919.52	$ 4,133,710.19	$ 3,337,387.72	$ 54,068.07	$ 3,283,319.65				
Monthly Average	$ 354,052.48	$ 9,576.63	$ 344,475.85	$ 278,115.64	$ 6,007.56	$ 364,813.29				

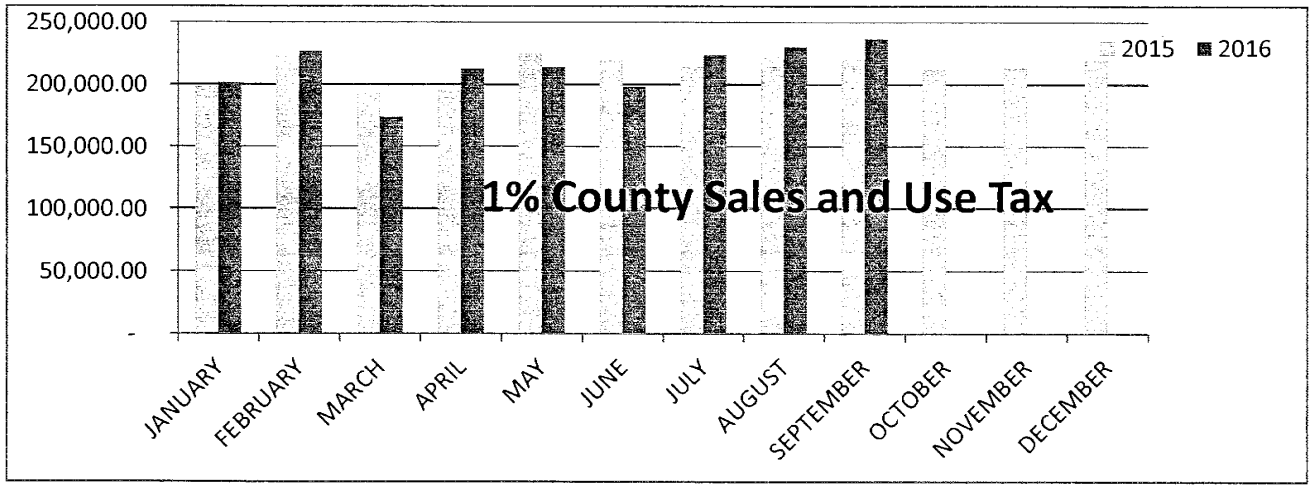
2016 YTD % Increase / (Decrease)	Gross Sales Tax	4.7137%
2016 YTD % Increase / (Decrease)	Rebate Amount	-32.3941%
2016 YTD % Increase / (Decrease)	Sales Tax Received	5.6688%



CITY OF CABOT, ARKANSAS
County Sales and Use Tax

	2013	2014	2015	2016	$ Variance	% Variance
JANUARY	191,621.61	198,200.34	198,128.07	201,446.17	3,318.10	1.67%
FEBRUARY	211,417.17	223,267.55	223,284.23	226,771.53	3,487.30	1.56%
MARCH	183,118.13	175,550.80	192,614.26	173,805.68	(18,808.58)	-9.76%
APRIL	197,726.43	192,805.90	195,318.92	212,678.95	17,360.03	8.89%
MAY	207,033.78	218,094.74	224,743.11	213,903.78	(10,839.33)	-4.82%
JUNE	212,722.21	208,018.96	219,589.49	198,294.06	(21,295.43)	-9.70%
JULY	204,228.30	207,390.50	214,593.88	223,417.18	8,823.30	4.11%
AUGUST	214,639.92	202,564.53	222,122.68	230,439.92	8,317.24	3.74%
SEPTEMBER	215,479.41	197,440.65	220,037.01	237,051.50	17,014.49	7.73%
OCTOBER	216,667.49	217,914.23	212,239.01			
NOVEMBER	203,494.07	209,404.15	213,684.26			
DECEMBER	208,682.29	207,193.84	219,467.10			
	$2,466,830.81	$2,457,846.19	$2,555,822.02	$1,917,808.77		

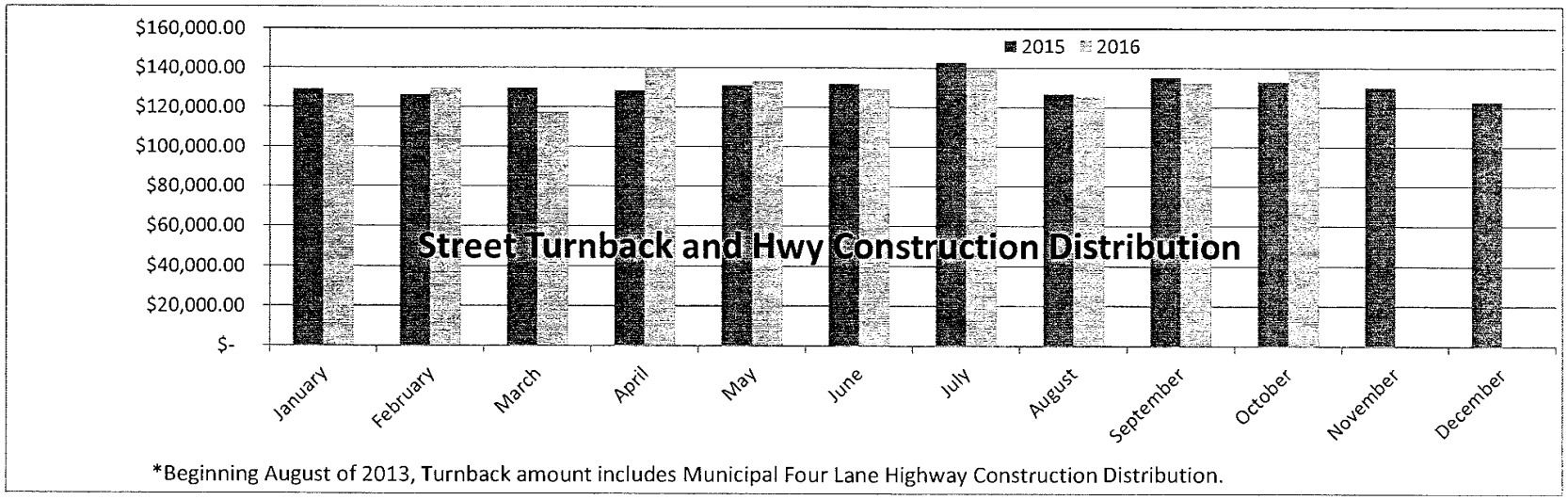
YTD % Increase/(Decrease) 0.39%



Prepared by Tammy Yocom 10/11/2016

CITY OF CABOT, ARKANSAS
Street Turnback with State Hwy Construction Distribution

	2014 Street Turnback (Incldg .5)	2014 New Hwy Construction Distribution (.5)	2015 Street Turnback (Incldg .5)	2015 New Hwy Construction Distribution (.5)	2016 Street Turnback (Incldg .5)	2016 New Hwy Construction Distribution (.5)	$ Variance	% Variance
JANUARY	$ 129,797.60	$ 37,584.80	$ 129,318.30	$ 37,794.46	$ 126,478.83	$ 38,162.17	(2,839.47)	-2.20%
FEBRUARY	120,410.46	36,084.65	126,395.29	39,944.08	129,469.14	40,721.43	3,073.85	2.43%
MARCH	122,750.96	33,221.94	129,983.06	35,296.18	117,336.28	36,942.52	(12,646.78)	-9.73%
APRIL	127,701.91	37,053.30	128,807.86	37,663.18	139,826.80	40,550.82	11,018.94	8.55%
MAY	136,530.87	36,224.06	131,443.29	38,530.76	133,476.69	39,207.98	2,033.40	1.55%
JUNE	133,161.14	36,242.99	132,230.21	38,170.22	129,783.13	37,965.83	(2,447.08)	-1.85%
JULY	144,584.31	37,319.98	142,981.84	37,360.22	139,453.00	40,600.73	(3,528.84)	-2.47%
AUGUST*	132,232.68	36,997.33	126,821.16	39,641.90	125,690.34	41,543.95	(1,130.82)	-0.89%
SEPTEMBER	133,556.46	37,904.17	135,421.40	40,742.43	132,865.62	42,877.53	(2,555.78)	-1.89%
OCTOBER	136,549.50	37,497.39	133,188.96	41,177.05	138,736.10	42,246.41	5,547.14	4.16%
NOVEMBER	128,941.42	37,559.09	130,290.32	39,531.45				
DECEMBER	123,926.61	36,423.23	123,001.28	38,279.90				
	$ 1,570,143.92	$ 440,112.93	$ 1,569,882.97	$ 464,131.83	$ 1,313,115.93	$ 400,819.37		



*Beginning August of 2013, Turnback amount includes Municipal Four Lane Highway Construction Distribution.

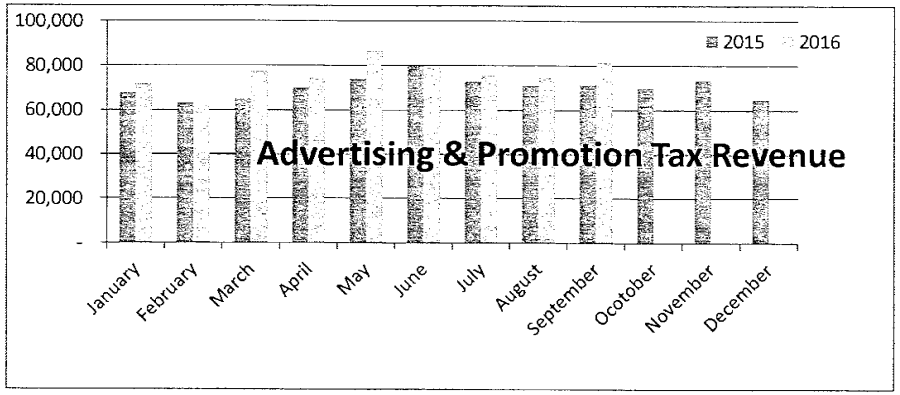
-0.26% YTD % Increase/(Decrease) (Includes .5% state wide tax increase)

Prepared by Tammy Yocom 10/11/2016

CITY OF CABOT, ARKANSAS
Advertising and Promotion Tax

	2014	2015	2016	$ Variance	% Variance
January	$ 56,692.30	$ 67,788.76	71,640.83	3,852.07	5.68%
February	58,082.09	63,233.15	61,974.01	(1,259.14)	-1.99%
March	60,936.00	65,066.57	77,364.95	12,298.38	18.90%
April	64,750.73	70,081.86	74,507.11	4,425.25	6.31%
May	65,043.03	73,938.01	86,562.70	12,624.69	17.07%
June	69,102.01	79,632.01	79,048.62	(583.39)	-0.73%
July	67,415.23	73,024.65	75,712.79	2,688.14	3.68%
August	60,064.25	70,990.25	74,718.82	3,728.57	5.25%
September	70,576.03	71,359.68	81,528.33	10,168.65	14.25%
October	66,050.07	70,091.09			
November	66,167.51	73,596.44			
December	65,275.33	64,914.83			
	$ 770,154.58	$ 843,717.30	$ 683,058.16		

YTD Increase/(Decrease) 7.55%



Prepared by Tammy Yocom 10/11/2016