

**SOUTH PORTLAND POLICE DEPARTMENT**  
**STANDARD OPERATING PROCEDURES**  
**PURPOSE & POLICY STATEMENTS**  
**PUBLIC INFO OVERVIEW**

**SOP #:**

**TITLE:**

**SECTION 1:** **LAW ENFORCEMENT ROLE, RESPONSIBILITY, RELATIONSHIPS**

**1-1:** **Law Enforcement Role and Authority**

**PURPOSE:**

To define the basic role and authority of the South Portland Police Department and its employees.

**POLICY:**

The South Portland Police Department is committed to providing, without prejudice, the highest degree of service to the citizens of South Portland. Foremost in this mission is the protection of life and property. Officers are also responsible for maintaining peace; enforcing laws and ordinances; detecting, identifying, and apprehending criminals; regulating traffic; and performing any service that will improve the quality of life by providing for the safety and security of the citizens of South Portland. Officers are expected to maintain excellence, diligence and efficiency in the performance of duty, and will adhere to the highest standards of integrity and ethics.

**1-1-A:**

**Use of Force & Control:  
Response Options / Medical Aid / Reporting / Review**

**PURPOSE:**

To establish guidelines governing the use of force and control by South Portland Police officers, and to describe requirements for medical aid, reporting, and review of all such incidents.

**POLICY:**

The South Portland Police Department recognizes and respects the value and special integrity of each human life. In vesting officers with the trust and lawful authority to use physical force to protect the public welfare, a careful balancing of all human interests is required. Since there are too many variables that go into an officer's split-second decision to use force in what are oftentimes tense, uncertain and rapidly evolving situations, this procedure, although intended to provide clear direction, is unable to be all inclusive and does not attempt to describe in absolute terms and in every circumstance when an officer should or should not use a particular response option. It is, however, the policy of this agency, in compliance with State and Federal law, that an officer may use only the degree of force that the officer *reasonably* and *actually* believes to be lawful, necessary and appropriate to effect an arrest, overcome resistance to arrest, defend themselves or others from harm, effectively bring an incident under control, or accomplish some other lawful objective. When force is necessary, the degree of force employed must be in direct relationship to the amount of resistance exerted, or the immediate threat to the officers or others. Officers authorized to use force must do so in a way that does not violate the SOP and the civil rights guaranteed by our Constitution and applicable law. Officers shall report their use of physical force, and shall take reasonable steps to obtain appropriate medical attention for resultant injuries or complaints of injuries. Supervisors and command staff shall review all uses of force and control to ensure compliance with legal requirements and this policy. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees. This policy will be reviewed, and officers understanding of it will be evaluated, annually.

**SOP #:**

**TITLE:**

**1-1-B:**

**Firearms**

**PURPOSE:**

To establish regulations and guidelines for the use of firearms and weapons by members of this department.

**POLICY:**

It is the policy of this department to maintain strict control over the firearms, other weapons and ammunition that it allows its sworn members to carry and use in the performance of their official duties. The department will require that its personnel be instructed in SOP #1-1-A, USE OF FORCE & CONTROL, before being authorized to carry weapons. While on-duty, members shall only carry and use authorized weapons and ammunition, and must regularly demonstrate proficiency in the use of agency-authorized weapons. Members are also responsible for the safe use, storage and security of firearms, both on and off-duty. Nothing in this policy is intended to prevent any officer from owning or using a personal firearm for off-duty, recreational purposes.

**1-1-G:**

**Officer Involved Deadly Force:  
Critical Incident Protocols and Review**

**PURPOSE:**

To establish uniform guidelines and protocols to allow this agency to respond effectively and appropriately to officer involved deadly force incidents in order to reduce the impact of critical incident stress on department personnel and ensure a thorough, timely and impartial investigation and review of the incident.

**POLICY:**

In the event of an officer involved shooting or other use of deadly force by a South Portland Police officer, this agency will work quickly to provide medical aid, secure the scene and identify witnesses, while attending to the immediate needs of the involved officers. This agency will coordinate the investigation of all such incidents with the Office of the Attorney General and will follow the Attorney General's "Protocol for the Reporting and Investigation of the Use of Deadly Force." Officer-involved deadly force incidents shall include:

- The use of physical force that causes death or serious bodily injury.
- The use of physical force under circumstances that create a substantial risk of causing death or serious bodily injury, whether or not death or injury actually results.
- The use of physical force when it is the officer's intent to cause death or serious bodily injury, whether or not death or injury actually results.
- The discharge of a firearm in the general direction of another person or at a moving vehicle, whether or not the projectile hits the person or vehicle. Unless another reporting requirement applies, it is not necessary to report the deployment of impact projectiles, as described in SOP #1-1-A, USE OF FORCE & CONTROL, even if such munitions are deployed / discharged from a firearm.
- Ramming an occupied vehicle.
- A roadblock set up to terminate a vehicular pursuit and that results in death or bodily injury to the occupants of the fleeing vehicle or another persons.

**SOP #:**

**TITLE:**

**1-2:**

**Agency Jurisdiction and Mutual Aid**

**PURPOSE:**

To establish the limits of this department's jurisdiction and provide guidelines for the use of mutual aid from other law enforcement agencies.

**POLICY:**

The South Portland Police Department will be responsible for the enforcement of all applicable federal, state and local laws within the geographical boundaries of South Portland, and to render mutual aid quickly and willingly to neighboring police agencies. South Portland police officers will not exercise jurisdiction outside the geographical boundaries of the city, unless expressly authorized to do so by law and with the approval of a supervisor. All South Portland police officers shall, at all times, follow this department's policies and procedures, whether acting at the direction of this department or rendering aid to another agency.

**1-4:**

**Biased-Based Policing / Profiling**

**PURPOSE:**

To establish policy prohibiting the use of biased-based policing / profiling; to clarify the circumstances in which race or ethnicity can be used as a factor to establish reasonable suspicion or probable cause; and to provide guidelines for officers to follow to reduce perceptions of biased policing / profiling, with the intention of ensuring that this department is policing in a fair and equitable manner.

**POLICY:**

It is the policy of the South Portland Police Department to patrol in a proactive manner, to aggressively investigate suspicious persons or circumstances; and to actively enforce applicable laws and ordinances, based upon an individual's conduct and behavior and / or specific suspect information. Bias-based policing / profiling, and / or other discriminatory practices by members of this agency, to include stops, detentions, searches, asset seizures and forfeitures, is strictly prohibited. Persons may only be stopped or detained, including traffic and field contacts, when there exists reasonable suspicion to believe they have committed, are committing, or about to commit a violation of the law.

**1-5:**

**Professional Conduct, Rules & Standards**

**PURPOSE:**

To establish rules and regulations consistent with the department's high expectations of professional conduct and behavior by its employees, with the intention of enhancing the public's trust and confidence in the department's ability and integrity.

**POLICY:**

It is the policy of the South Portland Police Department to maintain standards of professional conduct that apply equally to all employees. These standards are consistent with the proper functioning of a professional law enforcement organization.

**SOP #:**

**TITLE:**

**SECTION 2:**

**ORGANIZATION, MANAGEMENT & ADMINISTRATION**

**2-11:**

**Organization & Organizational Chart**

**PURPOSE:**

To depict the formal organizational structure and functions of the South Portland Police Department.

**POLICY:**

The South Portland Police Department will establish operational and support units that will allow the department to effectively fulfill the police mission. When coupled with existing job descriptions, this policy attempts to denote such organizational principles as chain of command, span of control, delegation of authority, accountability and organization by function. In addition to duties and responsibilities outlined within designated administrative assignments, it is also intended to aid in depicting authority and accountability within the rank structure, ensuring unity of purpose and command, and allowing for the department's goals and objectives to be attained in an orderly, controlled and effective manner.

**2-12:**

**Direction**

**PURPOSE:**

To establish a clear understanding of authority as it relates to verbal orders, written directives, and supervisory responsibility and a written directive system designed to enhance agency wide operations and uniformity.

**POLICY:**

The City of South Portland recognizes the Chief of Police as the Chief Executive Officer for the South Portland Police Department. Command authority within the police department is established through a chain of command of military style rankings, with varying responsibility and authority at each level, or as designated by the Chief of Police through rules, regulations, policies, procedures or other written directives. The department's written directive system has been established to provide employees with a clear and consistent understanding of their duties and responsibilities, outline constraints on employee actions, and define expectations.

**2-12-A:**

**Critical Incident Management / All Hazards Planning:**

**PURPOSE:**

To assure a planned and coordinated response and efficient utilization of resources during a critical incident.

**POLICY:**

It is the policy of the South Portland Police Department to plan for and respond to critical incidents with the goal of protecting life and property. Department personnel will utilize the Incident Command System (ICS) as the management tool to prepare for, respond to and recover from critical incidents that require a *large scale or multi-agency response*.

**SOP #:**

**TITLE:**

**2-12-B:**

**Emergency Staffing**

**PURPOSE:**

To provide a procedure that ensures the department's ability to staff operational periods and provide police services during a prolonged crisis, while allowing employees adequate time-off for rest.

**POLICY:**

The South Portland Police Department recognizes the need to have a plan to provide extra staffing during prolonged crisis / emergency situations. During a declared state of emergency and / or situations that will span multiple days, the police department will transition into 12-hour shifts, to allow maintenance of a force capable of meeting the police mission while facilitating scheduling and assignments

**2-16-A:**

**Specialty Position Assignment**

**PURPOSE:**

To create a formal process through which interested employees are considered for specialty assignments.

**POLICY:**

It will be the policy of this department to select the best-qualified employees for specialty assignments based upon the established guidelines.

**2-16-B:**

**Animal Control**

**PURPOSE:**

To provide guidelines on handling reports involving animals, to ensure that proper methods are used to remove sick, injured, trapped or dead animals.

**POLICY:**

It shall be the policy of the South Portland Police Department to properly, safely and humanely handle calls for service involving animals, as directed by this policy, and to hold animal owners accountable for the proper, safe, and humane care of their animals.

**2-16-C:**

**Police Observer Program**

**PURPOSE:**

To establish guidelines allowing for members of the public to ride along and observe police operations, enhancing the public's understanding and knowledge of the police service and fostering partnerships and trust.

**POLICY:**

It is the policy of the South Portland Police Department to provide a police observer program. Shift Commanders will oversee and manage this program, as dictated by the policy.

**SOP #:**

**TITLE:**

**2-17:**

**Fiscal Management- Purchase Cards / Cash**

**PURPOSE:**

To establish procedures to enhance fiscal management and prevent discrepancies involving cash transactions and the use of city credit cards by department personnel.

**POLICY:**

The Chief of Police will have the authority and responsibility for budgeting and fiscal management within the department, and all personnel will only use cash or city purchase cards for approved, business-related expenditures.

**2-22:**

**Military Activation, Deployment and Re-Integration**

**PURPOSE:**

To provide procedures allowing for the support and reintegration of our department's military members (Active, Reserve and National Guard) and their families during military activation and deployments exceeding 90 days.

**POLICY:**

It is the policy of the South Portland Police Department to remain compliant with the Uniformed Services Employment and Re-employment Rights Act (USERRA), and to provide consistent treatment and support during deployment of those employees who are also members of the U.S. Military and their families. The department's goal is to support the member and the member's family through the entire activation and deployment, ending with the member's healthy transition back to work. The pace of the re-entry phase will be mutually determined by the deployed member and the Chief of Police or designee.

**SOP #:**

**TITLE:**

**SECTION 3:**

**PERSONNEL STRUCTURE & PROCESSES**

**3-21-A:**

**Job Descriptions**

**PURPOSE:**

To provide members with job descriptions for the sworn and non-sworn positions within the department.

**POLICY:**

It is the policy of the South Portland Police Department to require the person assigned to a particular position to fulfill the duties and responsibilities of that position. The job description will be the basis for evaluating performance, and an officer assigned to a different position will be made aware of the responsibilities of that new position before being evaluated in that new assignment. The job descriptions herein are intended to describe the general nature and level of work being performed by people assigned to do the job and are not intended to be an exhaustive list of all responsibilities and duties required. External and internal candidates, as well as position incumbents, who become disabled as defined under the Americans with Disabilities Act (ADA), must be able to perform the essential job functions (as listed) either aided or with assistance of a reasonable accommodation to be determined by management through the interactive process, on a case by case basis.

**3-26:**

**Discipline**

**PURPOSE:**

To provide personnel with an understanding of the disciplinary process and the administration's philosophy on the use of discipline as an agent for change within the department.

**POLICY:**

The South Portland Police Department is committed to maintaining high, professional standards of conduct and performance, supported by training, a strong supervisory presence, cooperation among co-workers, and a fair, impartial and consistently applied disciplinary process. The department's command and supervisory staff have the best opportunity to observe the performance, behavior, conduct and appearance of employees on a day-to-day basis, and are expected to take affirmative, corrective action to maintain discipline and employee adherence to department rules, regulations, orders, directives, policies and Standard Operating Procedures. The department recognizes that corrective action is only one alternative for maintaining high levels of discipline. Counseling, training and reward of employees will be utilized as alternatives to punitive disciplinary action, whenever practical, effective and appropriately consistent with this SOP.

**3-31:**

**Recruitment and Selection- Sworn Personnel**

**PURPOSE:**

To establish recruitment planning and formalized selection protocols for the department, ensuring an efficient, fair and non-discriminatory process is used to attract, select and hire the highest quality officers in order to maintain actual sworn officer strength as close as possible to the authorized strength.

**POLICY:**

It shall be the policy of this agency to effectively and fairly recruit and select a diverse and highly qualified pool of candidates, who are community and career oriented and who possess the knowledge, skills and abilities

**SOP #:**

**TITLE:**

necessary to meet the challenges of present-day law enforcement and community service, in full compliance with all State and Federal Laws and City Ordinances.

**3-33:**

**Training**

**PURPOSE:**

To provide guidelines for the training of development of department personnel, with the intention of preparing employees to act decisively and correctly in a broad spectrum of situations, maximizing efficiency, effectiveness, productivity, safety, cooperation and unity of purpose, while minimizing liability risks.

**POLICY:**

As part of its overall disciplinary system, the South Portland Police Department recognizes the need to provide relevant and consistent training to develop and allow employees to fulfill the responsibilities of their job assignment and those of the agency. Training will be provided based on need, and lack of training will not be the result of bias, favoritism, or personality clash.

**3-35:**

**Personnel Performance Evaluations**

**PURPOSE:**

To establish a fair and objective process of evaluating the performance of department personnel, enhancing employee efficiency and effectiveness, identifying those personnel who excel in aspects of their work, and identifying and guiding those who are deficient

**POLICY:**

As a portion of the department's broader disciplinary system, it is the policy of this department to provide personnel with a fair, meaningful and objective evaluation of job performance that will:

1. provide a means for measuring, recognizing, maintaining or improving employee performance in accordance with prescribed guidelines, ensuring public safety personnel are qualified to carry out their assigned duties;
2. provide a medium for personnel performance counseling to allow employees to maintain behaviors that are appropriate and modify inappropriate behavior;
3. standardize and foster fair and impartial personnel decisions, to include probationary employees, training, specialty assignments and promotions;
4. identify training needs Evaluation results will be monitored to ensure that the policy is being fairly and consistently applied throughout the department.

**SOP #:**

**TITLE:**

**3-35-A:**

**Personnel Files**

**PURPOSE:**

To establish guidelines for access, maintenance and review of personnel files.

**POLICY:**

It will be the policy of this department to make every effort to maintain complete and accurate personnel files on all employees and to allow employees access to their personnel files.

**3-35-B:**

**Early Intervention System**

**PURPOSE:**

To establish a time-sensitive and non-punitive system to help evaluate and potentially assist employees.

**POLICY:**

The South Portland Police Department shall maintain a non-punitive early intervention system (EIS) that, in conjunction with various information and support options within the agency, is designed to help identify and assist members who may display early indicators of job stress or personal problems that may negatively impact future job performance, thus benefiting the member, the agency and the community. This process is to be considered an early warning and intervention system for developing or future issues; it is not an alternative to appropriate progressive discipline for current and identifiable negative behavior or performance problems

**SOP #:**

**TITLE:**

**SECTION 4:**

**OPERATIONS:**

**4-40:**

**Arrests**

**PURPOSE:**

To establish legal, uniform procedures by which officers take a person into custody.

**POLICY:**

It is the policy of this agency to vigorously enforce all laws, statutes and ordinances of the State of Maine and the City of South Portland, however an arrest significantly affects the constitutional rights of the person being placed in custody. Therefore, officers must use sound judgment when deciding whether to exercise the police authority to arrest. The authority to arrest does not always include the duty to arrest. Officers must employ discretion, common sense, experience and good judgment in deciding whether to effect an arrest. Officers must be familiar with and comply with the laws of arrests in the State of Maine and under the U.S. Constitution, and shall govern their actions in accordance with those laws, these procedures and the applicable sections of the Maine Law Enforcement Officer's Manual (LEOM). An officer who exceeds the scope of lawful arrest authority may face administrative, criminal, and / or civil sanctions.

**4-40-B:**

**Domestic Abuse**

**PURPOSE:**

To establish guidelines for handling reports or incidents of domestic abuse involving civilians and / or law enforcement officers.

**POLICY:**

The South Portland Police Department recognizes that crimes of violence occurring between family members are serious crimes that threaten the safety and well being of the citizens of South Portland. Like other professions, police officers' families are not immune to incidents of domestic abuse, and department employees will take a proactive approach when dealing with situations involving members of this department or other law enforcement personnel. It is the policy of this department to fully investigate all reports of domestic abuse, gathering evidence to identify predominant aggressors and preparing cases for prosecution, without dependence on the victim's cooperation or involvement. The department's ultimate goal is for officers to safely respond to – and handle – these incidents, taking steps to break the cycle of domestic abuse, while protecting and supporting the victim. All officers must also remain familiar with the applicable sections of the Maine Law Enforcement Officers Manual (LEOM) and the following Maine statutes: Title 15 (Chapter 12-A); Title 19-A (Chapter 101); and Title 17-A, section 15. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.<sup>3</sup>

**4-40-C:**

**Mental Health Crisis Intervention / Protective Custody**

**PURPOSE:**

To establish guidelines for officers during interactions with persons suspected of being mentally ill or experiencing a mental health crisis, so as to assist the person and protect the general public.

**POLICY:**

It is the policy of the South Portland Police Department to attempt to assist persons who are known or suspected to be mentally ill, particularly persons who present a threat of imminent and substantial physical harm to themselves or to others. Due to the unpredictable nature of these types of contacts, all officers will be trained in

**SOP #:**

**TITLE:**

crisis intervention techniques. Consistent with the priority of life considerations, officers will take steps, to the extent possible, to protect the safety of others, their own safety, and the safety of the mentally ill person, respectively. A minimum of two officers shall be assigned to such calls, including one CIT officer, as available. The on-duty patrol supervisor should also be notified. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees

**4-40-D:**

**ICDS / In-Custody Death**

**PURPOSE:**

To enhance both public and officer safety and minimize potential civil liability by establishing procedures to help officers identify individuals who may be at risk for in-custody death syndrome (ICDS); manage the situation in a manner that minimizes the risks to all those involved; and facilitate medical care for the individual as soon as practical.

**POLICY:**

It is the policy of the South Portland Police Department to provide guidance to department personnel regarding excited delirium and ICDS, and for officers to take measures to *assess, identify and provide medical assistance* for likely ICDS subjects.

**4-40-O:**

**Writ of Possession / Tenant Eviction Procedures**

**PURPOSE:**

To establish lawful and consistent guidance and procedures for enforcement of potential criminal law violations based upon the issuance of a civil Writ of Possession during an eviction process.

**POLICY:**

During circumstances involving the transition of a civil (Writ of Possession) matter into a potential criminal case, it is the policy of this agency to ensure due process, protecting the rights of both property owners and tenants, enhancing officer safety, and minimizing the liability exposure of department personnel by referring all claims of Writ of Possession violations as arrest warrant requests to the District Attorney's Office.

**4-41:**

**Operation of Police Vehicles**

**PURPOSE:**

To establish policy regarding the *routine* and *non-routine* operation of police vehicles.

**POLICY:**

In the best interest of public and officer safety, this policy intends to narrowly regulate non-routine operation of police vehicles, advocating a safe response to true emergencies, and discouraging dangerous or violent criminals from fleeing without any fear of police pursuit and apprehension. While operating department vehicles, ALL PERSONNEL SHALL EXERCISE DUE REGARD FOR THE SAFETY OF THE PUBLIC AND OTHERS WHILE ENFORCING THE LAW. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.

**SOP #:**

**TITLE:**

**4-41-A:**

**Vehicle Assignments and Inspections**

**PURPOSE:**

To ensure that every member of the South Portland Police Department operates a safe, clean, and reliable motor vehicle while carrying out their police mission.

**POLICY:**

It is the policy of the South Portland Police Department to ensure that all vehicles are safe for the road, that vehicle assignments are made according to procedure, and that vehicles and their assigned equipment are regularly inspected for damage, contraband, cleanliness and the need for repair. Officers will be held accountable for the condition of the vehicle(s) and equipment they use.

**4-41-B:**

**Foot Pursuits**

**PURPOSE:**

To provide guidance for departmental involvement in foot pursuits, with the intention of enhancing both officer and public safety.

**POLICY:**

Recognizing that foot pursuits are inherently dangerous, yet necessary, the policy of this department is that the involved officer(s), and ultimately the Shift Commander, retain the ultimate discretion on whether or not a foot pursuit can be safely initiated or continued based upon the totality of the specific circumstances. Due consideration must be given to the need to apprehend the suspect versus the degree of risk to which the officer(s) and others are exposed as a result of the pursuit.

**4-41-C:**

**Specialized Vehicles – Motors / Command Vehicle / MRAP**

**PURPOSE:**

To establish guidelines for the use and operation of the specialized departmental vehicles, including motorcycles (“Motors”), regional command vehicles, and the armored Mine Resistant Ambush Protected Vehicle (MRAP).

**POLICY:**

At the discretion of the Chief of Police, the department will maintain specialized vehicles to safety enhance police operations.

**4-41-E:**

**Bicycle Patrol**

**PURPOSE:**

To establish guidelines for the use of bicycle patrol.

**POLICY:**

The department recognizes the need for fostering a partnership with the community. Officers trained for bicycle patrol may be assigned this function, as deemed appropriate and when staffing allows.

**SOP #:**

**TITLE:**

**4-41-F:**

**Canine Policy**

**PURPOSE:**

To provide guidelines for the management, deployment and use of South Portland Police Department canines.

**POLICY:**

It is the policy of the South Portland Police Department to provide trained, single or dual purpose canine teams, certified by the Maine Criminal Justice Academy, to assist with functions that may include but are not limited to tracking missing or wanted persons; conducting building, crime scene or article searches; drug detection; explosive detection; handler protection; suspect apprehension; public relations and education; and crime prevention. Canines shall only be deployed for functions for which they are trained and certified.

**4-41-G:**

**Bomb Incident Management: Threats, Explosive Devices,  
Detonations & Suspicious Packages**

**PURPOSE:**

To establish safe and effective procedures for responding to and managing incidents involving bomb threats and bomb emergencies, with the objective of preserving life, protecting property and enforcing the law.

**POLICY:**

It is the policy of the South Portland Police Department to assign department personnel to any reported bomb threat, bombing, or discovery of any unexploded or suspected / suspicious package or device, utilizing the Incident Command System to manage the event.

**4-41-H:**

**Disturbance Calls**

**PURPOSE:**

To establish guidelines for the effective handling of disturbance complaints while minimizing the officers' exposure to unnecessary liability. Nothing contained in this order is intended to restrict an officer's lawful authority and responsibility to perform appropriate law enforcement duties.

**POLICY:**

It is the policy of the South Portland Police Department to respond to all disturbance calls, those involving loud and unreasonable noise likely to result in enforcement action under 17-A, M.R.S.A. Ch. 21, *Offenses Against Public Order*, in a timely and professional manner, keeping the peace, enhancing safety, and protecting the constitutional rights of all citizens. The department recognizes that there will be circumstances where the facts do not fit neatly within the guidelines and where the officer will be required to exercise discretion while keeping in mind the laws pertaining to disturbance calls, the constitutional rights of people in attendance, and the liability involved in making arrests.

**4-41-I:**

**Hate / Bias Crimes**

**PURPOSE:**

To assist employees in identifying, investigating and handling hate crimes and bias motivated incidents, to include taking appropriate steps for assisting victims, apprehending suspects and / or ceasing the conduct.

**SOP #:**

**TITLE:**

**POLICY:**

It is the policy of the South Portland Police Department to safeguard the State and Federal rights of all individuals, irrespective of race, religion, gender, color, ancestry, national origin, physical or mental disability, or sexual orientation. This agency considers acts or threats of violence, property damage, trespass or other crimes designed to infringe upon these rights to be serious crimes and will give them high priority. This agency's goal is to rapidly and decisively identify the perpetrators and refer them to the prosecutor's office for appropriate action. One or more officers will be designated as the agency's civil rights officer. It will be the responsibility of each officer to be familiar with the "Maine Civil Rights Act," "Interference with Constitutional and Civil Rights" and other applicable statutes. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.

**4-41-J:**

**Missing & Unidentified Persons**

**PURPOSE:**

To provide guidelines for the response, reporting and investigation of Missing and Unidentified Persons, including proper use of the METRO, NCIC, LOCATER, AMBER ALERT and SILVER ALERT systems.

**POLICY:**

It is the policy of the South Portland Police Department to investigate ALL reports of all missing or unidentified children and adults as soon as reasonably possible, and to ensure that computer entries are timely, complete, and conform to NCIC and METRO standards. This agency holds that every person reported as missing will be considered "at risk" until information to the contrary is confirmed.

**4-41-K:**

**Automated External Defibrillator**

**PURPOSE:**

To establish guidelines for the use of the department's Automated External Defibrillator (AED).

**POLICY:**

It is the policy of this department to train each officer in the use of the AED and to use the AED in situations where training and manufacturer guidelines indicate that it can be safely used. Refresher training will be incorporated into the in-service CPR training.

**4-41-L:**

**Notification of Next of Kin**

**PURPOSE:**

To provide personnel with guidelines for notification of next of kin of deceased, seriously injured, or seriously ill people.

**POLICY:**

It shall be the policy of this department to promptly notify the nearest relative of people that have died, are seriously ill, or have been seriously injured within this jurisdiction, or whenever requested to do so by an outside agency, when such a relative resides within this jurisdiction.

**SOP #:**

**TITLE:**

**4-41-M:**

**Police Interaction with Disabled Persons**

**PURPOSE:**

To provide guidance to department personnel when interacting with disabled persons, as defined by the Americans with Disabilities Act (ADA).

**POLICY:**

It is the policy of this agency to ensure that a consistently high level of service is provided to all community members, including those who may be considered disabled. The provision of those services, however, shall not take precedence during exigent circumstances and priority law enforcement functions, including but not limited to the protection of life and property, the need to apprehend criminals, and / or secure a scene or evidence. Establishing *safety* and *control* will remain paramount and should always be the first priority in any situation

**4-41-N:**

**Interacting with Limited English Proficient Persons:  
Access to Interpreters and Translation**

**PURPOSE:**

To provide guidance for and effective communication by South Portland Police Department personnel during interactions with persons with limited English proficiency.

**POLICY:**

It is the policy of this agency to ensure that a consistently high level of service is provided to all community members, including those with limited English proficiency. The South Portland Police Department serves a diverse community, consisting of people from various national origins for whom English is not their primary language. The department shall seek to meet and follow the recommendations of the related standards included in Title VI of the Civil Rights Act, Executive order 13166, Department of Justice Guidance Policy and 28 USC, Section 1827. The provision of those services, however, shall not take precedence during exigent circumstances and priority law enforcement functions, including but not limited to the protection of life and property, the need to apprehend criminals, and / or secure a scene or evidence. Establishing *safety* and *control* will remain paramount and should always be the first priority in any situation.

**4-41-O:**

**Writ of Possession/ Tenant Eviction Procedures**

**PURPOSE:**

To establish lawful and consistent guidance and procedures for enforcement of potential criminal law violations based upon the issuance of a civil Writ of Possession during an eviction process.

**POLICY:**

During circumstances involving the transition of a civil (Writ of Possession) matter into a potential criminal case, it is the policy of this agency to ensure due process, protecting the rights of both property owners and tenants, enhancing officer safety, and minimizing the liability exposure of department personnel by referring all claims of Writ of Possession violations as arrest warrant requests to the District Attorney's Office.

**SOP #:**

**TITLE:**

**4-42:**

**Criminal Investigations**

**PURPOSE:**

To provide organization, direction and expectations of department personnel so that criminal investigations can be conducted in a consistent, efficient and effective manner.

**POLICY:**

It is the policy of the South Portland Police Department to conduct a thorough criminal investigation while taking into consideration the most effective and efficient use of the physical, financial and human resources of the department.

**4-42-A:**

**Searches and Seizures**

**PURPOSE:**

To outline general guidelines and procedures that South Portland Police officers should follow to conduct constitutionally valid searches; this includes those conducted pursuant to a judicially approved search warrant, and those warrantless searches that are lawfully recognized exceptions to the warrant requirement

**POLICY:**

Searches of people, places, and things must be accomplished in a manner that protects constitutional rights, minimizes intrusion, preserves evidence or fruits of a crime, and ensures the safety of all parties. Law enforcement searches and seizures are governed by the principles of the fourth and fourteenth amendments to the U.S. Constitution. Officers must remain current on applicable case laws and guidelines in this area, and must only conduct searches pursuant to a search warrant or a recognized exception to that requirement, including but not limited to that incident to a lawful arrest, with permission or consent, under exigent / emergent circumstances, or as part of a motor vehicle inventory.<sup>1</sup> A search or seizure made without a warrant is generally considered to be unreasonable, unless the officer is operating within the scope of a recognized exception to the warrant requirement. In such cases, the exclusionary rule may be applied by the Court and any evidence or “fruits” from the “poisonous tree” may be excluded. In addition, the officer and / or department may be held civilly or administratively liable.

**4-42-B:**

**Death Scene Investigations**

**PURPOSE:**

To establish uniform guidelines and protocols to be used by South Portland Police officers during death scene investigations.

**POLICY:**

The South Portland Police Department recognizes that the investigation of the death of another human being is an important task and an awesome responsibility. All deaths occurring under the jurisdiction of this department will be reviewed in such a manner as to maintain the dignity of the deceased, while ascertaining the cause and manner of death and determining the necessity for further investigation. Department personnel must recognize the importance of death scene control and all investigations must, at a minimum, comply with this SOP and the Attorney General’s “Protocols for the Investigation of Deaths,” as contained on the department’s intranet. All personnel are directed to control, secure and protect the scene(s) of any death; identify any possible suspects and / or witnesses, if applicable; make proper departmental / investigative notifications and reports; and assist the

**SOP #:**

**TITLE:**

appropriate death investigation agency, as needed. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.

**4-42-C:**

**Computer Related Investigations**

**PURPOSE:**

To establish guidelines and responsibilities for the proper investigation of computer and technology-related crimes, to include the proper seizure and recovery of computer-related equipment and evidence.

**POLICY:**

It is the policy of the South Portland Police Department to aggressively investigate all criminal activity. Due to their dynamic evolution and availability, computers are becoming an ever more common means by which criminal acts are being committed. Such acts include, but are not limited to, harassment; threats; fraud; stalking; possession and dissemination of sexually explicit materials; and the exploitation of children. The South Portland Police Department shall provide training in this area to its officers, who shall operate in accordance with that training and abide by the protocols outlined herein

**4-42-D:**

**Polygraph Examinations**

**PURPOSE:**

To establish responsibility, procedure and protocol for the proper utilization of polygraph examination and results.

**POLICY:**

It is the policy of this department to use a polygraph examination to assist with investigative efforts, as deemed necessary and appropriate. It should be considered as a supplement and never as a substitute for a thorough investigation.

**4-43:**

**Intelligence/ Covert Operations**

**PURPOSE:**

To establish lawful procedures for the collection and dissemination of criminal intelligence, and the use of investigative techniques for covert operations, related to drugs, vice, organized crime, gangs or other criminal activities within the City of South Portland

**POLICY:**

In recognition of the need to balance government interests with the individual rights in a free society, it shall be the policy of this department that every officer will lawfully collect, report, investigate, process and disseminate information and intelligence related to criminal conduct, or activities that present a potential threat to the City of South Portland or another jurisdiction, regardless of public sentiment, apathy or personal opinion.

**SOP #:**

**TITLE:**

**4-43-A:**

**Marijuana Offense Response / Investigation**

**PURPOSE:**

To establish guidelines and provide direction for handling complaints of possible civil or criminal offenses related to marijuana use, possession, furnishing and / or trafficking, and distinguishing between those offenses and claims of medical marijuana use under Maine's Medical Marijuana Act.

**POLICY:**

In recognition of the problems associated with illicit drug use, and the ambiguity associated with the state's medical marijuana laws, it is the policy of the South Portland Police Department to lawfully respond to and investigate complaints of possible law violations and substance abuse in a proactive, responsive and resource efficient manner.

**4-43-B:**

**Cooperating Individuals / Informants**

**PURPOSE:**

The use of Cooperating Individuals is a well-accepted and effective law enforcement tool that can be undermined if proper procedures are not followed. This policy outlines the accepted use of Cooperating Individuals by members of the South Portland Police Department.

**POLICY:**

It is the policy of the South Portland Police Department to utilize Cooperating Individuals to assist the department in performing its investigative functions. The department distinguishes among several types of cooperating individuals, but will most specifically document, monitor and control the use of *Confidential Informants* so as to allow for the proactive investigation of crime and the protection of the integrity of the department and its personnel.

**4-44:**

**Juvenile Operations**

**PURPOSE:**

To ensure that officers have a thorough understanding of the Juvenile Code and the appropriate procedures for dealing with juvenile offenders and helping reduce juvenile delinquency.

**POLICY:**

It is the policy of this department to investigate and process juvenile cases, and to work collaboratively and encourage the implementation of programs that reduce delinquency and promote the mental, emotional and physical development of juveniles in the community. To achieve this goal, it will be the responsibility of all personnel to follow the MAINE JUVENILE CODE, 15, M.R.S.A. Part 6, and to be proficient in the handling of juvenile problems and operations.

**SOP #:**

**TITLE:**

**4-44-A:**

**Juvenile Possession of Tobacco Products**

**PURPOSE:**

To establish guidelines for handling juvenile tobacco violations.

**POLICY:**

It is the policy of this department to enforce the state laws aimed at curbing use of tobacco products by our youth, including prohibitions against any person under the age of 18 from purchasing, possessing, or using cigarettes, cigarette paper, or any other tobacco product, or offering false identification in an attempt to purchase any tobacco product. The statutes also prohibit selling, giving away, or otherwise furnishing such products to anyone under the age of 18.

**4-44-B:**

**School Visitations**

**PURPOSE:**

To promote a safe and secure environment for staff and students in the city's schools during normal operating hours.

**POLICY:**

Consistent with our community policing philosophy, the policy of this department is for dayshift officers to provide safety visits to the city's schools on a regular basis, enhancing security and the officers' awareness of the building layout and familiarity with school staff.

**4-44-C:**

**Liquor / Underage Drinking Enforcement**

**PURPOSE:**

To establish guidelines for departmental liquor enforcement activities, with the ultimate goal being to decrease underage drinking and to increase voluntary compliance with Maine's liquor laws.

**POLICY:**

It is the policy of the South Portland Police Department to enforce Maine's liquor laws. Officers may conduct random compliance checks within the city, and will take appropriate enforcement action at any location where there is evidence of underage drinking or sales

**4-46-A:**

**Hostage / Barricade Incidents**

**PURPOSE:**

To provide general guidelines for the handling of hostage or barricade incidents.

**POLICY:**

The South Portland Police Department will respond to all potential hostage and / or barricade incidents. The Incident Commander shall promptly request SWAT and CNT response for all hostage incidents. For barricade incidents, the Incident Commander shall closely examine the situation and weigh the benefits of forcing the barricaded person from the location against the potential risks and costs. If a decision is made to continue with

**SOP #:**

**TITLE:**

the resolution effort, minimally intrusive resolution techniques shall be employed until the suspect or subject exits, the Incident Commander decides to discontinue the effort and leave the scene, or the facts and circumstances, including the need to take the suspect or subject into custody, justifies a transition to resolution tactics. Consistent with priority of life considerations, officers will take steps to protect, to the extent possible, the lives of the hostage(s), innocent civilian(s) and officers, respectively, followed by the involved suspect(s) or subject(s). Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.

**4-46-B: Emergency Response - Portland Jetport**

**PURPOSE:**

To provide guidance on the manner in which this department will respond to emergencies at the Portland International Jetport.

**POLICY:**

It is the policy of this department to utilize the Incident Command System (ICS) and respond to emergencies at the Portland International Jetport as part of the Jetport's "Airport Emergency Plan."

**4-46-C: Hazardous Materials / CBRNE**

**PURPOSE:**

To protect the officers and other occupants of this city, while ensuring the prompt control, handling and removal of potentially hazardous materials.

**POLICY:**

As hazardous materials can be found at many locations in South Portland, and accidents and spills may present a serious threat to the health and safety of the general public and first responders, it is the policy of this department to train all sworn personnel to the First Responder "Awareness Level," allowing them to take safe and appropriate actions during hazardous material emergencies. Such events will involve more than one agency and department personnel will utilize the Incident Command System (ICS) to facilitate a cooperative emergency response.

**4-46-D: Rapid Response & Deployment**

**PURPOSE:**

To provide South Portland Police officers with guidelines for incidents requiring rapid response and deployment, with the goal being to limit an offender's access to potential victims so as to prevent or minimize loss of life.

**POLICY:**

It is the policy of this department to protect life by all legal means. South Portland Police officers responding to an active threat incident will accomplish this goal by rapidly responding and deploying to all such incidents and promptly using any legal means at their disposal to make contact with – and stop the actions of – any actively homicidal suspect(s). Response options may include arrest, containment, and / or use of force, up to and including deadly force.

**SOP #:**

**TITLE:**

**4-46-E:**

**Crowd Control & Management**

**PURPOSE:**

To establish guidelines for managing crowds and preserving the peace during demonstrations and civil disturbances.

**POLICY:**

It is the policy of the South Portland Police Department to uphold the constitutional rights of free speech and peaceful assembly, while using the minimum amount of authority required to address a crowd management or crowd control issue. Department personnel shall work to enforce the law, prevent disruption, property damage, injury, or loss of life, ensuring public safety, while protecting the privacy and associated rights of any person or group to peacefully assemble or demonstrate. The department will work collaboratively with the Portland Police Department, to enhance the specialized training of personnel to staff a multi-agency team to act as a regional resource.

**4-46-F:**

**Special Events:**

**PURPOSE:**

To establish and maintain a procedure for the planning and operational management of special events.

**POLICY:**

It is the policy of the South Portland Police Department to plan and coordinate activities related to special events in order to provide the community with the high standards of safety and security.

**4-46-G:**

**Dignitary / VIP Security**

**PURPOSE:**

To establish procedures for organizing and providing security for dignitaries who may face unusual risks due to their positions or notoriety.

**POLICY:**

It is the policy of the South Portland Police Department to formulate or assist in the formulation of plans and take actions to help enhance the security of dignitaries identified as having been afforded specialized and dedicated protective services typically by some level of government, domestic or foreign, while within the jurisdictional limits of the City of South Portland.

**4-47:**

**Special Weapons and Tactics (SWAT) Team**

**PURPOSE:**

To provide guidelines for the department's role in the Southern Maine Regional Special Weapons and Tactics (SWAT) Team, allowing for the department to respond to high risk incidents, and / or incidents that have the increased possibility or probability of overwhelming the existing patrol force, in a safe, efficient and professional manner.

**SOP #:**

**TITLE:**

**POLICY:**

Recognizing that a highly trained and skilled police tactical unit increases the likelihood of a successful resolution to a critical incident or special operation, and has been shown to substantially reduce the risk of injury or loss of life to citizens, police officers and suspects, it is the intent of the South Portland Police Department to participate in a regionally based tactical team in order to effectively deal with high-risk incidents and operations. All SWAT officers will be specially trained and equipped, to include the use of appropriate less lethal force response options. The use of force by South Portland SMR SWAT members is dictated by agency SOP #1-1-A, USE OF FORCE & CONTROL and Maine state law (17-A M.R.S.A., Chapter 5).

**4-47-A:**

**Public Safety Dive & Marine Operations**

**PURPOSE:**

To establish the formal structure and operational role of the department's public safety dive team, and provide guidelines for the safe and appropriate use of the city's marine vessels.

**POLICY:**

The South Portland Police Department will maintain the ability to place a trained police officer both on and under the water in the interest of public safety, which may include but are not limited to locating underwater crime scenes, ensuring the proper collection and documentation of evidence, and conducting maritime security/safety searches. The training, equipping and operational capabilities of this team will be coordinated with the dive team assets of the Portland Police Department, as outlined in the existing *Portland Harbor Regional Public Safety Dive Team Agreement* and / or *Manual*.

**4-47-B:**

**Crisis Negotiations Team (CNT)**

**PURPOSE:**

To provide guidelines for the department's Crisis Negotiation Team to assist in the safe, effective and professional resolution of high risk incidents.

**POLICY:**

It is the policy of the South Portland Police Department to maintain a Crisis Negotiation Team (CNT) in order to undertake all reasonable efforts to obtain non-violent resolutions to crisis or other high risk incidents, while attempting to avoid unnecessary risk to officers, citizens, victims and subjects. Although the method by which any crisis situation resolves is ultimately determined by the subject's actions and behavior, the application of crisis negotiation skills has consistently proven to be the most risk-effective method to achieve the desired outcome.

**4-48:**

**Notification of Administration and Command Staff**

**PURPOSE:**

To provide personnel with guidelines for informing the Chief, Deputy Chief and Command Staff of significant occurrences. The intent is to ensure that proper consultations take place in determining the need for appropriate resources, and that actions are properly authorized and department leaders are able to be responsive and make informed judgments and comments.

**SOP #:**

**TITLE:**

**POLICY:**

Department policy requires notification of the Chief, Deputy Chief, and / or certain Command Staff members in the event of a major crime or significant incident, to include those that may result in department liability or heightened community or media interest. The on-duty Shift Commander will be the primary contact regarding Patrol and Community Services incidents, followed by notification of the Chief of Police for designated events. The Detective Supervisor will be the primary contact regarding Investigative and Support Services incidents, followed by notification of the Deputy Chief of Police for designated events.

**SOP #:**

**TITLE:**

**SECTION 5:**

**SUPPORT OPERATIONS:**

**5-52:**

**Administrative Complaints / Internal Affairs**

**PURPOSE:**

To establish uniform guidelines for receiving, investigating, reviewing, addressing and analyzing complaints against the department or its members, both sworn and non-sworn, with the intention of providing an objective, fair and impartial process of internal review that will serve to protect the public, the department and the individual employees.

**POLICY:**

The public image of the department depends upon the personal integrity and discipline of every employee, and the department recognizes that citizens and department members have the right to initiate a complaint concerning police operations, or the behavior or misconduct of police department employees. It is the policy of this department to thoroughly, fairly and consistently investigate all complaints of employee misconduct, and take appropriate action based upon the outcome of the investigation. The Office of Professional Standards will coordinate the processing of complaints and employees are expected to fully and truthfully cooperate in their expeditious, effective, and impartial processing. These procedures will also be administered in a manner consistent with applicable laws, ordinances and collective bargaining agreements. Given this is a statutorily mandated policy, employee's must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.

**5-52-A:**

**Non-Discrimination / Anti-Harassment**

**PURPOSE:**

To prevent workplace discrimination and illegal harassment by establishing procedures for reporting, investigation and / or resolution of complaints.

**POLICY:**

Employees are the most important part of this organization and must be treated with respect and dignity. The South Portland Police Department is committed to providing a work environment that is free from discrimination and illegal harassment, as such conduct is illegal and seriously undermines the atmosphere of professionalism, trust and respect that is essential to a healthy workplace and law enforcement environment. All employees will abide by this directive and the City's policies regarding harassment, discrimination and workplace violence. The department expects that all relationships among employees, managers, contractors, vendors and the public will be professional and free of bias, prejudice, intimidation, coercion and harassment. This shall apply to all work related settings, activities and property, and will cover conduct between male/female, female/male, and members of the same sex. Harassment and discrimination are strictly prohibited, and all employees should promptly report complaints about discriminatory and / or harassing behavior and actions.

**Non Discrimination Statement:** The department is committed to providing equal employment opportunities, equitable treatment, and advancement opportunities for all of its employees. Any verbal, physical, or visual conduct that belittles, demeans, denigrates, or shows hostility toward an individual or group on the basis of race, creed, color, age, gender, sexual orientation, national origin, religion, physical or mental handicap (except where such handicap manifestly disqualifies an individual from a particular position), worker's compensation history, whistleblower's history, use of tobacco products outside the course of employment, previous or present union activities or

**SOP #:**

**TITLE:**

affiliation with respect to tenure, promotion, transfer, compensation, term, conditions or privileges of employment, or any other matter directly or indirectly related to employment is prohibited.

**Anti-Harassment Statement:** The department will not allow employees to initiate or participate in behavior or activities of illegal harassment, including sexual harassment, as defined below, that may create a hostile work environment. Sexual harassment is a form of illegal discrimination. Any behavior that is discriminatory, coercive, intimidating, harassing, or sexual in nature is inappropriate and prohibited.

**5-54:**

**Media Policy**

**PURPOSE:**

To establish guidelines for the consistent, timely and proper release and dissemination of public information to the media and public.

**POLICY:**

Recognizing the importance of the news media in quickly disseminating information to the public, it is the policy of this department to maintain a cooperative and professional relationship with the news media on matters of public interest in a manner that does not hamper police operations.

**SOP #:**

**TITLE:**

**SECTION 6:**

**TRAFFIC LAW ENFORCEMENT:**

**6-61:**

**Traffic Law Enforcement**

**PURPOSE:**

To establish consistent traffic enforcement guidelines aimed at discouraging traffic violations, reducing traffic crashes, suppressing criminal activity and expediting the flow of traffic within the City of South Portland.

**POLICY:**

The enforcement of traffic laws and ordinances is a basic and important responsibility of the police department. All uniformed officers should proactively and consistently enforce traffic violations, with the ultimate goal being to achieve voluntary compliance with the laws by motorists and pedestrians, thereby reducing traffic crashes. Enforcement of traffic laws and ordinances should be conducted in full compliance with the constitutional and statutory safeguards established to preserve the rights of citizens, with selective enforcement based upon traffic crash and enforcement data. Enforcement decisions should be based upon the nature of the violation, traffic and weather conditions, and the officer's training, experience, and professional judgment. As a general rule, violations (arrests or summonses, as appropriate) should be issued in response to hazardous traffic offenses

**6-61-A:**

**Traffic Calming, Direction & Control**

**PURPOSE:**

To provide procedures governing the department's traffic calming, direction and control activities.

**POLICY:**

It is the policy of the department to perform traffic calming, direction and control functions, as necessary, to ensure the safe and efficient movement of vehicles and pedestrians.

**6-61-C:**

**Checkpoints / Roadblocks**

**PURPOSE:**

To ensure public and officer safety and adherence to constitutional standards by establishing guidelines for conducting lawful checkpoints and roadblocks.

**POLICY:**

The South Portland Police Department will allow authorized uses of checkpoints as an investigative, enforcement and roadway safety tool. Roadblocks are generally prohibited, except as outlined below.

**SOP #:**

**TITLE:**

**6-62:**

**Vehicle Crash Investigation & Reporting**

**PURPOSE:**

To establish guidelines for response, investigation and reporting of vehicle collisions / crashes.

**POLICY:**

It is the policy of the South Portland Police Department to respond to every reported vehicle crash in the City of South Portland. If a reportable crash occurs within our reporting jurisdiction, the officer will complete an investigation and / or report and provide or arrange for the delivery of necessary services, consistent with this directive, state law and the Maine Traffic Crash Reporting Manual.

**6-63:**

**Parking Enforcement, Scofflaw and Parking Bans**

**PURPOSE:**

To establish guidelines to coordinate the efficient enforcement of the city's parking ordinances.

**POLICY:**

It shall be the policy of the South Portland Police Department to routinely enforce all provisions of the city's parking ordinances, as contained in South Portland Code of Ordinances, Chapter 15, Motor Vehicles and Traffic. Moreover, officers are expected to routinely enforce the city's "Scofflaw" Ordinance, Chapter 15, Division 2 (Towing of Vehicles in Violation). Officers are also expected to enforce violations during parking bans and facilitate the removal of vehicles hindering snow removal. Supervisory approval will be required to have a vehicle towed for any parking violation. The Public Safety Secretary will be responsible for entering or maintaining all parking ticket data.

**6-64:**

**Junked Motor Vehicles**

**PURPOSE:**

To establish guidelines for investigating reports of junked motor vehicles.

**POLICY:**

It is the policy of this department to enforce the provisions of the South Portland City Ordinances, Chapter 15, Article VI, JUNKED MOTOR VEHICLES, and the provisions of Title 30-A, M.R.S.A., Sections 3751 through 3753, *Junkyards and Automobile Grave-yards*.

**SOP #:**

**TITLE:**

**6-66:**

**Vehicle Towing / Inventory & Ancillary Traffic Services**

**PURPOSE:**

To establish guidelines for providing emergency and general assistance to motorists, as well as for towing / removing, and inventorying vehicles, so as to protect the owner's property, protect department personnel from subsequent claims of lost or stolen property, protect the officers and public from hazards and dangerous instrumentalities, and providing for safe traffic flow, all while maximizing the use of department resources.

**POLICY:**

It is the policy of this department to offer reasonable assistance to motorists in need of aid, and to conduct a thorough inventory of all vehicles and property taken into custody or over which the police have exercised control. The department will utilize a standardized process to ensure that vehicles abandoned or left on a way due to collision, mechanical issues, investigatory vehicle detentions, or in violation of state law or city ordinance, are appropriately secured and / or removed. Reasonable attempts will be made to notify the owner of a vehicle impounded for processing before the vehicle is removed from police custody and taken to a storage facility. A designated supervisor will be responsible for the oversight and administration of this SOP and the City's Code of Ordinances, Chapter 15(VIII).

**SOP #:**

**TITLE:**

**SECTION 7:**

**PRISONER & COURT RELATED ACTIVITIES:**

**7-71:**

**Prisoner Handling / Transportation**

**PURPOSE:**

To establish a general policy concerning the handling and transportation of prisoners.

**POLICY:**

It is the policy of the South Portland Police Department to provide due care and take all reasonable precautions to securely handle, transport and prevent the escape of individuals in custody, so as to maintain security and control and protect the safety, rights, health and well being of the public, the officers and the person in custody.

**7-72:**

**Prisoner Booking / Cellblock Procedures**

**PURPOSE:**

To establish procedures for the securing, safeguarding, and processing of prisoners.

**POLICY:**

Once a person is arrested by an officer of this department, the officer and department are responsible and liable for that person's security and wellbeing. The Cumberland County Jail is considered the primary or preferred facility for South Portland Police Department arrests. For any arrests brought to the South Portland Police station, it will be the department's policy to meet or exceed the standards established by the State of Maine for a short-term detention facility.

**7-72-A:**

**Prisoner Strip, Mouth, and Body Cavity Searches**

**PURPOSE:**

To establish guidelines for conducting strip, mouth and / or body cavity searches.

**POLICY:**

The department recognizes that the use of strip, mouth and body cavity searches may, under certain conditions, be necessary to protect the safety and security of officers and members of the public, to secure evidence of criminal activity, or to protect the integrity of an undercover operation. In recognition of the intrusiveness of these types of searches on individual privacy, and with due regard for human dignity, it shall be the policy of the South Portland Police Department to conduct these searches only with proper authority and justification, and in accordance with the rules and procedures set forth by the Department of the Attorney General and this SOP. These rules apply only to arrestees, and do not apply to people taken into custody for execution of a sentence, or who are already inmates of a detention facility. These rules do not apply to other types of searches, including, but not limited to pat downs / frisks, and visual mouth searches, which are governed by the 4<sup>th</sup> Amendment.

**7-74:**

**Legal Process: Records & Service**

**PURPOSE:**

To establish guidelines to ensure the proper service of court documents and legal process.

**SOP #:**

**TITLE:**

**POLICY:**

Department personnel will receive, record, and / or attempt service of court documents and legal process, including Court subpoenas, summonses, Protection from Abuse / Harassment (PFA / PFH) orders, and arrest warrants in a timely and professional manner.

**7-74-A:**

**Court Notification, Appearance, Compensation &  
Dress Code**

**PURPOSE:**

To ensure South Portland Police officers professional appearance at court proceedings, and administrative or other hearings, by establishing a dress code, and creating a process of notifying and compensating officers for such appearances.

**POLICY:**

The South Portland Police Department regards appearances at criminal court proceedings and related hearings as a fundamental duty of its members, and an important step in the law enforcement mission and criminal justice system. The department will notify its members of required proceedings; mandate their attendance at those proceedings in appropriate attire; and provide compensation. Appearances in civil court on City of South Portland business may only be upon subpoena, and / or with the approval from the Chief of Police.

**SOP #:**

**TITLE:**

**SECTION 8:**

**AUXILIARY & TECHNICAL SERVICES:**

**8-81:**

**Communications**

**PURPOSE:**

To establish guidelines for the effective and accurate provision of emergency and non-emergency communications.

**POLICY:**

Under the direction of the existing intra-local agreement between the Cities of Portland and South Portland, the South Portland Police Department will provide 24-hour telephone and TDD access for emergency and non-emergency calls for service, and will provide continuous, two-way radio communications between dispatch and on-duty personnel. The designated Communications Director shall have responsibility for communications operations, but all department supervisors are responsible for the enforcement of this directive. It is each officer's responsibility to maintain clear, concise, and effective communications and to follow procedures which promote safety.

**8-81-B:**

**Response to Alarms**

**PURPOSE:**

To establish practices and procedures to be used by members of this department when responding to alarm calls.

**POLICY:**

It is the policy of the South Portland Police Department to respond to alarms by operating under routine driving conditions, unless there is additional information indicating the likelihood of a "true emergency,"<sup>1</sup> at or in the vicinity of the activated alarm.

**8-81-C:**

**Response to 911 Hang-up & Misdialed / Unintentional Calls**

**PURPOSE:**

To establish response procedures to be used by members of this department for 911 hang-up, 911 misdials and unintentional 911 calls.

**POLICY:**

Because a 911 hang-up call may have been made by someone who is unable to communicate the nature of the emergency, it shall be the default policy of this department to respond to the location of all such calls. Officers shall respond with *routine* driving operation, unless there is additional information of a crime taking place and reason to believe that there is imminent danger to citizens at or in the vicinity of the call.

**SOP #:**

**TITLE:**

**8-82:**

**Reporting, Data Entry, Records Management**

**PURPOSE:**

Report writing and record keeping is an important and essential part of any quality organization. The capability to access accurate, timely and/or historical information is particularly critical for any effective police agency. The purpose of this policy is to establish guidelines for the consistent preparation, completion, entry, review, dissemination and management of South Portland Police Department reports and records.

**POLICY:**

The South Portland Police Department will maintain a Computer Aided Dispatch (CAD) and Crimes Management System (CMS) for the purpose of recording all calls for service and reportable incident case information. South Portland Police officers will file appropriate, timely and accurate reports, and all such reports will be reviewed and disseminated in accordance with department policy.

**8-82-A:**

**Sex Offenders: Registration / Notification / Verification**

**PURPOSE:**

To enhance public safety by establishing guidelines for the registration, investigation, community notification and ongoing verification of sex offenders known to be residing, employed or attending school or college in the City of South Portland.

**POLICY:**

This department recognizes that sex offenders may pose a risk to the community. Department personnel will comply with and enforce the Sexual Offender Registration and Notification Act (SORNA) of 1999 and 2013<sup>1</sup>, while taking all reasonable steps to maintain the delicate balance between the governmental interests of public safety and the individual sex offender's rights. Consistent with those goals, it is the policy of this department to register, investigate, conduct ongoing verifications, and notify the community of known sex offenders who are living, employed, or attending school in the city, consistent with SORNA.<sup>2</sup> The department will maintain a sex offender file, accessible to all employees, who are responsible for verifying offenders' compliance with registration laws, investigating violations of such laws and locating non-compliant or absconded offenders. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.<sup>3</sup> A copy of this policy will be provided to the MCJA and the Maine Sex Offender Registry (SOR).

**8-82-B:**

**Criminal Justice Information / Records (SBI / III / N-DEx)**

**PURPOSE:**

To provide department personnel with guidelines for the appropriate use of Criminal Justice Information Services (CJIS) records and information, to include State Bureau of Identification (SBI), National Crime Information Center (NCIC) Interstate Identification Index (III), and the National Data Exchange (N-DEx).

**POLICY:**

Only sworn or otherwise explicitly authorized South Portland Police Department personnel may request, obtain or utilize criminal history and criminal records information, consistent with this and other agency policies, as well as Federal and State policies, guidelines and Memorandums of Understanding pertaining to NCIC, METRO, N-DEx and CJIS Security.

**SOP #:**

**TITLE:**

**8-82-C:**

**Public Information and Records**

**PURPOSE:**

To establish guidelines for the release and dissemination of public information and records.

**POLICY:**

It is the policy of this department to provide public access to law enforcement information and records in compliance with the Freedom of Access Law, Criminal History Record Information Act, Intelligence and Investigative Record Information Act, and state statutes regarding Personnel Records for Municipal / County Agencies and E-911 Records. Designated staff, including command and supervisory personnel, should receive training in and are designated as the person(s) to respond to Freedom of Access requests. The release of personal information about any past or present department employees shall be in accordance with SOP #1-5, PROFESSIONAL CONDUCT.

**8-82-D:**

**Computer & Social Media Policy**

**PURPOSE:**

To protect the assets, information and integrity of the department by establishing guidelines for the proper use of the department's computer system, information resources, and social media accounts.

**POLICY:**

It is the policy of this department to acquire and maintain state of the art computers and software, and to train all personnel in the proper use, operation, and care of the department's computer system. Specialized computer access and training will be given to individuals based on job description and requirements. All personnel will be held responsible for using the system, as well as any social media accounts related to the department or individual employees, in an ethical and lawful manner, and consistent with the guidelines set forth in this policy.

**8-82-E:**

**Mobile Data Terminals**

**PURPOSE:**

To establish guidelines for use of the department's cruiser laptops or Mobile Data Terminals (MDTs).

**POLICY:**

It is the policy of this department to train personnel in the proper use, operation and care of the MDTs and to hold all personnel responsible for using the system in an ethical and lawful manner, in accordance with this policy and SOP #8-82-D, COMPUTER POLICY.

**SOP #:**

**TITLE:**

**8-82-F:**

**Automated License Plate Reader (ALPR)**

**PURPOSE:**

To establish policy and procedures for the use and oversight of the department's Automated License Plate Reader (ALPR) technology.

**POLICY:**

It is the policy of the South Portland Police Department to utilize ALPR technology only for official and legitimate law enforcement purposes, with the goal being to increase the efficiency and effectiveness of its public safety efforts in a manner that safeguards the legitimate privacy concerns of law abiding citizens. Sworn department personnel may use the ALPR system for official use only. Any matches received from the ALPR must be verified before enforcement action is taken. ALPR data that is not considered intelligence and investigative information shall be retained for a maximum of twenty-one (21) days.

**8-82-H:**

**Departmental Records Retention**

**PURPOSE:**

To provide guidelines for proper retention and destruction of department files and records.

**POLICY:**

The South Portland Police Department will retain and may destroy files and records consistent with the retention period schedule outlined in this policy.

**8-83-A:**

**Body Worn Camera / Mobile Video Recording (Audio / Video) Equipment**

**PURPOSE:**

To provide guidelines for use of body worn cameras (BWC) the mobile audio / video recording (MVR) equipment.

**POLICY:**

It is the policy of this department to maintain and require uniformed and other officers who routinely respond to calls for service, or are involved in a special event mandated for recording, to use BWC and MVR equipment, as operationally available, to fulfill the objectives outlined below. Plainclothes officers may also use the devices, as available. Officers shall operate the BWC and MVR equipment in accordance with this policy.

**8-84:**

**Evidence / Property:  
Collection, Processing, Preservation & Control**

**PURPOSE:**

To establish clear standards detailing the methods and procedures all members of this department will follow in dealing with all types of property, and to effectively conduct criminal investigations by fully utilizing the value of physical evidence.

**SOP #:**

**TITLE:**

**POLICY:**

It shall be the policy of the South Portland Police Department to properly collect, process, analyze, manage and control all property and evidence in the custody of this agency.

**8-84-B:**

**Digital Cameras**

**PURPOSE:**

To provide department personnel with guidelines for the care, handling and use of digital cameras in collecting evidence and photographing incidents.

**POLICY:**

It is the policy of the South Portland Police Department to provide its members with digital cameras to assist in documenting evidence and / or crime scenes or otherwise photographing incidents. The cameras are intended for official law enforcement related use only.

**8-84-C:**

**Recording of Suspects in Serious Crimes**

**PURPOSE:**

To establish guidelines and procedures regarding the recording of certain custodial interrogations of suspects and the preservation of the associated recordings, notes and records.

**POLICY:**

The South Portland Police Department recognizes the importance of recording custodial interrogations of persons involved in serious crimes when such interrogations are conducted in a place of detention. The department will make recording equipment available for officers' use. It will be the responsibility of each officer to be familiar with the circumstances under which an interrogation must be recorded, the operation of the department's recording equipment, and relevant case law regarding interrogations. Given this is a statutorily mandated policy, officers must abide by this SOP as it applies to all standards of the MCJA Board of Trustees.

**8-84-D:**

**Prescription Medication Disposal Program**

**PURPOSE:**

To provide guidelines for the department's prescription medication disposal program.

**POLICY:**

It is the policy of this department to responsibly manage and account for property received as part of its prescription medication disposal program, helping to prevent diversion or inappropriate disposal by allowing South Portland residents a drop off site for unwanted prescription medications.

**SOP #:**

**TITLE:**

**SECTION 9:**

**ADMINISTRATIVE:**

**9-91:**

**Departmental Dress Code & Grooming Standards  
(Uniform / Plainclothes / Civilian)**

**PURPOSE:**

To establish high standards of appearance and public respect for department members by establishing the authorized dress and equipment to be worn by uniformed and plainclothes personnel for day to day operations.

**POLICY:**

Sworn and non-sworn personnel are subject to dress code regulations for the purpose of ensuring uniformity, neatness and a professional appearance. Command and Supervisory personnel are responsible for ensuring that uniform standards are maintained by all personnel under their command. It is the policy of this department to initially issue two (2) Class A type uniforms, and one (1) Class B type uniform, to all sworn personnel. Officers shall use their clothing allowance to purchase and maintain authorized uniform items. Items not specified here, or in other department policies, are not to be worn or carried. Shift Commanders may dictate specific uniform requirements for their personnel, based upon special details, weather conditions, or the police mission.

**9-91-A:**

**Soft Body Armor**

**PURPOSE:**

To provide members of the South Portland Police Department with guidelines for the proper use and care of soft body armor.

**POLICY:**

It is the policy of this department to maximize officer safety through the use of soft body armor in conjunction with training in prescribed officer safety procedures. While soft body armor provides a significant level of protection, it is not a substitute for sound, basic officer safety procedures.

**9-91-B:**

**Clothing Issuance / Allowance / Purchase Card**

**PURPOSE:**

To identify issued items and items authorized to be purchased from the officer's clothing allowance.

**POLICY:**

It shall be the policy of this department to provide all sworn personnel with an initial issue of Class A and Class B uniforms. Officers are responsible for maintaining and replacing the initial issue (both Class A and Class B) through the clothing allowance. Officers may purchase additional items from their clothing allowance, as authorized by this order.

**SOP #:**

**TITLE:**

**9-92:**

**Administrative Assignments**

**PURPOSE:**

To designate specific officers or shifts the responsibility for completing administrative assignments.

**POLICY:**

It is the policy of the South Portland Police Department to require its members to fulfill their assigned administrative duties. The responsibility for the completion of assigned shift duties ultimately rests with the Shift Commander, but the Shift Commander is expected to delegate tasks appropriate to the rank of the person who is assigned a specific task. Data entry to accomplish shift responsibilities will be coordinated with the dispatcher(s) and officers assigned the duties. Shift Commanders shall coordinate with the dispatch supervisor to oversee the shift operations of the dispatchers relating to police matters. At all times, the Shift Commander shall ensure that police personnel and dispatchers work cooperatively to accomplish their respective missions.

**9-93:**

**Time Off**

**PURPOSE:**

To provide guidelines for requesting and scheduling time off in its various forms. This policy is to work in conjunction with current collective bargaining agreements representing sworn personnel.

**POLICY:**

It is the policy of this department to grant time off to all employees in a fair and impartial manner. Reasonable requests for time off will be granted, when possible, provided they will not adversely affect the department's operations, will maintain an adequate pool of officers available for overtime, are fiscally responsible, and conform to the terms of the employees' collective bargaining agreements. Non-discretionary time off will be granted as the need arises. Administrative leave will be granted when it is deemed necessary or appropriate.

**9-93-A:**

**Overtime: Inside / Outside / Traffic Enforcement**

**PURPOSE:**

To provide for public safety and maintain minimum staffing requirements by establishing specific guidelines of overtime work responsibility for all personnel, and provide guidance for filling open inside (patrol) jobs, outside details, and traffic enforcement details.

**POLICY:**

It is the policy of this department to distribute overtime in a fair and equitable manner, while limiting the number of hours that an officer can work so that the public can be assured that on-duty personnel are physically, mentally, and emotionally fit for duty.

**9-94:**

**Exposure Control Plan: Infectious Disease**

**PURPOSE:**

To provide for and maintain a safe working environment for all employees by minimizing and / or eliminating the risk of an occupational exposure to blood borne and airborne pathogens, including, but not limited to, Hepatitis B Virus (HBV), Human Immunodeficiency Virus (HIV), and Tuberculosis (TB). This plan covers all

**SOP #:**

**TITLE:**

employees who could be “reasonably anticipated”, as a result of the performance of their job duties, to come into contact with blood or other potentially infectious materials.

**POLICY:**

Recognizing that infectious disease exposure is an occupational health hazard, it is the policy of this department to promote safe work practices. The department will provide administrative controls, including but not limited to department policies and procedures, and will train, vaccinate, and equip any employee at risk of an occupational exposure. All employees are responsible for following these guidelines and promoting a safe work environment, but the Shift Commander has the ultimate responsibility of ensuring that all aspects of this order are followed.

**9-94-A:**

**Respirator Protection Program**

**PURPOSE:**

To provide officers with guidelines for the use of respirators in order to protect their health by minimizing their exposure to respiratory hazards encountered during emergency operations.

**POLICY:**

The South Portland Police Department will maintain this respirator protection program, consistent with 29 CFR§1910.134(c). The department will provide respirators, assessments and training, and all officers will utilize respirators, and other PPE, and the buddy system while operating in any IDLH environment.

**9-94-B:**

**Hazard Communication Program**

**PURPOSE:**

To manage hazardous materials that present a physical or health hazard at the South Portland Police Department.

**POLICY:**

It is the policy of the City of South Portland Police Department that all hazardous materials will be managed in accordance with the Federal Hazard Communication Standard (HCS), 29 CFR 1910.1200 and is based on the concept that employees have a need and a right to know and understand the identities and hazards of chemicals they work with during the course of their employment. Compliance with safety polices is mandatory and failure to comply is grounds for disciplinary action.

**9-94-C:**

**Lock Out Tag Out/ Hazardous Energy Control**

**PURPOSE:**

To establish requirements for hazardous energy control that is used to ensure that machines and equipment are isolated from all potentially hazardous energy sources whenever servicing or maintenance activities are in progress.

**POLICY:**

It is the policy of the South Portland Police Department to ensure that the machines or equipment used by members of the department are isolated from all potentially hazardous energy and are locked out tagged out

**SOP #:**

**TITLE:**

before employees perform servicing or maintenance activities where the unexpected energization, start up, or release of stored energy could cause injury to employees and equipment in accordance with OSHA 29 CFR 1910.147 Control of Hazardous Energy.

**9-95:**

**Employee Assistance Program**

**PURPOSE:**

To describe the Employee Assistance Program (EAP) and the procedures to be followed in utilizing the service of the program, with the goal being to maximize an employee's emotional wellness and job performance.

**POLICY:**

The South Portland Police Department is committed to maintaining and strengthening its most important resource - the employee. The department recognizes that a wide range of personal or professional problems can have an impact on an employee's well-being and job performance. As such, the department will provide awareness to all employees of the city's Employee Assistance Program (EAP), which will be accessible to all employees on a self-referral basis. Supervisory referrals may also be made based upon unsatisfactory job performance that is not corrected through normal supervisory attention. In instances where it is necessary, sick leave may be granted for treatment or rehabilitation, as is granted for ordinary health problems. All records and discussions of personal problems are regarded as highly confidential and do not become part of the employee's personnel file. In instances where an employee's schedule of work will be affected by his or her treatment, then only the Chief of Police will be made aware of that officer's rehabilitation situation.

**9-96:**

**Critical Incident Stress Management**

**PURPOSE:**

To minimize the risk of stress disorders and assist the health, well-being and performance of department employees exposed to highly stressful critical incidents, likely to overwhelm normal stress coping mechanisms, by establishing access to and guidelines for Critical Incident Stress Management options.

**POLICY:**

It is the policy of this department to maintain a Critical Incident Stress Management (CISM) program in order to promptly and proactively provide proper mental health resources to personnel involved in a critical incident or experiencing emotional trauma. The CISM program may consist of access to trained peer support personnel, the Employee Assistance Program (EAP), a Department Chaplain, qualified mental health professionals and / or other private providers, and is intended to provide personnel with information on reactions to the trauma associated with critical incidents and assist in the deterrence of negative stress responses.

**9-96-A:**

**Police Death, Mourning & Funeral Protocols**

**PURPOSE:**

To establish guidelines to assist department members in providing emotional care, support and a showing of respect for an officer's family following a police officer's death or serious injury.

**SOP #:**

**TITLE:**

**POLICY:**

It is the policy of the South Portland Police Department to provide assistance and support to the immediate family of any member who dies or is seriously injured in the line of duty. Officers will also show public respect and support following the death of any active or retired officer. All sworn personnel will complete an Employee Emergency Information Sheet, when hired, which will be sealed in their personnel file and updated, as needed.

**9-97: Secondary Employment**

**PURPOSE:**

To establish uniform procedures regarding secondary employment that will ensure the efficiency and readiness of department members, and help avoid potential conflicts of interest.

**POLICY:**

It is the policy of this department that all personnel must receive approval to engage in secondary employment. The department will fairly distribute and closely control extra-duty employment, and fairly evaluate requests for off-duty employment, approving requests that do not diminish the employee's ability to perform their primary police duties or create any conflicts of interest.

**9-98-A: Employee Recognition Programs:  
OOTM / OOTY / Awards & Commendations**

**PURPOSE:**

To define the formal programs designed to recognize department employees and / or members of the general public who perform in an outstanding manner.

**POLICY:**

It is the policy of this department to recognize the efforts and accomplishments of an officer's day-to-day performance and to commend officers who perform beyond the call of duty. The department will maintain formal recognition programs; namely an ongoing Officer of the Month / Officer of the Year program and an annual Awards and Commendation process.

**9-99: Police Building: Emergency Action Plan, Security & Proximity Card Use**

**PURPOSE:**

To assure a safe and secure workplace for public safety employees, and to establish policy for employee usage of proximity cards.

**POLICY:**

The on-duty Shift Commander is deemed responsible for the safety and security of the police department building / facility, and for the employees within, and for implementing this emergency action plan, as warranted, in the event of an emergency impacting the building / facility. It shall be the policy of this department to abide by the City of South Portland Identification Badging Policy. Authorized personnel have been issued proximity cards that will allow them access to the Public Safety Complex and / or other buildings and facilities within the city, only for official and legitimate purposes.

**SOP #:**

**TITLE:**

**9-99-A:**

**Use of Police Firing Range**

**PURPOSE:**

To establish guidelines for the safe use of the department's firing range.

**POLICY:**

It is the policy of this department to provide a safe and convenient place for officers to train with and discharge a department-issued firearm and / or a personally owned handgun. The department will require strict adherence to established safety precautions outlined in SOP # 1-1-A, USE OF FORCE – DEADLY / NON-DEADLY, and SOP # 1-1-B, FIREARMS.