

I. STANDARDS OF CONDUCT

A. Pima County Sheriff's Department members shall conduct their private and professional lives in a manner that will reflect favorably on the Department as well as themselves. Conduct unbecoming a member of this Department shall include that which tends to bring the Department into disrepute or reflects adversely upon the individual as a member of the Department, or that which tends to impair the operation or efficiency of the Department or member.

1. Department members shall observe and obey all federal and state laws, applicable Pima County policies, local ordinances, as well as rules, regulations, and procedures of the Department.
2. Department members knowing of other members of this Department who have violated a law or ordinance shall report such violation in writing to the Sheriff.
3. Consideration of Race, Ethnicity, or National Origin

During any contact with a member of the public, Department members shall treat all persons equally without regard to their race, ethnicity, or national origin. In deciding to initiate contact with any member of the public, Department members shall not consider the race, ethnicity, or national origin of that person unless the race, ethnicity, or national origin is part of an identifying description or characteristic of a potential suspect and is based on criminal information, intelligence, and/or reasonable suspicion.

4. Department members shall treat supervisors, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another.
5. Department members shall, in all cases, report honestly and accurately all facts about investigations or other matters of concern to the Department.
 - a. Department members shall make no false reports or knowingly enter or cause to be entered in any departmental book, record, or report any inaccurate or false information.

- b. No Department member shall in an official capacity willfully misrepresent any matter, make or sign any false official statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, official hearing, or departmental hearing.
6. Department members shall not reveal official business except for the following purposes:
 - a. Release of public records
 - b. Release of information to members of the criminal justice system for official use
 - c. Release of information in accordance with Privacy and Security Procedures
 - d. Release of court-ordered information
 - e. Release to the news media of non-confidential information concerning daily departmental activities
7. Department members shall access Department and criminal justice information, including both manual and automated files, for official purposes only. All releases shall be in accordance with laws and guidelines regarding privacy and security and Department procedures.
8. Court Appearances
 - a. Department members shall appear in court at or before the time ordered.
 - b. Department members shall render attention and respect to the court at all times. They shall appear in an authorized dress uniform or civilian clothing of business-like appearance.
9. Department members shall not recommend to any person the employment of a particular attorney, bail bondsman, towing company, or any other service for which a fee is charged.

10. Department members shall not accept service of any civil process other than a subpoena for another member of this Department. Process servers who have summonses or other processes should be directed to the recipient's workstation where the server must serve the individual personally.
 - a. Subpoenas for Corrections Bureau staff will be accepted at Judicial Security or the Corrections Bureau Administrative Office.
 - b. Subpoenas for other than Corrections Bureau personnel may be accepted at any Department facility and forwarded to the affected Department members.

11. Department members at Sheriff's civil sales are limited as outlined below:
 - a. Department members shall not purchase, from any auction or sale, items that were seized by the Sheriff's Department or seized in cooperation with any other government agency.
 - b. Department members shall not purchase property through or from any company that the Department has utilized for liquidating seized properties.

12. Department members shall not accept or solicit, directly or indirectly, anything of economic value such as a gift, gratuity, favor, or entertainment, loan or reward that is, or may appear to be, designed to influence the member's official conduct. This does not necessarily prohibit acceptance of the following:
 - a. Minor promotional items such as calendars and pens
 - b. Food or refreshments delivered as a gift to the work place for consumption on the premises by members of the workplace
 - c. Business lunches costing no more than ten dollars (\$10.00) when approved in advance by a Division Commander

Decisions about which items to accept and which to return shall be made by a Division Commander or higher. It is the member's responsibility to report all offered and accepted items in a timely manner to his/her Division Commander via the chain of command.

13. Organizations consisting either wholly or partially of Sheriff's Department members or of volunteers working on the behalf of such organizations shall conform to the following guidelines when soliciting funds or gifts from the public:
 - a. The Sheriff shall be advised of such solicitations, in writing, prior to the commencement of such activities if the name of the Sheriff's Department is involved directly or indirectly or if any solicitor is identified as an affiliate of the Sheriff's Department.
 - b. Such organizations, employees, and volunteers shall ensure that the purpose and beneficiary of the solicitation is clearly explained to the public in a manner that neither misrepresents the purpose nor misleads the public.
 - c. Solicitors shall not identify themselves as a member of the Sheriff's Department unless they are, in fact, so employed or affiliated with the Department and engaged in a departmentally sanctioned solicitation activity.
14. Department members are responsible for the proper care of departmental property and equipment assigned to them. Damaged or lost property and/or carelessness or roughness in the handling of such property may subject the responsible individual to reimbursement charges and appropriate disciplinary action.
 - a. Department members shall check equipment prior to use.
 - b. Department members shall immediately report to their supervisor any damage to, or loss of, County property or equipment assigned to them.
 - c. In the event that County property, including vehicles, is found to have damage not previously reported, the person last assigned or in possession of that property is presumed responsible for the damage. Normal wear-and-tear is not to be considered damage.
 - d. Department members are required to surrender all County property in their possession upon separation from the Department. Department members failing to return non-expendable items shall be required to reimburse the Department for the fair market value of the article(s).

15. Correspondence

- a. Departmental stationery shall not be used for private correspondence.
- b. No member shall use the Department as a mailing address for private purposes.
- c. The Department address shall not be used as a residence address for motor vehicle registration, an operator's license, or a chauffeur's driver's license.
- d. Business cards that refer to the Department shall be used by Department members only in connection with official business and shall conform to the approved departmental format.

16. Electronic Mail (e-mail)

- a. Members shall use Department e-mail for official business only. They may access e-mail only from their personal account and are prohibited from sending e-mail from other users' accounts.
- b. E-mail messages may be monitored for system performance, system security, and violations of this policy.
 - (1) Information Systems and Technology Unit is responsible for system performance and system security.
 - (2) Office of Special Investigations (OSI) is responsible for investigating violations of this policy.

B. Basic Rules and Regulations

1. All Department members shall bear in mind that persons having business with the Sheriff's Department are entitled to courteous and respectful consideration. Department members shall perform their duties efficiently and completely, avoiding harsh, violent, profane, or insolent language, and shall remain calm regardless of provocation.
2. Department members shall be punctual in reporting for duty at the time and place designated by their supervisor.

3. Department members shall conform to the following guidelines pertaining to alcohol and drugs:
 - a. Department members shall neither appear for duty nor be on duty under the influence of intoxicants or drugs nor be unfit for duty because of their use.
 - b. Department members shall not enter or be on departmental property or in departmental vehicles while under the influence of intoxicating beverages at any time.
 - c. Department members shall neither drink nor purchase any alcoholic beverage while on duty nor shall they purchase any alcoholic beverages when on or off duty while wearing a uniform. Department members in plainclothes shall not drink or purchase any alcoholic beverages while on duty except when necessary in the performance of duty and then only with the approval of their supervisor.
 - d. Department members shall not possess or use any controlled substance, narcotic, or hallucinogenic except when prescribed by a physician or dentist.
 - e. Department members who are using any prescribed drugs that may affect their ability to perform their jobs, including but not limited to those carrying firearms, supervising the inmate population, or operating county vehicles, are required to report this information to a Personnel Supervisor, or Staff Services Commander if a Personnel Supervisor is unavailable, prior to reporting for work. During non-business hours, the designated supervisor should be contacted via pager.
 - (1) The member shall prepare a memorandum detailing the name of the prescription drug, dosage, reason for taking prescribed drug, length of time the member anticipates using the drug, and the name of prescribing physician.
 - (2) This memorandum shall be forwarded to the Department Surgeon or his/her designee via the Personnel Unit.
4. Department members shall not sleep on duty and shall be attentive to their duties at all times.

5. Department members are prohibited from conducting private business while on duty.
6. Department members are prohibited from visiting a casino or gambling establishment, for personal reasons, while on duty or in a Department vehicle. This includes eating establishments associated with a casino.
 - a. Businesses whose only gambling association is the sale of state sponsored lottery tickets are excluded from this policy.
7. While on duty, Department members shall not engage in political or religious discussions to the detriment of good discipline and shall not make disparaging remarks concerning another's race, color, religion, national origin, age, disability, or sexual preference.
8. Evidence, abandoned and found property, property maintained for safekeeping, and any other property received by any member of this Department shall not be converted, copied, distributed, or otherwise utilized for personal use by any member.
9. All computer software purchased by the Sheriff's Department shall be assigned to a specific computer system.
 - a. Department members shall abide by all copyright laws and make no unauthorized use of departmentally-owned software.
 - b. Only software approved by the Information Systems and Technology Unit shall be loaded or run on Sheriff's Department computer systems. This specifically precludes the use of games and other programs acquired from bulletin boards and other sources without review and testing by the Information Systems and Technology Unit.
10. Department members shall keep their supervisors, as well as the Staff Services Commander, informed of all situations, events, incidents, inspections, and communications that affect, or may affect, the Department, or about which the Department may be concerned, including but not limited to, the following:
 - a. Involvement in any situation being investigated by another law enforcement agency, whether as a witness, victim, suspect, or in anticipation of becoming a suspect

- b. Being arrested, whether physically or by issuance of a criminal citation, for any crime, other than vehicle traffic violations, by any law enforcement agency
- c. Having driving privileges suspended or revoked
- d. Receiving a notice of claim or a summons and complaint
- e. Being issued a court order such as an order of protection or an injunction against harassment in which a Department member is named
 - (1) Any member served with a court-issued restraining order shall immediately provide his/her supervisor, and the Staff Services Commander, with a copy of the order and a memorandum providing information surrounding the service of the order, e.g., date, time, location, and method of service. The employee's supervisor will forward the memorandum and order to the Sheriff, via chain of command. Restraining orders include any adult/spouse abuse order, order of protection, order-prohibiting harassment, or an order which restricts the member from contacting another person.
 - (2) Weapons-qualified members served with an order of protection, which prohibits the possession of a firearm, shall have his/her firearms privilege revoked immediately.
 - (a) The member shall immediately relinquish all Department-issued firearms and ammunition to his/her immediate supervisor who will deliver the weapons and ammunition to the Department Armorer within twenty-four (24) hours.
 - (b) Members affected shall not possess any weapon or ammunition, whether in an on-duty or off-duty status.
 - (c) When the member is no longer prohibited from possessing firearms under the order of protection, all firearms and ammunition previously relinquished shall be reissued to the member by the Department Armorer.

(3) Duty Status

- (a) Commissioned members affected by such an order shall be placed in an off-duty status and shall not work in any capacity or take any law enforcement action.
- (b) Members affected shall be permitted to exhaust all accrued annual leave and compensatory time while in an off-duty status under this policy.
- (c) Upon exhausting all accrued annual leave and compensatory time, members may request a Leave of Absence Without Pay pursuant to Pima County Personnel Policy 7-108.

(4) Resolution

Commissioned members will have twelve (12) months from the date of service of the order to resolve their case in such a manner as to permit possession and/or use of a weapon. If the case is not resolved in this time period, affected members will be terminated.

11. All employees are required to report to their supervisor any unusual activity, situation, or problem with which the Department would be concerned.
- a. All incidents identified in Chapter 4.I.B.10. shall immediately be reported verbally, by telephone or in person, to the member's immediate supervisor. This verbal notification shall be followed up the next business day, by written notification submitted to the member's supervisor. Any supervisor receiving such notification shall then notify his/her commander.
 - b. If an immediate supervisor is not available, the member will notify another supervisor within his/her chain of command.
 - c. The notification shall include all pertinent information—dates, times, locations—and all related correspondence.
 - d. Notification is to be referred to the Sheriff or designee via the chain of command.

The Department's Legal Advisor is to be notified if a notice of claim or a summons and complaint has been served.

12. Members of the Sheriff's Department shall give their name and identification number to any person who requests this information.
13. The use of departmental telephones and fax machines is generally restricted to official business only. Abuse of telephones and fax machines use may result in disciplinary action.
14. All employees shall maintain a degree of physical fitness, that enables them to perform the physical activities of their job classification as determined by the Department and the County Risk Manager.
15. Department members shall at all times respond to the lawful orders of superior officers and other proper authorities.
 - a. Refusal of any Department member to obey a lawful order given by a superior shall constitute insubordination.
 - b. Orders shall be presented in clear and understandable language.
 - c. No command or supervisory personnel shall knowingly issue any order that is in violation of any law, ordinance, or departmental rule, regulation, or procedure.
 - d. No Department member is required to obey any order that is contrary to federal, state, or local laws. Responsibility for refusal to obey rests with the member.
 - e. A Department member receiving an unlawful, unjust, or improper order shall at first opportunity report such an occurrence in writing through the chain of command. This report shall contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time.
 - f. Conflicting Orders
 - (1) Orders shall be countermanded and conflicting orders shall be issued only when reasonably necessary for the good of the Department.

- (2) Department members who are given an order that conflicts with a previous order or departmental rule, regulation, or procedure shall advise the person issuing the order of the conflict. If the person issuing the order does not alter or retract the conflicting order, the order shall stand.
 - (a) Department members shall obey the conflicting order.
 - (b) In such circumstances, Department members shall not be held responsible for disobeying the previous order or departmental rule, regulation, or procedure.
 - (3) Whenever a member, in the necessary performance of a duty, gives an order to any subordinate not assigned to the member, care must be taken to avoid unnecessary conflict with the subordinate's normal assignment and the operation of the subordinate's division. Whenever orders so given require the subordinate to leave a regular post or assignment, the person giving the order shall, as soon as practical, inform the subordinate's commander of the action taken and the reason for the action.
16. A Department member who witnesses any type of conduct of a deputy/officer which is the subject of a departmental investigation is compelled to answer all questions by the investigating officer. The "witness only" Department member does not have the right to legal counsel prior to being questioned.
 17. No member of this Department shall record the conversation of another member by any means without his/her knowledge and express permission to do so except in compliance with authorized departmental investigations.

II. DEPARTMENT MEMBER RELATIONSHIPS WITH INMATES AND ARRESTED PERSONS

- A. Members charged with the custody of arrestees shall observe all laws and departmental rules, regulations, and procedures regarding this activity.
 1. Arrestees shall be kept securely, treated firmly but humanely, and not subjected to unnecessary restraint or use of force.

2. Department members shall not permit or aid any arrestee to escape.
- B. Department members shall conduct themselves professionally in all transactions with persons who are in the custody of any criminal justice agency.
- C. Contacts between Department members and inmates are subject to several limitations:
1. Department members shall not fraternize with inmates of any correctional facility.
 2. Department members shall not deliver any messages or articles to or for any inmate unless such delivery is in the performance of established duties.
 3. Department members shall not discuss personal business or confidential departmental business with any inmate.
 4. Department members shall not criticize the Sheriff's Department or the actions of any member of the Department in the presence of any inmate.
 5. A Department member who becomes aware that he/she has a personal or social acquaintance with an inmate shall make immediate notification of this fact to the appropriate chain of command. Appropriate limitations may be imposed on the Department member.
- D. It is the duty of all Department members to prevent the introduction and distribution of contraband in any corrections facility.
1. Department members shall not bring contraband into any corrections facility or provide any inmate with contraband.
 2. Department members who learn of contraband being introduced into a corrections facility or given to an inmate shall immediately report the incident to their supervisor.
- E. It is the duty of all Department members to prevent escapes of arrested persons and inmates. Department members who learn of any proposed escape shall immediately advise their supervisor of the planned escape.

- F. Certain situations involving relationships between Department members and persons not in custody are prohibited or require notice to the Department.
1. Department members shall not engage in personal relationships with persons who are on parole, probation, or released on pre-trial status, except as permitted in this subsection.
 2. Department members who know and wish to maintain association with an individual who is placed on parole or probation, or has a pre-trial status shall report this immediately in writing via memorandum through their chain of command to a Bureau Chief.
 3. Department members shall not associate with such individual(s) until receiving approval from a Bureau Chief or his/her designee. Appropriate limitations may be imposed on the employee.
 4. If circumstances require a Department member to associate with an individual (such as the arrest or imposition of probation, parole, or pre-trial release of a close relative), a memorandum will be submitted to his/her immediate supervisor detailing the situation within twenty-four (24) hours of occurrence.

III. OFF-DUTY / OUTSIDE EMPLOYMENT

A. Policy Statement

Employees of the Pima County Sheriff's Department may engage in additional (off-duty) employment providing it has no adverse impact upon the Department or its mission. Off-duty employment shall not interfere with on-duty performance nor cause any employee to violate the provisions of Pima County Personnel Policies or Department Rules and Regulations or procedures. An Off-Duty Permit or Pima County Outside Employment Permission Form must be approved prior to engaging in any additional employment.

The Department reserves the right to restrict and control all off-duty employment. The Sheriff may waive specific requirements of this policy.

B. General Off-Duty Work Regulations

1. Employees must give notice of off-duty employment to their supervisor prior to working such jobs. This notice shall include date, times, employer, work site, type of job, and proof of compliance with Risk Management Ordinances. Supervisors and/or

Commanders may impose additional restrictions or limitations on off-duty employment if the employees' on-duty hours or responsibilities justify such restrictions.

2. Employees shall not work more than sixty-four (64) hours, combined total of on-duty and off-duty, in a work week. Commanders and/or supervisors may waive this requirement due to unplanned overtime and/or operational necessity.
3. Employees working off-duty shall be limited to a maximum of twenty-four (24) hours per work week.
4. Employees working off-duty while on vacation or compensatory leave are not restricted to the maximum time limitation of twenty-four (24) hours per work week. The twenty-four (24) hour limitation may be extended one (1) hour for every one (1) hour of vacation/compensatory/holiday (including Cesar Chavez) leave up to a maximum of forty (40) additional hours.
5. Employees shall not work any combination of on-duty or off-duty employment in excess of sixteen (16) hours in any twenty-four (24) hour period. This pertains to off-duty employment only and does not restrict on-duty hours due to special circumstances or operational necessity.
6. Employees shall not engage in additional or off-duty employment while on-duty.
7. Employees may not receive compensation for the same hours from multiple sources.
8. Employees shall not engage in any off-duty or outside employment while restricted to limited duty or on sick leave, industrial leave, administrative leave, military leave, family medical leave, or administrative suspension (with or without pay), disciplinary suspension without pay, or while in an off-duty status because of a medical condition.

These restrictions include any twenty-four (24) hour period in which such absence occurs and shall include regularly scheduled days off if the leave immediately precedes and follows the employee's days off. Employees who are so restricted shall not engage in any off-duty or outside employment without the express permission of the Sheriff or a Bureau Chief.

9. Law enforcement-related off-duty consists of a Department member working in the capacity of a law enforcement officer, whether receiving compensation or not.
10. Employees shall not work off-duty for any of the following types of business or where their employment involves any of the following activities:
 - a. Businesses where the principal income is from the sale of alcoholic beverages
 - b. Businesses where nude or semi-nude dancers or servers are employed
 - c. Bail bond agencies
 - d. Private security companies
 - e. Collection agencies
 - f. Locations where a labor dispute is in progress
 - g. Businesses where employees would serve civil processes
 - h. Businesses requiring an affiliation, membership, or allegiance that would tend to interfere with the employee's loyalty to the Department
 - i. Businesses conducting investigations or other work in which employees might unlawfully access law enforcement records, files, or correspondence
 - j. Businesses where the employee would perform security services in exchange for free or reduced rent
 - k. Any other business or activity that tends to bring the Sheriff's Department into disrepute, may reduce the employee's efficiency or usefulness to the Department, or conflicts with the goals and objectives of the Department

11. Employees are not authorized to work multiple-officer law enforcement-related off-duty employment where their hours overlap with another officer who is their blood relative or spouse. The related officers may work for the same employer on different days or on the same day when hours worked do not overlap.
12. In conformance with Pima County Personnel Policies on Outside Employment, Sheriff's Department employees must report, as a matter of record, any injury that occurs during any type of off-duty or outside employment.
 - a. Employees shall immediately notify both:
 - (1) Their off-duty supervisor (if there is one)
 - (2) Their district, section or unit commander
 - b. A follow-up report shall be documented by memorandum and sent to the division commander, via chain of command, within twenty-four (24) hours. A copy of this memorandum will be forwarded by the member's on-duty supervisor to:
 - (1) Pima County Risk Management
 - (2) The Personnel Unit
13. Every job utilizing off-duty PCSD deputies shall be coordinated by the DOC or have an assigned PCSD Job Coordinator who will be responsible for ensuring compliance with PCSD off-duty regulations.
14. If a job is large enough to require a Job Coordinator other than the DOC, one will be selected utilizing the Job Coordinator Rotation List maintained by the DOC.

C. Definitions

1. **OFF-DUTY PERMIT:** Department authorization for a specific deputy to work in any Department authorized law enforcement-related off-duty assignment.
2. **DEPARTMENT OFF-DUTY COORDINATOR (DOC):** An employee assigned to the Grants and Planning Unit whose duties include maintaining and coordinating law enforcement-related off-

duty permits and outside employment permission forms. In addition, requests for off-duty deputies are processed/coordinated by this employee. These responsibilities are in addition to other assigned duties.

3. **JOB COORDINATOR PERMIT:** Department authorization for a specific deputy to arrange/schedule other deputies in a Department authorized law enforcement-related off-duty job assignment.
4. **JOB COORDINATOR:** A commissioned member who has a valid job coordinator permit and has been assigned to schedule off-duty deputies for a Department authorized law enforcement-related off-duty assignment. A Job Coordinator is not an employer.
5. **WORK WEEK:** Seven (7) consecutive days beginning at 0001 hours Sunday and ending at 2400 hours the following Saturday.
6. **Types of Law Enforcement-Related Off-Duty Employment**
 - a. **CONTINUOUS:** Continuing or on-going (daily, weekly, monthly) employment with a single employer, with no break in service (e.g., Tanque Verde Swap Meet, U.S. Marshal's)
 - b. **SEASONAL:** Repetitive (same time each year) employment with a single employer (e.g., Spring Training baseball, U of A Football)
 - c. **SHORT TERM:** Any employment of thirty (30) calendar days or less with a single employer

D. Permits For Law Enforcement-Related Off-Duty Employment

1. **Eligibility**
 - a. **Off-Duty Work Permit**

All deputies who have successfully completed initial probation as a Deputy Sheriff are eligible for an Off-Duty Work Permit. With approval by their Bureau Chief, deputy sheriffs rehired under Pima County Law Enforcement Merit System Rule VII-4 are eligible for an Off-Duty Work Permit.

b. Job Coordinator Permit

Full-time commissioned members with a valid Off-Duty Work Permit are eligible for Job Coordinator Permits.

c. Commanders (Lieutenants, Captains, and Bureau Chiefs):

- (1) Captains and Bureau Chiefs will not perform law enforcement-related off-duty or job coordination unless approved by the Sheriff.
- (2) Commanders may work as a volunteer in a law enforcement capacity if approved by his or her supervisor.
- (3) If the ratio of off-duty deputies necessitates a commander, lieutenants may perform law enforcement-related off-duty work or job coordination for jobs that require command oversight or authority. (For example, it is not appropriate for commanders to direct traffic, to serve in non-supervisory security positions at shopping malls, or to stand guard on a room of valuables.)
- (4) Under no circumstances shall a commander work an off-duty job that administratively or operationally places him/her in a subordinate position to a member of the Department who is of lesser rank.
- (5) Commanders working off-duty must dress in full uniform.
- (6) When the enumerated conditions do not exist, a Bureau Chief may authorize commanders, on a case-by-case basis, to perform law enforcement-related off-duty work.

Bureau Chiefs may consider the following elements in authorizing a commander to work an off-duty job:

- (a) Nature of event
- (b) Type of event
- (c) Event venue

- (d) Benefit to the Department – Management oversight of the event
- (e) Overall use of Department resources, e.g., SAVs, specialty vehicles
- (f) Alcohol availability

2. Obtaining Permits

- a. Commissioned members requesting permits must submit an Off-Duty Permit Request form (PCSD 311) to the Department Off-Duty Coordinator (DOC) through their Bureau Chief, via chain of command.

(1) Required information:

- (a) Name, badge number, and employee identification number (EIN)
- (b) Home address and phone number
- (c) Duty assignment, work telephone number, Department mobile phone number, and pager number if applicable
- (d) Commissioned anniversary date
- (e) Type of permit requested (off-duty work, coordinator, or both)

(2) It is the member's responsibility to report any change of address or phone numbers to the DOC.

- b. Supervisors/Commanders shall document any known reason for refusal or approve the request and forward it to the Personnel Unit. (See reasons for refusal below.)
- c. The Personnel Unit will check for sanctions and advise the Community Services Section Commander if sanctions are in place.
- d. The reviewed request will be distributed as follows:

- (1) The original to the member's off-duty personnel file (maintained by the DOC)
 - (2) A copy to the originating member for confirmation of approval/disapproval. (The member must have received confirmation from the DOC that the request was approved prior to beginning any off-duty work.)
- e. Permits are good for up to one (1) year, expiring on June 30th every calendar year.
- (1) It is the member's responsibility to monitor and reapply for a permit prior to its expiration date.
3. Revocation, Suspension, or Refusal of Permits
- a. Permits may be refused, suspended, or revoked, for any of the following reasons:
 - (1) Failure to obtain permit prior to performing off-duty work assignment
 - (2) Violation of Rules and Regulations regarding off-duty employment
 - (3) Disciplinary actions
 - (4) Failure to appear or excessive tardiness at previously scheduled off-duty assignment(s)
 - (5) Medical restriction
 - (6) Potential adverse impact upon the Department or its mission, or at the discretion of any commander
 - b. When a permit is refused, revoked, or suspended, the appropriate chain of command shall notify the Community Services Section Commander.
 - c. If a permit has been refused or suspended for a temporary condition and the reason for refusal or suspension has been corrected, the member may reapply for the permit. No off-duty work may be performed unless a new permit is approved.

(See section regarding Obtaining Permits.) No appeal is required.

- d. To appeal a refusal, suspension, or revocation that was based on any other reason, the member should forward a written appeal memorandum to the employee's Bureau Chief, via chain of command.
 - (1) Appeals must be filed within thirty (30) calendar days of the date of refusal, suspension, or revocation.
 - (2) The memorandum must detail justification for the appeal.
- E. Duties and Responsibilities of Department Off-Duty Coordinator (DOC) for Law Enforcement-Related Off-Duty Employment
1. Processes approved memorandums regarding off-duty permits
 2. Maintains a rotation list of commissioned personnel with valid off-duty work permits and provides to Job Coordinators when necessary
 3. Receives and processes requests from employers and Job Coordinators for off-duty personnel. The DOC shall ensure that all off-duty employers provide general liability insurance and, when applicable, vehicle liability insurance.
 4. Make assignments from the rotation list of authorized personnel
 5. Establishes and disseminates a list of off-duty reporting periods consistent with the fiscal year payroll calendar
 6. Receives and processes all Off-Duty Recaps. Forms will be spot checked for accuracy of reporting. Discrepancies will be forwarded to the Community Services Section Commander for action.
 7. Verifies the off-duty work status of employees in response to inquiries from Job Coordinators, supervisors, and commanders
 8. Receives and files completed copies, with the original signature of employer or contractor, of the Off-Duty Indemnification Agreement form (PCSD209)
 9. Maintains all off-duty personnel and off-duty employer files

10. Shall ensure that payment for deputies and Department vehicles is received and distributed appropriately
- F. Duties and Responsibilities of Job Coordinators for Law Enforcement-Related Off-Duty Employment
1. Must have a valid Job Coordinator Permit
 2. Must obtain from the off-duty employer a Certificate of Insurance showing valid general liability and, when applicable, vehicle liability insurance
 3. Obtain from the off-duty employer a signed copy of the Off-Duty Indemnification Agreement form (PCSD209) and submit the original to the DOC prior to the job commencing
 4. Shall submit a memorandum to the DOC at least two (2) business days prior to the start of any job, or earlier to allow themselves adequate time to receive authorization and schedule deputies, with the following information:
 - a. Employer name
 - b. Dates and hours requested
 - c. Number of personnel requested
 - d. Duties of off-duty personnel
 - e. Location of the event
 - f. Justification for Department vehicles, if applicable
 - g. Attach Certificate of Insurance and Off-Duty Indemnification Agreement, or verify that current documents are on file with the DOC
 5. Obtain a list of eligible personnel from the DOC
 6. May schedule themselves without having to select their name from the rotation list
 7. Shall not schedule their supervisors to work any off-duty jobs that they coordinate

8. Shall advise the DOC of the following procedures:
 - a. Provide the DOC, within ten (10) days following the off-duty reporting period, a Job Coordinator Recap (PCSD314) of the preceding reporting period showing:
 - (1) Employer name
 - (2) Names and badge numbers of personnel who worked
 - (3) Dates and hours each member worked
 - (4) Vehicle number and mileage for all Department vehicles used at the off-duty job
 - b. Immediately notify the DOC when a job is cancelled
9. Shall provide the DOC with copies of invoices, within five (5) days, and any written correspondence with the off-duty employer
 - a. Checks will not be distributed to deputies until the invoice is received by the DOC and payment verified.
10. Shall not receive compensation for other than hours worked on the job assignment. This may include compensation for time spent scheduling and/or organizing the off-duty assignment and shall be reported as hours worked.

A Job Coordinator shall not be permitted to receive compensation based on the number of hours other members work or receive any other coordination fee.

G. Obtaining Off-Duty Jobs

1. Continuous: As openings occur, they will be filled from the rotation list.
2. Seasonal: Positions will be filled from the rotation list as openings occur.
3. Short-term: Will be filled from the rotation list.
4. Jobs that require specialized training or equipment, e.g., Dignitary protection, Bomb Squad, or jobs worked in conjunction with a

specific unit's primary responsibility, e.g., school events worked by an SRO officer, may be filled outside the rotation list.

5. Members may work any off-duty job assigned by the DOC and approved by the Department as long as they comply with Department Rules and Regulations regarding off-duty employment.

H. Law Enforcement-Related Off-Duty Work Regulations

1. Commissioned members working law enforcement-related off-duty employment shall submit, within ten (10) days following the off-duty reporting period, a recap of the previous two (2) pay periods on the PCSD Off-Duty Recap form (PCSD203). Forms will be submitted, via chain of command, to the DOC. The DOC will, on an annual basis and consistent with the fiscal year payroll calendar, establish and disseminate a list of off-duty reporting periods.
 - a. All on-duty hours worked, vacation, compensatory, and/or sick leave used shall be documented. The member shall sign and date the form.
 - b. Supervisors/Commanders shall review, sign, and date the Off-Duty Recap, then forward it to the DOC.
2. Members working in undercover assignments, or those with long hair, items of jewelry (e.g. earrings), beards and/or mustaches that are not in compliance with Department standards shall not work law enforcement-related off-duty employment.
3. The ranking officer shall be in charge during law enforcement-related off-duty employment. The ranking officer shall be responsible for the direction and supervision of the other off-duty personnel and shall bear the same responsibility for proper action and conduct as if on-duty. Members working off-duty employment with other agencies shall still be responsible for complying with PCSD Rules and Regulations.
4. The following supervisor/subordinate minimum ratio will be required at a law enforcement-related off-duty assignment (each shift).
 - a. One (1) sergeant to five (5) deputies

- b. One (1) lieutenant to three (3) sergeants and fifteen (15) deputies
- c. Examples:
 - Four (4) deputies = No sergeant required
 - Five (5) to nine (9) deputies = One (1) sergeant required
 - Ten (10) deputies = Two (2) sergeants required
- 5. Pay Scale: The recommended rate of pay per hour for law enforcement-related off-duty employment will be monitored by the DOC and approved by the Sheriff. The DOC will review this pay scale at least once a year and submit any recommended changes to the Sheriff for approval.
- 6. All payment regarding off-duty employment shall be forwarded to the DOC for verification and distribution. Department members shall not receive direct payment for an off-duty job.
 - a. Department members who accept direct payment for any off-duty job are subject to disciplinary action, including the suspension of their off-duty permit.
- 7. Commissioned members are covered by the Risk Management coverage of Pima County for civil liability for actions resulting from law enforcement action taken during off-duty employment, provided the member has complied with Department Rules and Regulations and County Personnel Policies regarding off-duty/outside employment. Failure to comply may result in personal liability and the need to hire a personal attorney to defend against any lawsuits.
- 8. Department vehicles are not authorized for off-duty employment unless approved by the Sheriff, a Bureau Chief, or the Administrative Services Division Commander.
 - a. When using Department vehicles for off-duty employment purposes, written notification shall be submitted immediately to notify the employer that there will be a charge (current rate set by Automotive Services) per mile/per hour.
 - (1) Upon completion of an off-duty shift, the member will add up the total miles driven (including travel distance),

then provide total mileage, hours worked, and vehicle number to the DOC or Job Coordinator.

- b. Department vehicles shall not be used in any manner, including driving to a work site, unless proper authorization has been received.
9. Department bicycles are not authorized for off-duty employment unless approved by the Sheriff, a Bureau Chief, or the Administrative Services Division Commander.
 10. When using bicycles for law enforcement-related off-duty employment, members must conform to all Bicycle Patrol policies as outlined in the Specialized Unit Procedures (Chapter 11) of this manual.
 11. Members shall adhere to all applicable rules, regulations, and procedures that pertain to on-duty personnel whether in uniform or in plainclothes.
 12. Members shall take appropriate law enforcement action including the preparation of all necessary reports regarding all law enforcement matters coming to their attention.
- I. Non-Law Enforcement-Related Off-Duty Employment
1. Department uniforms shall not be worn at non-law enforcement-related off-duty employment.
 2. All employees engaged in non-law enforcement-related off-duty employment shall comply with Pima County Personnel Policies.
 3. With approval by their Bureau Chief, employees rehired under Pima County Merit System Rule 7.1 or Law Enforcement Merit System Rule VII-4 are eligible for an Outside Employment permit.
 4. Employees requesting permits must submit a Pima County Outside Employment Permission Form (PCSD 311A) to the Department Off-Duty Coordinator (DOC) through the employee's Bureau Chief, via chain of command.
 - a. A separate form shall be submitted for each employer.

- b. Supervisors/Commanders shall review the request and document any known reason(s) for refusal, or approve the request and forward it to the Personnel Unit.
 - c. The Personnel Unit shall check for sanctions and advise the Community Services Section Commander if sanctions are in place.
 - d. The reviewed request will be distributed as follows:
 - (1) The original to the employee's off-duty personnel file (maintained by the DOC)
 - (2) A copy to the originating employee for confirmation of approval / disapproval
 - e. The employee must have received confirmation from the DOC that the request was approved prior to beginning any outside employment.
5. Outside Employment permits are good for up to one (1) year, expiring on December 31st every calendar year.
 - a. It is the employee's responsibility to monitor and reapply for a permit prior to its expiration date.
 6. All employees working outside employment shall submit a PCSD Off-Duty Recap (PCSD203) for the previous two (2) pay periods of off-duty activity. The forms must be submitted, via chain of command, to the DOC no later than ten (10) days after the end of the reporting period.

IV. PROPERTY AND EVIDENCE PROCEDURES

- A. Whenever evidence or property comes into the possession of a Department member, the Sheriff's Department is responsible for its safekeeping.
 1. The Evidence Unit shall be responsible for the custody, control, and disposition of all evidence and property coming into the possession of Sheriff's Department members.
 2. The Evidence Unit shall be responsible for the release or destruction of property after appropriate reports and authorizing signatures have been received.

B. General Procedures

1. All property and evidence, except as otherwise specified, shall be delivered to the Evidence Unit.
2. When deputies receive property or evidence too large or numerous to handle, (pieces of furniture, appliances, large quantities of marijuana, etc.) the Evidence Unit supervisor shall be notified. A tow truck may be utilized for heavy items. When receiving and transporting drugs or other valuable evidence, members shall utilize a discreet mode of transportation, avoid unnecessary stops, provide security, and ensure that the evidence is attended at all times.
3. All property and evidence submitted shall be adequately and properly marked, initialed, packaged, and tagged.
 - a. Items shall be packaged and properly sealed to prevent loss of evidence and to prevent the introduction of any other items or material into the package.
 - b. When possible, items shall be packaged in one of the many boxes, envelopes, bags, or containers made available by the Evidence Unit. Items should always be packaged in the smallest container that will hold the object. Packaging must be marked with the case number, description of the contents, U.C.R. code, and the submitting Department member's initials and badge number. Packages must never be stapled shut.
 - c. When items are too big to package they must be marked or tagged with the case number, U.C.R. code, and the submitting Department member's initials and badge number. If marks are placed directly on an item, care shall be taken to avoid damaging or defacing the item and to avoid interfering with laboratory tests that may be applied.
4. The Department member submitting property or evidence shall complete and submit the departmental Property and Evidence Control form before Evidence Unit personnel will assume custody.
 - a. Property and Evidence Control forms must be completed with as much information as is available. The property description

- section must briefly but concisely describe items and any contents (“a purse containing sunglasses and make-up” or “a purse with no contents”).
- b. The Department member submitting property or evidence shall separate the completed pink (deputy) copy of the Property and Evidence Control form and place it in the designated holding container at their District or Section.
 - c. The District or Section Public Safety Support Specialist (PSSS) shall retrieve the pink (deputy) copies of the Property and Evidence Control forms each business day and verify that the items have been entered into FORCE/Summit. Upon verification, the pink copy may be distributed back to the submitting employee.
 - d. If an item is not located in FORCE/Summit, the PSSS shall notify the Property and Evidence Unit supervisor within 72 hours. The Evidence Unit supervisor shall determine the reason an item has not been entered and take appropriate action.
 - (1) For Ajo District cases, the District Commander shall be notified and shall determine the next course of action.
5. The Evidence Unit technician shall sign the control form accepting custody of the evidence.
 6. The Evidence Unit shall maintain chain-of-custody records reflecting activity associated with individual items from the time an item is received until its disposal or release from Department custody. Chain-of-custody information and evidence descriptors will be entered into the Department’s automated records management system.
 7. The Department incident report that documents the investigation during which the item was discovered or received shall include information about how the item was discovered or received and shall state where and by whom the item was taken to be placed in Evidence Unit custody.

C. Department Members' Responsibilities

1. Department members shall be responsible for the proper distribution of any property coming into their possession during the course of their duties. All items to be held by the Department as evidence, found property, or safekeeping shall be delivered to the Evidence Unit or a property locker with a completed Property and Evidence Control Form.
 - a. Certain items, such as fireworks, may be kept in a secure location by the Bomb Squad for evidentiary reasons.
2. Department members may field-release property to the legal owner. Property may also be released to family members upon approval of a supervisor. All such releases must be documented in the case report and a Field Released Property Chain of Custody form (PCSD1335) completed. Citizen signature is required for release. Form PCSD1335 shall be forwarded to the Records Maintenance Unit.
3. Department members may release property to family members at the scene, upon approval of the on-scene supervisor. All such releases must be documented in the case report.
4. In all instances where property is taken into the Department's possession descriptions, serial numbers, brand names, and other identifying information shall be listed on a Property and Evidence Control form and in an incident report.
5. Department members shall not confiscate property for personal use, fail to turn in all property, or willfully deviate from this procedure in any other way.

D. Property and Evidence Packaging Procedures

1. Explosives, bombs, detonators, and fireworks shall not be brought inside the property areas or stored in the various property lockers. Bomb Squad personnel shall be called for these items.

2. Flammables, caustics, and chemicals shall not be left in property lockers or brought into the Evidence Unit office. These items must be delivered to the Impound Yard.
3. BIO-HAZARD and BIO-HAZARD contaminated evidence must be marked with BIO-HAZARD labels.
4. Blood samples shall be packaged in containers approved by the Evidence Unit.
5. All sharps (knives, needles and other sharp items) must be packaged in a manner intended to prevent injury to staff. Sharp items should be placed in a knife box, or in the alternative, sharp edged items should be covered with cardboard, then placed in a box or envelope labeled as containing a sharp object.
6. Money shall be handled in accordance with PCSD Rules and Regulations, Chapter 5, Currency Counting Procedures.
7. Items submitted that require lab testing must be packaged separately and submitted with a separate Property and Evidence Control form and lab request form.
8. Firearms must be rendered safe by unloading them and then inserting a plastic cable tie through the magazine well or the top strap and frame. This will ensure that neither the cylinder nor slide will fully close, nor be held in the open position. Shotguns and rifles shall be secured with the bolt held open with a cable tie. To prevent dislodgement/damage of trace evidence, cable ties or any other object shall not be placed in the muzzle or barrel. The firearm must then be placed in a firearms box and fastened with cable ties to prevent it from moving within the box. Ammunition shall not be secured in the same container as the firearm. The side of the box must be labeled with the information noted in the General Procedures section of this policy.
9. Tasers being submitted to the Evidence Unit and/or being taken as possible evidence by any investigative unit, i.e., Robbery/Assault, OSI, etc., shall have a data download completed and the documentation secured as evidence prior to removing the battery. In addition, prior to storing or placing the Taser into Property and

Evidence, the Taser shall be rendered safe by removing the cartridge and the battery prior to securing with cable ties in a firearms box.

10. Suitcases, briefcases and other similar type cases must be secured to keep them from being opened or unzipped if at all possible. If this is not possible, evidence tape must be placed across the opening so that the tape will be broken if the case is opened after it is submitted. The tape must be initialed and dated.

E. Found Property

1. Deputies shall not advise finders of motor vehicles, (automobiles, motorcycles, ATVs, and all other motorized vehicles) that they can claim them after a period of time.
2. Found money that is unclaimed after ninety (90) days may be returned to the finder unless the finder is a public officer or employee of the federal, state, county, city, or town Government as provided in A.R.S. § 12-941 et. seq. Pima County is entitled to petition the court to have 100% of the find escheated to the General Fund if no other finder petitions. The appropriate CID Unit shall contact the County Attorney's Office to ensure that the statutory procedure is followed.

F. Release and Disposal Procedures

All releases must be made by the Evidence Unit.

1. Property Releases

a. Firearms

- (1) The Evidence Unit shall not release a firearm until mental health and criminal background checks are completed by the appropriate deputy or investigative unit. The following procedure shall be followed:

- (a) A Firearms Release Request Notification Form (PCSD1333) shall be completed and faxed to the Pima County Attorney's Office, Mental Health Unit.
- (b) A background check shall be initiated and a Firearms Release Checklist (PCSD1334) completed.
- (c) If the person to whom the weapon is to be released is not a prohibited possessor, an Authorization for Property Release (PCSD1330) shall be completed and forwarded to the Evidence Unit with the above documents attached.
 - (i) Prior to releasing firearms related to a domestic violence incident, the victim(s) shall be notified of the pending release by the deputy or member initiating the release. If the victim cannot be located, County Attorney authorization must be obtained.
 - (ii) Prior to authorizing a firearms release, members shall seek permission from the deputy or investigative unit assigned to the case.
- (d) If the person to whom the weapon is to be released is a prohibited possessor, the Firearms Release Checklist shall be forwarded to the Evidence Unit with a comment that the weapon should not be released to the named party.

- (2) When ownership of a weapon is in question, members shall initiate a trace request through the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) prior to authorizing the release of the weapon.

b. All Other Releases

- (1) Items will not be released unless properly authorized by the submitting deputy or responsible investigative unit.
- (2) The public should be given a case number and instructed to telephone the Evidence Unit to inquire about releases before coming to the office. Vehicle releases are typically done by appointment only.
- (3) All persons appearing to pick up property must have a picture ID, the case number, and, if the item is a vehicle that is to be driven away, a valid driver's license.
- (4) Items will be released only to the subject named on the release.

2. Disposal of Evidence

- a. Disposal of evidence shall be done in compliance with Arizona Court Rules of Criminal Procedure and A.R.S. § 12-941 through 12-946.
- b. Case officers or assigned investigative units are responsible for directing disposal or release of evidence after it is no longer needed for criminal prosecution. Requests for authorization to dispose of evidence shall be forwarded to the case detective or unit supervisor when dictated by policy. Detectives or assigned deputies are responsible for obtaining authorization from the County Attorney to dispose of case evidence.

Evidence and other property submitted to the Evidence Unit shall not be retained needlessly.

- c. Following receipt of an Authorization for Property Disposal/Release form properly authorized by a case officer, the Evidence Unit will be responsible for disposing of the identified property and for keeping records of the disposal.
- d. Weapons authorized for disposal, that are suitable for Department use, or have historic or significant monetary value, shall be disposed of as provided by A.R.S. § 12-941 through 12-946. All other weapons will be disposed of in a manner that will render them unusable in the future. The manner of disposal will be approved by the Homeland Security Division Commander. Final disposal will be authorized by the Investigations Bureau Chief.
- e. Hazardous material evidence shall be disposed of in a manner compliant with Federal, State, and Local laws and ordinances.
- f. Disposal Authorization Procedures

This policy was developed in concert with and has been approved by the Pima County Attorney's Office. It establishes timelines which will trigger the pre-authorized automatic disposal of evidence, or a request for authorization to dispose of evidence by the Evidence Unit.

(1) Felony Cases

- (a) Evidence disposal for homicide, death, and sexual offense cases requires authorization from the County Attorney.
- (b) Evidence associated with cases involving a traffic fatality or serious crime against persons may be disposed of with County Attorney approval after five (5) years.

- (i) Evidence in these cases that has been retained for more than ten (10) years may be automatically disposed of except in cases where there is an outstanding warrant. In the event of a warrant, County Attorney approval is required.
 - (ii) Serious crimes against persons include (03.xx) Robbery, (04.xx) Aggravated Assault, and (17.xx & 20.xx) Crimes Against Children.
 - (c) Evidence associated with all other felony cases may be automatically disposed of if the case is at least five (5) years old and there is no outstanding arrest warrant associated. In the event of a warrant, County Attorney approval is required.
- (2) Misdemeanor Cases
- (a) Evidence associated with misdemeanor cases, excluding DUI, may be automatically disposed of after three (3) years from the date of incident if there is no outstanding arrest warrant associated. In the event of a warrant, County Attorney approval is required unless the warrant is more than five (5) years old.
 - (i) If an associated arrest warrant is more than five (5) years old, the Evidence Unit will provide thirty (30) days advance notice to the County Attorney that evidence in the case is about to be destroyed.
 - (b) Evidence associated with misdemeanor DUI cases may be automatically disposed of after five (5) years from the date of incident if there is no outstanding arrest

warrant associated. In the event of a warrant, County Attorney approval is required.

3. Conversion to Department Use

- a. A.R.S. §12-941 permits unclaimed property and evidence, after final disposition of the criminal case, to be converted to Department use. A request to assign unclaimed property/evidence to a Department member for Department use shall be approved by the member's chain of command and the Investigations Bureau Chief. Firearms are not eligible to be converted to Department use.
- b. Evidence Unit records shall reflect that property converted to Department use was disposed of by conveyance to the Material Management Unit. The property, receipt, and supporting release documentation, including the property description, will be forwarded to the Material Management Unit for assignment to the member.
- c. The Material Management Unit shall keep records of converted property assigned to members.
- d. Converted property that is no longer needed by the Department shall be returned to the Material Management Unit and disposed of using their normal processes.
- e. Evidence Unit records will reflect that firearms converted to Department use, prior to June 1, 2007, were disposed of by conveyance to the Department Armory. The property, receipt, and supporting release documentation, including the property description, will be forwarded to the Department Armory for assignment to Department members.
- f. The Armory shall keep records of converted firearms assigned to Department members.

- g. Converted firearms that are no longer needed by the Department shall be returned to the Armory. Firearms will be disposed of by the Evidence Unit using their normal processes.

4. Controlled Delivery Items

- a. A.R.S. § 12-941 allows for items of evidence, found property, or safekeeping that have a useful value to law enforcement agencies to be utilized for law enforcement purposes.
- b. Department members may request the use of such items for investigations that require a covert and controlled delivery of items of value.
 - (1) The requesting member shall contact the Evidence Unit supervisor to determine if the needed items are available.
 - (2) Evidence Unit personnel shall determine if the item(s) is/are authorized for controlled delivery use based on established policies and procedures.
- c. The requesting member shall prepare and submit a memorandum with the following information:
 - (1) Case number, if available, of the controlled delivery investigation
 - (2) Justification for the use of the item(s)
 - (3) Case number, item number, and description of the item(s) requested
 - (4) Description of how the item(s) will be used
 - (5) Indicate if the item(s) may not be recovered due to the nature of the operation
- d. Request shall be forwarded to the Investigations Bureau Chief, via chain of command, for approval.

- e. The item(s) shall be photographed prior to release. The photograph shall be attached to the original Evidence Control Form.
 - f. The Evidence Unit supervisor is responsible for having items of questionable value, such as jewelry, appraised prior to and subsequent to delivery. All appraisals shall be attached to the original Evidence Control Form.
 - g. Subsequent to the completion of the controlled delivery investigation, the requesting member shall resubmit the item(s) to the Evidence Unit.
 - (1) Item(s) identified as evidence under the controlled delivery investigation, shall be submitted to the Evidence Unit under the new case number. A memorandum should be attached identifying the original case number of the item(s).
 - (2) The requesting member shall submit a memorandum detailing the circumstances of any item(s) that was not recovered. Memorandum shall be forwarded to the Evidence Unit through the Investigations Bureau Chief.
- G. Capture and Preservation of Digital Audio and Photographic Evidence by Department Members

These procedures are intended to provide guidelines regarding the preservation of digital files that are of evidentiary value for members using digital equipment to record or capture such files.

These guidelines do not apply to digital record keeping systems.

Digital evidence, by its very nature, is fragile and can be altered, damaged, or destroyed by improper handling or examination. Examination is best conducted on a copy of the original evidence. The original evidence should be acquired in a manner that protects and preserves the integrity of the evidence.

Activity relating to the seizure, examination, storage, or transfer of digital evidence should be documented, preserved, and available for review so that members may testify to the authenticity of the files at trial.

1. Definitions:

- a. **Acquisition of Digital Evidence:** Begins when information and/or physical items are collected or stored for evidence or examination purposes. In compliance with Arizona Rules of Evidence, it is a process by which digital evidence is duplicated, copied, or imaged.
- b. **Data Objects:** Objects or information (audio files or photographic images) of potential value that are associated with physical items. Data objects may occur in different formats without altering the original information.
- c. **Digital Evidence:** Information stored or transmitted in binary form that may be relied on in court.
- d. **Physical Items:** Items on which data objects or information may be stored and/or through which data objects are transferred.
- e. **Original Digital Evidence:** Physical items and the data objects associated with such items at the time of acquisition or seizure.
- f. **Duplicate Digital Evidence:** An accurate digital reproduction of all data objects contained on an original physical item.
- g. **Copy:** An accurate reproduction of information contained on an original physical item, independent of the original physical item.
- h. **WORM Media:** Write Once Read Many type media such as a CD-R or DVD-R.

- i. **CD-R:** Compact Disk-Recordable
- j. **DVD-R:** Digital Versatile Disk-Recordable
- k. **Master Copy:** An accurate reproduction of all data objects contained on an original physical item that abides by the procedures set forth in G.2 (Master Copy) for the production and retention of electronic evidence.

2. Master Copy

The core of the procedure is the production, definition, and storage of a master copy which can be examined, if required, by the court to confirm the authenticity of the files.

- a. Original digital evidence shall be stored and maintained in an unaltered state. This includes maintaining original digital evidence in its native file format.
- b. Original digital evidence data objects shall not be deleted or altered. Any deletion of data objects, intentionally or accidentally, may be subject of a challenge or legal debate during prosecution proceedings.
- c. It is recommended that digital evidence be captured and recorded on a WORM type media and that the media be closed following recording to prevent alteration of the data objects or addition of new data objects.
 - (1) When digital evidence is recorded by a member on reusable, removable media such as a CD-RW, Secure Digital Card, Compact Flash Card, Smart Media, or Memory Stick, the data objects shall be duplicated to a WORM type media or other storage solution authorized by the Information Technology Division Commander. WORM type media shall be closed to prevent alteration of the data objects or addition of new data objects.

- (2) The original WORM type media or the first duplicate digital evidence record comprises the “master copy.”
 - d. Master copies recorded on WORM type media shall be labeled as such, with the case number and other identifying information. Labels should not be affixed to the media.
 - e. The master copy should be created as soon as possible after the capture of the data objects to reduce the time and opportunity for alteration of the evidence.
 - f. Original, removable media containing photographic evidence shall be forwarded to the Forensic Unit. The Forensic Unit shall be responsible for creating the master copy. With the exception of photographic evidence, the master copy shall be submitted into evidence following standard evidence procedures.
 - g. The Information Systems and Technology Unit shall be responsible for implementing long term storage solutions for photographic images that meet the Department's records retention requirements. They shall also be responsible for providing secure storage, transaction logging, and back up of the master copy image files.
3. Working File

A duplicate digital evidence record may be created from the master copy to create a working file. Working files may be used for investigation and to assist in the preparation of the prosecution file.

4. Audit Trail

One of the fundamental requirements of digital evidence collection is the need to safeguard the integrity of the data objects; part of this process involves an audit trail being started at the earliest stage.

- a. The audit trail should include, with the date and time of action:
 - (1) Details of the case
 - (2) Description of the data objects and a log of the media used
 - (3) Downloading the data
 - (4) Creation and defining of the master file
 - (5) Storage of the master file
 - (6) Any access to the master file
 - (7) Any copying that is required to ensure the longevity of the data
 - (8) Viewing of the master file
 - (9) Use of the master file in court
 - (10) Disposal
- b. Members shall document audit trail information in incident reports, supplements, evidence control forms, or other pertinent case records.

5. Check Operation of Equipment

The correct operation of equipment is essential to gathering evidence. Department-issued equipment and settings should be maintained per training guidelines.

- a. It is recommended that checks are made to ensure that:
 - (1) Operator adjustable settings are set appropriately

- (2) The time and date settings are correct
- (3) There are adequate supplies of recording media
- (4) The media should either be new, reformatted, or erased in an approved manner
- (5) Any media protection settings will not prevent recordings from being made
- (6) Media cards have been inserted appropriately
- (7) Batteries hold appropriate charge

6. Reusable Media

Once data objects are copied to the master file, the reusable media should be reformatted to remove all previous files, in preparation for reuse. Media cards may have to be formatted for reuse in specific devices.

7. Evidentiary Images

Images may be reviewed using the camera's LCD screen and scenes may be re-photographed if necessary. Images of a crime scene or of evidentiary value (i.e., crime scene, victim injuries, etc.) MAY NOT be deleted for any reason. If a photo did not turn out as needed, an additional image should be taken and all photos submitted. This includes any incident of an accidental photo being captured by mishandling.

8. Secure Digital Media Card

- a. To ensure proper chain of custody for evidence, Secure Digital (SD) media shall not be uploaded or inserted into any device prior to sending the media to the Forensic Unit.

- b. Media shall not be kept in vehicles or extreme temperatures for an extended period of time.
- c. Members shall only photograph one (1) case number per SD card.
- d. No more than five (5) media cards shall be carried at one time.

9. Administrative Media Card

An administrative media card should be utilized for non-case related photos. This media card should not be submitted to the Forensic Unit for uploading into the Digital Information Media System (DIMS). This card will be pre-marked with an "A" and may be used for Department related photos such as lesson plans, training photos, work projects, or other administrative functions.

H. Drug Evidence

- 1. Drug evidence is inclusive of marijuana, peyote, dangerous drugs, prescription-only drugs, narcotic drugs, or plants from which any of these may be derived.
- 2. Drug evidence received by the Evidence Unit shall not be removed from the Unit's control except for the following purposes:
 - a. Crime laboratory analysis
 - b. Authorized destruction
 - c. Authorized control cases (reversals, training, etc.)
 - d. To fulfill a court order
 - e. To fulfill a written order of the Sheriff

3. Drug evidence must be packaged individually and not combined with other types of evidence.

- I. Drug Evidence Release Procedures for Court Appearances

1. The following documentation must be presented to the Evidence Unit when requesting the release of drug evidence for court appearances:
 - a. Subpoena with future court appearance date or containing an original notation from a Deputy County Attorney indicating a new appearance date resulting from a continuance.
 - b. If there is no subpoena, then a memorandum endorsed by a lieutenant or above. Memorandums must contain the following information:
 - (1) Name of person to pick up evidence
 - (2) Case number
 - (3) Item(s) to be released
 - (4) Statement that release of items is related to a court appearance
 - (5) Date and time of court appearance
 - c. Evidence will not be released for court more than one (1) working day prior to the scheduled appearance.
 - d. Prior to release of the drug evidence, it shall be weighed and the weight recorded on the Property and Evidence Control form.
2. If the evidence is retained by the court, an evidence custody receipt, signed by court personnel, must be returned to the Evidence Unit.

3. Evidence no longer required for court presentation shall be returned to the Evidence Unit within one (1) business day following such a determination. The evidence will be re-weighed upon its return following standard weighing procedures.

J. Drug Evidence Seizure, Core Sampling, and Retention Procedures

1. Marijuana Seizures

- a. When seizures of marijuana are made that are less than ten (10) pounds, in violation of A.R.S., Title 13, Chapter 34, the entire quantity shall be retained for purposes of evidence.
- b. When seizures of marijuana are made in excess of ten (10) pounds, in violation of A.R.S., Title 13, Chapter 34, deputies will be responsible for applying the following procedures:
 - (1) Ten (10) pound minimum weight samples from each seizure location shall be packaged separately and retained for court purposes. For example, if a search warrant were served on a house and large quantities of contraband were located in the kitchen, bedroom, and garage; ten (10) pounds would be retained from the contraband found in each of the three locations. **The representative sample(s) must be from a bale that was core sampled.**
 - (2) Core samples representing a statistically significant sample of the contraband seized shall be taken. All core samples must be taken from the same package(s), which will be used for laboratory tests.

- (3) Photographs of the seized material with identifying case numbers or other means of identification will be taken. Evidence from individual seizure locations should be photographed separately.

2. Seizures of “Other Substances”

- a. When seizures of narcotic and dangerous drugs, peyote, prescription-only drugs, or plants from which these may be derived are made that are less than one (1) pound, in violation of A.R.S., Title 13, Chapter 34, the entire quantity shall be retained for purposes of evidence.
- b. When seizures of narcotic and dangerous drugs, peyote, prescription-only drugs, or plants from which these may be derived are made in excess of one (1) pound, in violation of A.R.S., Title 13, Chapter 34, deputies will be responsible for applying the following procedures:
 - (1) One (1) pound minimum weight samples from each seizure location shall be packaged separately and retained for court purposes (see example above). The representative sample(s) must be one or more of the packages that are core sampled.
 - (2) Core samples representing a statistically significant sample of the contraband seized shall be taken. All core samples must be taken from the same package(s), which will be used for laboratory tests.
 - (3) Photographs of the seized material with identifying case numbers or other means of identification will be taken. Evidence from individual seizure locations should be photographed separately.

3. Core Samples
 - a. Core samples shall be taken randomly and shall represent a “population” or group of items that have similar characteristics such as packaging and location of discovery.
 - b. Core samples will be packaged separately from the bulk evidence.
 - c. The Evidence Unit will periodically publish an information table of statistically significant samples to guide the core sampling process.
4. In the event there is no suspect and there will be no follow-up investigation, the case deputy shall obtain authorization for disposal of the evidence and transmit an authorization for destruction to the Evidence Unit.
5. Deputies are responsible for weighing all drug evidence before it is transferred to the custody of the Evidence Unit and for making arrangements to have this evidence photographed.

K. Notice of Destruction

1. Applies to:
 - a. Marijuana seizures in excess of ten (10) pounds
 - b. Seizures of peyote, dangerous drugs, prescription-only drugs, narcotic drugs, or plants from which any of these may be derived in excess of one (1) pound
2. Any deputy making a drug-related probable cause arrest in conjunction with a drug seizure shall issue all arrestees or their attorney a Notice of Destruction form (PCSD #1329) at the time of their arrest and document this fact in the case report or supplement. A copy of the form shall be submitted to the Evidence Unit with the Property and Evidence Control form.

3. When a Notice of Destruction form has not previously been served on a defendant, detectives shall be responsible for sending the notice, by registered mail, to the defendant or his/her attorney within two (2) weeks of submitting any marijuana, peyote, dangerous drug, prescription-only drug, narcotic drug, or plants from which any of these may be derived into evidence. A copy of this form shall also be provided to the County Attorney's Office. If the suspect is unknown or unavailable, the detective will coordinate with the County Attorney's Office within the two-week time frame to determine the disposition of the substance in question.
4. The defendant or his/her attorney shall be provided twenty-four (24) hours advance notice of the time and place the evidence will be photographed. They may elect to photograph the evidence, and should they so request, be allowed the opportunity to identify reasonable additional items for a retest or random sampling. If additional samples are requested, they should be retained for court purposes. An appointment to photograph the evidence should be coordinated by the lead detective with the Evidence and Forensic Units and the County Attorney's Office.
5. The lead detective shall be responsible for providing the Evidence Unit with a "Notice of Destruction" form authorizing destruction within thirty (30) days of the seizure.

L. Transfer of Marijuana Evidence

Marijuana properly authorized for destruction may be transferred to a control case to provide the Department access to moderate or large quantities of marijuana for lawful purposes, such as reversals or training. The following procedures shall be applied when a transfer of marijuana is authorized.

1. Internal Transfer of Marijuana to Control Case
 - a. Marijuana currently stored within the Sheriff's Department's Evidence Unit may be transferred into a control case when the following authorization is received by the Evidence Unit:

- (1) Written authorization to dispose of the evidence from its original case by the prosecuting attorney's office.
 - (2) A memorandum, endorsed by a commander, authorizing the transfer to a control case.
 - b. When drug evidence is transferred to a control case the evidence will be subsequently tracked under the control case number until it is either authorized for disposal or is submitted as evidence under a new case number. It will never be re-entered as evidence under the case number for which it was originally seized.
 - (1) When drug evidence is authorized for transfer to a control case, Evidence Unit records for the original case will reflect that the evidence was disposed of by transfer to a control case. The records shall also reflect the specific control case number the evidence was transferred to.
 - c. Each individual bale of marijuana transferred will be re-weighed, numbered, and marked according to standard evidence procedures and placed into evidence as safekeeping under the control case number.
 - d. The property sheet(s) and copies of the release letter(s), memos, and supplements shall be placed in the control case file by the control officer.
2. Transfer of Marijuana from Outside Agencies to Control Case
 - a. When the Department wishes to transfer marijuana from an outside agency into a control case, a letter requesting transfer of the marijuana to the Pima County Sheriff's Department for investigative purposes shall be sent from the Investigations Bureau Chief, or his/her designee, to the appropriate member of the outside agency.

- b. A minimum of two (2) deputies shall accompany any transfer of marijuana to or from the Pima County Sheriff's Department.
- c. Prior to removal of the marijuana from the outside agency, the marijuana shall be weighed on scales provided by the Pima County Sheriff's Department, and a copy of a receipt for the marijuana, indicating its weight, shall be left with the outside agency. Any difference between the weight originally recorded by the transferring agency shall be noted on a supplement.
- d. The marijuana shall then be transported to the Pima County Sheriff's Department's Evidence Unit. The marijuana transferred shall then be re-weighed on the same scales used at the pick-up point in the presence of Evidence Unit personnel. Any discrepancies shall be documented by the case detective on a supplement to the control case.
- e. The transferred marijuana shall then be weighed on the scales in the Evidence Unit and these weights listed on the property sheets. Any discrepancies will be documented in a supplement to the control case. The scale make and serial number shall also be noted by the case detective.
- f. The marijuana shall be packaged and marked as evidence according to standard procedure. It will be submitted into Evidence for safekeeping under the control case number.

Note: Due to the many different methods of packaging the marijuana, it may be necessary to untie, or unpack/unwrap the bundles so that each individual bale can be numbered and weighed. The excess wrap and/or packaging shall also be weighed. This excess material may then be disposed of according to Pima County Sheriff's Department policy and the procedure detailed in a supplement to the control case.

- g. The following paperwork shall be provided to the Evidence Unit by the transferring deputies:
 - (1) A copy of the letter from the Pima County Sheriff's Department requesting transfer of the marijuana, including the signature of the person releasing, date of release, and the name of the originating agency.
 - (2) A copy of the letter from the outside agency transferring the contraband to the Pima County Sheriff's Department, when available.
 - (3) A copy of the property sheet(s) from the outside agency, when available.
 - (4) Copies of any release signed by either or both agencies.
 - (5) A memorandum, endorsed by a commander, authorizing placement into a control case (with the appropriate case number noted).
 - (6) Completed property sheets showing weights of individual bundles or packages.
 - h. The property sheet(s) and copies of the release letter(s), memos, and supplements shall be placed in the control case file by the control officer.
3. Release from PCSD to Outside Agency

Marijuana held by the Pima County Sheriff's Department may be released to outside agencies utilizing the following procedures:

- a. A letter from the requesting agency to the Pima County Sheriff's Department shall be given to the Evidence Unit.

- b. A memorandum endorsed by a Bureau Chief or above, authorizing the transfer to the outside agency shall be given to the Evidence Unit. The memo shall indicate the case number from which the marijuana is to be released and a description of the items to be released.
- c. Any time the marijuana comes from a case where it was held as evidence, a letter authorizing release from the County Attorney shall also be given to the Evidence Unit.
- d. Should marijuana be released from a control case, a copy of the requesting letter, authorizing memo, and any other correspondence shall be maintained in the control case file by the control officer.
- e. The Evidence Unit shall specify in their records that the evidence was disposed of by transfer to an outside agency. The evidence shall not be resubmitted as evidence under the original case number.

M. Control Cases

1. Control Officers' Responsibilities

- a. Accounting for drug evidence assigned to the control case. One (1) deputy shall be specifically assigned as the control officer for each individual control case.
- b. Maintain case files
- c. Shall make monthly reports to his/her supervisor detailing all transfers and current status of the drug evidence inventory under the control case numbers.

2. Removal of Marijuana from Evidence

- a. Any time marijuana is removed from the Evidence Unit under the control case number for purposes of a narcotics investigation, a memo endorsed by a commander shall be given to the commander of the Evidence Unit. The memo shall indicate the approximate amount to be released and a designated person to receive the marijuana.
- b. A minimum of two (2) deputies shall be present during the removal of the marijuana.
- c. Each individual bale shall be weighed prior to removal and the scale make and serial number noted on the memo. The original memo for removal shall be given to the Evidence Unit and a copy to the control officer.
- d. A new memo shall be required each time contraband is to be checked out.
- e. At least every six (6) months, the control officer or designee shall screen the marijuana in the control case and authorize for destruction any marijuana no longer suitable for investigations.
- f. Should a sample be given or shown during an investigation, a supplement to the control case shall be completed indicating the date of removal, the item number from which the sample was removed, the approximate weight of the sample, and the case number it is to be used for.

3. Disposition of Control Case Marijuana Evidence

- a. Marijuana used in a narcotics investigation can be resubmitted as evidence in either of the following ways:

- (1) Under a new relevant case number, per current Pima County Sheriff's Department Rules and Regulations.
 - (a) When items are submitted as evidence in a new criminal case, the control officer will submit a memorandum to the Evidence Unit identifying the items that have been removed from the control case so that Evidence Unit records may reflect them as disposed of from the control case.
 - (2) Under the marijuana control case. These bales shall retain their previous item number.
- b. Each individual bale of marijuana shall be re-weighed.
- (1) Any time a single item is broken down into smaller separate items, new sequential item numbers shall be obtained from the control officer for each new item. The property sheets shall indicate that the original item number has been abandoned and shall list the new item numbers obtained.
 - (2) The weight of all new items combined should equal or exceed (because of new wrapping) the original item weight. This breakdown shall be documented in a supplement to the control case.
- c. A supplement shall be completed and a copy given to the control officer. A copy of the removal memo for those items shall also be returned to the control officer.
- d. During non-public business hours, deputies shall remain with Evidence personnel until the Evidence area is secured and at no time shall more than two (2) officers be in a controlled property area unless requested by Evidence personnel.

4. Transfer of Cocaine

The procedures for marijuana control shall be followed for cocaine control with the following additions:

- a. Cocaine transferred into a control case, in all circumstances, must be submitted for analysis to an approved lab prior to entry.
- b. Release of cocaine from the Evidence Unit will require the same paperwork as marijuana but must be authorized by a Captain or above.
- c. Cocaine removed from the control case for investigations and then returned to the control case shall be submitted for analysis to an approved lab.
- d. Except for release of a small sample for suspects to test in the presence of the investigating officer, cocaine shall not be released as samples during investigations. Any part of samples not destroyed during the testing process must be returned to the master case or placed into evidence. This shall be documented in a supplement to the master case.
- e. Cocaine shall not be stored outside of the Evidence Unit in anticipation of a transaction without the express authorization of the Violent Crimes and Targeted Offenders Commander or above.
- f. All cocaine transfers requiring weighing shall be weighed to within minus or plus 0.1 gram accuracy.

N. Marijuana Dehydration

Marijuana will inevitably dehydrate at varying rates dependent on a number of different factors, including but not limited to the following:

1. Size of bales
2. Type of wrapping around bales
3. Storage climate, including relative humidity and temperature
4. Length of time stored
5. Length of time between harvest and packaging
6. Quality and type of marijuana

These factors should be considered when evaluating any weight discrepancies.

O. Drug Evidence Destruction Procedures

1. Upon receipt of a signed Sheriff's Department Disposition Form and a copy of the Notice of Destruction, the Evidence Unit shall request authorization from the Homeland Security Division Commander to carry out the destruction of drug evidence.
 - a. The request shall be made by memorandum.
 - b. Upon verification that the prescribed procedures have been followed and completed, the Commander may order immediate destruction.
2. Upon receiving the order from the Homeland Security Division Commander to destroy drug evidence the destruction shall be conducted as soon as possible.

- a. The Evidence Unit Supervisor shall be responsible for making arrangements for lawful incineration of the evidence.
- b. The Evidence Unit shall be responsible for identifying, weighing and photographing drug evidence that is cleared for destruction.
- c. Two (2) or more deputies shall accompany the Evidence personnel with the material to be destroyed from the property storage location to the destruction point. They shall remain with the material until it is rendered totally useless as a drug or narcotic.
 - (1) If circumstances dictate, the Homeland Security Division Commander may request that the deputies assigned be SWAT members.
 - (2) Deputies shall be requested at least twenty-four (24) hours in advance from the Patrol Division or Support Operations Division Commander by the Homeland Security Division Commander.
 - (3) The number and assignments of the officers assigned shall be the decision of the Homeland Security Division Commander.
- d. All personnel shall follow proper health and safety rules in handling and disposing drug evidence as well as chemicals and components used in the manufacture of same, e.g., gloves, protective clothing, face shields, glasses, respirators, first aid materials, fire extinguishers, and any other safety devices deemed necessary.
- e. Any disposal or destruction of material that is classified "hazardous" shall be done under the direct supervision of the Bomb Squad.

- f. The Evidence Unit supervisor will ensure that a case report is completed documenting the following:
 - (1) Transportation method
 - (2) Location of destruction or disposal
 - (3) Method of destruction or disposal utilized, e.g., gas-fired incinerator, open burning with diesel fuel, etc.
 - (4) Personnel present: names, badge numbers, agency affiliations, and functions at scene
 - (5) Description of evidence destroyed

V. CORRECTIONS BUREAU CRIMINAL INVESTIGATIONS

- A. Deputies shall respond to reports of criminal acts occurring at Pima County correctional facilities.
- B. Follow-up investigations of crimes committed by inmates occurring at Corrections Bureau facilities shall be conducted by the appropriate investigative unit.
- C. Procedures
 - 1. Criminal violations occurring at the Corrections Bureau shall be reported to Communications by the facility involved.
 - 2. A patrol deputy shall respond to the facility, conduct a preliminary investigation, and prepare an initial incident report.
 - 3. Corrections Bureau personnel shall protect and preserve the scene while awaiting the arrival of the reporting deputy.
 - 4. Responding patrol personnel shall notify the investigative unit supervisor.

D. Escapes

The Sheriff's Department shall investigate all incidents of escape of booked prisoners and obtain arrest warrants no matter who had actual custody of the prisoner at the time of the escape.

1. The Sheriff's Department shall assist other Pima County area agencies upon their request in the event a prisoner escapes prior to booking.
2. If the escapee was being held in the Pima County Adult Detention Center on federal charges in addition to state charges, the U.S. Marshals Service shall also be notified.

E. When the Sheriff's Department is notified of an escape of a person who has been booked into any Pima County Corrections Bureau facility, Communications shall dispatch a deputy to the scene to make an initial report.

F. An attempt-to-locate shall be broadcast as soon as possible to all Arizona law enforcement agencies.

G. The Patrol Division shall conduct an initial search utilizing appropriate resources.

H. The FIST Supervisor shall be notified and take responsibility for the investigation, ensuring the following:

1. An investigation is underway
2. An attempt-to-locate has been broadcast
3. An arrest warrant is obtained

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VIII. REQUEST FOR PRESERVATION OF COMMUNICATIONS TAPES**A. Procedures for Department Personnel**

1. Sheriff's Department personnel who request copies of Communications tapes must submit a memorandum to the Communications Manager, via chain of command.
2. Memoranda shall include the following information:
 - a. Call number
 - b. Date and time period of the incident
 - c. Determination of whether request is for telephone conversations or radio transmissions
 - d. Reason for the request
 - e. Nature of the incident
3. The Communications Manager must receive the requesting memoranda within nine (9) months of the date of the incident.

B. Procedure for Request for Preservation of Communications Tapes by Persons Outside the Department

1. Requests from outside the Department for copies of Communications tapes shall be addressed in the following manner and the requests shall be forwarded to the Communications Manager.

If the request does not contain sufficient information, Communications shall contact the requestor and obtain the additional information.

2. The person preparing the tape shall notify the requesting party when the tape is ready for pick up.
3. In the event the identifiers on the request do not match the incident recorded on the tape or the tape has been recycled and erased, the Communications Manager shall document the fact and advise the requestor in a letter.

4. Tape-copying requests from outside parties, excluding the County Attorney's Office, shall be processed utilizing the following steps:
 - a. Private citizen requests, excluding any from criminal defendants, shall be in writing to include:
 - (1) Case number
 - (2) Date of incident
 - (3) Address and telephone number of the incident
 - (4) Intended use for the tape

A fee will be assessed for copies, which will be forwarded to the Business Office for processing.
 - b. Defense Attorney Requests

All requests from defense attorneys will be referred to the assigned County Attorney.
- c. Court ordered tape copies shall be supplied as ordered.

IX. MOBILE DATA COMPUTERS (MDC)

- A. The Pima County Sheriff's Department will utilize a Mobile Data Computer (MDC) system. The MDC system will allow access to the Arizona Criminal Justice Information System (ACJIS) and afford an opportunity for personnel to run ACJIS queries. The MDC system will allow the dispatch of calls for service to personnel.
 1. Personnel shall adhere to all security and access guidelines applicable for ACJIS access.
 2. Prior to utilizing the MDC system, personnel must attend appropriate training and have current Terminal Operator Certification.
 3. Personnel shall not share log-in names or passwords.
 4. Personnel shall use only their assigned login for access into their MDC.

5. Personnel shall be cognizant of the potential of unauthorized viewing and take appropriate preventative steps.
 6. Department members shall not allow personnel from other agencies or departments to utilize the MDC system.
 7. Personnel are expected to maintain security of the equipment at all times, to include locking the equipment down when possible.
 8. Personnel shall not divulge any sensitive medical information included in a call, nor shall personnel allow the knowledge of such information to adversely alter their response to a call for service.
- B. The MDC system is for official use only.
1. Department and County rules, as well as State and Federal laws, regarding the use of electronic mail, messaging, system access, and the dissemination of information shall be followed while using the MDC system.
 2. Unauthorized access and/or misuse of the MDC system, or the information contained in the system, may result in disciplinary action and/or criminal prosecution.
 3. Portable MDC use is authorized for business purposes only. Personal use is strictly prohibited.
- C. Procedures for Use
1. Department members shall not handle MDC equipment in a rough or careless manner.
 - a. Except for normal operating controls, only authorized Pima County personnel may adjust or repair MDC equipment.
 - b. Personnel are required to immediately report any damage or loss of MDC equipment to their on-duty supervisor. This report must be followed with written documentation of the damage or loss.

- c. The supervisor shall notify Material Management of the damage or loss and forward the written documentation to Material Management via the chain of command.
2. While off duty, Department members shall store and secure the portable computer away from their assigned patrol vehicle.
3. Department members shall not install software, modify hardware components, or attach peripheral devices to the portable computers without authorization from the Information Technology Division Commander.
4. Use of MDC Radio Log
 - a. The MDC should be used to check on and off duty at the beginning or end of each shift, and to check out at **ordinarily low-risk** locations such as sub-stations, dinner breaks, etc.
 - b. The MDC shall not be used to check out anywhere there is a reasonable potential for law enforcement action to be taken, including—but not limited to—traffic stops, suspicious people or vehicles, bar checks, or abandoned vehicles.
5. Call Dispatch via MDC
 - a. The MDC will be used to dispatch all calls except for priority one (1) and two (2) calls. All calls, regardless of priority, may display on the MDC and personnel are cautioned about reacting prematurely to a call on input. Priority one (1) and two (2) calls will continue to be dispatched via voice radio.
 - b. Units dispatched to a call via MDC shall utilize the MDC to indicate they are en route.
 - c. Upon arrival at the call location, the unit shall utilize the MDC to indicate such.
 - d. Only the unit assigned the call as the responsible deputy shall clear the call. Upon request, the dispatcher can reassign the call.

- e. Calls shall be cleared via the MDC as soon as practicable.
6. Traffic Stops
- a. Personnel shall not conduct traffic stops via their MDC. Radio procedures for traffic stops shall be followed, including periodic status checks by the dispatcher.
 - b. The MDC should be used whenever feasible to conduct ACJIS queries such as warrant, license, and registration checks.
 - c. Unless an MDC call is issued for the traffic stop, the voice radio shall be utilized to advise when the traffic stop is completed.
7. Warrant Hits
- a. User should realize that other members of the Department will not see warrant information received on any MDC other than his/her own. Therefore, it is the responsibility of the user to immediately notify the dispatcher via voice radio of any warrant hits.
 - b. The dispatcher shall facilitate the deployment of back-up personnel.
 - c. The dispatcher, upon receiving the necessary information from the deputy, will follow current practice for identifying and confirming the warrant.
8. On-Sight Activity
- a. Personnel are required to follow established procedures for handling on-sight activity.
 - (1) This includes using the voice radio to advise other personnel and the dispatcher of the on-sight activity.
 - (2) The MDC may be used to run ACJIS queries.

- b. Communications may issue an on-site call via the MDC for the on-sight activity, if requested.
 - c. Unless an on-site call is issued via MDC, the voice radio shall be utilized to advise when the on-sight activity is completed.
9. Officer Safety
- a. Although personnel are encouraged to utilize their MDC as much as possible, they are not required to utilize the MDC when good officer practices dictate the use of voice radio.
 - b. When situations do not allow for MDC use because of officer safety concerns, a back-up deputy should be requested or dispatched.
 - c. Caution must be exercised while utilizing the MDC and controlling the vehicle. Personnel are obligated to drive safely and are not protected from the consequences of reckless driving or disregarding the safety of others. Policies regarding the operation of Department vehicles remain in full effect while utilizing the MDC.
10. Attempts to Locate (ATL)
- a. Priority will be established by the Communications Unit on-duty supervisor.
 - b. Depending upon the priority of the ATL, it may be conveyed via voice radio and MDC or MDC only.
 - c. A retention schedule for ATLs shall be developed by the MDC/Radio User Committee. A Communications Supervisor or any Commander may temporarily override a particular retention plan for an ATL, as circumstances warrant.
11. Unit Failure
- a. In the event of a unit failure, the problem must be immediately reported to the on-duty supervisor and Communications.

- b. If the failure can be isolated to either the vehicle apparatus or the computer, steps may be taken to deploy a pool vehicle or another computer.
- c. Affected personnel should advise their on-duty supervisor and consideration should be given for the person to ride with another deputy equipped with a functioning MDC.
- d. If the MDC is not operational, no spares are available, and staffing consideration will not allow the deputy to team up with another deputy, voice radio will be utilized for communications to the deputy or deputies affected.
- e. A memorandum documenting the problem must be completed by the end of the shift and forwarded to Material Management via the deputy's chain of command.

12. System Failure

- a. In the event of a system failure, the voice radio will be utilized for all communications normally handled by the MDC system.
- b. The Force Commander or District Commander shall coordinate this activity via the on-duty supervisors.

X. TACTICAL CALL-OUT AND PAGER PROCEDURE

- A. All commissioned officers will be issued cell phones, which they shall be required to carry while on duty. The phones' primary use is for official Department communication.
 1. On-call pay is not authorized unless approved by a Bureau Chief.
 2. The cell phone may be worn during off-duty status; however, deputies and sergeants will not be expected to respond to Department calls or texts during non-work hours unless they are "on-call."

3. The cell phone is available for personal use, but shall not interfere with normal duties or job performance.

B. Group Call-Outs

1. In the event of a significant incident or event, any commander may direct that a Tactical Alert Procedure (TAP) be initiated.
2. The commander requesting an alert will direct either Communications or a designee to initiate the TAP.
3. The information for a Tactical Alert is delivered to the appropriate group page(s) via an alpha page and will contain incident, staging area, number of officers needed, off-duty personnel required (if necessary), radio talk group to utilize, etc.
4. On-duty deputies receiving a TAP message will respond as directed.

Off-duty deputies receiving a TAP message will take no action unless directed and authorized, by a supervisor.

5. Once the incident or event is Code 4, an alpha page will be sent, canceling the response.

C. Command/Supervisory Use

1. Supervisory or command personnel may use the group page system to disseminate notices, announcements, or information.
2. The pager system is for official use only.

XI. EQUIPMENT

- A. Department equipment, vehicles, and facilities shall be used only by members of the Department acting in their official capacity. Equipment may be loaned to other agencies only with the approval of the Sheriff.
- B. Violation of rules, regulations, and procedures contained in the PCSD Rules and Regulations, as well as violations of the Pima County Personnel Policies, related to care and use of County equipment may result in disciplinary action, including loss of the use of County equipment.

XII. COMPUTER ENTRIES

- A. Department members who receive reports on stolen vehicles, missing persons, runaway juveniles, or lost or stolen license plates shall, upon completion of the appropriate form, contact Terminal Operations and provide necessary information for a computer entry. The terminal operator, upon receiving the information, shall enter it into the computer system.
1. Personnel taking the report of a missing person or runaway juvenile shall contact Terminal Operations and provide the necessary information pertaining to the missing person when computer entry requirements are met.
 2. Missing persons may be entered into NCIC only if criteria established by NCIC have been met. These criteria are as follows:
 - a. The missing person is a juvenile (un-emancipated), age seventeen (17) or younger.
 - b. He/she is a person of any age who is missing after a catastrophe.
 - c. The missing person is eighteen (18) years of age or older or an emancipated juvenile, and the reporting deputy has supporting documentation in his/her possession stating the conditions under which the person is declared missing. The documentation must be a written statement from a physician, parent, legal guardian, next of kin, or other authoritative source stating one of the following:
 - (1) Disability: A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.
 - (2) Endangered: A person of any age who is missing and in the company of another person under circumstances indicating that his/her physical safety may be in danger.

- (3) Involuntary: A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, e.g., abduction or kidnapping.
 - (4) Other: A person over the age of 18 not meeting the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his/her safety.
 3. If NCIC criteria cannot be met, the missing person will be entered into the local criminal justice database only, thereby making the information available to local law enforcement agencies.
 4. All stolen vehicle reports that fall under ARS §13-1813 (Unlawful Failure to Return Motor Vehicle) will be forwarded to the Auto Theft Unit for further investigation. Any vehicle stolen under this statute will **only** be entered into ACIC/NCIC by the Auto Theft Detail.
- B. Department members who receive reports of recovered vehicles, found persons, returned runaway juveniles, or found license plates shall contact Terminal Operations and determine if the information has been entered into the computer system.
 1. If the information has been entered, the terminal operator shall clear the data from the computer upon request of the deputy. The reporting deputy shall make the appropriate reports under the original case number indicating that the person or property has been found and the computer entry has been cleared.
 2. If data on a person or property have not been entered into the computer, the reporting deputy shall record that fact.

XIII. VICTIMS' BILL OF RIGHTS - DEPARTMENT OBLIGATIONS

- A. Deputies making initial contact with victims as defined by Arizona Revised Statutes shall:
 1. Notify victims of their rights by completing and distributing to each victim an "Information for Victims of Crime" brochure.

2. Ascertain if the victim wishes to waive or invoke applicable rights to which the victim is entitled "on request."
 3. Determine whom the victim wishes to designate as a lawful representative.
 4. Presume that the victim wishes to invoke applicable rights if the victim is physically or emotionally unable to request or waive applicable rights.
- B. If the incident involves domestic violence, distribute a Pima County Sheriff's Department Domestic Violence Information Card in addition to the "Information for Victims of Crime" brochure.
- C. If the deputy is unable to contact the victim after reasonable attempts, the deputy shall contact the Terminal Operations Unit to request that the victim be notified of his/her victim's rights.
- D. For reports taken by the Telephone Reporting Center, the "Information for Victims of Crime" brochure shall be mailed to the victims, and it will be so noted on the case report.
- E. Probable Cause Arrests by Deputies
1. The arresting deputy is responsible for notifying the victim of the arrest and the time and location of the initial appearance.
 2. If the deputy is unable to contact the victim after reasonable attempts, the deputy shall contact Terminal Operations to request that the victim be notified of the arrest.
 3. Terminal Operations shall notify victims who have not previously been contacted.
 4. For in-custody arrests, deputies shall submit a "Victims' Rights Information Card" to the custodial agency for each victim at the time of booking.
 5. A victim, as defined by Arizona Revised Statutes, is not eligible for victims' rights information while in custody for any offense or if they are the person accused of the criminal offense initiating victims' rights applicability.

F. Mutual Combat Domestic Violence In-Custody Arrests

1. In situations involving arrestees without a legal guardian relationship, deputies must complete an individual "Victims' Rights Information Card" for each adult involved, and provide the cards to the Adult Detention Center.

Additionally, deputies must complete a Victims' Rights Pamphlet for each in-custody person, who would otherwise be considered a victim, and give the pamphlet to the booking staff for placement in the inmate's property. Once released, the individuals will be given the pamphlet, thus obtaining their victims' rights information.

2. In situations involving arrestees with a legal guardian relationship, such as parent-minor child or guardian-vulnerable adult, the procedure outlined above must be amended. In this circumstance, victims' rights cannot be given to the accused legal guardian on behalf of the juvenile/vulnerable adult. The juvenile/vulnerable adult will need to assert their own victims' rights, designate another person to assert victims' rights on their behalf, or have a lawful representative appointed for them. Deputies must take appropriate steps to ensure they complete an individual "Victims' Rights Information Card" for each arrestee, and that victims' rights information is available for all inmates eligible for victims' rights upon release from custody.

- G. In cases of arrests on Sheriff's Department-initiated warrants, Terminal Operations shall notify victims. (Civil, FTA, and other contempt warrants are excluded.)
- H. For arrests on other local (within Pima County) law enforcement agencies' warrants, the Corrections Bureau shall notify the investigating agency of the arrest.
- I. The Corrections Records Unit shall provide notification of an inmate's release to victims who have requested it.
- J. The Corrections Records Unit shall provide immediate notice to the victim(s) and the prosecutor's office of an escape and subsequent re-arrest of an incarcerated person accused or convicted of committing a criminal offense against the victim.

XIV. NO SMOKING POLICY

Smoking is prohibited in all Pima County Sheriff's Department facilities and Department vehicles.

XV. CONFLICT OF INTEREST POLICY

All Department members who recommend or approve purchase of goods or services are required to review and be familiar with Pima County Administrative Procedure 3-26 regarding conflict of interest.

Department members who have, or whose relative has, a substantial interest with a company or service that is being recommended or approved must disclose that interest to the Department and refrain from participating in any manner in the recommendation and/or decision process. Disclosure shall be made by completing a "Notice of Substantial Interest in a Pima County Contract, Sale, Purchase, Service, or Decision" form. This form is available from the Department's Financial Services Section. Completed forms shall be turned into the Financial Services Section.

XVI. EXPOSURE CONTROL PLAN

A detailed Exposure Control Plan containing all elements required by OSHA Standard 29 CFR 1910.1030 and Pima County Administrative Procedure 30-16 is available at each District or Section, from Personnel or the Department Risk Manager, and is also on the portal. All affected members shall read and remain familiar with the Exposure Control Plan.

A. Definitions

1. **BLOOD-BORNE PATHOGENS:** Microorganisms that are present in human blood and can cause disease in humans. These pathogens include—but are not limited to—hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).
2. **CONTAMINATED SHARPS:** Any contaminated object that can penetrate the skin, including—but not limited to—needles, scalpels, broken glass, etc.
3. **EXPOSURE INCIDENT:** A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral (piercing) contact with blood or other potentially infectious materials that results from the performance of a Department member's duties.

4. OCCUPATIONAL EXPOSURE: Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of a member's duties.
 5. SIGNIFICANT EXPOSURE: This type of exposure in an occupational setting is when actual physical contact occurs. Fluid contact with a member's clothing or unbroken skin is not generally recognized as a significant exposure.
 6. OTHER POTENTIALLY INFECTIOUS MATERIALS:
 - a. The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.
 - b. Any unfixed tissue or organ (other than intact skin) from a human being (living or dead).
 - c. HIV-containing cell or tissue cultures, organ cultures, and HIV or HBV-containing culture media or other solutions, and blood, organs, or other tissues from experimental animals infected with HIV or HBV.
 7. PERSONAL PROTECTIVE EQUIPMENT: Specialized clothing or equipment worn by a member for protection against a hazard. General work clothes, e.g., uniforms, pants, shirts, or blouses, not intended to function as protection against a hazard are not considered to be personal protective equipment.
- B. The following job classifications within the Pima County Sheriff's Department may risk occupational exposure to blood-borne pathogens. However, members of the Department are not excused from carrying out their duties when such unusual personal risks are present.
1. Commissioned classifications: lieutenant, sergeant, and deputy
 2. Corrections classifications: lieutenant, sergeant, specialist, and officer

3. Forensic and evidence technicians and supervisors
 4. Janitorial classifications (all)
- C. Universal precaution is the best approach to infection control. All human blood and body fluids are, therefore, to be treated as if known to be infectious for HIV, HBV, and other blood-borne pathogens.
- D. The Occupational Safety and Health Administration (OSHA) requires the following:
1. All members shall utilize personal protective equipment when the potential exists for contacting blood or other potentially infectious material.
 2. All members shall wash their hands and any other skin with soap and water or flush mucous membranes with water immediately, or as soon as feasible, following contact with blood or other potentially infectious materials.
 3. When hand-washing facilities are not immediately available, the Department member shall utilize an appropriate antiseptic hand cleaner in conjunction with clean cloth, paper towels, or antiseptic towelettes. When antiseptic hand cleaners or towelettes are used, hands shall be washed with soap and running water as soon as feasible.
 4. All members shall wash their hands immediately, or as soon as feasible, after removal of gloves or other personal protective equipment.
 5. All procedures involving blood or other potentially infectious materials shall be performed so as to minimize splashing, spraying, spattering, and generation of droplets of these substances.
 6. All equipment that becomes contaminated shall be decontaminated as necessary in accordance with established County policy.

7. Appropriate containers shall be used for the disposal, storage, and transporting of blood or other potentially infectious materials, contaminated personal protective equipment, any contaminated needles or sharp objects, and any other contaminated waste.
 8. There shall be no eating, drinking, smoking, applying cosmetics or lip balm, nor handling of contact lenses in work areas where there is a reasonable likelihood of occupational exposure.
 9. Food and drink shall not be kept on or in refrigerators, freezers, shelves, cabinets, countertops, or benchtops where blood or other potentially infectious materials are present.
 10. There shall be no mouth pipette/suctioning of blood or other potentially infectious materials.
- E. Some job classifications and assignments may require more extensive workplace controls. Division Commanders are required to evaluate such classifications and assignments and ensure that additional workplace controls are implemented as necessary. Members shall follow all operational procedures, including those established by their Division Commander, regarding exposure to blood and other potentially hazardous materials. In the event a member identifies an occupational exposure not previously recognized by the Department, it shall be that member's responsibility to immediately report the occupational exposure to his/her supervisor.
- F. Personal Protective Equipment
1. Material Management shall make available the appropriate personal protective equipment.
 2. Members shall utilize the appropriate personal protective equipment when the potential for exposure to blood or other infectious material exists. The member may decline to utilize this equipment if, in the member's best professional judgment, its use would prevent the delivery of public safety services or would pose an increased hazard to the safety of the member or a co-worker.

- G. All contaminated waste, contaminated protective equipment, and contaminated laundry shall be properly containerized, labeled, and stored in accordance with all federal, state, and local laws and rules and regulations
1. All contaminated wastes shall be placed in leak-proof, sealed containers labeled with an appropriate BIO-HAZARD warning label. Waste items, such as contaminated personal protective equipment, may be disposed of at Department Corrections Facilities, and most fire stations and hospitals. Members should continue to utilize fire and EMS personnel for waste disposal when such personnel are already present.
 2. All contaminated laundry will be appropriately containerized and shall not be sorted or rinsed at the location of use. Contaminated laundry shall be transported in containers that are marked with the appropriate BIO-HAZARD labels.
 3. The Department will ensure that the disposal of all regulated waste is in accordance with all federal, state, and local laws.
- H. In the event a uniform, item of clothing, piece of equipment, or vehicle becomes contaminated with blood or bodily fluids belonging to another individual, the following actions will be taken:
1. Personal clothing or uniform items that have become contaminated with blood or other bodily fluids should be removed immediately. The uniform/clothing will be placed in a red BIO-HAZARD bag and the bag shall be labeled with the employee's name, badge number, and section assignment.
 2. Notification is to be made directly to the on-duty supervisor or the district Public Safety Support Specialist (PSSS) to ensure that the appropriate measures have been taken for cleaning.
 3. The PSSS assigned to a district will notify the designated cleaner to pick up the uniform/clothing the next business day. The clean uniform/clothing will be returned to the section within three (3) days after it is picked up.
 4. Green Valley personnel will leave properly packaged contaminated uniforms/clothing with Material Management. Material Management personnel will arrange for vendor pick-up. Uniforms/clothing will be returned within three (3) days to

Material Management, who in turn will notify the district that the uniform/clothing is available for pickup by district personnel.

5. Ajo District personnel will send properly packaged contaminated uniforms/clothing to Material Management by personnel traveling to Tucson, or by mail courier. Material Management will arrange for vendor pickup. After the uniform/clothing is returned to Material Management, the mail courier will deliver the uniform/clothing to the Ajo District.
 6. Corrections Bureau personnel will deliver properly packaged contaminated uniforms/clothing to the Fire/Life-Safety Office, with a copy of the incident report, for dry cleaning and return.
 7. Shoes and leather gear may be scrubbed with a brush in soap and hot water to remove contamination. All other non-disposable equipment items, (such as flashlights, batons, handcuffs, etc.) which may be contaminated, should be disinfected with a ten (10) percent bleach/water solution.
 8. Vehicle seats or other areas exposed to blood or other bodily fluids should be scrubbed with a ten (10) percent bleach/water solution.
- I. Pima County Risk Management will make available to all members with an occupational exposure and to field qualified search and rescue volunteers a Hepatitis B vaccination series unless the member has previously received the complete vaccination series, antibody testing has revealed that the member is immune, or the vaccine is contraindicated for medical reasons.
1. Any member who declines participation shall sign a declination form.
 2. The vaccination series will be made available to a member who initially declines to participate but at a later date decides to accept.
 3. If termination from Pima County occurs prior to the completion of the vaccination series, it shall be the responsibility of the member to arrange and pay for completion of the series.

- J. When a significant exposure occurs, the supervisor will be notified immediately to ensure that all circumstances of the exposure are fully documented and forwarded, along with the Supervisor's Occupational Accident Report and Report of Significant Exposure to Bodily Fluids, to the Personnel Unit within twenty-four (24) hours. It is in the member's best interest to report all occupational exposures to protect any future industrial claims that may arise from such exposure.
1. A member who has a significant exposure should seek immediate medical treatment from the designated Pima County Occupational Health Physician if the exposure occurred between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. If the exposure occurred after normal business hours, or on a weekend or holiday, the exposed member should call the main phone number of the Pima County Occupational Health Physician, speak with the on-call physician, and follow the physician's instructions. All post-exposure evaluation and follow-up will be conducted by the prescribed occupational health provider in conjunction with Pima County Risk Management. Evaluations and follow-up care is available to any member who has a significant exposure to another's blood or potentially infectious bodily fluids.
 2. The exposed member shall seek medical care and have blood drawn as soon as possible after the significant exposure. When indicated, prophylactic medications will be offered to members to decrease the risk of contracting HIV or Hepatitis B or C. A baseline blood test will be offered with a subsequent test offered up to eighteen (18) months after exposure. The initial test will indicate any or all of the following:
 - a. Member's Hepatitis B (HBV) Immunity
 - b. HIV Status
 - c. Hepatitis C (HCV) Status
 3. If a member declines testing but agrees to baseline blood collection, the sample shall be kept for ninety (90) days in case the member decides to accept the testing. If a member refuses testing, the refusal shall be documented and signed by the member. The member shall be informed that, if not tested, future benefits may be jeopardized.

4. The healthcare professional will provide a written opinion evaluating the exposure incident. Such medical information, including the findings and diagnosis of any exposure incident, shall remain confidential.
 5. If a member receives a significant exposure to bodily fluids from a person who is under arrest as the result of an assault against the member, an on-scene supervisor will attempt to obtain consent from the arrestee for a blood test. Blood should be drawn immediately after the arrest. If the arrestee refuses consent to a blood test, the supervisor may seek to obtain a warrant or court order to obtain the needed sample, or contact the Jail Detective for assistance. The on-scene supervisor or detective will decide on one (1) of the following actions:
 - a. A search warrant may be requested on the basis that the seriousness of the assault will rest on the seriousness of the exposure, in that risk of death is a more serious offense.
 - b. The detective may request a court-ordered blood sample at the initial appearance. (See A.R.S. § 13-1210.)
 - c. The source individual may be taken to the Pima County Physician or to another medical facility for a blood sample.
- K. Communication of Hazards
- Warning labels shall be affixed to all containers of regulated waste, refrigerators or freezers containing potentially infectious materials, and all containers used to store and transport potentially infectious materials.
- L. The Pima County Sheriff's Department shall provide training in blood-borne pathogens to all members.
1. This training shall be conducted at the time of initial assignment and at least annually thereafter.

2. The Training Unit shall maintain training records on all members with the exception of Sheriff's Auxiliary Volunteer members. These training records shall contain at least the following information:
 - a. Date of all training sessions
 - b. Content and summary of the training session
 - c. Names and qualifications of the instructors
 - d. Names and job titles of members attending the training session
3. All training records shall be maintained in accordance with state and federal law, as well as departmental records retention policy.

M. Record Keeping

1. Pima County Risk Management, in conjunction with the approved occupational health carrier, shall establish an appropriate record for each member with occupational exposure.
2. These records shall be confidential.
3. Each member's record shall be made available to that member or to that member's representative.
4. These records shall be maintained for the duration of employment plus thirty (30) years.

XVII. NOTIFICATION OF EXPOSURE TO POTENTIALLY LIFE-THREATENING DISEASES

- A. Members of the Pima County Sheriff's Department risk exposure to potentially life-threatening diseases during the course of their duties. The Department provides its members with a mechanism to determine if they have been exposed to any of the diseases listed below:
1. Airborne Diseases
 - Infectious Tuberculosis (TB)
 2. Blood-Borne Diseases
 - a. Hepatitis B
 - b. Hepatitis C
 - c. Human Immunodeficiency Virus (HIV)
 3. Uncommon or Rare Diseases
 - a. Diphtheria
 - b. Hemorrhagic fevers
 - c. Meningococcal disease
 - d. Plague
 - e. Rabies
- B. If a member has contact with a person who is transported to a medical facility and diagnosed with Infectious Tuberculosis, the medical facility is required to immediately notify the member of this exposure.
- C. For the other diseases listed, the member may submit a written report for a determination of exposure.
1. A member requesting determination of exposure shall submit a memorandum requesting the determination and a copy of the appropriate completed exposure form to the Designated Officer.

2. The Sheriff or his/her designee has been appointed the Designated Officer responsible for investigating exposure incidents and notifying members of exposure.
- D. The Designated Officer shall serve as the conduit for information between the member and the medical facility.

All communications between the member and the Designated Officer shall remain confidential.

- E. Upon receipt of the written request, the Designated Officer must:
1. Collect the facts relating to the circumstances under which the member may have been exposed to an infectious disease
 2. Evaluate the facts to determine if the member could have been exposed to the potentially life-threatening disease
- F. If the Designated Officer determines that the member may have been exposed, the Designated Officer shall submit the request for determination, along with the facts collected, to the appropriate medical facility.
- G. After receiving a determination of possible exposure from the medical facility, the Designated Officer shall immediately notify the member.

Such notifications shall include:

1. The fact that the member may have been exposed and the name of the disease involved
 2. The date of the possible exposure
 3. Any medically appropriate action recommended
- H. If the Designated Officer receives a response that no exposure has occurred or that insufficient evidence exists to make a determination of exposure, the member shall be notified immediately of this response.
- I. Medical facilities are responsible for notifying the Designated Officer as soon as practicable, but no later than forty-eight (48) hours after the determination has been made.

- J. The submittal of a written request for determination does not preclude any of the reporting requirements of exposures mandated by the Pima County Sheriff's Department Rules and Regulations.

XVIII. PROCEDURES FOR NOTIFYING CRIME VICTIMS OF THEIR POSSIBLE EXPOSURE TO COMMUNICABLE DISEASES

- A. Communicable disease may include any of the following:
 - 1. HIV (AIDS) virus
 - 2. Venereal disease (gonorrhea, syphilis)
 - 3. Hepatitis
 - 4. Tuberculosis
- B. Notification
 - 1. If an arrestee is known to be or is claiming to be HIV positive or claiming to be infected with other communicable disease(s) and has committed an offense during which such disease(s) could have been transmitted to the victim, law enforcement officers shall NOT communicate this information to the victim. The involved officer(s) shall notify the Pima County Health Department and provide its personnel with the necessary information.
 - 2. The reporting officer shall document notification of the Health Department and information provided in the case report.
 - 3. Notification to the Health Department must be made promptly upon discovery of the risk of infection.
 - 4. Should a question regarding communicable disease arise during the initial contact with the victim, the investigating officer may call the after-hours referral line and request a Disease Control Counselor.
 - 5. The Health Department will assume all responsibility for notifying crime victims of their possible exposure, and will ensure that appropriate support and follow-up services are provided.

6. All information regarding communicable diseases is to be kept strictly confidential. Case reports are to be classified "limited access."

XIX. TUBERCULOSIS (TB) EXPOSURE CONTROL PLAN

A. Classifications Affected

The following classifications within the Sheriff's Department have been determined to be affected by this policy:

Sergeant, Lieutenant, Captain, Bureau Chief
Corrections Sergeant, Corrections Lieutenant, Corrections Captain
Deputy Sheriff
Corrections Specialist
Corrections Officer
Forensic Technician
Fingerprint Technician
Intake Support Supervisor
Intake Support Specialist
Public Safety Support Specialist
All Health Care Workers

Division Commanders shall be responsible for determining work areas and/or member functions where there is a risk of exposure to TB.

Division Commanders shall review work areas and member functions at least annually to determine employee risk status.

B. Engineering and Work Practice Control

Division Commanders shall be responsible for modification of any work practice or physical structures to minimize the exposure of employees to TB.

1. Engineering and work practice control methods of exposure minimization shall be secondary to administrative controls. This may include, when practical, the installation of negative pressure ventilation systems in areas designated for isolation.

2. Division Commanders may submit their engineering and work practice control policies to the Safety Officer. The Safety Officer will be available to advise each Division on its engineering and work practice control policies and facility risk assessment.
3. Some job classifications and assignments may require more extensive workplace controls. Division Commanders are required to evaluate such classifications and assignments, and ensure additional workplace controls are implemented as necessary. Members shall follow all operation procedures, including those established by their Division Commander, regarding TB exposure and exposure to other potentially hazardous materials. In the event a member identifies an occupational exposure not previously recognized by the Department, it shall be that member's responsibility to immediately report the occupational exposure to the supervisor.
4. Personal Protective Equipment, as defined by Section C, must be used in conjunction with engineering and work practice controls.

C. Respiratory Protective Devices

1. Approved respiratory protective devices must be utilized whenever a member might be potentially exposed to TB in settings where administrative and engineering controls and/or work conditions may not provide adequate protection.
 - a. Division Commanders shall determine those work conditions or environments where respiratory protective devices are indicated.
 - b. Whenever possible, members will be notified of the need for respiratory protection in a given area.
 - c. Division Commanders shall report, via the Personnel Unit, to Pima County Risk Management their determination where respiratory protective devices are indicated and provide a name list of employees who may be required to utilize respiratory protective devices.
2. The Respiratory Protective Program shall be conducted under the authority of the Pima County Respiratory Protection Program, Pima County Administrative Procedure 30-3.

D. Medical Assessment

1. All new members who will be working in an identified risk classification will have a baseline medical assessment by the Pima County Occupational Physician. Refer to Pima County Exposure Control Plan for TB testing procedures.
2. Affected incumbent members will be evaluated on an annual basis as defined in the Pima County Respiratory Program.
 - a. Employees in “at-risk” classifications (as described in Section A) assigned to the Corrections Bureau are required to be tested annually at on-site clinics scheduled for this purpose.
 - b. All other employees in “at-risk” classifications (as described in Section A) are required to report to the current occupational health physician designated by the Pima County Risk Manager annually for evaluation.
 - c. Proof that the employee has complied with the medical assessment requirement must be submitted to the Personnel supervisor, to be placed in the employee’s medical file.
3. A member who has been exposed will immediately report such exposure to the member’s supervisor. The supervisor will ensure that all circumstances of the exposure are fully documented and forwarded, along with the Supervisor’s Occupational Accident/Illness Investigation Report Form, to the Personnel Unit within twenty-four (24) hours. It is in the member’s best interest to report all occupational exposures to protect any future industrial claims, which may arise from such exposure. A member who has been exposed should seek medical treatment as outlined below.
4. Employee exposure to tuberculosis (TB) will be evaluated and appropriate medical treatment provided by the Pima County Occupational Health Physician.

E. Training and Education

1. The Sheriff's Department's Training Unit shall be responsible for the training and education of all affected members about TB that is appropriate to their work function.
2. The Training Unit shall keep a record of members in attendance of training and education with the exception of Sheriff's volunteer groups. The volunteer groups shall maintain their own list. This list shall include dates, contact, names, and qualifications of instructors.
3. The Training Unit shall provide a list of employees in attendance and a list of employees not in compliance with the training and education program to Risk Management. Volunteer groups will provide this information to the Training Unit.
4. Training will be conducted prior to each employee's initial assignment and at least annually in accordance with the Pima County Respiratory Protection Program.
5. All training records shall be maintained in accordance with State and Federal laws, as well as Department records-retention policy.

XX. HAZARDOUS MATERIALS AWARENESS PROGRAM

- A. The Hazardous Materials Awareness Program is a federal regulatory standard that requires employers to inventory and label hazardous chemicals in the workplace, and to inform and train workers about the chemical hazards they may encounter on the job. The program is designed to help workers protect themselves from injuries and illnesses that might occur with chemical use.
- B. Program Information
 1. The Hazardous Material Awareness Standard requires that containers of hazardous chemicals in the workplace be labeled. The label must include:
 - a. The identity of the contents

- b. Appropriate hazard warnings
 - c. The name and address of the chemical manufacturer
 2. The hazard warning may be in words, pictures, or symbols as long as the warning informs users of the hazards of the product.
 3. The Department's responsibility in labeling must ensure that:
 - a. Existing labeling contains required information
 - b. Labels remain intact
 - c. Labels are affixed to smaller containers into which hazardous materials are transferred
 4. A Material Safety Data Sheet (MSDS) is an identity document for a chemical or a chemical product. Federal regulations require that every chemical product must have an MSDS. The MSDS explains all necessary information about the chemical, lists its physical and health hazards, and describes how to handle the chemical safely in the work environment in emergency situations.
 - a. The MSDS is the cornerstone of the Hazardous Materials Awareness Program. It provides the information needed to train employees to handle chemicals safely.
 - b. Divisions must have an MSDS for every hazardous chemical used in their workplace. The MSDSs must be readily available during all work shifts to all employees in the work area.
 - c. MSDSs are available from the suppliers of the chemicals.

5. Training shall include:
 - a. Instructions on how to read and interpret the information in MSDSs on container labels as well as how to obtain and to use chemical hazard information
 - b. Specific information about chemicals in use in the employee's work area
 - c. Information on how employees can protect themselves from on-the-job chemical hazards
6. Safety practices shall include information on where chemicals are stored.