

	TYPE OF DIRECTIVE POLICY	NUMBER 200 (2022)
	SUBJECT POLICY	EFFECTIVE DATE 09/21/22
	REFERENCE RP-46, CALEA, CODE OF VIRGINIA	RESCINDS 200 (2021)

200.00 POLICY

Policy is a written statement of the principles under which the County of Henrico Police Division operates. It establishes guidelines that enable the Police Division to reach its goals and objectives.

200.10 DISCRETION

Inherent to the establishment of policy are the boundaries within which acceptable performance is found. The range of alternatives between the upper and lower boundaries is known as discretion. It is when discretionary limits are exceeded that the Police Division is in danger of falling into disfavor.

To reduce the occurrence of misdirected discretion, applicable statements of policy in this directive are reinforced by rules, regulations, directives, Standard Operating Procedures (SOPs), policies, or orders of this Police Division. Further, the actions of Police Division personnel are subject to the specifics of federal, state, and local laws. It is solely the individual's understanding and application of this combination of factors that determines the limits of their discretionary authority. Those members who elect to extend their discretionary authority beyond the described parameters will be held accountable for their actions.

200.20 ALTERNATIVES TO ARREST

Even though the use of discretion is usually an individual decision, there are certain circumstances for which specific enforcement alternatives are preferred and encouraged. Each directive containing a preferred alternative to arrest will also cite the authority to initiate the alternative.

210.00 ADMINISTRATION – GENERAL PROVISIONS

The Chief of the Police Division shall be the chief executive officer and he shall have the authority and responsibility for the management, direction, and control of the operations and administration of the Police Division. This authority and responsibility are vested in the Chief of Police through the County Manager form of government approved by a referendum vote on September 19, 1933. Statutory authority for such status is provided through Code of Virginia 15.2-612, 15.2-614, 15.2-632, 15.2-635, and 15.2-637.

211.00 COMMAND RESPONSIBILITY

The County Manager, as Director of Public Safety, prescribes general policies, plans, and

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objectives for the Police Division and advises procedures when extraordinary situations arise, but the Chief of Police has complete internal control over police activities and police personnel and he shall exercise wide discretion in the administration of the Police Division.

214.00 MEMBER CONFIDENTIALITY

Sworn civilian and non-sworn civilian members should be fully aware of the confidential aspects of records, investigations, and other police activities. Because of their position within the Police Division, they shall remain faithful to that confidence.

220.00 PERSONAL CONDUCT

Members of the Police Division shall not conduct themselves in a manner that would be detrimental to the Police Division's image as the law enforcement agency of the County of Henrico. All personnel shall adopt as their standard of behavior the following Code of Ethics:

As a member of the Police Division, I will adhere to upholding our values, the very foundation of our agency: honor, professionalism, commitment, compassion, and accountability. I will keep my public and private life unsullied as an example to all; maintain calm in the face of scorn, or ridicule; develop self restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty. I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions.

Sworn personnel shall adopt as their standard of behavior the Law Enforcement Code of Ethics:

Law Enforcement Code of Ethics

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

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I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession – Law Enforcement.

220.05 APPEARANCE

Properly attired police personnel increase the public's confidence in and respect for the Police Division. Henrico County police officers have established a reputation of demonstrating pride in their appearance. The Police Division will not tolerate any appearance short of this standard. Civilian members, whether in uniform or in civilian clothing, are also a part of the Police Division's image. Personal appearance shall reflect a professional and favorable image upon the Police Division.

This includes attire worn on designated casual workdays. Any questions regarding proper personal appearance and attire shall be addressed by a member's appropriate section/unit Commander.

220.15 LOYALTY

Loyalty is a two-way process. Management, including all supervising and command officers, must have a concern for the welfare of subordinates and a responsibility to support them in their proper actions. This does not include protecting them from the consequences of misdeeds.

No member will divulge Divisional information regarding a concern or grievance within the Police Division, unless authorized by the Chief of Police (or designee).

Whenever a member initiates action against an agency member of the criminal justice system, he must inform the Chief of Police (or designee).

Members of the Police Division have an obligation to be loyal to their peers, to their superior officers, to the administration of the Police Division, and to the County government that employs them as long as those to whom they are responsible are acting lawfully and in accordance with Police Division policy.

220.20 MILITARY COURTESY

Proper respect shall be accorded an individual's rank. Each member addressing another member above their rank must address such member by that rank. When in uniform, due respect to the flag will be shown by a hand salute.

223.00 DISCIPLINE

Discipline is a necessary function of command that must be exercised in order to maintain a police agency that is receptive to direction and control. Discipline is not a negative force, but a positive form of training and an important constructive leadership tool. Discipline and punishment should not be confused. Proper discipline results in an organization that

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voluntarily conforms to regulations.

224.00 GRIEVANCE

The County of Henrico Policies and Procedures manual states, “A grievance is a complaint or dispute by an employee relating to his employment, including but not necessarily limited to: (1) disciplinary actions, including disciplinary demotions, suspensions, and dismissals, provided that such dismissals result from formal discipline or unsatisfactory job performance; (2) the application of personnel policies, procedures, rules, and regulations, and the application of ordinances and statutes; (3) acts of retaliation as the result of the use of or the participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth of Virginia, has reported any violation of such law to a governmental authority, has sought any change in law before the United States Congress or the General Assembly of Virginia, or has reported an incident of fraud, abuse, or gross mismanagement; (4) discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, or sex.”

The County Grievance Procedure will be followed by the Police Division. While County Personnel is responsible for grievances beyond Step 2, the Internal Affairs Unit is designated to coordinate the grievance with County Department of Human Resources. Internal Affairs will be responsible for maintaining grievance records through Step 2 and copies of all grievance records from Steps 3 and 4, which are sent to the Chief of Police by the County Department of Human Resources. The Commanding Officer, Professional Standards will analyze these records annually for any problem solving benefit.

228.00 QUOTING FINES

Under no circumstances will any member of the Police Division quote the cost of fines for violations of the law. Citizens requesting this information should be instructed to contact a magistrate.

231.10 RE-HIRING

The Police Division will have an open re-hire policy. When appropriate, testing and evaluation may be required. Re-employment will be at the sole discretion of the Chief of Police and determined on a case-by-case basis. Upon successful re-employment, salary and benefits will be determined by the County Department of Human Resources. Nothing in this policy shall supercede the Uniformed Services Employment and Reemployment Rights Act of 1994, or other applicable provisions of law.

231.20 INVESTIGATION AND SELECTION OF APPLICANTS

The selection process will consist of multipurpose testing, interviews, physical and psychological examinations, and an extensive background investigation. The background investigation will include verification of qualifying credentials, a review of any criminal record, and verification of at least three personal references. This process will be followed to identify any personal characteristic that would make the applicant acceptable or unacceptable. Unsuccessful applicants may reapply for a position during subsequent hiring processes. The

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process will follow all Federal and County guidelines.

Files maintained on the investigation will be open for inspection only to those within the County Administration who have a need to know. All investigations and files on persons not employed will be destroyed five years from the date of application.

231.30 PROBATIONARY STATUS

In accordance with the Henrico County Policies and Procedures, those sworn officers attending a basic police academy will serve a probationary status of 24 months. Lateral sworn officers attending a modified police academy will serve a probationary status of 12 months. The probationary period, which commences on the date of employment, provides an opportunity for the new member to develop their skills through intense classroom and field training. Further, it allows the Police Division to identify any unacceptable traits or areas in need of development so that the concentrated corrective effort can be initiated. The probationary period should be considered a learning experience for both the probationary officer and the Police Division. Any exception to the prescribed probationary period will be in accordance with guidelines established in the Henrico County Policies and Procedures.

232.00 PERSONNEL FILES

Personnel files are accurately kept on every person employed by the Police Division. Five different files are maintained for all personnel: (1) Background Investigation, (2) General Information, (3) All evaluations, (4) Commendation/Disciplinary Action (refer to 400 Discipline), and (5) Accidents/Workers' Compensation. These files are accessible only to the Office of the Chief, Section Commanding Officers, and Personnel Unit members directly responsible for the maintenance of these files. Charges of misconduct, complaints, commendations, and recommendations regarding disciplinary action will be initialed by the member prior to being placed in that member's file. It is required that all members desiring to review their own files do so by requesting such a review in writing through the chain-of-command to the Chief of Police.

233.00 HEALTH AND WELFARE

The functions of a law enforcement officer require a level of physical and psychological fitness not demanded by many other occupations. All police officer recruits receive a thorough medical and psychological evaluation prior to employment. In order to provide effective law enforcement service, all members are encouraged to maintain a satisfactory level of physical and emotional health.

After consultation with the appropriate medical staff of the County's Employee Health Services and in conjunction with/and supervised by a medical doctor, the Chief of Police (or designee), may require a member to undergo certain medical examinations and/or tests for their own safety and the safety of others. All mandated examinations and/or test expenses will be borne in full by the County of Henrico.

A physically and emotionally fit member can more capably perform the requirements of an assignment. It is the responsibility of each member to maintain a level of health and fitness

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that will ensure the ability to perform the required tasks of any assignment within the Police Division.

235.00 REFUSAL TO WORK

Code of Virginia §40.1-55 states: “Any employee of the Commonwealth, or of any county, city, town, or other political subdivision thereof, or of any agency of any one of them, who, in concert with two or more other such employees, for the purpose of obstructing, impeding or suspending any activity or operation of his employing agency or any other governmental agency, strikes or willfully refuses to perform the duties of his employment shall, by such action, be deemed to have terminated his employment and shall thereafter be ineligible for employment in any position or capacity during the next twelve months by the Commonwealth, or any county, city, town, or other political subdivision of the Commonwealth, or by any department or agency of any of them.”

236.10 MOBILIZATION OF OFFICERS

The need to notify officers or call out officers for mobilization is essential in responding to unusual occurrences. The Chief of Police or a member of the Command Staff will determine the need to place officers on alert during the implementation of a Second Stage Mobilization. A Third Stage Mobilization can only be declared by the Chief of Police (or designee). (Refer to the All-Hazards Critical Incident Response Plan)

238.00 LEAVE REQUEST

All sections and units are required to operate at an established complement level. Request for compensatory time or annual leave will be granted only if the number of people working will be equal to the established minimum staffing level. The policies establishing all other forms of leave are covered in the County's Policies and Procedures.

240.00 TRAINING

Training ensures that all personnel perform assigned tasks with maximum efficiency and in such a way as to protect their safety and give the best possible service to the public. Members' actions shall be in accordance with the training they have received. Training is a continuing process.

241.00 RECRUIT TRAINING

Basic training is a process of developing a foundation for capable law enforcement work and of developing the individual officer for more advanced and specialized training. The Henrico County Police Academy exceeds the standard of training mandated by the Virginia Criminal Justice Officers' Training Standards Commission. Recruit training is also a continuation of the selection process. Those recruits not meeting the Divisional training standards shall be terminated by the Police Division.

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241.10 FIELD TRAINING

Probationary officers shall be uniformly taught the basic patrol techniques when being instructed by a Field Training Officer (FTO). This precludes misunderstanding or a lack of knowledge in certain areas when the probationary officer transfers from one platoon to another. Field Training Officers will adhere to the standards established in the Field Training Officers' Training Manual.

242.00 IN-SERVICE TRAINING

In-service training provides an opportunity for an officer to update their knowledge of new techniques and procedures within the Police Division, as well as their knowledge of changes in state law and local ordinances.

243.00 SPECIALIZED TRAINING

The Police Division's members must not only be prepared for routine occurrences, but also those exceptional events that require specialized training in particular areas. The Police Division sends interested individuals to specialized schools and conferences and they in turn disseminate their newly acquired knowledge to others within the Police Division.

245.00 PROFESSIONAL COUNSELING

The Police Division and the County of Henrico are committed to providing for the mental health and welfare needs of its members. These needs are sometimes best satisfied when a member receives professional counseling. The Police Division and the County also recognize and identify various methods by which a member may receive needed counseling.

It is recognized that confidentiality can be a critical factor in successful counseling. Confidentiality of those persons receiving assistance is maintained by the respective mental health agency, except in instances where the member presents a clear and present danger to themselves or others. Due to the stress factors associated with law enforcement and related functions, Police Division personnel are encouraged to seek counseling whenever a need is identified.

251.00 LIAISON WITH THE JUDICIAL SYSTEM

It is the obligation of the Police Division as a member of the Criminal Justice System to work with and assist the judiciary and the prosecution agencies. Officers should be present in court on dates specified unless they are ill or involved in a serious situation that would preclude their timely arrival. In these instances, the court should be promptly notified. The final obligation for this notification rests with the officer. Pretrial conferences with the Office of the Commonwealth's Attorney aid in prosecution and certain aspects of an investigation.

255.00 COMMUNITY YOUTH PROGRAMS

The Police Division supports all County agencies in its efforts to provide meaningful programs for the community's youth. Police personnel will endeavor to respond in a positive manner

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when assistance is requested from these agencies. Support shall include programs in public safety, providing program demonstration, supplemental employment for security, support equipment if applicable, routine patrol of activities to prevent program interruption, interpersonal interactions between participants and officers, and providing competitive teams.

264.20 POLICE DIVISION EQUIPMENT

Members may be assigned Police Division owned vehicles and other owned property which includes, but is not limited to, offices, lockers, desks, safes, file cabinets, toolboxes, cases, and other equipment for the mutual convenience of the Police Division and its personnel. The retention of personal items in such containers or facilities is at the risk of the member and the Police Division will not be responsible for any losses. All Police Division equipment is subject to entry and inspection without notice, even if the member has placed a personally owned lock on Police Division property.

270.00 NOTIFICATION OF POTENTIAL LIABILITY

Any incident arising where there may be a question as to the liability of the Police Division, or those which may result in a heightened community interest, will be reported to the Chief of Police as soon as practical in accordance with RP-46 Managerial Notification.

270.30 CONSTITUTIONAL REQUIREMENTS

The Constitution of the United States provides all citizens with certain guarantees. Some of these guarantees are in the form of requirements placed upon law enforcement agencies to ensure that no infringement of individual rights occurs during a criminal investigation. Members of the Police Division shall adhere to any and all constitutional requirements in the conduct of criminal investigations that apply to the use of coercion or the involuntary nature of confessions and admissions, delays in arraignment, informing a defendant of their rights, deprivation of counsel, and/or prejudicial pretrial publicity.

271.00 PATROL AREA RESPONSIBILITIES

Patrol officers will utilize all valuable patrol strategies and tactics to prevent crime in their assigned area. Specific focus areas, hot spots, and current crime trends are included in crime data that is distributed to all patrol officers. This information will be utilized to direct patrols within the officers' assigned area.

Communication and information gathering are essential components in an officer's daily activities. Officers will develop and maintain informational sources or contacts through their interactions with citizens during their regular patrol, traffic stops, and calls for service. The information gained through these interactions may then be used to assist in developing actionable intelligence utilizing TEMPO.

Officers are often required to leave their assigned station in the performance of their duties. Officers shall notify their Field Supervisor or Communications when leaving their assigned station.

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272.40 HOSTAGE SITUATIONS

Hostage situations will be handled by negotiations, if possible, with every reasonable effort made to maintain the life of the hostage(s). The overriding principle that should be recognized is that the life of any person involved in a hostage situation is very important. No appeasement measures will be taken which will allow the situation to move from the contained areas.

272.90 SEX OFFENSE CALLS

If available, an officer of the same sex as the victim should be assigned to sex offense investigations during the initial interview. Officers should refer victims of the crime to the available community counseling services.

273.00 TRAFFIC FUNCTIONS

Traffic law enforcement is an important aspect of the Police Division's mission. It is a responsibility shared by all enforcement personnel, particularly the uniformed officer. Enforcement activities shall be performed at a level that will maximize the safe flow of traffic and voluntary compliance with all traffic laws.

273.35 FIRST AID

Police personnel are obligated to administer whatever first aid is possible to injured parties. Depending on the extent and help available (such as rescue squads), they must continue this effort until the situation is stabilized or until properly relieved.

273.45 ESCORTS

A police escort will be provided upon request only to the President of the United States, the Vice President, or heads of other governments recognized by the United States. Funeral processions will also receive service by marked police vehicles from the Police Division. All other escort requests must be approved by the Chief of Police (or designee). No police vehicle will be used to escort an emergency vehicle or those private vehicles being used as emergency transportation.

275.10 PRIORITY OF INVESTIGATIONS

The severity of any criminal offense will necessitate the urgency and immediacy of the follow-up investigation. Criminal offenses will be assigned in accordance with criteria set forth in the ICR Manual.

275.20 CRIME SCENES

Protection of crime scenes is imperative to the solving of any case. Every officer shall endeavor to preserve crime scenes until a determination of subsequent handling is made.

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276.00 COVERT FUNCTIONS

Covert police techniques are universally accepted as both a deterrent and an enforcement approach to crimes. The Police Division endorses both approaches and subscribes to their use. The covert nature of a member working in an undercover operation must be safeguarded. Officers working in an undercover capacity shall not be approached by a member of the Police Division in public view without prior radio clearance.

277.10 JUVENILE CRIMES INVESTIGATIONS

Special Victims Unit detectives must place major emphasis on cases involving juveniles either as the victims or the perpetrators of the crime.

277.20 MISSING PERSONS

The Special Victims Unit will be notified immediately following the preliminary investigation of all reports of missing persons elementary school aged and younger. The Special Victims Unit will give first consideration to those missing persons investigations in which foul play may have taken place, or in which the health and safety of the juvenile is a factor.

277.30 SCHOOL RESOURCE OFFICERS

School Resource Officers will handle investigations of offenses as outlined in the ICR Manual that occur on and off school property.

277.60 LIAISON WITH THE SCHOOLS

The Henrico County School Board has established a policy that the principals of the schools will lend full cooperation to all police officers entering upon school property to investigate incidents involving a student. When Police Division personnel conduct investigations on school property, the principal will be informed prior to the initiation of any interviews or investigations during school hours.

279.00 ANIMAL PROTECTION

Animal Protection Officers shall enforce State laws and County ordinances relating to animals within the County of Henrico. In addition, Animal Protection Officers may enforce all State and County criminal and traffic laws whenever violations of these laws occur in their presence. Animal Protection personnel will maintain the Animal Shelter and will develop programs to promote the health and welfare of animals in the County.

281.00 FIREARMS

Police Division personnel are equipped and trained with firearms to defend themselves or others from deadly force or when it is necessary to affect the arrest of a felon. When firing the weapon, the officer attempts to prevent further aggressive action. Deadly force shall not be employed except as a last resort in any situation in which such force is justified.

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281.30 FIRING OF WARNING SHOTS

Warning shots are most often hazardous to innocent bystanders and to other officers within the area and shall not be fired.

281.40 OFFICER SURRENDERING WEAPON

Experience has shown that the danger to the officer is increased by surrendering the firearm. Police Division officers shall use every tactical means at their disposal to avoid surrendering their weapon.

290.00 POLICE FACILITIES

The appearance of police facilities leaves an impression on the public as great as that of the appearance of the officer. The members of the Police Division will maintain clean and orderly facilities.

290.10 SECURITY

Police facilities will be secured in a manner to prevent the free flow of unauthorized persons throughout the building. The degree of security should be elevated during other than normal working hours to assure optimum safety for police operations and personnel.

By Order of:

Eric D. English
Chief of Police