



LOWRY POLICE DEPARTMENT

POLICY AND PROCEDURE MANUAL

1. The Officer's decision to activate the alert met the necessary criteria.
2. The alert helped in locating the child.
3. If the Alert did not help locate the child, was it because of Officer error or Policy error.
4. If the Alert did not help, does the Policy need changing to better serve its purpose in future incidents?

34.7 SCHOOL BUS INCIDENTS

PURPOSE

Pursuant to MSA 169.4581 Law Enforcement Policy for Criminal Conduct on School Buses-Required.

POLICY

It is the policy of the Lowry Police Department to respond to all reports of criminal incidents on school buses. The Lowry Police Department will work with school officials, transportation personnel, parents, and students to respond to these incidents to protect student safety and deal appropriately with those who violate the law. This policy recognizes that responding to reports of criminal conduct on school buses within this jurisdiction is the responsibility of the Lowry Police Department. This policy is not intended to interfere with or replace school disciplinary policies which relate to student misconduct on school buses.

PROCEDURES

The Lowry Police Department shall:

- Respond to calls for assistance from any citizen, school, or bus transportation company as they may pertain to criminal conduct on school buses.
- Issue citations, release pending further investigation, or apprehend and transport individuals committing crimes on school buses, to the extent authorized by law.
- Investigate reports of crimes committed on school buses by using the same procedures as followed in other criminal investigations.
- Submit reports regarding the incident to superior officers as required by department policy and to the prosecuting attorney as needed.



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- Follow through with any other investigation necessary to prepare a case pertaining to criminal conduct on school buses as requested by the prosecuting attorney.
- Provide information to the school regarding the incident as required by law.

GENERAL ORDER 35

BIAS CRIME REPORT POLICY

PURPOSE

The intent of this policy is to comply with Minnesota State Statute 626.5531. This Minnesota Law governs the reporting to the Bureau of Criminal Apprehension (B.C.A.) any violation on Chapter 609 that the investigating officer believes was motivated by "bias".

POLICY

When a Lowry Police Officer investigates a complaint for a violation of the 609 Statutes and the Officer believes it to be motivated by bias, it must be reported to the B.C.A. on a "Bias Offense" report form. The investigating officer will complete the bias form (it may be handwritten). This form requires coded information to be placed in the appropriate spaces on the form. The codes are printed on the back of the bias form for easy reference. The investigating officer must indicate in the initial incident report that the form was completed as per statute. Once completed, this bias form will be turned in to the Records Division. Records will make a copy of the form for the case file and send the original to B.C.A. If the investigating officer is unsure that the violation was based on bias, a Bias Offense report form will still be completed and sent to the B.C.A. BIAS: To have a prejudiced view or involvement or to use partial judgment.

The following areas should be taken into consideration by the investigating officer to determine if BIAS was a motivating factor in the violation:

1. Race
2. Religion
3. National Origin
4. Sex
5. Age
6. Disability
7. Sexual Orientation

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DEFINITIONS

Racial profiling has the meaning given to it in Minnesota Statute 626.8471, Subd. 2. which states:

"Racial profiling" means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

- (1) the behavior of that individual; or
- (2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial profiling includes the use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

PROCEDURES

A. Policing impartially, not racial profiling, is standard procedure for this agency meaning:

- 1.** investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches and property seizures;
- 2.** except as provided in paragraph **3.**, peace officers shall not consider race, ethnicity, national origin, gender, sexual orientation, and religion in establishing either reasonable suspicion or probable cause; and
- 3.** peace officers may consider the descriptors in paragraph **2.** based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals and this information may be used in the same manner officers use specific information regarding age, height, weight, etc. about specific suspects.

B. To prevent the perception of biased law enforcement peace officers shall:

- 1.** be respectful and professional.

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2. introduce or identify themselves to the citizens and state the reason for the contact as soon as practical unless providing this information will compromise officers or public safety.
3. ensure detention is no longer than necessary to take appropriate action for the known or suspected offense.
4. attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact including relevant referrals to other agencies when appropriate.
5. provide their name and badge number when requested, preferably in writing or on a business card; and
6. explain and/or apologize if it is determined the reasonable suspicion was unfounded (e.g., after an investigatory stop).

C. Supervisors shall ensure all personnel in their command are familiar with the content of this policy and comply.

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GENERAL ORDER 36

PREDATORY OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION

Minnesota Statutes, Sections 243.166, 243.167, 244.10, 244.052, 244.053,
and Minnesota Statutes, Chapter 13

POLICY

It is the policy of the Lowry Police Department to protect the public by disclosing information on predatory offenders residing in this agency's community. This agency will decide what information to disclose and who to disclose it to, based on the level of danger posed by the offender, the offender's pattern of offending behavior, and the needs of community members to enhance their individual and collective safety.

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36.1 PREDATORY OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION

Minnesota law requires certain predatory offenders to register with the Minnesota Department of Public Safety Predatory Offender Unit. The law also provides for community notification about certain adult predatory offenders who have been incarcerated by the Minnesota Department of Corrections (DOC) or confined by the Minnesota Department of Human Services (DHS).

36.2 OFFENDER RISK LEVELS

The level of notification is governed by the level of risk assigned by the DOC.

Three possible risk levels can be assigned to an offender. They are:

- Level 1 – low risk of re-offending
- Level 2 – moderate risk of re-offending
- Level 3 – high risk of re-offending

Note: Some offenders who are required to register as predatory offenders are not assigned a risk level because their sentence was completed prior to predatory offender legislation or because they have not spent time in state or federal prison. These offenders are not subject to community notification.

36.3 REGISTRATION PROCEDURES

For questions concerning predatory offender registration refer to the Bureau of Criminal Apprehension (BCA'S) Predatory Offender Registration Manual (POR Manual) for detailed information or contact the Predatory Offender Unit (BCA-POR) by calling (651)793-7070 or 1-888-234-1248, or through their website www.dps.state.mn.us/bca.

When an offender arrives to register with this agency, determine what state the offense was committed in and if the individual is required to register by reviewing the list of registrable offenses in the POR Manual.

If the offender is required to register, contact the BCA POR to verify the offender is already registered and a DNA sample has been submitted.

- If the offender is already registered, complete a *Change of Information Form* included in the POR Manual and available on the BCA's website www.dps.state.mn.us/bca.