



GENERAL ORDERS		NO: 14-25
<b>CASES INVOLVING SUBJECTS UNDER THE AGE OF 21</b>		
PAGE 1 OF 1		<b>AUTHORITY: CHIEF CHRISTOPHER J. PREMO</b>
EFFECTIVE DATE: 10/29/2014	AMMENDMENT DATE:	

**Cases involving subjects under the age of 21:**

When deciding whether parental/guardian contact should be made in incidents involving persons under the age of 21, the Officer and his Supervisor will consider the following circumstances:

- a. Age of violator
- b. Who the violator lives with
- c. Condition of violator

Violations may involve:

- a. Curfew
- b. Alcohol (possession or usage)
- c. Marihuana or narcotics (possession or usage)
- d. Arrests (C.I.P., Warrant, Criminal Summons)
- e. Non-Custodial detainments
- f. Stationhouse interviews
- g. Accidents



GENERAL ORDERS		NO: 14-27
<b>CHANGING COURT DATE APPEARANCES</b>		
PAGE 1 OF 1		<b>AUTHORITY: CHIEF CHRISTOPHER J. PREMO</b>
EFFECTIVE DATE: 09/07/2000	AMMENDMENT DATE:	

**Changing of Court Date Appearances:**

Officers are not allowed to request the changing of any scheduled court appearance without the prior approval of the Chief of Police. Prior to scheduling, Officers are not allow to request any specific day or time for an upcoming Court Appearance.



GENERAL ORDERS		NO: 14-18
<b>CHILD ABUSE OR NEGLECT REPORTING</b>		
PAGE 1 OF 4		AUTHORITY: <b>CHIEF CHRISTOPHER J. PREMO</b>
EFFECTIVE DATE: 05/01/1993	AMMENDMENT DATE:	

**Reporting Child Abuse or Neglect:**

Police Officers are required by Law to report cases of Child Abuse or Neglect.

**1. Purpose of Mandated Reporting:**

- a. Identify suspected abused and maltreated children as soon as possible.
- b. Why?
  - i. Protection from further harm
  - ii. Services can be provided once they are identified
- c. Intervention of the appropriate local Child Protective Service cannot begin until a report is made.
- d. Police Officers can play a crucial role in preventing any further abuse or maltreatment.

**2. Reporting Procedures:**

- a. An oral report should be done immediately by telephone.
  - i. At any time of the day.
  - ii. On any day of the week.
  - iii. To the statewide toll free State Central Register (1-800-635-1522) unless there is a local plan for reporting.

- iv. Information which should be provided when making an oral report:
  - a) The names and addresses of the child and his/her parents or other person responsible for their care.
  - b) Family composition.
  - c) The name and address of the residential care facility or program in which the child resides or is receiving care.
  - d) The child's age, sex, and race.
  - e) The nature and extent of the child's injuries, abuse or maltreatment including any evidence of prior injuries.
  - f) The source of the report.
  - g) The actions taken by the reporting source, (i.e. removal of the child, photographs)
  - h) Any additional information which may be helpful.
- b. A written report (DSS-221A) must be filed.
  - 1. Within 48 hours of an oral report
  - 2. Report should be submitted to the appropriate local Child Protective Services Office.
    - a) EXCEPTION: When a child is cared for away from his/her home (i.e. foster care, residential care) the written report should be submitted to the State Central Register.
  - 3. Information which should be included on a written report
    - a) Same information that was provided for the oral report.
  - 4. Written reports shall be admissible as evidence in any proceedings relating to child abuse or maltreatment.
- 3. Obligations of Persons Required to Report:
  - a. A Police Officer may take photographs or arrange for them to be taken at public expense.
    - 1. To preserve as evidence any areas of trauma visible on the child who is subject to a report.
  - b. Police Officers shall cause x-rays to be taken of the child if medically indicated.
    - 1. Any photographs or x-rays shall be sent to the Child Protective Service Office at the time the written report is sent.
- 4. Taking a child into Protective Custody
  - a. A Police Officer shall take all appropriate measures to protect a child's life and health.
    - 1. When appropriate, this includes taking or keeping a child in protective custody without the consent of a parent or guardian if circumstances or the condition of the child are such that continuing in his place of residence or in the care and custody of the parent, guardian, etc. presents an imminent danger.

- a. If a Police Officer reasonably suspects that a child may be abused or maltreated, they may consult with the State Central Register to determine whether the child is the subject of a previously indicated report of abuse or neglect, if this information is needed to determine whether to place the child in protective custody.
2. Imminent Danger – the situations below may constitute imminent danger and may call for emergency removal of the child. Not that imminent danger should not be limited to only the situations listed below.

- a. The maltreatment in the home, present or potential is such that a child could suffer permanent danger to body or mind if left there.
- b. Although a child is in immediate need of medical or psychiatric care, the parents refuse to obtain it.
- c. A child's physical and/or emotional damage is such that the child needs an extremely supportive environment in which to recuperate and it is assessed that the child's home would be inadequate.
- d. A child's sex, age or physical or mental condition renders the child incapable of self-protection and for some reason constitutes a characteristic the parents find completely intolerable.
- e. Evidence suggests that the parents are torturing the child or systematically resorting to physical force which bears no relation to reasonable discipline.
- f. The physical environment of the home presents an immediate threat to the health and safety of the child.
- g. Evidence suggests that parental anger and discomfort with the investigation will be directed toward the child in the form of severe retaliation against him or her.
- h. Evidence suggests that the parent's physical condition poses a threat to the child.
- i. Evidence suggests that the parent or parents are so out of touch with reality that they cannot provide for the child's basic needs
- j. The family has a history of keeping the child at home and away from peers, school, or other outsiders.
- k. The parent or parents abandon the child.

5. Mandatory Reporting of Deaths:

- A. A Police Officer who has reasonable cause to suspect that a child died as a result of child abuse or maltreatment shall report that fact to the medical examiner or coroner.
  1. The medical examiner or coroner shall investigate and report his findings to the:
    - a. Police
    - b. District Attorney
    - c. Local Child Protective Services Office
    - d. Hospital – If they made the report.

6. Immunity from Liability:

A. Police Officers and all other mandated reporters who exercise good faith in providing of a service, such as making of a report, the taking of photographs, or the removal or keeping of a child have immunity from any liability, civil or criminal.

1. Good Faith:

- a. Acting in the discharge of your duties
- b. Acting within the scope of your employment
- c. That such liability did not result from willful misconduct or gross negligence

7. Penalties for Failure to Report:

A. One who willfully fails to report a case of suspected child abuse or maltreatment may:

1. Be guilty of a Class A misdemeanor.
2. Be civilly liable for damages caused by the failure to report.



GENERAL ORDERS		NO: 14-26
<b>COMPLAINT REPORTS</b>		
PAGE 1 OF 2		<b>AUTHORITY: CHIEF CHRISTOPHER J. PREMO</b>
EFFECTIVE DATE: 10/14/2004	AMMENDMENT DATE:	

**Complaint Reports:**

When an Officer is assigned to an investigation he will have three (3) working days to complete said investigation and have the complaint report and any other paperwork completed in this time frame. EX: If you receive a complaint on the first day of your weekly tour, you will have the second, third and fourth day of your tour to complete the necessary paperwork. If the complaint comes in on the last day of your tour, then you will have the first three (3) days of your tour when you return to work.

Obviously, there will be certain investigators that will take longer to complete. If this is the case, you will need to be able to justify the reason to your Supervisor.

All reports will initially be kept on the clipboard for a period of 5 days. No longer. This will allow oncoming Officers to review the complaints on a daily basis.

Open or Pending Cases:

After the 5 day period the C/R will be placed in the assigned Officer's working file. The Officer will follow up on all necessary leads. Once his investigation is complete, he will then place the report in his Supervisors file for review. If a case is still open and the Officer has exhausted all existing leads, he will then place the C/R in the Supervisors file, again the Supervisor will review the report. In both cases, the Supervisor will either initial the report and place it in the card file box, or he will give the complaint back to the investigating Officer for further follow up.

**Closed Cases:**

After the 5 day period the C/R will be placed in the Supervisors file for review. He will determine if the case is complete, and if so he will initial and place the report in the card file box. If it is not, then he will return it to the investigating Officer for further follow up.

**Note:**

When the Supervisor is unavailable for an extended period of time, (ex: vacation, training) the next Supervisor will review the C/R's.

At the beginning of each shift, the Patrolman will review his working file and follow up on all open investigations. All Supervisors will periodically review these working files to make sure that the investigations are follow up on in a timely fashion.





GENERAL ORDERS		NO: 14-28
<b>CRIME VICTIM RIGHTS NOTIFICATION</b>		
PAGE 1 OF 3		<b>AUTHORITY: CHIEF CHRISTOPHER J. PREMO</b>
EFFECTIVE DATE: 02/28/2007	AMMENDMENT DATE:	

**Crime Victim Rights Notification**

This following policy from New York State will be followed and documented in your reports.



**STATE OF NEW YORK  
DIVISION OF CRIMINAL JUSTICE SERVICES**

4 Tower Place  
Albany, New York 12203-3764  
<http://criminaljustice.state.ny.us>

**ELIOT SPITZER**  
GOVERNOR

**DENISE E. O'DONNELL**  
COMMISSIONER

February 13, 2007

Dear Law Enforcement Colleague:

The Division of Criminal Justice Services (DCJS) is pleased to advise you of a new law (L. 2006, ch. 173) which seeks to ensure that crime victims are made aware of their rights and are informed about the existence of victims' services and programs. Many victims of crime have no knowledge of the existence of services provided by the Crime Victims Board (CVB), nor any awareness of their basic rights and the availability of victim assistance programs. Although information cards regarding the CVB are available for distribution to police departments, the delivery system appears to be inadequate and, as a consequence, important information is not reaching crime victims.

To remedy this situation, the Executive Law was amended to require DCJS, in cooperation with CVB, to develop forms and procedures to be used by all law enforcement officers to notify crime victims about the existence of victims' assistance programs and to inform crime victims about their rights. The amendments require the establishment and distribution of information cards outlining the victim's rights and specify changes to the Standardized Incident Report (DCJS 3205) to include standardized language and a check-off box indicating whether the victim received information on victim's rights, CVB assistance and relevant local assistance.

This new law requires you to implement the aforementioned changes by July 26, 2007. To assist you in meeting the requirements, I have enclosed a copy of the draft updated information card that was developed in consultation with local law enforcement. Once they are finalized, a supply of new cards will be provided to you in a separate mailing.

I also have enclosed a copy of the new Standardized Incident Report (DCJS 3205) which contains a check-off box indicating whether the victim received information on victim's rights and services (box 34). All new releases of the Standardized Incident Report will contain this change. If you are currently using a different form, please remember that the new law requires that you begin using the new Standardized Incident Report by July 26, 2007. In addition, commencing January 1, 2007, all police primary incident reports must indicate that a victim has been informed of victim's rights and

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services. This may be done by handwritten notation or other reasonable method until you begin using the new Standardized Incident Report which, as noted, you are required to do by July 26, 2007.

DCJS, together with CVB, will be conducting training sessions on victim's rights notifications to further assist you in implementing this law. The Office of Public Safety at DCJS will soon notify you regarding the dates and locations of this training. If you have any questions about the information cards or the changes to the Standardized Incident Report, please contact Frank Clemente via email at [frank.clemente@dcjs.state.ny.us](mailto:frank.clemente@dcjs.state.ny.us) or by phone at 1-800-262-3257.

Very truly yours,

  
Denise E. O'Donnell

Enclosure



GENERAL ORDERS		NO: 14-29
<b>CRIMINAL HISTORY INQUIRIES</b>		
PAGE 1 OF 2		<b>AUTHORITY: CHIEF CHRISTOPHER J. PREMO</b>
EFFECTIVE DATE: 03/25/2008	AMMENDMENT DATE:	

**Criminal History Inquiries:**

When receiving a Criminal History they are to be placed in the arrest or case file. You need to document where file is placed on the incident report or audit form if it has not been turned into the Chief.

We are not to do a Criminal History for the sole purpose of a request from the Court or D.A. Office. We can share information with these agencies in regards to the case in which we have run a Criminal History.

The Criminal History will be maintained for as long as required by case action. Depending on the charge, any grand jury action and or trial, case duration will obviously differ.

ANY Criminal Histories that are no longer needed can be destroyed, they **MUST** be shredded, **NO** Criminal History is to be thrown into the garbage.

1. When running a Criminal History on someone using a warrant as the reason to run the Criminal History you must use the WAR purpose code when running the individual. Do not use the PDI code if you are doing a warrant check.
2. If you are running someone by using the social security number of the person only, make sure that you put the name of the person that you believe belongs to that social security number in the comments field.

3. Make sure that when entering your case number in to the field that you have the correct case number and that there is a case in the computer system that corresponds to the person that you are running.

Only Officers who are certified through eJusticeNY and whose certification is current will be authorized to run Criminal Histories. No Officer who is out on leave or suspension is allowed to run a Criminal History. No information from a Criminal History will be disseminated that violates the rules as set forth by N.C.I.C. use and dissemination agreement. No dispatchers are authorized to run a Criminal History. No dispatcher is authorized to disseminate any information from a Criminal History.