**Raleigh/Wake City-County**

**Bureau of Identification**

**STANDARD OPERATING PROCEDURES MANUAL**



**July 2013**

Table of Contents

[CHAPTER 1: Organization and Administration 18](#_Toc55294044)

[1. Purpose: 18](#_Toc55294045)

[2. Policy: 18](#_Toc55294046)

[3. Mission Statement of the Raleigh/Wake City-County Bureau of Identification 18](#_Toc55294047)

[4. Values of the Raleigh/Wake City-County Bureau of Identification 18](#_Toc55294048)

[5. Service Area and Jurisdiction 19](#_Toc55294049)

[6. Organizational Structure 20](#_Toc55294050)

[7. Organizational Chart 21](#_Toc55294051)

[CHAPTER 2: Command and Direction 23](#_Toc55294052)

[1. Purpose 23](#_Toc55294053)

[2. Policy 23](#_Toc55294054)

[3. Direction 23](#_Toc55294055)

[3.1. Authority and Responsibility of the Director 23](#_Toc55294056)

[3.2 Order of Command 23](#_Toc55294057)

[3.3. Organizational Structure Command 24](#_Toc55294058)

[4. Authority and Responsibility 24](#_Toc55294059)

[4.1. Positional Authority 24](#_Toc55294060)

[4.2. Granted Authority 24](#_Toc55294061)

[5. Supervisory Authority 25](#_Toc55294062)

[5.1. General Authority 25](#_Toc55294063)

[5.2. Director 25](#_Toc55294064)

[6. Relief from Duty 25](#_Toc55294065)

[7 Accountability 26](#_Toc55294066)

[7.1. Supervisory Accountability 26](#_Toc55294067)

[7.2. Obey Lawful Orders 26](#_Toc55294068)

[**CHAPTER 3: Written Directive System** 29](#_Toc55294069)

[**1. Purpose** 29](#_Toc55294070)

[**2. Policy** 29](#_Toc55294071)

[**3. Definitions** 29](#_Toc55294072)

[**4. Written Directive System** 30](#_Toc55294073)

[**5. Exception to Policy Approval Process** 31](#_Toc55294074)

[CHAPTER 4: Classification of Duties 34](#_Toc55294075)

[1. Purpose: 34](#_Toc55294076)

[2. Policy: 34](#_Toc55294077)

[3. Position Management System 34](#_Toc55294078)

[4. Position Classification Plan 35](#_Toc55294079)

[5. Job Description Maintenance and Availability 36](#_Toc55294080)

[CHAPTER 5: Mutual Aid and Contractual Agreements 38](#_Toc55294081)

[1. Purpose: 38](#_Toc55294082)

[2. Policy: 38](#_Toc55294083)

[3. Mutual Aid 38](#_Toc55294084)

[4. Written Agreement for Services Provided 39](#_Toc55294085)

[5. Other Agreements and MOUs 39](#_Toc55294086)

[CHAPTER 6: Hiring and Selection 42](#_Toc55294087)

[**1. Purpose:** 42](#_Toc55294088)

[**2. Policy:** 42](#_Toc55294089)

[**3. Recruitment** 42](#_Toc55294090)

[**4. CCBI Recruitment Plan Annual Analysis** 43](#_Toc55294091)

[**5. Equal Employment Opportunity Plan** 44](#_Toc55294092)

[**6. Selection Process** 44](#_Toc55294093)

[**7. Position Vacancy Announcement** 45](#_Toc55294094)

[**8. Job Posting** 45](#_Toc55294095)

[**9. Applicant Screening Program** 45](#_Toc55294096)

[**10. Applicant Contact** 46](#_Toc55294097)

[**11. Preliminary Background Investigation** 46](#_Toc55294098)

[**12. Oral Interview Board** 47](#_Toc55294099)

[**13. Interview Board Procedures** 47](#_Toc55294100)

[**14. Background Investigation** 53](#_Toc55294101)

[**15. Conditional Offer** 55](#_Toc55294102)

[**16. Psychological Evaluation** 55](#_Toc55294103)

[**17. Truth Verification Testing** 55](#_Toc55294104)

[**18. Drug Test (See SOP Chapter 8, Section 22: CCBI Drug Testing Policy)** 56](#_Toc55294105)

[**19. Medical Examination (Sworn Candidates Only)** 56](#_Toc55294106)

[**20. Background Summary and Formal Offer of Employment** 56](#_Toc55294107)

[**21. Notification of Human Resources** 57](#_Toc55294108)

[**22. Applicant Notification** 57](#_Toc55294109)

[**23. Storage of Selection Materials** 57](#_Toc55294110)

[**24. Records of Applicants** 57](#_Toc55294111)

[**25. Probationary Period** 58](#_Toc55294112)

[**26. False Application** 58](#_Toc55294113)

[**27. Unlawful Employment Discrimination** 58](#_Toc55294114)

[CHAPTER 7: Internship Program 60](#_Toc55294115)

[1. Purpose: 60](#_Toc55294116)

[2. Policy: 60](#_Toc55294117)

[3. Application 60](#_Toc55294118)

[4. Requirements 62](#_Toc55294119)

[5. Responsibilities 64](#_Toc55294120)

[6. Records 64](#_Toc55294121)

[CHAPTER 8: Condition of Work, Compensation, and Benefits 66](#_Toc55294122)

[**1. Purpose** 66](#_Toc55294123)

[**2. Policy** 66](#_Toc55294124)

[**3. Official Identification** 66](#_Toc55294125)

[**4. Personal Information/Benefit Changes** 67](#_Toc55294126)

[5. Reporting for Duty 68](#_Toc55294127)

[6. Work Week 68](#_Toc55294128)

[7. Overtime 71](#_Toc55294129)

[8. Meal periods/Breaks 72](#_Toc55294130)

[9. Time Sheet Guidelines 74](#_Toc55294131)

[**10. Salary Program** 75](#_Toc55294132)

[**11. Benefits** 75](#_Toc55294133)

[**11.1. Personnel Programs** 75](#_Toc55294134)

[**11.2. Light Duty** 76](#_Toc55294135)

[**11.3. Employee Assistance Program** 79](#_Toc55294136)

[**11.4. Fitness and Wellness Program** 79](#_Toc55294137)

[**11.5. Leave Requests** 80](#_Toc55294138)

[**11.6. Resignation and Transfer Requests** 80](#_Toc55294139)

[**12. Travel Policy and Procedures** 81](#_Toc55294140)

[**13. Lactation Facilities** 82](#_Toc55294141)

[**14. CCBI Drug/Alcohol Policy** 83](#_Toc55294142)

[**15. Sexual Harassment** 87](#_Toc55294143)

[**16. Line of Duty Death or Serious Injury** 87](#_Toc55294144)

[**17. Military Deployment** 88](#_Toc55294145)

[**18. Critical Incident Stress Debriefing (CISD)** 89](#_Toc55294146)

[**19. Chaplaincy Program** 93](#_Toc55294147)

[20. Decorations and personal property 99](#_Toc55294148)

[21. On-Call Availability 100](#_Toc55294149)

[22. Personnel Records/Background Investigation Checks 102](#_Toc55294150)

[**23. Professional Affiliations, Research, and Consultation** 105](#_Toc55294151)

[24. Call-Back Time 106](#_Toc55294152)

[25. Shift Premium Pay 106](#_Toc55294153)

[**CHAPTER 9: Code of Conduct** 109](#_Toc55294154)

[**1. Purpose** 109](#_Toc55294155)

[**2. Policy** 109](#_Toc55294156)

[**3. Code of Conduct** 109](#_Toc55294157)

[**4. Abuse of Authority** 111](#_Toc55294158)

[**5. Acceptance of Gratuities, Bribes, or Rewards.** 111](#_Toc55294159)

[**6. Ethics Policy** 111](#_Toc55294160)

[**7. Prohibited Associations** 112](#_Toc55294161)

[**8. Appointment, Employment, or Contract Award of Relatives or Business Partners** 113](#_Toc55294162)

[**9. Confidentiality** 113](#_Toc55294163)

[**10. Involvement in Litigation** 113](#_Toc55294164)

[**11. Recommendations, Legal Advice, Legal Assistance, and Endorsements** 114](#_Toc55294165)

[**12. Telephone Service and Issued Cell Phone Use** 115](#_Toc55294166)

[**13. Political Activity** 117](#_Toc55294167)

[**14. Financial Obligations** 117](#_Toc55294168)

[**15. Jail and Detention Specific Conduct** 118](#_Toc55294169)

[**16. Collection and Handling of Evidence** 118](#_Toc55294170)

[**17. Court Attendance** 119](#_Toc55294171)

[**18. Employee Awards** 120](#_Toc55294172)

[**19. Adverse Incident Reports** 120](#_Toc55294173)

[**20. Notify Director/Supervisor of Incident with Liability** 121](#_Toc55294174)

[**21. Conflicts of Interest** 122](#_Toc55294175)

[CHAPTER 10: Mental Illness 125](#_Toc55294176)

[1. Introduction 125](#_Toc55294177)

[2. Recognizing Subjects with Behavioral and Symptomatic Characteristics of Mental Illness 125](#_Toc55294178)

[3. Guidelines for Contact with Suspected Mentally Ill Subjects 127](#_Toc55294179)

[CHAPTER 11: Social Media 130](#_Toc55294180)

[1. Purpose 130](#_Toc55294181)

[2. Policy 130](#_Toc55294182)

[3. Definitions 130](#_Toc55294183)

[4. On the Job Use 131](#_Toc55294184)

[4.1. Department-Sanctioned Presence 131](#_Toc55294185)

[4.2. Department-Sanctioned Use 132](#_Toc55294186)

[4.3. Potential Uses 132](#_Toc55294187)

[5. Personal Use 133](#_Toc55294188)

[5.1. Precautions and Prohibitions 133](#_Toc55294189)

[5.2. Disclosure of Personal Social Media Information 136](#_Toc55294190)

[CHAPTER 12: Off-Duty Employment 138](#_Toc55294191)

[1. Purpose 138](#_Toc55294192)

[2. Policy 138](#_Toc55294193)

[3. Incompatible Service 138](#_Toc55294194)

[4. Off-Duty Employment 138](#_Toc55294195)

[5. Extra-Duty Employment 140](#_Toc55294196)

[CHAPTER 13: Performance Evaluation 142](#_Toc55294197)

[**1. Purpose** 142](#_Toc55294198)

[**2. Policy** 142](#_Toc55294199)

[**3. Performance Evaluation System** 142](#_Toc55294200)

[**4. Annual Evaluations** 143](#_Toc55294201)

[**5. Probationary Employees** 143](#_Toc55294202)

[**6. Rating Criteria** 144](#_Toc55294203)

[**7. Personnel Evaluations** 144](#_Toc55294204)

[**8. Annual Evaluation of Supervisors** 145](#_Toc55294205)

[**9. Unsatisfactory Performance Ratings** 145](#_Toc55294206)

[**10. Appealing Evaluation Results** 146](#_Toc55294207)

[CHAPTER 14: Promotion 148](#_Toc55294208)

[**1. Purpose** 148](#_Toc55294209)

[**2. Policy** 148](#_Toc55294210)

[**3. Promotion** 148](#_Toc55294211)

[**4. Agency Role in Promotions** 148](#_Toc55294212)

[**5. Promotional Process Responsibility** 149](#_Toc55294213)

[**6. Promotional Process** 149](#_Toc55294214)

[**7. Written Announcement** 150](#_Toc55294215)

[**8. Promotional Probationary Period** 151](#_Toc55294216)

[**9. Removal from a Promotional Position** 151](#_Toc55294217)

[**10. Promotional Training** 152](#_Toc55294218)

[CHAPTER 15: Disciplinary Procedures 154](#_Toc55294219)

[1. Purpose 154](#_Toc55294220)

[2. Policy 154](#_Toc55294221)

[3. Personnel Early Warning System 154](#_Toc55294222)

[4. Training as a Function of Discipline 156](#_Toc55294223)

[5. Counseling as a Function of Discipline 157](#_Toc55294224)

[6. Performance Discussion Summaries 157](#_Toc55294225)

[7. Formal Disciplinary Actions 158](#_Toc55294226)

[8. Disciplinary Records 158](#_Toc55294227)

[CHAPTER 16: Grievance and Appeal Procedures 161](#_Toc55294228)

[1. Purpose 161](#_Toc55294229)

[2. Policy 161](#_Toc55294230)

[3. Grievance Procedures 161](#_Toc55294231)

[4. Coordination and Records Responsibility 162](#_Toc55294232)

[CHAPTER 17: Office of Professional Standards 164](#_Toc55294233)

[1. Purpose 164](#_Toc55294234)

[2. Policy 164](#_Toc55294235)

[3. Scope of Internal Investigations 164](#_Toc55294236)

[4. Maintenance of Records 164](#_Toc55294237)

[5. Office of Professional Standards Authority 165](#_Toc55294238)

[7. Office of Professional Standards Public Information 166](#_Toc55294239)

[8. Annual Statistical Summaries 166](#_Toc55294240)

[9. Complaint Procedures 167](#_Toc55294241)

[10. Assignment of Complaints 169](#_Toc55294242)

[11. Director Notification 170](#_Toc55294243)

[12. Internal Investigations Time Requirements 170](#_Toc55294244)

[13. Complainant Notification 170](#_Toc55294245)

[14. Employee Notification 171](#_Toc55294246)

[15. Investigative Rights/Requirements 171](#_Toc55294247)

[16. Relief from Duty 172](#_Toc55294248)

[17. Office of Professional Standards Reporting Format 173](#_Toc55294249)

[18. Reporting Requirements 173](#_Toc55294250)

[19. Final Disposition 174](#_Toc55294251)

[20. Brady-Giglio Requests 175](#_Toc55294252)

[CHAPTER 18: Public Information 178](#_Toc55294253)

[1. Purpose 178](#_Toc55294254)

[2. Policy 178](#_Toc55294255)

[3. Public Information 178](#_Toc55294256)

[4. Public Information Function 178](#_Toc55294257)

[5. Release of Arrest Information 179](#_Toc55294258)

[6. Media Access 180](#_Toc55294259)

[CHAPTER 19: Legal Process and Court Orders 182](#_Toc55294260)

[1. Purpose 182](#_Toc55294261)

[2. Policy 182](#_Toc55294262)

[3. Legal Process 182](#_Toc55294263)

[4. Service of Legal Process 183](#_Toc55294264)

[5. Court Ordered Evidence Examinations 183](#_Toc55294265)

[CHAPTER 20: Planning, Research, and Goals 186](#_Toc55294266)

[**1. Purpose** 186](#_Toc55294267)

[**2. Policy** 186](#_Toc55294268)

[**3. Planning and Research Function** 186](#_Toc55294269)

[**4. Development of Goals and Objectives** 187](#_Toc55294270)

[**5. CCBI Statistics** 187](#_Toc55294271)

[CHAPTER 21: Budget 190](#_Toc55294272)

[1. Purpose 190](#_Toc55294273)

[2. Policy 190](#_Toc55294274)

[**3. Budget Process and Responsibility** 190](#_Toc55294275)

[**4. Functional Recommendations to the Budget** 192](#_Toc55294276)

[**5. Expansion and Horizon Issues** 192](#_Toc55294277)

[CHAPTER 22: Fiscal Management 194](#_Toc55294278)

[1. Purpose 194](#_Toc55294279)

[2. Policy 194](#_Toc55294280)

[3. CEO Authority and Responsibility 194](#_Toc55294281)

[4. Purchasing 194](#_Toc55294282)

[5. Property Acquired through Civil Process/Asset Forfeiture 195](#_Toc55294283)

[CHAPTER 23: Training/Certifications 197](#_Toc55294284)

[1. Purpose 197](#_Toc55294285)

[2. Policy 197](#_Toc55294286)

[3. Continuing Education Training Requests 197](#_Toc55294287)

[4. Training Attendance Requirements 199](#_Toc55294288)

[5. Training Reimbursements 200](#_Toc55294289)

[6. Remedial Training 200](#_Toc55294290)

[7. Employee Training Records 202](#_Toc55294291)

[8. Training Class Records 202](#_Toc55294292)

[9. Lesson Plan Requirements 203](#_Toc55294293)

[10. Basic Law Enforcement Training Requirement 203](#_Toc55294294)

[11. Annual Retraining 204](#_Toc55294295)

[11. Annual Retraining 204](#_Toc55294296)

[12. Notary Training 204](#_Toc55294297)

[**13. Professional Certifications** 204](#_Toc55294298)

[CHAPTER 24: Document Control and Management 208](#_Toc55294299)

[**1. Purpose** 208](#_Toc55294300)

[**2. Scope** 208](#_Toc55294301)

[**3. Definitions:** 209](#_Toc55294302)

[**4. Dissemination and Storage** 210](#_Toc55294303)

[**5. Format** 211](#_Toc55294304)

[**6. Master List** 212](#_Toc55294305)

[**7. Revision History** 212](#_Toc55294306)

[**8. Document Development** 212](#_Toc55294307)

[**9. Document Review and Approval** 213](#_Toc55294308)

[**11. Document Removal** 214](#_Toc55294309)

[**12. Document Review** 215](#_Toc55294310)

[**13. Document Retention and Archival** 215](#_Toc55294311)

[CHAPTER 25: Facility Access and Security 217](#_Toc55294312)

[1. Purpose 217](#_Toc55294313)

[2. Policy 217](#_Toc55294314)

[3. Security 217](#_Toc55294315)

[4. Definitions 217](#_Toc55294316)

[5. Swipe Card Access 218](#_Toc55294317)

[6. Temporary Use Swipe Cards 219](#_Toc55294318)

[7. Biometric Access 219](#_Toc55294319)

[8. Facility Keys 220](#_Toc55294320)

[9. Video Surveillance 220](#_Toc55294321)

[**10. Visitors** 221](#_Toc55294322)

[11. Authorized Persons 221](#_Toc55294323)

[12. Public Areas 222](#_Toc55294324)

[13. Limited Restriction Areas 222](#_Toc55294325)

[14. Restricted Areas 222](#_Toc55294326)

[15. Secure Areas 223](#_Toc55294327)

[16. Detention Areas 224](#_Toc55294328)

[17. Firearms Test-fire Areas 224](#_Toc55294329)

[CHAPTER 26: Uniforms and Agency Owned Property 227](#_Toc55294330)

[**1. Purpose** 227](#_Toc55294331)

[**2. Policy** 227](#_Toc55294332)

[**3. Uniforms** 227](#_Toc55294333)

[**3.1. Dress Requirements** 227](#_Toc55294334)

[**3.2. Uniformed Employees** 227](#_Toc55294335)

[**3.3. All Employees** 228](#_Toc55294336)

[**3.4. Hair Styles and Grooming – General** 228](#_Toc55294337)

[**3.5. Jewelry and Other Ornamentation** 229](#_Toc55294338)

[**3.7. Authorized Personal Equipment** 230](#_Toc55294339)

[CHAPTER 27: Agency Owned Vehicles 233](#_Toc55294340)

[1. Purpose 233](#_Toc55294341)

[2. Policy 233](#_Toc55294342)

[3. Use of CCBI Vehicles 233](#_Toc55294343)

[4. Spare Vehicles 234](#_Toc55294344)

[5. Vehicle Maintenance 235](#_Toc55294345)

[6. Vehicle Accidents 235](#_Toc55294346)

[7. Training 236](#_Toc55294347)

[8. Out-of-Town Travel 236](#_Toc55294348)

[9. Notification Procedures 237](#_Toc55294349)

[10. Motorist Assistance 237](#_Toc55294350)

[11. Roadway Hazards 238](#_Toc55294351)

[12. Safety Vest 238](#_Toc55294352)

[13. Occupant Safety Restraints 238](#_Toc55294353)

[14. Ride-Along Policy 238](#_Toc55294354)

[15. Emergency Situations 239](#_Toc55294355)

[CHAPTER 28: Computer Access and Use 242](#_Toc55294356)

[1. County Computers and Digital Devices 242](#_Toc55294357)

[2. Computer Software 242](#_Toc55294358)

[3. Wake County Network and Internet Acceptable Use Policy 242](#_Toc55294359)

[4. Locations of Network Access and Use 246](#_Toc55294360)

[5. DCI/NCIC Security and Access 246](#_Toc55294361)

[CHAPTER 29: Records Management System Administration 250](#_Toc55294362)

[1. Administration 250](#_Toc55294363)

[2. Report Completion 250](#_Toc55294364)

[3. Report Information 251](#_Toc55294365)

[4. Review 251](#_Toc55294366)

[5. Amendments and Modifications 252](#_Toc55294367)

[6. Modifications 252](#_Toc55294368)

[7. Release of Reports 252](#_Toc55294369)

[8. File Transfer Protocol (FTP) Server 253](#_Toc55294370)

[CHAPTER 30: Evidence Inspections/Inventories/Audits 257](#_Toc55294371)

[1. Purpose 257](#_Toc55294372)

[2. Policy 257](#_Toc55294373)

[2. Evidence Inspections 257](#_Toc55294374)

[CHAPTER 35: Criminal Identification Unit 260](#_Toc55294375)

[1. Purpose 260](#_Toc55294376)

[2. Policy 260](#_Toc55294377)

[3. General Processing Security Procedures 260](#_Toc55294378)

[4. Arrestee Processing Procedures 261](#_Toc55294379)

[5. Fingerprint Verification 264](#_Toc55294380)

[6. CCBI Criminal Identification Unit Erroneous Identification Policy and Procedures 264](#_Toc55294381)

[6.1. Purpose 264](#_Toc55294382)

[6.2. Application 265](#_Toc55294383)

[6.4. Policy 265](#_Toc55294384)

[6.5. Punishment: 265](#_Toc55294385)

[6.6. Second-Erroneous Identification: 266](#_Toc55294386)

[7. Supervisory Review 266](#_Toc55294387)

[8. Priority Searches 267](#_Toc55294388)

[9. Arrestee DNA Collection 268](#_Toc55294389)

[10. Criminal Identification Unit Inspections/Review 271](#_Toc55294390)

[11. Found/Recovered Item Disposition 271](#_Toc55294391)

[12. Criminal Identification Unit DCI Use 272](#_Toc55294392)

[13. Refusal Process 274](#_Toc55294393)

[14. Expungements 276](#_Toc55294394)

[**15. Identity Verifications/Errors** 277](#_Toc55294395)

[**16. Juvenile Operations Function** 277](#_Toc55294396)

[**17. Non-Testimonial Identification Order** 278](#_Toc55294397)

[**18. Comparison Requested/Major Case Prints** 278](#_Toc55294398)

[**19. Fingerprinting and Photographing Juveniles (Nondivertible Offense Petitions and Adjudications)** 279](#_Toc55294399)

[20. Processing Juveniles Transferred to Superior Court 280](#_Toc55294400)

[**21. Juvenile Elimination Prints** 280](#_Toc55294401)

[CHAPTER 36: Central Records Unit 283](#_Toc55294402)

[1. Purpose 283](#_Toc55294403)

[2. Policy 283](#_Toc55294404)

[3. Definitions 283](#_Toc55294405)

[**4. Administration** 284](#_Toc55294406)

[**5. Central Records** 284](#_Toc55294407)

[**6. Record Retention Schedule** 285](#_Toc55294408)

[**7. Privacy and Access to Central Records** 285](#_Toc55294409)

[**8. Removal of Records** 287](#_Toc55294410)

[8.1. With the exception of original case records in the process of being copied, no original records having been assigned to the custody of the Central Records Unit shall be removed from the Central Records Unit without written documentation of the removal of such record. 287](#_Toc55294411)

[**9. Release of Agency Records** 287](#_Toc55294412)

[**10. Discovery** 288](#_Toc55294413)

[**11. Juvenile Arrest Records** 289](#_Toc55294414)

[CHAPTER 37: Civil Identification Unit 291](#_Toc55294415)

[**1. Purpose** 291](#_Toc55294416)

[**2. Policy** 291](#_Toc55294417)

[**3. Civil Identification Services and Record Check Requests** 291](#_Toc55294418)

[**4. Requests for Fingerprinting** 291](#_Toc55294419)

[**5. Record Requests** 292](#_Toc55294420)

[**6. Mail Receipt** 293](#_Toc55294421)

[**7. Cash Fund/Account Maintenance** 293](#_Toc55294422)

[CHAPTER 38: Law Enforcement Role and Authority 300](#_Toc55294423)

[1. Purpose 300](#_Toc55294424)

[2. Policy 300](#_Toc55294425)

[3. Legal Authority 300](#_Toc55294426)

[4. Legal Authority to Carry/Use Weapons 300](#_Toc55294427)

[5. Constitutional Requirements 301](#_Toc55294428)

[6. Search and Seizure 301](#_Toc55294429)

[7. Arrest With/Without A Warrant 303](#_Toc55294430)

[8. Discretion 306](#_Toc55294431)

[9. Strip and Body Cavity Searches 307](#_Toc55294432)

[10. Bias Based Profiling 308](#_Toc55294433)

[11. General Firearm Policies 308](#_Toc55294434)

[12. Authorized Firearms and Ammunition 308](#_Toc55294435)

[13. Carrying Concealed Weapons 310](#_Toc55294436)

[14. Personal Weapons 311](#_Toc55294437)

[15. Authorized Personal Weapons and Ammunition 311](#_Toc55294438)

[16. Qualifying with Personal Weapons 312](#_Toc55294439)

[17. Annual Proficiency Demonstration for Firearms (Sworn Only) 313](#_Toc55294440)

[18. Enforcement Action Against Juveniles 314](#_Toc55294441)

[19. Custody of Juveniles 314](#_Toc55294442)

[20. Juvenile Interrogation 315](#_Toc55294443)

[21. Health and Physical Fitness 315](#_Toc55294444)

[22. Physical Examinations 316](#_Toc55294445)

[CHAPTER 39: Use of Force 319](#_Toc55294446)

[1. Purpose 319](#_Toc55294447)

[2. Policy 319](#_Toc55294448)

[3. Definitions 319](#_Toc55294449)

[4. Use of Force in accomplishing lawful objectives (Sworn Only) 320](#_Toc55294450)

[5. Use of Deadly Force (Sworn Only 321](#_Toc55294451)

[6. Issuance of Directives and Training on Use of Force (Sworn Only) 322](#_Toc55294452)

[7. Use of Force Continuum (Sworn Only) 322](#_Toc55294453)

[8. Warning Shots (Sworn Only) 324](#_Toc55294454)

[9. Use of Force Reporting 324](#_Toc55294455)

[10. Use of Force Medical Attention Requirement 326](#_Toc55294456)

[11. Review of Use of Force Reports 327](#_Toc55294457)

[12. Review of Use of Force Incidents 327](#_Toc55294458)

[13. Administrative Use of Force Review 327](#_Toc55294459)

[CHAPTER 40: Law Enforcement Vehicle Operation 329](#_Toc55294460)

[1. Purpose 329](#_Toc55294461)

[2. Policy 329](#_Toc55294462)

[3. Responding Procedures 329](#_Toc55294463)

[4. Specific Procedures 329](#_Toc55294464)

[5. Pursuit of Motor Vehicles 331](#_Toc55294465)

[6. Roadblocks and Forcible Stopping 331](#_Toc55294466)

[7. Traffic Enforcement Actions 332](#_Toc55294467)

[8. Vehicle Stops (Sworn Only) 334](#_Toc55294468)

[9. DWI Procedures (Sworn Only) 336](#_Toc55294469)

# CHAPTER 1: Organization and Administration

## 1. Purpose:

The purpose of this directive is to establish formal structures by which the organization and its components are arranged, defined, directed and coordinated.

## 2. Policy:

The agency’s organizational structure shall be designed to provide the most effective and efficient delivery of service possible.

## 3. Mission Statement of the Raleigh/Wake City-County Bureau of Identification

The Raleigh/Wake City-County Bureau of Identification will continuously strive for perfection while setting the highest standards in crime scene investigation, forensic analysis of evidence, and collection of criminal arrest information.

## 4. Values of the Raleigh/Wake City-County Bureau of Identification

***Integrity*:**

CCBI employees will possess moral and ethical principles that no power or influence can impair.

***Honor*:**

CCBI employees will have a bond and guarantee of their word.

***Character*:**

CCBI employees will have moral and ethical excellence, which distinguishes their behavior.

***Truthfulness*:**

CCBI employees will always be truthful in all matters concerning their private and public life.

***Fairness*:**

CCBI employees will strive to exhibit a disposition that is free of favoritism or bias.

***Accountability*:**

CCBI employees will believe in accepting responsibility for their actions.

***Professionalism*:**

CCBI employees are committed to being focused, confident, and competent while having respect for hierarchy and humanity.

***Courage*:**

CCBI employees will strive to have the mental and moral strength to confront, persevere and overcome fear, pain, danger, uncertainty and intimidation.

***Respect for Others*:**

CCBI employees will treat individuals with concern for their well-being.

***Compassion*:**

CCBI employees will have a deep awareness of the suffering of another coupled with the wish to relieve it.

***Public Trust***:

CCBI employees will always remember the duty imposed in faith of those we are sworn to serve.

## 5. Service Area and Jurisdiction

5.1. The Raleigh/Wake Raleigh/Wake City-County Bureau of Identification has been established and operates under the authority granted in Chapter 535 of the North Carolina Public-Local Laws of 1937 of the North Carolina General Statutes. CCBI was created to provide services to the citizens of Wake County and law enforcement agencies having jurisdiction inside of Wake County, NC

5.2. CCBI services may only be provided to law enforcement agencies outside of Wake County on a case-by-case basis and only with the expressed permission of the Director. Any CCBI service provided to a law enforcement agency with jurisdiction outside of Wake County that has received approval from the Director shall be conducted in accordance with CCBI policy and procedures as if the service was being provided to a Wake County law enforcement agency. This includes all documentation, reporting, chain of custody, etc. All records relating to the service provided will also be maintained in the same manner as if the service was provided to a Wake County law enforcement agency.

## 6. Organizational Structure

6.1. The authority and responsibility of the Director has been established by the North Carolina General Assembly pursuant to Chapter 535 of the North Carolina Public-Local Laws of 1937. The Director will follow the direct leadership of the District Attorney of the Tenth Prosecutorial District and the Wake County Manager or his/her designee.

6.2. The Director heads the agency. There are three separate divisions within CCBI: The Identification and Records Division, the Investigations Division, and the Crime Laboratory Division. Each of the three divisions will be commanded by an Assistant Director who reports to the Director. The divisions are broken down in units based upon duties and responsibilities.

6.3. The Executive Assistant, the Assistant Director of Recruitment and Policy Development, and the Business Officer report directly to the Director. The duties of these sections include personnel, hiring, internship program, background investigations, policy development, budget, finance, and procurement services.

6.4. The Identification and Records Division is comprised of a Civil Identification Services Unit, Central Records Unit, and Criminal Identification Unit. The duties of the Civil Identification Services and the Central Records Units include central records and civilian fingerprints. The Criminal Identification Services Unit is composed of an Identification Unit Administrator and four squads with a Supervisor assigned to each squad. The duties of this section include data collection, fingerprinting, photographing, and the collection of DNA of arrestees under statutorily required circumstances. The Identification and Records Division shall be commanded by an Assistant Director who reports directly to the Director.

6.5. The Investigations Division consists of four squads composed of Crime Scene Investigators and a Senior Crime Scene Investigator with each squad reporting to a specified Crime Scene Supervisor. The duties of this division include forensic crime scene examinations and the handling of evidence in criminal investigations. The Investigations Division shall be commanded by an Assistant Director who reports directly to the Director.

6.6 The Crime Laboratory Division is composed of the Forensic Evidence Custodian, the Forensic Drug Chemistry Unit, the DWI Blood Chemistry Unit, the Digital Evidence Examination Unit, the Forensic Photographic Services Unit, the Firearms Examination Unit, and a Latent Examination Services Unit. The duties of the Crime Laboratory Division include drug analysis, DWI blood analysis, digital evidence examinations, photographic services, impression evidence comparisons, and evidence management. Unit specific supervisor/manager positions may be created and assigned at the discretion of the Director. The Crime Laboratory shall be commanded by an Assistant Director who shall report directly to the Director.

## 7. Organizational Chart

7.1. CCBI’s organizational structure is depicted graphically on an organizational chart and is reviewed and updated as needed. The organizational chart is available to personnel through the CCBI computer system shared drive. The Director's Executive Assistant will be responsible for updating the organizational chart when structural changes are made. As changes to the organizational chart are made, an updated version of the organizational chart will be posted on the shared drive by the Director's Executive Assistant. All employees shall be granted access to the CCBI shared drive.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Modified sections 6.3, 6.4, 6.5. Transferred duties to and established Business Officer. Added DNA to CID functions. |
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# CHAPTER 2: Command and Direction

## 1. Purpose

The purpose of this Directive is to establish the responsibilities of the Director and the command order when the Director is unavailable. This Directive will establish procedures for communication and coordination among agency functions.

## 2. Policy

It is the Policy of CCBI to provide personnel with a system of leadership to be used in absence of the Director. CCBI encourages and supports the exchange of information by the department for the purpose of coordinating activities.

## 3. Direction

### 3.1. Authority and Responsibility of the Director

3.1.1. The authority and responsibility of the Director has been established by the North Carolina General Assembly pursuant to Chapter 535 of the North Carolina Public-Local Laws of 1937. The Director will follow the direct leadership of the District Attorney of the Tenth Prosecutorial District and the Wake County Manager or his/her designee.

### 3.2 Order of Command

3.2.1. In the event the Director is unavailable due to leave, sickness, or other absences, the command of CCBI will rest with the senior Assistant Director on duty unless otherwise ordered in writing by the Director. If the Director or Assistant Directors are unavailable, the sequential order of command will be the senior Investigations Division Supervisor on duty followed by the Senior Crime Scene Investigator on duty.

3.2.2. Under normal conditions, organizational and divisional command will rest with the highest ranking official as indicated on the organizational chart.

3.2.3. In exceptional situations and/or unusual events involving personnel of different divisions of CCBI, the on-duty, senior Investigations Division Supervisor will be in command until relieved by someone of equal or higher rank.

3.2.4. When two or more divisions of CCBI are engaged in an operation, the senior highest-ranking Investigations Division employee will assume control unless the Crime Scene Investigator in charge was pre-designated.

### 3.3. Organizational Structure Command

3.3.1. Each organizational component of CCBI shall be under the direct command of one direct Supervisor; however, every CCBI employee will obey the lawful order of any Supervisor. Each CCBI employee shall be accountable to only one Supervisor at a given time. Employees may be given special assignments or additional responsibilities for which they are to respond to a different Supervisor in regards to a specific task; however, when such tasks are delegated, the chain of command for these assignments should be clearly established at the onset of these responsibilities.

## 4. Authority and Responsibility

### 4.1. Positional Authority

Positional authority shall be that authority derived from the position held by such an employee as indicated on the organizational chart.

### 4.2. Granted Authority

4.2.1. Granted authority is that authority derived as a result of an assigned task or function. The authority may be limited in scope and nature for a prearranged period of time or may be indefinite based upon the assignment of functions to a person or position. Authority may be specifically predetermined or may arise as a result of the function or task assigned.

4.2.2. Any CCBI employee assigned a function or task is granted the commensurate authority to perform such assigned tasks. Each CCBI employee is and will be held accountable for the use of granted authority or the lack of use of granted authority.

## 5. Supervisory Authority

### 5.1. General Authority

5.1.1. All supervisors and command staff members are responsible for the identification and documentation of superior employee performance and the identification and investigation of poor performance and employee misconduct. They may conduct counseling sessions, recommend remedial training, institute emergency relief from duty, recommend pre-disciplinary conferences, and issue written warnings. Staff members occupying a CCBI recognized senior position are granted the same authority while assigned the responsibility of acting supervisor, in the absence of the assigned supervisor, to the extent necessary to effectively manage operations until the availability of a supervisor or as directed by the Director.

### 5.2. Director

5.2.1. The Director is responsible for the identification and documentation of superior employee performance and the identification and investigation of poor performance and employee misconduct. The Director may conduct counseling sessions, recommend remedial training, institute emergency relief from duty, issue written warnings, and conduct pre-disciplinary conferences. The Director may, based on the requirements found in the [Wake County Human Resources Administration Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents)*,* suspend, demote, or dismiss employees.

## 6. Relief from Duty

6.1. CCBI Supervisors may relieve employees from duty for the remainder of a shift when the employee’s physical or psychological fitness for duty is in question or for a significant policy violation that impedes the Supervisor’s ability to effectively manage the shift. An employee being relieved under such circumstances will continue to receive compensation for the remainder of the scheduled shift. The employee’s Assistant Director and the Director will be notified by telephone immediately following any relief from duty.

## 7 Accountability

### 7.1. Supervisory Accountability

7.1.1. Supervisory personnel may be held accountable for the activities of the employees under their immediate control.

7.1.2. By nature of the position, managers, administrators, and supervisors routinely are exposed to information that may not legally be disclosed to others or are ordered by an individual of a higher rank not to divulge specific information. Managers, administrators, or supervisors divulging any such information will be subject to any resulting legal remedies resulting from the disclosure and/or internal disciplinary action as a result of the disclosure.

### 7.2. Obey Lawful Orders

7.2.1. All CCBI personnel are required to obey any lawful order, directive, or reasonable assignment from a Supervisor, including any order relayed from a Supervisor by an employee of the same or lesser rank. Personnel who are given an otherwise proper order which is in conflict with a previous order, rule, policy, procedure, or directive shall respectfully inform the Supervisor issuing the order of the conflict. If the Supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. If time and circumstance allow, the conflict should be resolved. Under these circumstances the responsibility for the conflict shall be upon the Supervisor.

7.2.2. All CCBI personnel are expected to observe the chain of command. Questions or concerns related to policy, procedure, personnel matters or related considerations shall be referred to the employee’s immediate Supervisor unless otherwise stated by CCBI policy.

7.2.3. In the event a CCBI employee receives an order from a Supervisor that they believe to be illegal, unethical or immoral, the employee will bring that to the attention of the Supervisor delegating the order. If the CCBI Supervisor does not rescind the order, the employee may request that a higher-ranking employee be consulted before proceeding with the order. If such a request is denied, the contesting employee will be expected to carry out the order and may consult a higher ranking employee at a later time.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Added 7.1.2. |
| November 14, 2016 | 4 | Created 5.1 and removed previous similar sections 5.1-5.5. Added clarification to 7.2.3. |
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**CHAPTER 3: Written Directive System**

**1. Purpose**

The purpose of this directive is to establish the formal written directive system for CCBI.

**2. Policy**

CCBI shall maintain a formal written directive system to provide all employees with a clear understanding of the expectations and constraints relating to the performance of assigned duties. The Director, and others as approved, shall be vested with the authority to issue, modify, or approve agency-written directives.

**3. Definitions**

Administrative Orders – Administrative orders are any written order promulgated at the authority of the Director to be immediately carried out by agency staff members until a practical time for the incorporation into the written directive system.

Administrative Policy and Procedures - Administrative policies and procedures shall refer to those policies and procedures specific to the administration and management of CCBI employees. Administrative policy and procedural manuals will be titled so they are specifically identifying of the affected CCBI division(s).

CCBI Standard Operating Procedures - Agency standard operating procedures are those policies and procedures applicable to all CCBI employees.

Quality Manuals – A document stating the quality policy and describing the various elements of the quality system and quality practices of a specific CCBI division. Quality manuals will be titled so they are specifically identifying of the affected CCBI division.

Safety Manual – Policies, procedures, rules, or regulations applicable to CCBI employees regarding safety.

Standard Operating Procedures – General procedures designed to direct employee activity. Standard operating procedures will be titled so they are specifically identifying of the affected CCBI division or unit.

Technical Procedures – Procedures and/or protocols developed for analyses, examination, comparison, or identification that guides the good analytical practice in a forensic discipline or operational division/unit of CCBI. Technical procedures will be titled so they are specifically identifying of the affected CCBI division or unit.

Training Programs – Written instructions, procedures, guidelines, and/or documents used for the purpose of training personnel newly appointed to a CCBI position.

Written Directives – Written statements including all policies, procedures, orders, instructions, rules, or regulations approved by the Director and published with the expectation of directing and/or guiding employee activities, behavior, or performance.

**4. Written Directive System**

4.1. The Director shall have the sole authority to issue, modify, or approve agency Standard Operating Procedures and any agency-wide applicable directives. Division Assistant Directors may issue, modify, or approve written directives specifically applicable to their Division as long as such directives do not contradict agency-wide directives. Nothing in this section is designed to preclude Managers or Supervisors from issuing work rules, regulations, or other directives in accordance with the authority provided to their position. However, such requirements will be considered as lawful orders and may not conflict existing written directives or law.

4.2. CCBI’s formal written directive system shall consist of the agency mission statement and values, statements of agency policy, and procedures for carrying out agency activities. Written directives shall be maintained in the following formats:

1. Standard Operating Procedures
2. Administrative Orders
3. Quality Manuals
4. Administrative Manuals
5. Technical Procedures
6. Training Programs/Manuals
7. Safety Manuals

4.3. Administrative Orders will communicate changes or additions to CCBI written directives to affected personnel that require immediate action. The Director maintains sole authority for the issuance of Administrative Orders. Administrative Orders shall be maintained in accordance with established document control policies until such time as they are incorporated into existing written directives. Administrative Orders will be incorporated into existing written directives as soon as practical.

4.4. All written directives will be maintained in accordance with document control procedures. Written directives shall be maintained in such a manner to safeguard against unauthorized editing, deletion, and provide for a rapid recovery of any lost electronic information. Obsolete written directives shall be removed from circulation, labeled as archived, and maintained in accordance with document control policies.

4.5. Persons failing to comply with all written directives, standard operating procedures, or other orders, whether written or verbal, are subject to disciplinary action.

4.6. New employees shall be familiar with the department’s written directives applicable to their position prior to release from any training phase or within thirty (30) days of employment.

**5. Exception to Policy Approval Process**

5.1. There are times when deviations to documented policies or procedures are necessary. This procedure specifies the actions required to approve exceptions from CCBI policies and procedures. A copy of any exception to policy approval documentation and supporting justification documentation will be placed in the case file for any such requests granted as part of an official CCBI investigation/analysis or that may affect a CCBI investigation/analysis.

5.2. Nothing in this section authorizes or should be construed to authorize an employee to make a decision or act outside of policy. Any exception to policy will only be authorized with appropriate approval and as outlined in this section.

5.3. Unless otherwise stated, exceptions to any policies or procedures that have been approved and adopted by the Director will be done only with prior written approval of the Director. The Division Assistant Directors may authorize exceptions to any policies or procedures of which they have the authority to modify as long as the granted exceptions are in adherence with the requirements of this section.

5.4. The request will be documented on an exception to policy form and will identify the affected policy or procedure reference number, an adequate description of the circumstances requiring the action, a statement of the proposed alternative policy or procedures if applicable, the intended duration of the exception, and any supporting documentation needed for evaluation. The approving authority may require additional information be provided to help evaluate the request.

5.5. All requests must be forwarded to the applicable Division Assistant Director for initial review and approval, prior to being forwarded to the Director for final approval when applicable.

5.6. The requesting party will be notified of approval or denial. The original request will be forwarded to the Office of Professional Standards to be maintained for a period of five years. Approved requests concerning policies specific to the Crime Laboratory Division will also be forwarded to the Crime Laboratory Division Assistant Director and maintained for a period of five years or one accreditation cycle, whichever is longer.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | All changes must have Director approval |
| November 14, 2016 | 4 | Removed Quality Manager from 5.5. |
| August 16, 2017 | 5 | Allowed DDs authority to modify, issue, and make certain policies/exceptions |

# CHAPTER 4: Classification of Duties

## 1. Purpose:

A job task analysis is essential to establish proper minimum qualifications, position classification, supervision, and salary administration to ensure that qualified professional individuals are being hired and retained at CCBI.

## 2. Policy:

It will be the policy of CCBI to create a job task analysis (Wake County Position Description Questionnaire) for each position at CCBI, as required by the Wake County Human Resources Manual, and to participate in the Wake County Classification Plan.

## 3. Position Management System

3.1. CCBI shall have a position management system that will be coordinated through Wake County Human Resources and the Wake County Finance Department. The Director will be responsible for the supervision of this system.

3.2. CCBI’s position management system shall provide the following information: the number and type of each position authorized in the agency’s budget; the location of each authorized position within the agency’s organizational structure; and position status information, whether filled or vacant, for each authorized position in the agency.

3.3. The authorized and actual staffing levels for CCBI shall be depicted graphically on charts that are reviewed and updated as any changes occur. Staffing level charts shall be accessible to all departmental personnel.

## 4. Position Classification Plan

4.1. A position classification will be completed as set forth in [Wake County Human Resources Administration Manual Section 4000](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) for each position at CCBI. The objectives of the position classification plan are to:

1. Serve as a basis for determining a position in the classification and compensation plan;
2. Provide a basis for establishing minimum qualification requirements for recruitment, selection and appointment;
3. Assist in the establishment of training curricula; and
4. Provide guidance to employees and their Supervisors concerning the duties and responsibilities for individual positions.

4.2. The classification plan includes:

1. Grouping of every job into classes based upon similarities in duties, responsibilities, and qualification requirements;
2. Existence of class specifications for every job within a class;
3. Provisions for relating compensation to classes; and
4. Provisions for reclassification.

4.3. The Classification Plan standardizes position titles, each of which is indicative of a range of duties and responsibilities.  Each position is assigned to a class.  Each class is assigned to a pay band in the Classification Plan.

4.4. All position classifications will include a description of:

1. Duties, responsibilities, and tasks of each position;
2. Frequency with which each task is performed, and
3. Minimum level of proficiency necessary in job-related skills, knowledge abilities, and behaviors.

4.5. Administration of the Classification Plan

4.5.1. Human Resources is responsible for making classification determinations in partnership with department heads. Position Description Questionnaires (PDQs) are completed and updated on each agency position to assist in the classification of agency positions and to ensure equitable classification determinations. Classification appeals will be heard and decided upon by the County Manager or his designee.

4.5.2. Classification determinations will result in consistency across the organization with an emphasis on equity, fairness, and the business needs of the Department.

## 5. Job Description Maintenance and Availability

5.1. Wake County job descriptions and responsibilities exist in the form of a Position Description Questionnaire (PDQ). PDQs are used to describe the duties, tasks, and responsibilities each position in the agency. PDQs will be updated in accordance with Wake County Human Resources procedures and anytime a CCBI position's job responsibilities change significantly.

5.2. The City-County Bureau of Identification will maintain the job posting for each position and PDQs covering all employees.  A job posting and a PDQ of each position within CCBI is available to all personnel.   Access can be obtained to position PDQs through a shared folder on the CCBI shared drive. A job description and position classification will be maintained in each employee’s personnel file for the position that they hold and positions they held during their employment at CCBI.

5.3. PDQs will be provided to and discussed with new staff members on the first day of employment during their CCBI orientation. Each time a position PDQ is modified with regard to changes in job duties or responsibilities, the staff occupying those positions will be notified and the updated version will be posted electronically.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Added new County PDQ requirements to 4.5.1., 5.1-5.3. |
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# CHAPTER 5: Mutual Aid and Contractual Agreements

## 1. Purpose:

The purpose of this directive is to establish guidelines for the jurisdiction of CCBI and rendering aid to law enforcement/government agencies when requested.

## 2. Policy:

The jurisdiction of CCBI shall be set forth by North Carolina General Statutes. Mutual aid will be provided in accordance with North Carolina General Statutes, all other applicable laws and regulations, and CCBI policy.

## 3. Mutual Aid

3.1. CCBI cannot provide nor request mutual aid under N.C.G.S. § 160A-288 (Cooperation between law-enforcement agencies) because the agency does not meet the definition of a law enforcement agency under that statute.

3.2. However, mutual aid may be provided to or requested from government agencies by following the procedures set forth in N.C.G.S. § 160A-460, § 160A-461, § 160A-462, § 160A-463, and § 160A-464. Any request for mutual aid from a law enforcement agency outside Wake County shall be forwarded to the Director. The Director is the only CCBI employee authorized to request mutual aid under this section.

3.3. Any agreement reached with outside agencies shall specify the following requirements in accordance with N.C.G.S. § 160A-464 as follows:

Any contract or agreement establishing an undertaking shall specify:

1. The purpose or purposes of the contract or agreement;
2. The duration of the agreement;
3. If a joint agency is established, its composition, organization, and nature, together with the powers conferred on it;
4. The manner of appointing the personnel necessary to execute the undertaking;
5. The method of financing the undertaking, including the apportionment of costs and revenues;
6. The formula for ownership of real property involved in the undertaking, and procedures for the disposition of such property when the contract or agreement expires or is terminated;
7. Methods for amending the contract or agreement;
8. Methods for termination of the contract or agreement;
9. Any other necessary or proper matter.

## 4. Written Agreement for Services Provided

4.1. CCBI provides law enforcement services in accordance with Chapter 535, the Public-Local Laws of 1937 of the North Carolina General Statutes.

4.2. When the Raleigh/Wake City-County Bureau of Identification elects to receive or to provide law enforcement services for another agency and a fee is paid, elements of the agreement shall be in the form of a written agreement.

4.3. The written agreement shall include, at a minimum, the following:

1. A statement of the specific services to be provided;
2. Specific language dealing with financial agreements between the parties;
3. Specification of the records to be maintained concerning the performance of services by the provider agency;
4. Language dealing with the duration, modification, and termination of the contract;
5. Specific language dealing with the legal contingencies;
6. Stipulation that the provider agency maintains control over its personnel;
7. Specific arrangements for the use of equipment and facilities;
8. A procedure for review and revision, if needed, of the agreement.

4.4. If the agreement is with another governmental unit or agency, the above listed requirements shall be addressed as well as those outlined in N.C.G.S. § 160A-460, § 160A-461, § 160A-462, § 160A-463, § 160A-464. (see SOP 2.1.3)

## 5. Other Agreements and MOUs

5.1. The Director shall retain full authority for entering into any agreements or MOUs on behalf of CCBI. Any such agreements or MOUs signed by the Director shall be maintained in the Director’s Office.

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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
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# CHAPTER 6: Hiring and Selection

**1. Purpose:**

CCBI's mission of striving for perfection while setting the highest standards in crime scene investigation, forensic analysis of evidence and collection of criminal arrest information is directly dependent on the ability and quality of individuals employed by CCBI. As such, CCBI's recruitment and hiring efforts should ensure that the best suited candidates are sought for employment.

**2. Policy:**

CCBI will work in conjunction with Wake County Human Resources to seek out the best suited individuals for employment and ensure that such practices are carried out providing an equal employment opportunity for all people. The CCBI Director will make all final employment decisions.

**3. Recruitment**

3.1. Wake County Human Resources has the primary responsibility for CCBI’s recruitment program. CCBI will actively be involved and coordinate with Human Resources in the recruitment effort. (See [Wake County Human Resources Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents))

3.2. CCBI Recruitment Plan

3.2.1. CCBI will participate with Wake County Human Resources in posting job positions in such a manner as to be available to the largest workforce possible. This may be done through printed job listings made available through Wake County Human Resources or through internet postings.

3.2.2. CCBI may participate in career fairs or other public service functions that by their nature promote CCBI.

3.2.3. Any high school, university group, or other institution, composed of members who may provide CCBI with potential applicants as intended under this plan, who request a tour of CCBI for the purpose of understanding the work performed by CCBI will be honored.

3.2.4. The administration of the plan stated above shall remain the responsibility of the CCBI Hiring Coordinator. Any CCBI command staff member may authorize, arrange, or conduct a tour of the CCBI facility as long as such tours are done in accordance with CCBI's visitor policy. Off-site requests for the participation of staff members in career fairs, school talks, general forensic clubs, etc. will be forwarded to the CCBI Hiring Coordinator for approval to ensure uniformity in CCBI's participation of such functions.

3.2.5. Staff members, at their discretion, may elect to perform or participate in such events outside of those sanctioned by CCBI with the prior approval of their immediate supervisor (i.e., Girl/Boy Scouts, Elementary/Middle Schools). However, in such a situation, the employee will not be compensated for their participation outside of schedule work hours. A supervisor must provide prior approval for any such engagements being conducted during scheduled work hours and the participating employee must utilize an appropriate leave type as authorized by the Wake County leave policy.

3.2.6. Any visual presentation media, displays, or photographs to be utilized in any public presentation speaking engagement for the purpose of discussing CCBI services must be reviewed and receive prior approval from an Assistant Director or the Director. The CCBI Hiring Coordinator will maintain and update an approved presentation for this purpose that may be used by all staff members. The CCBI Hiring Coordinator shall maintain the primary responsibility for the coordination of all career fairs, tours, and public service functions conducted by CCBI employees. Upon completion of any career fair, tour, or public service function not coordinated by the CCBI Hiring Coordinator, the participating employee shall inform the CCBI Hiring Coordinator of the date, the type of event, the participating employee(s), and the name of hosting entity.

**4. CCBI Recruitment Plan Annual Analysis**

4.1. An annual analysis of CCBI recruitment efforts will be completed by the CCBI Hiring Coordinator and provided to the Director. The analysis will include the following information:

* 1. The race and sex of all applicants whose applications are forwarded to CCBI for consideration by Wake County Human Resources.
  2. The race and sex of all applicants interviewed.
  3. The race and sex of all applicants hired.
  4. The total number of recruitment engagements in the annual period and a list of the hosting/requesting entities.

1. At the determination of the Director, approved revisions will be completed as a policy change and implemented in accordance with current procedures.

**Note**: As CCBI is required to adhere to current Wake County Personnel Administration Regulations and hiring practices, the collection of any gender or racial data from applicants must be done only on a voluntary basis.

**5. Equal Employment Opportunity Plan**

CCBI will abide by the Wake County Human Resources Equal Employment Opportunity plan. The Equal Employment Opportunity plan is available on the Wake County Government Web Site at: [Wake County EEOC Policy](https://wakecountync.sharepoint.com/sites/unilydocs/Policy%20Documents/HR/Policy%20Manual/1000%20%E2%80%93%20General%20Rules%20of%20Employment/Policies/Discrimination%20and%20Equal%20Employment%20Opportunity.pdf)

**6. Selection Process**

6.1. The Director and CCBI Hiring Coordinator will work in conjunction with Wake County Human Resources to design and implement the selection process for all CCBI positions. The selection process will be done in accordance with the [Wake County Human Resources Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 3000 and the below policies and procedures.

6.2. All elements of the selection process for personnel will use only those rating criteria or minimum qualifications that are job related. All elements of the selection process for all personnel will be administered, scored, evaluated, and interpreted in a uniform manner within the classification.

**7. Position Vacancy Announcement**

7.1. The CCBI Hiring Coordinator will complete or coordinate the completion of a position requisition in eWake Talent which will be forwarded to Wake County Human Resources in accordance with Wake County Human Resources procedures. The eWake Talent position requisition will be submitted to Wake County Human Resources in a time period at the discretion of the Director or the CCBI Hiring Coordinator.

**8. Job Posting**

8.1. The eWake Talent position requisition will be approved by Wake County Human Resources and subsequently posted. The Director of CCBI or his/her designee may also post the job listing with additional groups, listings, or resources at his/her discretion. The job posting period will be determined by the CCBI Hiring Coordinator and such information will be included on the eWake Talent position requisition. The job posting shall include at a minimum:

1. General description of the County or Department;
2. Title of the position;
3. The opening and closing dates for the position;
4. The minimum required qualifications;
5. Preferred qualifications;
6. Knowledge, skills, abilities, and competencies required for the position;
7. The job description;
8. Salary range;
9. Work schedule;
10. Instructions on how to apply for the position;
11. The minimum salary for the position;
12. An Equal Employment Opportunity Statement; and
13. Background check statement.

All job vacancies will be posted in accordance with the current practices of Wake County Human Resources.

**9. Applicant Screening Program**

9.1. Upon the closing of the job posting, Wake County Human Resource personnel will review all of the received applications and determine which applicants meet the established minimum qualifications. In accordance with Wake County Human Resources Manual ~~section 402~~, "All applicants must meet the minimum training, education and experience, certification or licensure requirements established for the position." When an applicant pool is composed of a large number of applicants meeting the minimum position requirements, applications may be screened according to preferred job qualifications.

9.2. Wake County Human Resources will screen the received applications to verify those that meet the minimum requirements of the position. The applicants whose applications meet the minimum requirements or preferred qualifications as previously determined will be referred for consideration to the CCBI Hiring Coordinator through the eWake Talent System.

**10. Applicant Contact**

10.1. The CCBI Hiring Coordinator or his/her designee will contact all eligible applicants who have been referred for consideration with a standardized letter advising them of the following information:

* The elements involved in the selection process;
* The expected duration of the selection process;
* All applicants considered may be subject to criminal, driving, and online/social media information background checks; and
* The agency's (Wake County) policy on reapplication.

10.2. Wake County Human Resources receive all applications for employment. Applications are only accepted electronically through accounts generated by applicants. Such accounts require an email address for notifications regarding the applicant process. Applicants receive email confirmation regarding their application. At any point during the application process, the applicant may view the status of their application through the Wake County website.

**11. Preliminary Background Investigation**

11.1. A preliminary background investigation will be conducted on all applications. This investigation will include, at a minimum, the review of each application to determine the applicants who meet or exceed the minimum qualifications and the applicants who meet or exceed the preferred qualifications.

11.2. The CCBI Hiring Coordinator shall compile a written list of all referred applicants, to include basic qualifications and preliminary background investigation results, along with recommendations for interviews and provide that to the Division's Assistant Director for approval. Once approved, interviews will be coordinated. The number of applicants recommended for interview purposes should be in compliance with Wake County Human Resources procedures.

**12. Oral Interview Board**

12.1. An Oral Interview Board will be conducted for each interview. The Board will consist of at least two (2) members, but preferably three (3) members. Board members may be selected from inside or outside the agency. It is the intent of this standard that the same Board members be utilized for all of the interviews for a specific position to maintain uniformity during the process.

12.2. The Board Chairperson should ensure that all Board members are familiar with the CCBI Interview Board Procedures prior to initiating an interview.

12.3. A list of specific questions to be asked will be provided to the Board members. The questions should illicit responses specifically related to the job tasks or ability to perform such tasks for the position sought. The same questions will be asked to each applicant in the same manner.

12.4. Each Board member will record responses appropriately and then rate each applicant. Ratings will be based on responses during the interview and performance during the interview specifically in regards to job related tasks or functions.

**13. Interview Board Procedures**

**13.1. Mission:**

1. The Board will conduct a fair interview process and ensure objectivity and professionalism.
2. The Board should be united to further CCBI objectives rather than personal objectives.
3. The rank or seniority of Board members should not be a consideration as each member and member's opinion is valuable.
4. Applicants should be rated on their performance during the interview only.
5. Applicant's characteristics will be evaluated similarly for everyone.
6. The process is confidential, and any information developed as a part of the interview process is confidential and should not be discussed outside of the Board members.

**13.2. Board Composition:**

1. The Board will consist of at least three members.
2. When available, the Board will be diverse in its race, ethnicity, knowledge, gender, and proximity to the need and seniority.
3. The Board members will be selected by the CCBI Hiring Coordinator or the Division's Assistant Director.
4. All members assigned to the Board for the interview process for a specific position should be present and conduct all interviews for that position when feasible.
5. The Board Chairperson shall ensure that all board members are familiar with the CCBI Interview Board Procedures.
6. Board members must complete the required Human Resources Questionable Interview Questions e-learning course before serving on the Board.

**13.3. Overview of Selection Process:**

1. The Board Chairperson is appointed from the Board members but must be employed by CCBI.
2. The Board Chairperson will greet the applicant and introduce them to the Board.
3. The Board will ask the interview questions, any additional testing instrument will be administered, and the applicant will leave the room.
4. The Board members will complete the Oral Interview Evaluations without discussion.
5. The Board members will complete any evaluations of tests administered without discussion.
6. The Board Chairperson will lead the Board in consensus discussion about their comments and scores.
7. At the conclusion of the interview, the Board Chairperson adds scores for the interview and any tests conducted on the Applicant Overall Score Sheet.
8. The Board will review the applicant rating forms to determine suitability for the current position and make a written recommendation for selection.
9. The Board Chairperson will provide all selection materials to the CCBI Hiring Coordinator at the conclusion of all interviews.
10. The CCBI Hiring Coordinator will arrange a meeting with the Board Chairperson, the Division Assistant Director, and the Director to discuss the results of the interviews and determine which applicant(s) to pursue.

**13.4. Oral Interview:**

1. Standard Interview Questions
   1. Each Board member will be supplied with a list of interview questions.
   2. The Board Chairperson will ask the applicant, "Do you believe this Board can give you a fair evaluation?" The answer will be documented on the Board Chairperson's Interview Question Sheet.
   3. Each Board member will select certain question numbers that they will ask of the applicant or alternate questions.
   4. Each member will ask the same question of each applicant. The question should be asked with the same tone of voice and inflection throughout the entire process.
   5. Board members should refrain from facial expressions that provide encouragement or discouragement
   6. Board members should refrain from fidgeting during the interview.
   7. Board members should hide any food or drinks from view during the interview.
   8. If the applicant requests clarification on a specific question, simply repeat the question. Board members should not clarify questions in any manner that provides additional information to one applicant over another.
   9. Write a brief description of what the applicant said on the Interview Question Sheet.
   10. The Board member asking the question should maintain eye contact with the applicant during the response. Such can be documented on the Interview Question Sheet in the area designated for responses by the Board member asking the questions.
   11. Any medical information provided by the applicant may only be documented on the Interview Question Sheet specifically as stated by the applicant.
2. Follow Up Questions
   1. Follow up questions are an excellent source of additional information.
   2. Follow up questions should be based on clarification or expansion of information provided by the applicant.
   3. No follow up questions will be asked in regards to medical information with the exception of questions specifically related to the applicant's abilities to perform tasks required of the position.
   4. Any Board member may ask a follow up question at any time.

e. Follow up questions should be documented on the interview question list by the Board Chairperson.

1. Rating Sheets
   1. Mark the score on the rating sheet. If a different number between the provided range is assigned then write the number on the score sheet.
   2. Initial any changes or corrections made on the score sheet.
   3. Write specific comments on the rating sheet that corresponds to details provided by the applicant during the interview.
   4. The comments provided should match the rating score provided.

**13.5. Tests Administered**

13.5.1 Several positions at CCBI require applicant screening procedures beyond an oral interview. The CCBI Hiring Coordinator will be forwarded any testing procedures to be conducted with applicants during the interview process prior to the position posting. Any tests conducted will be designed to measure knowledge, skills, and/or competencies necessary for the successful completion of job tasks as defined in the position PDQ.

13.5.2 Any testing process utilized will be conducted in the same manner and under the same conditions for each applicant. A written procedure for the application of such tests will be created and approved prior to implementation. A method for the objective scoring of each test will be designed and implemented.

1. Implementation
   1. Written directions will be provided with any test administered.
   2. A time limit should be set for each test and the applicant will be made aware of the limit.
   3. All applicants will be held to the same time limit.
   4. Any tests administered will be done so with the same circumstances and under the same conditions for each applicant.
   5. All testing materials/documents will be the same for each applicant.
2. Rating Sheets
   1. Mark the score on the rating sheet. If a different number between the provided ranges is assigned then write the number on the score sheet.
   2. Initial any changes or corrections made on the score sheet.
   3. Write specific comments on the rating sheet that corresponds to details observed on the testing document.
   4. The comments provided should match the rating score provided.

**13.6. Board Consensus**

1. The Board members should think similarly, but not alike. Discussion is encouraged and it is okay to disagree.
2. Changes may be made on rating forms during group discussions, however, changes should not be made to appease or conform to other group members' opinions.
3. Discuss each portion of the selection process and rating forms separately. (i.e. interview, test)

**13.7. Oral Review Board/Written Examination Tally Form**

1. Write the names of each Board member.
2. Each Board member should write one overall comment about the applicant.
3. The total score given to each applicant by each board member should be recorded. The total should be added. Do not average the scores.

**13.8. Applicant Overall Score Sheet**

1. The Board Chairperson will write one summary comment for the applicant in regards to the oral interview and written exercise (if applicable).
2. The total score as recorded on the Oral Review Board/Written Examination Tally Forms will be recorded for each applicant.
3. The total score will be added for each applicant.
4. All interview question sheets, evaluation forms, and testing forms or instruments shall be compiled and attached together.
5. All documentation shall be provided to the CCBI Hiring Coordinator at the end of the interview process.

**14. Background Investigation**

14.1. Upon completion of the Oral Interview Board interviews, selected candidates will be approved by the Director. Each selected candidate will be notified prior to the initiation of a background investigation. Upon confirmation from the applicant, a background investigation will be conducted.

14.2. The applicant will be provided a Background Information Supplement Form to be completed. Upon return, the Background Investigator will determine what documents need to be obtained as required in the background investigation. The applicant will be contacted and formally requested to obtain those items through written correspondence. Applicants will be required to obtain all transcripts. The applicant will also be required to obtain any criminal record checks or driving record checks from outside of North Carolina. (For those states that provide certified records through NC DCI/NCIC access, this requirement may be waived.) Additional items may be required at the discretion of the Background Investigator when the attainment of such records involves a fee or must specifically be done at the request of the applicant.

14.3. Applicants failing to provide the requested documentation in a reasonable time manner, having been provided notice and sufficient time to receive the information, may be excluded from further consideration and removed from the selection process.

The CCBI Hiring Coordinator shall coordinate all background investigations conducted. The following information will be collected:

1. A verification of qualifying credentials;
2. Transcripts from any educational institutions in which the applicant was enrolled as part of a formal degree program (high school and above);
3. A criminal records check of all jurisdictions where in the applicant has resided since 16 years of age;
4. A driving records check of all jurisdictions where in the applicant has resided since 16 years of age;
5. NCIC, DCI, AOC, and NC DMV checks to include maiden names;
6. An on-line search of the applicant;
7. A credit check;
8. Verification and interview of past employers;
9. An interview of at least five personal references;
10. Interviews with ~~all~~ immediate adult family members;
11. An interview with at least two developed references (when possible);
12. A home visit to the candidate when reasonable; and
13. Attempted contact with all immediate neighbors.

14.2. Background investigations for sworn positions will only be conducted by sworn CCBI personnel who have completed an appropriate Background Investigations course. Background investigations for non-sworn positions may be conducted by any CCBI employee as appointed by the CCBI Hiring Coordinator; however, any employee assigned to a background investigation will have completed background investigation training.

14.3. Certified sealed transcripts must be provided by the applicant for the purpose of verifying educational credentials as required by the posted job qualifications. In cases where transcripts are unattainable due to circumstances outside of the control of the applicant, education may be verified through official correspondence between CCBI and the institution's Registrar's Office or equivalent. Verified education shall be keyed in the HR System (Advantage) by the CCBI HR Representative or the CCBI Hiring Coordinator when the education requirement is minimum qualifying factor.

14.4. A background investigation summary will be completed by the background investigator at the conclusion of the compilation of the above information and be provided to the CCBI Hiring Coordinator. The summary will include the background investigator's personal recommendation regarding employment of the applicant and justification for the recommendation. The CCBI Hiring Coordinator will provide the background investigation summary to the Director for consideration.

14.5. If approved, the CCBI Hiring Coordinator will provide the applicant a written conditional offer. If denied, the CCBI Hiring Coordinator will contact the applicant and inform them of the denial. If the denial is based upon information obtained from references or former supervisors, the CCBI Hiring Coordinator will have the discretion of indicating the reasons for the denial to the applicant. Denials based upon the falsification or the intentional omission of information will be communicated as such to the applicant. If the denial is based on information obtained subject to the Fair Credit Reporting Act (FCRA), the CCBI Hiring Coordinator will contact Wake County Human Resources and follow established Wake County policies for notification.

14.7. Reasons for the denial of an applicant for employment during the background or after a conditional offer is made will be maintained in written form and maintained as part of the applicant's selection process materials.

**15. Conditional Offer**

15.1. Upon the Director's approval of selected candidates, the CCBI Hiring Coordinator will offer the applicant a conditional offer of employment in writing. The conditional offer of employment will inform the candidate that employment is based upon the successful completion of the following:

1. A favorable evaluation based upon the Psychological Examination if applicable to the position.
2. A favorable evaluation based upon a pre-employment polygraph examination if applicable to the position.
3. A successful medical evaluation based on standards required by the North Carolina Sheriffs’ Education and Training Standards Commission (Sworn positions only).
4. A successful completion of a drug test.

**16. Psychological Evaluation**

16.1. Psychological fitness for duty examinations will be completed on all applicants for positions in the Investigations and Crime Laboratory Divisions. The Director may require psychological testing of additional positions at his/her discretion.

16.2. A psychological screening examination will be conducted by a clinical psychologist or psychiatrist licensed to practice in North Carolina to determine the applicant's mental and emotional suitability to properly fulfill the responsibilities of the position. Such examination will be conducted by an examiner chosen by CCBI.

**17. Truth Verification Testing**

17.1. Truth verification testing will be completed on all applicants pursuing positions in the Investigations and Crime Laboratory Divisions upon the acceptance of a conditional offer.

17.2. The truth verification operator will review areas from which relevant questions will be drawn with the applicant immediately prior to the testing. Truth verification examinations may only be administered by trained operators and, for those instruments utilized in which licensing is available and required by State law, the operator will possess a valid license for the type of testing administered.

17.3. Scoring results based on instrumentation of a truth verification examination will not be used as the single determinant in the selection process. Results of an examination should be corroborated by either pre-test or post-test interviews, or through background checks.

**18. Drug Test (See SOP Chapter 8, Section 22: CCBI Drug Testing Policy)**

18.1. All CCBI job applicants shall be required to submit and successfully pass a pre-employment drug test as a condition of employment. Pre-employment drug screening will be conducting in accordance with accordance with Article 20 of N.C.G.S. § 95.

18.2. Applicants refusing to submit to a pre-employment drug test or failing a pre-employment drug test shall be disqualified from further consideration.

**19. Medical Examination (Sworn Candidates Only)**

19.1. A medical examination will be completed in accordance with the requirements set forth by the North Carolina Sheriffs’ Education and Training Standards Commission and documented on forms as required by the same. The medical provider conducting the examination will be chosen by CCBI.

**20. Background Summary and Formal Offer of Employment**

20.1. At the conclusion of the conditional offer testing, the applicant will be provided and required to sign a formal offer letter. A copy of the signed offer letter and a copy of the completed background investigation summary will be forwarded to Wake County Human Resources.

20.2. If the applicant is denied employment based upon the testing required by the conditional offer, the applicant will be provided any legal remedy to challenge the testing based upon the type of test conducted, or in the absence of a legal remedy will be notified of the reason and removed from consideration.

**21. Notification of Human Resources**

21.1. Prior to the appointment of an applicant to a full-time position, the Director or his/her designee must make a written recommendation to Human Resources in accordance with [Wake County Human Resources Policy,](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) by completing the following:

* Update the selected applicant’s status in the EWAKE TALENT System.
* Update the applicant status of all applicants referred for consideration.

**22. Applicant Notification**

22.1. Upon the appointment of an applicant to a position, the CCBI Hiring Coordinator will update eWake Talent as to the status of all applicants. Electronic notification is made through the eWake Talent system to all candidates.

**23. Storage of Selection Materials**

23.1. All selection materials will be stored securely when not being used. Only individuals specifically assigned to the selection process may view such materials. Selection materials will not be left unattended. Upon the completion of the selection process, all selection materials will be transferred to the Director's Office.

**24. Records of Applicants**

24.1. Background information collected on an applicant who subsequently becomes employed with CCBI should be transferred to the employee's personnel file.

24.2. All records and documentation related to applicants not selected for employment will be retained for a minimum of 5 years. ([North Carolina Records Retention and Disposition Schedule](https://archives.ncdcr.gov/documents/county-sheriffs-office-schedule) requires 2 years of retention while CCBI's credit vendor requires a 5 year retention for any credit report accessed.)

24.3. The eWake Talent System and associated records are maintained by Wake County Human Resources in accordance with Wake County Human Resources procedures and applicable North Carolina General Statutes.

**25. Probationary Period**

25.1. "All appointments leading to a regular status in full-time or part-time permanent positions shall be subject to successful completion of a one-year probationary period." (See [Wake County Human Resources Manual)](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents)

**26. False Application**

26.1. Any applicant who is found to have made any material false statement, either oral or written, during his or her application for employment SHALL NOT BE FURTHER CONSIDERED FOR EMPLOYMENT WITH CCBI.

**27. Unlawful Employment Discrimination**

27.1. A regular, temporary, probationary employee or applicant for employment may file a grievance for any management action that has occurred, in which the employee alleges as the basis of unlawful employment discrimination. (See [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents), Sexual Harassment and Unlawful Discrimination Policy, for the specifics of discrimination.)

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| September 24, 2014 | 3 | Director approves tours |
| October 14, 2015 | 4 | Added truth verification testing |
| November 14, 2016 | 5 | Changed "most qualified" to "best suited" in 1. & 2. Modified recruitment plan. New tour/presentation requirements 3.2.4.-3.2.7. Modified annual recruitment plan analysis requirements. Modified remaining chapter to comply with new County procedures. |
| January 9. 2019 | 6 | Updated for consistency with County policy |

# CHAPTER 7: Internship Program

## 1. Purpose:

To establish departmental procedures for the application process, selection process, guidance, and assignment of work for CCBI interns.

## 2. Policy:

2.1. In order to enhance the quality of those entering the law enforcement profession and to assist in CCBI recruitment efforts, CCBI will actively participate in an internship program for college students who are planning careers in the forensic or criminal justice field.

2.2. CCBI's internship program will be made available to students participating in a bachelor’s or master’s degree academic program established by a university or college. All fields of academic discipline that are applicable to the work done at CCBI will be considered. To be eligible for the internship program, a student must be enrolled in an accredited school at the time of the internship. Internship applicants requiring the internship as a requirement of graduation will be given priority for consideration during the selection process.

**\*\*CCBI is an Equal Opportunity Employer\*\***

## 3. Application

3.1. Students will submit an application to CCBI for admission to the internship program.

3.1.1. Applications will be available on-line on the CCBI website and may be requested verbally or in writing.

3.1.2. The internship policy and requirements as well as details of the selection process will be maintained on the CCBI website.

3.1.3. Deadline for applications will be May 15th for the Fall Semester, September 15th for the Spring Semester, and February 15 for the Summer Session.

3.1.4. Applications will be returned to the CCBI Internship Coordinator.

3.2. The internship program selection process will be conducted as follows:

3.2.1. The CCBI Internship Coordinator will review all submitted applications. The applicants will be evaluated on their availability to work, their field of study, if internship is a requirement of graduation, and the projected graduation date.

3.2.3. A preliminary background investigation to include criminal record checks, driving record checks, and a review of information on any social media sites hosted, used, or frequented by the applicant.

3.2.4. Applicants will be screened and selected applicants will be notified of an interview date and time. Applicants not selected will be notified. A panel interview will be conducted. (As several members will participate in the interview process, flexibility of interview dates and times will be extremely limited, if at all possible.) Applicants must successfully complete a reading and language skills comprehension test and achieve a minimum passing score pre-determined by CCBI to continue to be eligible for consideration.

3.2.5. Interview results will be presented to the CCBI Internship Coordinator and the Director for review. The number of applicants to be selected will be determined at the discretion of the CCBI Internship Coordinator and based largely on the required number of hours of the top candidates. All applicants not selected will be notified.

3.2.6. Selected intern applicants will be subject to the completion of a successful background investigation. The background investigation will include:

* + 1. Contact with current or former employers;
    2. Contact with any listed references and any developed references;
    3. Contact with family members, friends, relatives, or acquaintances;
    4. Any other information determined to be necessary by the assigned background investigator, the CCBI Internship Coordinator, or the Director.

3.2.7. Background investigation summaries will be evaluated to the same extent as entry level CCBI employees for the purpose of successful completion. Applicants failing to comply with requests for background information as deemed necessary during the background investigation or providing such information in a timely manner will be excluded from further consideration for the program.

3.2.8. Applicants successfully completing the background investigation will be notified and provided a CCBI Internship Program Memorandum of Understanding to be signed by the applicant, an authorized CCBI representative, and an authorized school official.

3.2.9 Upon receipt of the CCBI Internship Program Memorandum of Understanding, a start date will be coordinated.

## 4. Requirements

4.1. All applicants must be 18 years of age prior to beginning the internship program.

4.2. A criminal history check and a driving history check will be done prior to acceptance into the internship program. Felony convictions are an automatic disqualifier from the program. All intern applicants successfully completing the background investigation will be required to submit and successfully pass a pre-employment drug screening prior to placement in the program.

4.3. All interns accepted into the program will be fingerprinted and those fingerprints will be submitted for a State and Federal criminal background check.

4.4. Interns will be required to work a minimum of 120 hours to complete the program. The intern's school may require additional hours. The intern will complete a weekly time sheet and submit it to the CCBI Internship Coordinator.

4.5. Interns are required to work entire shifts as determined by the Division or Unit they are assigned to on a particular work day. Interns are required to work two (2) complete third shifts (7 p.m. – 7 a.m.) with the Criminal Identification Unit during their internship.

4.6. Interns represent CCBI during the internship and must abide by the policy and procedures and rules of conduct of CCBI to include on and off-duty conduct. Interns will receive an orientation regarding CCBI policy and procedures upon beginning the internship. Violations of CCBI policy and procedures and rules of conduct are grounds for dismissal from the internship program. The faculty intern coordinator for the educational institution attended by the intern will be notified of any dismissal from the internship program.

4.7. With the exception to those listed in the CCBI Internship Program Memorandum of Understanding, interns are afforded no additional rights or protections and may be dismissed for any violation of CCBI policies or procedures or law. Interns dismissed are afforded no grievance or appeal processes for a dismissal.

4.8. Interns will not participate in any enforcement action or evidence analysis done by a CCBI employee. At no time will an intern become involved in the chain of custody of any evidence or allowed unsupervised access to areas were evidence is stored. Interns working at CCBI and assigned to Identification and Records Division functions may access CCBI records during the performance of their duties. Identification and Records Division personnel shall actively supervise any interns accessing CCBI records.

4.9. Interns are subject to the CCBI Dress Code and must maintain appropriate professional business attire. The following are examples of clothing not acceptable to wear:

* 1. Jeggings
  2. Shorts
  3. T-shirts
  4. Flip-flops/Sandals
  5. Halter-tops
  6. Jewelry such as nose rings, tongue studs, large hoop earrings etc.
  7. Eccentric hair colors or styles
  8. Facial/hand tattoos or tattoos that are offensive in nature are not permitted to be visible and must be covered at all times during internship assignments

4.10. Interns will be exposed to criminal justice information by virtue of their respective assignments. Interns are required to adhere to all CCBI policies and all applicable laws regarding the confidentiality of information they may be exposed to during the internship. Any intern violating CCBI confidentiality policies or procedures will be immediately dismissed from the internship program.

4.11. Interns will notify the CCBI Internship Coordinator of any expectations or requirements that his/her school has of the internship prior to accepting admission.

4.12. Interns participating in ride-alongs with the Investigations Division or riding within CCBI vehicles must have first completed a liability waiver.

## 5. Responsibilities

5.1. The CCBI Internship Coordinator will schedule all intern work assignments. Work will be scheduled in all three Divisions of CCBI to ensure exposure to a variety of CCBI's functions.

5.2. A CCBI employee will be assigned to oversee each intern assignment.

5.3. CCBI will not be responsible for the assignment of grades or academic credit given to an intern. The CCBI Internship Coordinator shall maintain the responsibility for completing any intern evaluations required by the educational institution.

5.4. The intern and his/her academic faculty sponsor will be responsible for meeting the education objectives of the internship.

5.5. The CCBI Internship Coordinator will notify the Director upon the successful completion of the internship by the intern. A certificate of completion will be issued to the intern upon the completion of the program.

## 6. Records

6.1. All applications and records on interns will be kept on file in the office of the CCBI Internship Coordinator.

6.2. These files will be maintained for three years.

6.3. A permanent log will be maintained listing the intern's name, educational institution that the intern represents, dates of internship, number of hours completed, and if given, a certificate of completion.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Removed participant limit. No further participation in Investigations Division. Modified application submission deadline dates. |
| March 13, 2017 | 4 | Interns allowed in Inv. Division. Must wear ballistic vest. |
| January 9, 2019 | 5 | Require drug and reading test, change application submission dates |
| Sept. 3, 2020 | 6 | Removed ballistic vest requirement in 4.12 |

# CHAPTER 8: Condition of Work, Compensation, and Benefits

**1. Purpose**

The purpose of this Directive is to establish policy and procedure for the condition of work, employee compensation, and benefits.

**2. Policy**

It will be the policy of CCBI to adhere to Wake County's policy for compensation, benefits, and conditions of work so that all employees receive fair compensation, equitable benefits, and a safe and secure work environment.

**3. Official Identification**

3.1. Wake County General Services Administration will issue all CCBI employees with a photo identification access swipe card, which will serve as the employee's official identification card. The Wake County photo identification access card will be displayed while the employee is in the CCBI facility. If this identification card is lost or stolen, the employee should immediately notify his/her Supervisor. Wake County charges a fee for replacement identification cards. Upon the termination of employment, all Wake County access cards will be turned over to the Executive Assistant.

3.2. Sworn CCBI employees will be issued and are required to carry a CCBI photo identification card indicating that they are a sworn law enforcement officer and must carry this identification while on-duty. Additionally, this identification shall be in the employee's possession anytime they are carrying a concealed firearm off duty in accordance with N.C.G.S. § 14-269 and H.B. 218, "The Law Enforcement Officers' Safety Act of 2004." The Director must approve any exception to this policy.

3.3. An employee who retires will be issued a CCBI photo identification card marked "Retired."

**4. Personal Information/Benefit Changes**

4.1. Whenever employees experience certain changes or events regarding their personal status, many existing records may be affected and need changing in order to represent the latest and most up-to-date information. Some of these changes/events may impact on CCBI personnel records only, while others will impact Personnel and Payroll records along with CCBI files.

4.2. It will be the responsibility of the employee to ensure that all changes are reported in a timely and accurate manner in accordance with Wake County policy. The employee’s Supervisor should be notified in writing no later than ten (10) workdays of any and all changes regarding personal contact or address information.

4.3. CCBI employees making any personal information or benefits changes should contact either the CCBI Executive Assistant or make an appointment with a staff member of the Benefits Division of the Personnel Department. Many forms needed for the appropriate changes are available through we.wakegov.com.

4.4. Employees utilizing the Wake County Personnel Department or on-line forms to make the necessary changes are responsible for ensuring that all changes are submitted to the CCBI Executive Assistant for filing.

4.5. Employees shall provide a current telephone number where they can be reached while off duty and an emergency contact to the Executive Assistant on their first day of employment. Employees are responsible for ensuring this information remains current and will update the Executive Assistant of any changes.

4.6. Emergency contact information will be considered as confidential and part of an employee's personnel file. This information should only be available to staff members authorized to personnel records or as directed in the event of an emergency. In accordance with N.C.G.S. § 153A-98, any information that may identify the residence of a sworn law enforcement staff member or emergency contact information will not be released to other employees and will be treated as personnel records.

## 5. Reporting for Duty

5.1. Employees shall be alert, fit, and ready for work during all scheduled duty hours. Employees shall be at their workstations, ready to begin work on time and shall not leave their workstation without Supervisory permission or pursuant to regularly scheduled meal or other breaks. Only the ranking Divisional Supervisor on duty may excuse any tardiness, in his/her discretion and for good cause shown.

5.2. An employee who will be unable to report to work as scheduled, who will be tardy, or who plans to leave early must contact his or her supervisor (or other contact, as designated by the department) as far in advance as possible. At the latest, notification should be made prior to the start of the employee’s workday or the early departure.

5.3. Any Supervisor having knowledge of or reasonable grounds to believe that any employee is not fit to perform his/her assigned duties for any reason, shall be required to report those circumstances to the Division Assistant Director immediately. Lack of fitness to perform duty within this requirement shall be deemed to include, but is not limited to, insufficient knowledge of assigned functions, mental, emotional or physical incapacity, physical impairment, criminal activity or other similar considerations.

5.4. Employees shall not read, play games, watch television or movies or otherwise engage in entertainment while on duty, except as may be required in the performance of their duties or as specifically authorized by the Division Assistant Director. No employee shall engage in any activity or personal business that would cause him/her to neglect or be inattentive to duty.

5.5. Employees, outside of the Investigations Division, are not authorized to work from home, for any period of time, without the prior approval from the Director, for each shift or day in which compensable time will be reported. For the purposes of this section, answering the phone is not considered work. Additionally, any time being compensated to an employee for phone calls, email, etc., beyond current shift schedules does not apply to this provision.

## 6. Work Week

6.1.In addition to those stated in CCBI written directives or policies*,* the Wake County Human Resources Administration Manual **7000 *Wake County FLSA and Payroll Policy*** shall dictate CCBI policies regarding Flex-Time, Travel Time, Lecture, Training and Meeting Time, and Work Breaks. CCBI will adhere to all FLSA regulations. (See the following link for general[FLSA information](http://www.dol.gov/WHD/REGS/COMPLIANCE/WHDFS22.HTM)**.)**

6.2. Unless otherwise specified by CCBI policy or the Director, CCBI public operations shall be open for business from the hours of 8:30 a.m. to 5:15 p.m., Monday through Friday.

6.3. Division Assistant Directors and/or their designees shall have the authority to establish and modify recurring unit or individual work schedules as necessary for the efficient operation of individual units, provided that such modifications are done in compliance with existing Wake County policy and FLSA. Designees of an Assistant Director being granted the authority to regularly modify daily work schedules must have received written pre-approval from the Director granting such authority, unless it is for the purpose of avoiding overtime.

6.4. Workweeks for all CCBI employees, except those sworn staff members assigned to FLSA Schedule G, will be a fixed and regular recurring period of 168 hours-seven consecutive 24-hour periods. The workweek for CCBI employees will begin at 12:00 a.m. Sunday and continue through 11:59 p.m. Saturday covering a 7-day cycle for employees not assigned to FLSA Schedule G, and a 28-day cycle for those who are.

6.5. All employee work schedules will be posted electronically and accessible to all staff. Any staff deviations from scheduled work hours must receive prior approval by the Division Assistant Director or their designee.

6.6. Wake County requires employee time be reported in five (5) minute increments for payroll purposes.

6.7. Non-exempt employees are not authorized to work beyond the scheduled shift without prior approval for overtime. Employees whose duties cannot be completed by the end of the duty shift may not “voluntarily” stay beyond the end of their shift without compensation. Supervisors may not allow employees to work without compensation.

6.8. Employees engaging in such “voluntary” work beyond their scheduled duty hours or Supervisors knowing or having reason to believe such work was occurring without stopping the work may be subject to disciplinary action.

6.9. Compensation Beyond Normal Scheduled Duty

6.9.1. Non-exempt employees responding to court, training, or other official compensable functions within Wake County shall begin duty at which time they physically arrive at the required location, at the scheduled start time, or when the employee is required to begin acting in an official capacity. The duty time ends when the function requiring the employee’s presence is concluded. Employees traveling outside of Wake County for the purpose of attending any training or any official function will be compensated for all travel time to or from the required location.

6.9.2. CCBI non-exempt employees attending training offered inside of Wake County on a regularly scheduled workday shall be paid for the length of time spent in the training. If the total training hours for the day do not meet the number of regularly scheduled work hours, then the employee shall return to work to complete the scheduled work hours unless previously approved by a Supervisor.

6.9.3. CCBI non-exempt employees attending training inside of Wake County not on a regularly scheduled workday shall only receive compensation for the amount of time spent in the training.

6.10. Off-Duty Contact and Communication Compensation

6.10.1. Several positions and functions at CCBI require reachability and regular communication for the purpose of the efficient operation of agency functions, the administration of justice, and the enforcement of criminal laws in Wake County. Positions expected to be needed for this purpose are issued County cellular phones. Those issued cellular phones will maintain reachability in accordance with established phone policies; and are expected to monitor emails, send and/or receive texts related to work functions as needed, and/or respond to inquiries from supervisors or subordinates outside of regularly scheduled work hours.

6.10.2. The ability for managers to monitor and track each possible communication for compensation purposes is much too difficult. As such, CCBI has determined to compensate staff members in certain positions the following amounts for the purpose of compensating for these functions and expectations:

6.10.2.1. Investigation Division Crime Scene Supervisors shall receive 2 hours of compensation each month.

6.10.2.2. All other “non-exempt” CCBI employees who are issued a County cell phone will receive 1 hour of compensation each month.

6.10.3. Compensation will be afforded by authorizing the employee to work less the amount of compensatory time each affected pay period. The employee's immediate supervisor will be responsible for the management and application of this time within the pay periods.

6.10.4. It is the responsibility of any employee engaging in communication in excess of the allotted compensable time to report that information to their supervisor and reflect that accurately on all time submission documents during the pay period in which it occurred.

## 7. Overtime

7.1. CCBI Supervisors may adjust an employee's work schedule during a FLSA pay period to avoid overtime. Overtime hours may not be carried over the end of a FLSA pay period for compensatory time. Wake County does not recognize or authorize compensatory time beyond FLSA scheduled “work weeks”.

7.2.Any non-exempt employee that works beyond the regularly scheduled shift and intends on seeking compensatory time for those hours instead of overtime must notify their Supervisor at the first available opportunity. The resulting compensatory schedule modification must be approved by a Supervisor prior to any absence by the employee from a regularly scheduled shift.

7.3. Non-exempt CCBI employees are entitled to overtime pay in accordance to procedures outlined in the Wake County Human Resources Manual Section 7000 and with the Fair Labor Standards Act. It will be CCBI's policy to avoid overtime work whenever possible. A CCBI employee must obtain prior approval from his/her immediate Supervisor and Assistant Director before they are authorized to work overtime.Employees failing to obtain the required approval for overtime as dictated in policy may be subject to disciplinary action.

7.4. All CCBI non-exempt employees will be afforded overtime for any time physically worked in excess of 40 hours during each workweek in accordance with FLSA, with the exception of those sworn employees working under a Schedule G FLSA pay period.

7.5. Employees working in excess of two and a half (2.5) minutes prior to the beginning or beyond the end any scheduled shift will be afforded overtime or compensatory time for five (5) minutes during the same FLSA pay period in which the time was worked. Supervisors are required to adjust out the accrued time during that FLSA pay period. Supervisors must ensure adequate staff coverage when determining the adjustment of time.

7.6. Employees regularly accruing time in excess of the scheduled shift time and beyond the two and a half (2.5) minute requirement are subject to disciplinary action. Supervisors failing to ensure the employee adjusts out such time during the pay period are subject to disciplinary action.

7.7. When the additional accrued time is earned at the end of a pay period or during which no further shifts are scheduled during the pay period, the employee must document the time in accordance with approved time reporting methods. The Supervisor must forward an overtime request to the Division Assistant Director. Employees failing to provide written notification are subject to disciplinary action.

## 8. Meal periods/Breaks

8.1. Neither FLSA nor any North Carolina State laws or regulations require employees be provided a meal period. Unless indicated elsewhere in this policy, the establishing and/or management of meal periods will be done at the discretion of each Division Assistant Director.

8.2. A meal period for the purpose of this section is defined as a period of non-compensable time during the workday in which an employee must be completely free from any active or inactive work responsibilities for the allotted duration of the break. Non-exempt employees may not engage in a meal period in their assigned office, at their desk, or in any location whereby the employee may engage in work related activities by nature of their location. Employees violating this policy are subject to disciplinary action.

8.3. Investigations Division staff members are not afforded meal periods. Such employees may eat while on duty, however, are required to adjust such activity around work volume and availability to minimize the impact on the delivery of CCBI services.

8.4. Criminal Identification Unit staff are required to adhere to a mandatory thirty (30) minute meal period, at a minimum, for any period of work lasting five and one half hours or more.

8.5. Civil Identification Unit staff members, working with the public, are required to adhere to a mandatory forty-five (45) minute meal period during any shift of eight (8) or more hours in length.

8.6. For units requiring a meal period, the employee’s Supervisor or acting Supervisor shall maintain full responsibility for ensuring each employee working during a shift is provided and takes a meal period consistent with the time allotted to them.

8.7. For units requiring a meal period, the Supervisor or acting Supervisor shall have the discretion to determine and schedule employee meal periods. Ensuring appropriate staff coverage during staff meal periods is the responsibility of the on-duty Supervisor. Meal periods may not be used in conjunction with flexing time at the beginning or end of duty.

8.8. Extraordinary circumstances may arise dictating the need for Supervisors to call employees engaging in a meal period back to duty. Employees actively engaged in a meal period that are contacted and ordered to return to work by a Supervisor shall do so and will be compensated for the full duration of the meal break appropriately.

8.9. Employees desiring to take leave during a shift whose leave total and/or work hours on that day will total the scheduled work hours for the day are not required to take a meal break.

8.10. Two fifteen (15) minute work breaks are permitted daily, except in unusual workload demands.  The work break is not an employee right, and the break may never be used as a valid reason for failure to perform required duties.  Break time may not be accumulated.  Break time may not be added to an employee's lunch hour nor used at the beginning or end of the workday.  Employees of units providing a service requiring their constant physical presence will ensure appropriate replacement coverage prior to engaging in an authorized work break. As provided under the Fair Labor Standards Act, break time of this duration (15 minutes) will be considered as time worked.  Employees who abuse work break privileges will be subject to disciplinary action.

## 9. Time Sheet Guidelines

Time sheets shall be prepared in accordance with the Fair Labor Standards Act, Wake County Policies, and the following policies:

9.1. The Director and the Wake County Personnel/Payroll Department shall determine appropriate pay schedules according to positions and applicable laws. All non-exempt CCBI employees are required to complete a time sheet covering each FLSA cycle in the pay period. Time sheets will be completed accurately. Exempt employees will complete and submit time sheets for any period of time for which leave was taken during an FLSA pay cycle.

9.2. In situations where an employee will be unable to complete a time sheet as required during a scheduled pay cycle for reasons beyond the employee’s control, the employee’s immediate Supervisor is responsible for ensuring all time worked is documented and submitted appropriately to the Wake County Personnel/Payroll Department. At no time will a Supervisor or any other employee enter any time or log onto any time recording system under the pretense of being or using another employee’s credentials.

9.3.Completed payroll time sheets will be submitted at a time designated at the discretion of the Director based upon the needs of the Wake County Personnel/Payroll Department.

9.4. Supervisors are responsible for reviewing submitted time sheets within the prescribed time frame as set forth by the Wake County Personnel/Payroll Department. Any Supervisor who rejects an employee’s submitted time sheet will maintain the responsibility for notifying the employee of the rejection and the reason for such a rejection. This notification shall be made without undue delay in order that employees have adequate time for corrections to ensure timely receipt of compensation.

9.5. When extra time worked occurs, it is the responsibility of the employee’s Supervisor to schedule the employee equal time off within the same FLSA work cycle as scheduling permits unless overtime has been approved.

9.6. Time sheets will be completed in accordance with [Wake County Personnel/Payroll policies](http://www.wakeemployees.com/finance/FinanceManual/index.html?travel_policy_introduction.htm).

**10. Salary Program**

10.1. The Wake County Board of Commissioners is charged with establishing and maintaining a compensation plan for all Wake County employees to which CCBI will adhere. This plan is closely related to the classification plan. Each position at CCBI is placed into a classification and assigned to a particular pay band. Each pay band will have a minimum, midpoint, and maximum rate of pay.

10.2. Entry level salary, salary differences within the ranks, and salary differences between the ranks are all governed by the compensation plan.

10.3. The Director of CCBI may consider salary increases above entry level for applicants or employees with special skills, training, education, experience or any other factor as deemed appropriate in accordance with Wake County Human Resources guidelines.

10.4. The Director may allocate temporary salary increases at his/her discretion related to the assignment of additional duties to a particular staff member(s) outside of the normal scope of their assigned duties. In such instances, the increase will only be effective for the period of time in which the assigned duties are occurring and shall cease upon the termination of such duties or the inability for the assigned staff member(s) to continue performing the assigned duties. The amount of compensation allocated is specifically at the discretion of the Director and may fluctuate at his/her discretion based upon available funding and the needs of the Agency. All temporary salary increases will be authorized in accordance with County procedures.

**11. Benefits**

**11.1. Personnel Programs**

11.1.1. Retirement: The retirement program for CCBI employees shall be available through Wake County Finance as set out through the Local Government Employees Retirement System (LGERS) of the State of North Carolina. Additional information may be found using the following link: [Retirement Programs](https://www.nctreasurer.com/retirement-and-savings/Managing-My-Retirement/Pages/default.aspx).

11.1.2. CCBI's health insurance program is administered by Wake County Human Resources.

11.1.3. CCBI's disability and death benefits program is administered by Wake County Human Resources.

11.1.4. CCBI employees are covered under the general liability self-insured program administered by Wake County Government. Additional information may be obtained by contacting Wake County Risk Management.

11.1.5. Tuition Reimbursement

11.1.5.1. CCBI employees may seek financial assistance for higher education through the Wake County Tuition Reimbursement Program as outlined in Section 2600 of the [Wake County Human Resources Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents).

11.1.5.2. CCBI employees should notify the Director at least thirty (30) days prior to the first day of any class for which they are seeking a tuition reimbursement claim. Reimbursement claims will only be granted for classes fulfilling a requirement as part of an accredited degree program for which the staff member is enrolled and the program is relevant to the employee's CURRENT job duties at CCBI.

11.1.5.3. Supervisors are authorized to make schedule adjustments to accommodate employees' attendance in classes approved for tuition reimbursement only to the extent that such changes do not impact the efficient delivery of CCBI services. Additionally, such schedule changes shall be done in accordance with Wake County policy and employees adjusting schedule hours during a work week must complete the regular number of hours scheduled during the work week or use an appropriate time classification to meet the required hours (Unused holiday must be used first and then annual leave or leave without pay as appropriate).

**11.2. Light Duty**

11.2.1. The purpose of the light duty policy is to establish guidelines and conditions for the reassignment of CCBI personnel who are temporarily unable to perform their regularly assigned duties because of injury, medical condition, or illness.

11.2.2. It shall be the policy of CCBI to allow personnel to perform less physically demanding tasks within the agency when, for temporary health reasons, they may not be able to perform the duties of their position.

**Procedures:**

11.2.3. Any CCBI employee may request a temporary light duty assignment when they suffer from a temporary, certified injury, illness, or medical condition and are unable to perform their regular assignments.

11.2.4. Requests for a temporary light duty assignment must be made in writing to the Director. The request shall include a description of the injury, illness, or medical condition, whether it occurred on duty or off duty, and any essential functions of the current job the employee is unable to do.

11.2.5. The employee will provide a medical statement that he/she is unable to perform regularly assigned duties with the doctor’s estimation of the time period that such a condition is expected to exist. The doctor must indicate any limitations or physical activity.

11.2.6. The Director may grant authorization for any requests for temporary light duty assignments. The Director, when deciding light duty assignment requests, shall consider the following:

1. The effective and efficient operation of CCBI will not be adversely affected as a result of this assignment.
2. An assignment exists within the department that the member is capable of performing and the work is both meaningful and productive to the employee and the agency.

11.2.7. Temporary light duty assignments are limited to (90) ninety days unless the condition for which the light duty was granted was reasonably known at the time of request to require an extension beyond the (90) ninety day time period (i.e., pregnancy.) Prior to the ninety-day period ending, the employee must re-apply for an extension of the light duty assignment.

11.2.8. During a temporary light duty assignment in which the injury, illness, or medical condition prevents an employee from carrying or using a duty firearm, wearing a uniform, and/or fully carrying out the normal duties of their position, then that employee is prohibited from operating a marked CCBI vehicle.

11.2.9. All sworn employees must complete the North Carolina Sheriffs’ Education and Training Standards Commission requirements for annual training by December 1st of the calendar year. If the training has not been completed due to a temporary, certified injury, illness, or medical condition, the CCBI Training Coordinator will notify the Sheriffs’ Training and Standards Commission and have the employee placed in a non-gun carrying status. The employee must satisfy all training requirements and the CCBI Training Coordinator must notify the Sheriffs’ Education and Training Standards Commission before returning to full duty status or otherwise authorized to carry a firearm.

11.2.10. The Director will determine the schedule of the light duty assignments to include the date, time, and location of that assignment. All employees assigned to temporary light duty will report to the Assistant Director as designated by the Director. The Assistant Director will make an alternate duty assignment based upon the overall availability of assignments, the availability of an appropriate assignment given the employee’s knowledge, skills, and abilities, and the physical limitations imposed on the employee.

11.2.11. No specific position within CCBI will be established for use as temporary light duty. If the Director does not grant light duty, the employee is expected to use the appropriate leave as determined by the Wake County Human Resources Manual.

11.2.12. CCBI personnel assigned to light duty shall be required to attire themselves in a reasonable manner suitable to a business office in accordance with CCBI’s dress code policy. Crime Scene Investigators assigned to light duty will not wear a uniform.

11.2.13. Employees assigned to temporary light duty may attend approved training if the limitations of the injury, illness, or medical condition allow participation.

11.2.14. This policy and procedure in no way affects the privileges of employees under the provisions of the Family and Medical Leave Act, the Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law, and the Wake County Human Resources Policy Manual.

**11.3. Employee Assistance Program**

Wake County offers an Employee Assistance Program to its employees in accordance with the [Wake County Human Resources Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 2701.

11.3.1. The Employee Assistance Program is offered by Wake County as part of employee benefits. Details on the program and available services may be found at the following website; [EAP](https://wakecountync.sharepoint.com/sites/unilydocs/Policy%20Documents/HR/Policy%20Manual/2000%20%E2%80%93%20Benefits%20and%20Living%20Great%20%40%20Wake/Policies/Other%20Benefits%20Policy.pdf).

11.3.2. Procedures for obtaining program services may be found at the above listed website.

11.3.3. Participation in the Employee Assistance Program is confidential and will be done in accordance with Wake County Human Resources policy.

11.3.4. Referrals to services will be made in accordance with the Wake County policies and procedures.

11.3.5. The Employee Assistance Program is a tool available to employees or Supervisors to use in dealing with personal problems that may be causing performance problems at work. It is not designed to address lack of competence or ability. Supervisors may contact Wake County Human Resources for additional information.

**11.4. Fitness and Wellness Program**

Wake County offers a wellness program to all employees. CCBI will encourage physical fitness and healthy lifestyles. All CCBI employees are encouraged to participate in the [WakeWise Wellness Program](https://teams.wakegov.com/sites/livinggreat/pages/default.aspx).

11.4.1. Participation in the Wake County Wellness Program is voluntary.

11.4.2. The wellness program will be coordinated by Wake County Human Resources and shall be overseen by an authorized medical provider with appropriate training.

11.4.3. An individual health screening and fitness assessment is available on-line at the location above.

11.4.4. Individual education and resources are available to all employees on-line.

11.4.5. The on-line program is designed to provide employees with ongoing support. Each employee is encouraged to use the resources available to routinely evaluate their health and fitness level.

**11.5. Leave Requests**

11.5.1. Staff seeking time off will do so in as far as advance as possible. Division Assistant Directors shall be responsible for determining how leave requests will be submitted and who within their Division may authorize leave requests. All requests and subsequent approval/denial must be documented. Staff granting time off will be accountable for ensuring adequate shift/staff coverage prior to approving any leave requests.

11.5.2. Leave requests and acknowledgment documentation will be forwarded to the Executive Assistant to be maintained for a period of one (1) year in accordance with the NC Records Retention and Disposition Schedule. If audits or litigation involving the leave records are pending or reasonably anticipated, the leave records will be transferred to the employee's permanent personnel file.

**11.6. Resignation and Transfer Requests**

11.6.1. Employees shall submit his or her resignation in writing and signed to the Office of the Director. Copies of the resignation letter should be provided to the immediate supervisor and Division Assistant Director. A resignation letter must identify the requested effective date of resignation. Generally, a resignation will be considered effective on the date of submission or, at the discretion of the Director, on the date and time stated in the resignation letter.

11.6.2. All issued vehicles, weapons, uniforms, and equipment shall be turned in to the employee's Supervisor on or before the employee’s last working day. All serviceable uniforms shall be dry-cleaned and pressed prior to being returned.

11.6.3. Requests for change of duty assignment will be submitted in writing through the chain of command to the Director.

**12. Travel Policy and Procedures**

12.1. It is the policy of CCBI and Wake County to reimburse employees when traveling on authorized county business for all reasonable expenses incurred as a result of that travel. CCBI and Wake County will comply with all applicable Fair Labor Standards Act (FLSA) considerations and Internal Revenue Service (IRS) regulations as appropriate. Any exceptions to this policy must be approved by the County Manager.

12.2. All travel conducted by CCBI employees shall be done in accordance with [Budget & Finance Policies and Procedures](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8339/finance-table-of-contents) and the following:

12.2.1. When travel is involved, it will be the responsibility of the employee’s Supervisor to make all arrangements and/or accommodations in accordance with Wake County and CCBI policy.

12.2.2. It will be the responsibility of the employee to abide by the policies set forth and to complete the appropriate approval and reimbursement forms within the time frame established by policy and circumstance. It will be the responsibility of the employee to not abuse the travel policies.

12.2.3. CCBI employees are required to accurately and honestly report all travel activity. An employee submitting a falsified approval or reimbursement form shall be subject to disciplinary action and possible criminal prosecution.

12.2.4. All travel outside of Wake County must be approved by the employee’s immediate Supervisorfor active investigative functions related to Wake County casesor with Assistant Director approval for all other functions*.* All travel for which reimbursements shall be requested must be approved by the above individuals as well as the Director.

12.2.5. Emergency travel needs to be approved before travel takes place, if possible, on the day of travel or as soon as possible upon the completion of the trip.

12.3. Mileage reimbursement for any duty-related travel must be pre-approved by the Director. Employees requesting mileage reimbursement not having sought prior approval are subject to disciplinary action.

**13. Lactation Facilities**

13.1. In accordance with the Patient Protection and Affordable Care Act of 2010, employers are required to provide "reasonable break time for an employee to express breast milk for her nursing child for one (1) year after the child’s birth each time such employee has need to express the milk." The employer must also provide "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk."

13.2. The Wake County Sheriff's Office has allocated room S1338 for the purpose of nursing mothers. Access to this room is by key which may be acquired at Master Control and should be signed in and out for each use. (Master Control and S1338 are located on the first floor of the Detention Center in the shared space corridor near the Drug Laboratory and across the hall from the Sheriff's training and break rooms respectively.)

13.3. While on or about the CCBI premises, CCBI employees wishing to express breast milk in accordance with the protections afforded herein shall do so either in a location that is shielded from view and free from intrusion from coworkers and the public or in a room designated for that purpose by Wake County.

13.4. While on-duty but not on or about CCBI premises, CCBI employees wishing to express breast milk in accordance with the protections afforded herein shall do so in a location that is shielded from view and free from observation or intrusion from coworkers and the public.

13.5. Wake County has designated the following locations for this purpose and employees may utilize these locations at their discretion:

BLDG ROOM

Wake County Detention Center S1338

Northern Regional Center 116A

Eastern Regional Center 112A

Southern Regional Center 169

Human Services Center Swinburne 4084

Human Services Center Millbrook 102E

Waverly F. Akins WC Office Building 334

Human Services Center Sunnybrook 194M

13.6. For additional information see: http://www.dol.gov/whd/regs/compliance/whdfs73.htm

**14. CCBI Drug/Alcohol Policy**

14.1. Purpose:

CCBI shares Wake County's commitment to maintaining an efficient and effective workplace and to providing a safe and productive work environment that is free from the effects of alcohol and illegal drugs for its employees. The critical mission of CCBI in the service of all Wake County law enforcement agencies establishes a compelling need to maintain a drug free work environment.

14.2. Policy:

Employees who engage in unauthorized use of drugs and controlled substances risk the integrity of Wake County criminal prosecutions, undermine the integrity of the agency, and increase the potential for corruption. As such, CCBI employees will adhere and be subject to the Wake County Alcohol and Drug Policy as outlined in the [Wake County Human Resources Administration Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents), Section 611.

In addition to Wake County Policy, CCBI hereby establishes a random drug testing policy by which all CCBI employees will be subject to random drug testing. Five percent of CCBI employees will be subject to random drug testing annually. CCBI's drug testing policy and procedures shall be done in accordance with the North Carolina Controlled Substance Examination Regulation Act: N.C.G.S. §§95-230 to 95-239 and 13 N.C. Admin. Code 20.0101 to 20.0602.

14.3. Definitions:

*Drug test*: The compulsory production and submission of urine or submission to a breathalyzer, in accordance with departmental procedures, to detect prohibited drug usage. While this policy provides for only the submission of urine for detection and analysis of controlled substances, it does not preclude the agency from using a blood or other test for the same purposes.

*Sensitive employment positions*: Employees working in positions having access to the Controlled Substance Vault, controlled substance storage areas, or having access to the unsupervised custody, receipt, or transfer of controlled substance evidence by virtue of the duties required by their position.

*Random selection*: A method of selection in which each and every employee has an equal chance to be selected for drug testing each and every time a selection is conducted.

*Controlled substance*: Any substance which is illegal to consume, possess, manufacture, or distribute or any drug or medication that requires the prescription of a licensed medical practitioner.

*Drug*: Any substance, including alcohol, which is restricted or prohibited by this policy.

Procedures:

14.4. Prohibited Activity

14.4.1. No employee shall illegally possess any controlled substance. No employee shall ingest any controlled substance unless prescribed by and taken in accordance with directions of a licensed medical practitioner.

14.4.2. Any employee who unintentionally ingests, or is made to ingest, a drug or controlled substance shall immediately report the incident to their supervisor so that appropriate medical steps may be taken to ensure their health and safety. (For opioid ingestion/overdose, see the Narcan policy in SOP Chapter 33: Employee Safety.)

14.4.3. Any employee having a reasonable basis to believe that another employee is illegally using or in possession of any controlled substance or drug shall immediately report the facts and circumstances to their supervisor.

14.4.4. No employee shall be under the influence of alcohol in a public place and act in such a disruptive manner as to sufficiently establish a preponderance of evidence that the employee actions are in violation of N.C.G.S. §14-444: Intoxicated and Disruptive in Public.

14.5. Pre-Employment Drug Testing

14.5.1. All applicants for employment with CCBI or interns must successfully complete a pre-employment drug screening by a provider chosen by CCBI prior to their appointment.

14.6. Random Selection Drug Testing – All Employees

14.6.1. Random Selection Drug Testing – CCBI will randomly select 5% of its employees to be subject to random drug testing annually. For the purposes of this testing, a calendar year shall be used for determining annual participation and all employees will be eligible for selection each calendar year.

14.6.2. At the beginning of each year, the Assistant Director of the Office of Professional Standards, using a random number generator, shall be responsible for identifying calendar days consistent with 5% of Agency employees. A unique sequential number shall be permanently assigned to each staff member. Using a random number generator and witnessed on each of the previously selected calendar days, a staff member number will be selected, and that staff member will be subject to a random drug test.

14.6.3. Staff members selected but not on-duty on the selected date, or when the selected date falls on a weekend, will be required to submit to the drug test on the next business day in which they are present. The staff member will not be notified of the selection until the day of testing.

14.6.4. The Assistant Director over the Office of Professional Standards will keep a record of assigned dates, selection numbers, and employees tested.

14.6.5. The selected dates will not be released to any employees prior to the selected date. Additionally, no employees shall be made aware of the selected employee prior to the date of the drug test assignment.

14.6.6. The manner of random drug testing completed will be solely at the discretion of the Director, however, will be consistent for all employees within a calendar year.

14.7. Reasonable Suspicion Drug Testing

14.7.1. Supervisory and command personnel may request the Director to order a drug test of any employee when there is reasonable suspicion to believe the employee is under the influence of a drug causing impairment in their ability to perform their duties or abuses a drug or controlled substance.

14.7.2. A summary of the facts supporting the request shall be forwarded to the Director and a summary of pertinent facts provided to the employee prior to conducting any test. The employee's agreement or disagreement with the presented facts shall have no bearing on the employee's obligation to complete the test as ordered.

14.7.3. Reasonable suspicion to request a drug test is based on the totality of circumstances that include but are not limited to: abnormal conduct or aberrant behavior; information provided by reliable and credible sources; and/or observed difficulty or unusual speech, concentration, movement, or the behavior characteristics symptomatic of controlled substance usage.

14.7.4. An employee under reasonable suspicion may be removed from duty pending the outcome of a drug test.

14.8. Drug Testing Methodology

14.8.1. The testing or processing phase shall consist of a two-step procedure: (1) initial screening test and (2) confirmation test.

14.8.2. All drug testing performed under this policy shall be performed by a professionally qualified laboratory that meets standards defined by Wake County policy, CCBI policy, local, state, or federal authorities and approved by this agency.

14.8.3. The submitted sample shall be tested first using the initial drug screening procedure. An initial positive test result will not be considered conclusive; rather, it will be classified as confirmation pending. Notification of test results to the employee shall be held until the confirmation test results are obtained.

14.8.4. A specimen testing positive will undergo a confirmatory test that shall be technologically different and more sensitive than the initial screening test.

14.8.5. Concentrations of a drug at or above the levels identified in the following link shall be considered a positive test result for the purposes of this drug screening: [Initial Drug Cutoff Levels](https://www.labcorp.com/wps/wcm/connect/24b476804b65af7fb49cb5dc8b9b0898/L1123-0216-5.pdf?MOD=AJPERES&CACHEID=24b476804b65af7fb49cb5dc8b9b0898&CACHEID=457e14004b2a17b4ba21bb1199be625c&CACHEID=457e14004b2a17b4ba21bb1199be625c).

14.8.6. All reports of positive confirmatory test results shall be submitted in writing to this agency from the laboratory.

14.8.7. Any employee receiving a confirmed positive drug test result will be removed from duty pending the outcome of an official administrative investigation.

14.8.8. The legal right of all personnel to maintain confidentiality in the results of their drug test shall be observed by all employees.

14.9. Drug Test Results

14.9.1. All records pertaining to department required drug tests shall remain confidential and shall not be provided to other employers or agencies without the written permission of the person whose records are sought.

14.9.2. Drug test results on applicants not selected for employment shall be kept with selection process results and disposed in accordance with established selection process record retention schedules.

14.9.3. Drug tests for selected applicants and employees shall be made part of their personnel file and maintained in accordance with established personnel file record retention schedules.

**15. Sexual Harassment**

It is the policy of CCBI that sexual harassment, in any form, will not be tolerated.  CCBI employees shall adhere to the Sexual Harassment Policy of Wake County as stated in the [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 1303.

**16. Line of Duty Death or Serious Injury**

**16.1. Purpose**

The purpose of this policy is to establish procedures to ensure the proper support and emotional care for an employee's family, to include spouses, children, parents, and siblings following a line of duty death or critical injury.

**16.2. Policy**

16.2.1. CCBI will assume responsibility for notifying the next-of-kin in the event that an employee dies or experiences a life-threatening injury while on duty, and will subsequently provide as much assistance as possible to immediate family members. Notifications will be made in a timely, personal, and compassionate manner.

1. When life-threatening injury or death of an employee is first reported, the employee's Supervisor, the employee's Assistant Director, and the Director will be notified as soon as possible.
2. The Director or his/her designee will make next-of-kin notification in person and in a timely manner. If the primary survivor(s) cannot be contacted due to distance, the Director shall request personal notification by another law enforcement agency.
3. Prior to notification, the Director or his/her designee will:
   1. Confirm the identity of the deceased or injured employee;
   2. Gather details about the circumstances surrounding the death or injury;
   3. Determine any health considerations on the person(s) to be notified; and
   4. Determine which personnel will take part in the notification.
4. After notification is made, the Director or his/her designee will designate an employee of CCBI to serve as a liaison with the family, CCBI and Wake County Human Resources. The family will be provided the name and contact information for the liaison employee.
5. The objectives of the liaison employee are to assist the family, maintain long-term contact with the family, and brief the Director of the family needs. The duties of the liaison employee may include:
6. Offer support and assistance to the family;
7. Assist in making calls to relatives, friends, and clergy;
8. Assistance with funeral arrangements if desired;
9. Assistance with employee benefits issues; and/or
10. Supporting the family during any subsequent criminal proceedings.

**17. Military Deployment**

17.1. The Raleigh/Wake City-County Bureau of Identification recognizes and supports members of the armed forces Reserve Component. Activation of reservists and members of the National Guard present unique circumstances that are best addressed through active communication between the effected employee and the Agency. For this reasons the employee and supervisors shall follow the guidelines below when an employee learns of a military activation exceeding 90 days for pre-deployment, deployment, and post deployment purposes:

17.1.1. When an employee learns of a military activation they will notify the Division Assistant Director the next duty day. The Division Assistant Director will notify the Director. The Division Assistant Director shall serve as the employee’s Agency point of contact during the duration of the deployment.

17.1.2. The Director or his/her designee will assist the employee in identifying a Wake County Human Resource point of contact or appropriate Agency point of contact for HR purposes as directed.

17.1.3. The Director and Assistant Director will meet five days prior to the employee’s last duty day. This meeting will be for the purpose of addressing any employee questions as well as determining an acceptable communication schedule for the duration of the employment. Employees deployed will be expected to contact their Assistant Director at least once a month during the deployment if possible and/or reasonable based upon the assignment.

17.1.4. All equipment issued to the employee will be turned in to the Identification and Records Division Assistant Director upon completion of the last duty shift with the Agency.

17.1.5. Employees returning from deployment shall contact the Division Assistant Director prior to returning to duty. A meeting will be scheduled, prior to returning to duty, with the Director, Assistant Director, and employee. This meeting is for the purpose of addressing questions or concerns of the employee, the re-issuance of equipment, and the need for remedial training.

**18. Critical Incident Stress Debriefing (CISD)**

18.1. Introduction

18.1.1. The psychological and emotional well-being of CCBI employees is a priority of the Agency. The nature of work performed at CCBI exposes many employees to a variety of traumatic, highly emotional, and tragic scenes involving the loss of life that has the potential to cause increased stress in employees. Such stress not properly addressed has the potential to affect employees' psychological, emotional, and/or physical well-being. The mission of the CISD program is to provide an immediate stress debriefing after major incidents or investigations involving significant emotionally or psychologically traumatic scenes in order to assist in the ability of staff to positively manage these stressors and to refer employees to additional resources as necessary.

18.1.2. The CISD is not an operational critique or evaluation. It is a stress debriefing designed to support employees who have experienced a distressing event.

18.2. Objectives

18.2.1. The CISD will be utilized to meet the following objectives:

* Provide a mechanism for ventilation of feelings before they can do harm.
* Provide reassurance that what participants are experiencing is normal and that they will probably recover.
* Forewarn those who have not yet been impacted that they MAY be impacted later and inform them of ways to deal with it.
* Reduce the fallacy of "uniqueness."
* Reduce the fallacy of "abnormality."
* Refer those requesting or requiring additional services.

18.3. CISD Coordinator Requirements

18.3.1. CISD Coordinators will be selected by the Director. Coordinators shall attend a CISD training program approved by the Director for this purpose.

18.3.2. CISD Coordinators must have personality traits consistent with being able to initiate and encourage positive employee interaction and communication. Persons selected as coordinators must also possess and regularly display encouragement, positivity, and non-judgmental character traits.

18.3.3. CISD Coordinators becoming aware of an employee whose behavior, actions, or statements reflect a threat to their own safety or the safety of others or who disclose a violation of law must report that immediately to the employee's chain of command.

18.4. CISD Participation

18.4.1. Participation in CISD for events listed below and any CISD initiated by a Supervisor as authorized in this section is MANDATORY.

18.4.2. Employees involved in any investigation or scene triggering a CISD who had contact at the scene with a decedent will be required to participate.

18.4.3. Participation in CISD for employees requesting such for incidents beyond those situations above is voluntary.

18.4.4. Participation for the purpose of this section is defined as the employee attending the CISD for the entirety of the event. Actively speaking or verbally interacting during the CISD is highly encouraged, but not required to satisfy the participation requirement.

18.4.5. Employees participating in a CISD will be compensated for all time spent involved in the debriefing.

18.4.6. Employees off-duty at the time of the scheduled debriefing will be required to return to participate in the debriefing.

18.4.7. Employees failing to participate in the CISD as mandated may be subject to disciplinary action for insubordination up to and including termination.

18.5. Rules for CISD

18.5.1. CISD Coordinators may not supervise or maintain a position in the chain of command for an employee participating in the CISD.

18.5.2. CISDs will be conducted as soon as possible, but within seventy-two (72) hours of the last staff member to clear the scene requiring the debriefing.

18.5.3. The Investigations Division Assistant Director or designee will be responsible for coordinating the CISD after a triggering event. Special consideration will be given to employee work schedules and debriefings may be scheduled at a time best suited to the continued efficient operations of the Agency.

18.5.4. Mandatory CISDs will be scheduled with the intent of including all involved staff members at the same time.

18.5.5. CISDs may occur on premises or off-premises. However, no CISD will occur at an employee's residence or in any manner other than in-person.

18.5.6. Only those CCBI employees present at the incident may attend mandatory CISDs (except in line of duty deaths or the suicide of a co-worker). No notes, cameras, recordings, or media will be allowed.

18.5.7. CISD will not occur at the incident scene.

18.5.8. CISD is not psychotherapy, an investigation, or critique.

18.5.9. **Confidentiality** - all information relayed or discussed at the debriefing is confidential and will not be discussed outside of the CISD in accordance with N.C.G.S. § 8-53.10 or under the exceptions outlined below. Information disclosed during the CISD will not be shared with supervisors or command staff unless disclosure is authorized by the employee, such information indicates a violation of the law, or information provided indicates an immediate threat to the safety of an employee or others. Under those situations, the CISD Coordinator is required to notify the employee's chain of command immediately. Violations of this section are subject to disciplinary action up to and including termination and/or legal remedies as provided by law.

18.6. Events Requiring a CISD

18.6.1. The following events require a mandatory CISD for all CCBI staff involved who responded to the scene and had contact with a decedent at the scene:

* Homicide scenes involving multiple victims or children less than fourteen (14) years of age.
* Homicides involving disembodiment or significant mutilation of a decedent's body.
* Catastrophic events, whether natural or caused by man, involving significant numbers of decedents whereby CCBI has a role in the identification, location, or collection of human remains (i.e., plane crashes, train crashes, bombs, natural disasters, etc.).
* Suicides scenes involving more than three (3) victims.

18.6.2. Supervisors or command staff may require a mandatory CISD for the following situations:

* Any crime scene involving a decedent whose death was unusually traumatic or whose body has been manipulated in such a manner as to likely cause emotional or psychological stress to employees investigating the scene (i.e., extreme degradation, sexually suggestive, extensive abusive injuries, etc.).
* A death investigation involving a law enforcement officer from a CCBI service agency.
* The death of a CCBI staff member.

18.6.3. Any employee may request a CISD from a CISD Coordinator or supervisory staff member at any time and/or are encouraged to discuss any stress concerns related to a work related incident to a CISD Coordinator. Such conversations, while voluntary, maintain the same confidentiality protections as a mandatory CISD. All employees involved in an incident for which a voluntary CISD is initiated will be invited to voluntarily attend.

**19. Chaplaincy Program**

19.1. Introduction

19.1.1. The mission of the Chaplaincy Program is to provide a voluntary ministry of guidance and counseling to all members of the Raleigh/Wake City-County Bureau of Identification upon request. Chaplains will perform such duties to help nurture the professional enhancement of a member's spiritual, personal, private, and professional life.

19.1.2. While this program has a religious or spiritual component, it is not intended to be an endorsement of any religious or faith-based organization. The Chaplaincy Program is nondenominational and is being provided by volunteer clergy without financial compensation.

19.1.3. The number of chaplains assigned to this program will be made at the discretion of the Director and may consist of members from religious faiths reflective of the diversity within the agency. The organizational responsibility for the Chaplaincy Program will rest with the Director, or his/her designee, who will oversee, facilitate, and implement this program.

19.2. Requirements

19.2.1. Volunteers applying to serve as departmental Chaplains must be licensed and/or ordained as a minister or clergyperson and will provide a letter from their church or denomination endorsing their request to serve. Additionally, Chaplain applicants must meet the following requirements:

* Must have a minimum of three (3) years of professional experience in the ministry field.
* Must demonstrate strong communication skills.
* Must be tactful, considerate, and mindful in approaching all people and show compassion and understanding regardless of race, creed, religion, disability, or sexual orientation.
* Must be willing to become involved in training programs that enhance the Chaplain's skills in dealing with people in crisis.
* Must be willing and available to respond to all situations where a Chaplain's presence is indicated.
* Must have never been convicted of a felony or offenses involving moral turpitude.
* Must possess a valid North Carolina operator's license and be able to provide personal transportation.
* Must satisfactorily complete a background investigation.

19.2.2. All official correspondence, counseling, visitations, or other chaplain activities will be strictly nondenominational in nature. Because of the diverse religious backgrounds of the employees of the Raleigh/Wake City-County Bureau of Identification, chaplains shall refrain from any appearance of proselytizing unless specifically initiated or requested by an employee.

19.2.3. The Director will be responsible for the selection of all chaplains and appointments will be made with special consideration to the Agency's needs, including, but not limited to, religious and ethnic diversity.

19.2.4. All appointments made to the Chaplaincy Program do not carry tenure, serve at the discretion of the Director, and may be revoked at the discretion of the Director.

19.2.5. Chaplains appointed will be required to attend new employee orientation as dictated by the CCBI Hiring Manager within a reasonable time frame after being appointed to that position.

19.2.6. Chaplains will be requested to devote a minimum of eight (8) hours every three (3) months in service to CCBI. These service hours should be completed through physical presence with CCBI staff members, which may include personal contacts, ride-along participations, and/or training.

19.2.7. Chaplains will assist at Agency events including banquets, retirements, training, or other functions where the presence of a Chaplain would be beneficial.

19.2.8. Chaplains shall not release any information to news, media, insurance companies, or any other non-involved individuals. All requests for information should be referred to the Director.

19.2.9. Chaplains shall not publicly criticize the actions of any employee, County employee or Official, or department policy or action. Any grievance voiced by a chaplain shall be discussed directly with the Director or his/her designee.

19.2.10. Appropriate use of ministry tools (i.e., The Bible, Sacraments, The Koran, etc.) is encouraged. Chaplains are specifically prohibited from proselytizing at Departmental facilities or during tours of duty; however, nothing shall prohibit Chaplains from engaging in acts of faith when such contact is initiated by staff members.

19.2.11. Chaplains will be provided an official signed photographic identification identifying them as a member of the Agency. While conducting business at CCBI or engaging in a ride-along, the Chaplain will possess such identification and present it upon request. The identification and any other issued items/equipment will be surrendered at the time of separation from the Agency. The loss of the identification or other issued items will be reported to the Director or his/her designee immediately.

19.2.12. Chaplains must abide by CCBI rules, regulations, and policies at all times.

19.3. Support Organizational Efforts in Counseling and Assistance

19.3.1. The Chaplaincy Program will offer support to members and their families in times of crisis and need and will offer assistance in dealing with situations of stress and tension, which can be destructive to personal life and family relationships. The Chaplain can and should offer assistance of other Wake County or CCBI supported services when appropriate (i.e., Employee Assistance Program, a Critical Incident Stress Debriefing, etc.) through personal member contact or by notifying the Director or his/her designee.

19.4. Personal Counseling Activities

19.4.1. The purpose of personal counseling is to help a person deal with personal issues in a constructive manner so as to productively lessen stress and tension. This service will include as its primary goals:

* To help the member cope with difficult circumstances emotionally;
* To assist the member in determining a personal plan of action directed to deal with these circumstances; and/or
* To work with the member towards a final resolution to overcome personal issues.

19.4.2. Personal counseling may involve both a member and/or their immediate family.

19.5. Religious Counseling

19.5.1. The Chaplain will assist in religious counsel, conversation, or other guidance as requested by the member. In conducting this type of support, the chaplain will:

* Engage in religious counsel, conversations of a spiritual nature or other interactions as requested, whichever the chaplain believes to be most beneficial and appropriate.
* Furnish literature, upon request, that deals with special needs and concerns of a member.
* Practice a ministry of "presence" in and about the Agency that may invite members to consider the services of the Chaplaincy Program.
* Refer the member to another Chaplain or religious leader of a different faith, as requested or needed by the member.
* Refer the member to other Wake County or CCBI "sponsored support services" as appropriate.

19.6. Ride-Along Procedures

19.6.1. One of the Chaplain's main responsibilities is to "ride" with Investigations Division staff members during the performance of their duties, thereby keeping the Chaplain familiar with the duties of the Investigations Division and providing a presence to these staff members. This function gives the Chaplain an opportunity to visit with individual members personally, initiate conversation beneficial to those staff members, and to develop a relationship of trust and confidence. Chaplains are strongly encouraged to utilize this process as the primary basis for their services.

19.6.2. Chaplains participating in a ride-along are subject to the following:

* Chaplains shall dress in business casual clothing consistent with CCBI Uniform Policies and shall not wear any attire reasonably associating them with a law enforcement function.
* Ride as a member of the Agency with the complete understanding that a Chaplain is not a police officer or crime scene investigator.
* At no time, interfere with the staff member's performance of official duty.
* Listen for areas of tension in the employee's personal life, in which the Chaplain might be able to offer assistance.
* Refrain from forcing their ministry services upon anyone, but rather let the member know that they are available if they can assist.
* Ride with different members at random, or upon request by the staff member, their Supervisor, or command staff. Usually, Chaplains should refrain from repeatedly riding with the same staff member unless necessary to carry out a duty of their services.
* Chaplains responding to crime scenes with staff members will be identified as such to any victims having a reasonable expectation of privacy over the premise. Chaplains will be subject to the same confidentiality requirements regarding Agency official business as CCBI staff members.
* Chaplains engaged in ride-alongs will be under the direction of the accompanying staff member and will not handle any evidence involved in any investigation.
* Chaplains are not authorized to carry a firearm, concealed or otherwise, while engaged in a ride-along.

19.7. Services to the Sick and Injured

19.7.1. Upon notification of a current member who is suffering a serious illness or injury, the Chaplain will make an attempt to contact and/or visit with the member and/or family to offer counseling and comfort on behalf of the Agency.

19.8. Hospital Services: Serious Injuries or Death Involving Member

19.8.1. In the event Agency members become seriously injured or killed, a Chaplain will upon request, respond to the hospital and serve as a liaison between the Agency and the hospital's chaplaincy staff; being careful not to adversely interfere with the mission of either organization. The main focus of the Chaplain during these activations will be to enhance the role of ministering to the member's family, friends, or other departmental members.

19.9. Death/Serious Injury Notifications

19.9.1. A Chaplain will be available, upon request, to assist in providing support and comfort to families of Agency staff members who have been seriously injured or killed in the line of duty. A Chaplain may be assigned to accompany the command staff member when making such a notification to offer condolences and support.

19.10. Chaplain Services

19.10.1. CCBI authorized Chaplain'(s) contact information will be made publicly available to all CCBI staff members.

19.10.2. Any CCBI employee may contact the Chaplain at any time for personal matters.

19.10.3. Chaplain services required as a result of pre-planned agency functions or operations will be made by CCBI command staff only.

19.10.4. Supervisors may recommend chaplain counseling services to employees; however, the participation in such activities is strictly voluntary and may not be documented in any manner.

19.11. Confidentiality

19.11.1. Communication between an Agency Chaplain and an employee is considered privileged by the Agency, except for those matters involving violations of law or that directly impact the safety of the employee or others.

19.12. Complaints Against and/or Termination of a Chaplain

19.12.1. Complaints about a Chaplain's behavior or performance will be forwarded to the Office of Professional Standards in accordance with normal CCBI complaint procedures. The Director will be notified as soon as reasonably possible.

19.12.2. Termination of a Chaplain may occur due to failure to abide by the established policies and procedures, the unsolicited proselytization of Agency employees, failure to honor an employee's authority or privacy, or failure to practice good professional ethics.

## 20. Decorations and personal property

20.1. No hallways, common spaces, exterior office doors, etc., are to be decorated in any fashion without prior approval from the Director. Personal work spaces in view of the public may not be decorated with any holiday decorum without the prior approval of the Division Assistant Director or Director. Personal work spaces visible to common areas and personal offices may be decorated with personal items to the extent that they are tactful, non-offensive in nature, and are limited in number or scope as to not detract from an aesthetically professional work environment. All CCBI Supervisors and Command Staff members maintain the responsibility and retain the discretion to request any staff member to remove any personal decorations that they feel may violate the intent of this policy.

20.2. No items designed to serve as visible decorations may be placed in any CCBI vehicle in any manner or place that would be visible from the exterior of the vehicle. Items used for legitimate purposes inside the vehicle such as air fresheners, steering wheel covers, etc., are acceptable to the extent that they adhere to the same restrictions as indicated above for a personal workspace.

20.3. Employees using personal decorations in authorized personal workspaces should ensure adherence to the Corporate Facilities Plan, Attachment C: Space Allocation and Standard of Care Agreement as follows:

* *Curtains, draperies, shutters, shades, screens, or other coverings, hangings, or decorations are not to be attached to, hung, or placed in, or used in connection with any window of the building without the prior written consent of* ***GSA****. However, this does not include items incidental to operation.*
* *In order to ensure proper use and care of the premises, neither the* ***Occupant*** *nor any employee of the* ***Occupant*** *is to be in violation of the following: Hanging, tampering, or affixing any item or device from the ceiling tile or grid.*

## 21. On-Call Availability

21.1. The nature of identification services provided by the CCBI Latent Examination Unit, on occasion, necessitates the presence of staff members outside of normal business hours. The following procedures are intended to create an on-call system, consistent with Wake County Human Resources Policy **7401 *On-Call Time*,** to ensure availability of latent print services after normal business hours.

21.2. On-call shifts will be designated as a 48-hour period beginning each Friday at 12:00 am and ending at 12:00 am Sunday as well as the 24-hour period on each County recognized holiday. Two (2) staff members capable of performing identifications and verifications will be on call during each 48-hour on-call period and County designated holidays. One (1) member will be designated as responsible for performing identification services (Identifier) and the second for performing verification services (Verifier).

21.3. The schedule of latent staff members assigned as on-call will be posted in such a location and manner as to be easily accessible to Investigations Division staff.

21.4. On-call shifts will be rotated equally throughout all Latent Examination Unit staff members who have been deemed proficient and competent to perform identifications and verifications. The Forensic Manager, or his/her designee, is responsible for the assignment of staff to on-call periods and for the maintenance of the on-call schedule. Forensic supervisors will be included in on-call rotations.

21.5. If employees assigned an on-call period become unable to perform the entirety of the on-call period for unexpected reasons, they will notify the Forensic Manager or his/her designee. The Forensic Manager or his/her designee will be responsible for coordinating a staff member to serve the remainder of the on-call period.

21.6. The highest ranking on-duty acting Investigations Division Supervisor maintains authority for contacting the on-call staff members when needed. On-call staff members shall remain reachable at all times during their on-call period.

21.7. Upon identifying the need for the on-call Identifier to respond, the Investigations Division requestor will contact the Identifier and request them to respond. It is the intent of this policy to urge the on-call Identifier to respond as expeditiously as legally and reasonably possible; however, the Identifier is required to be on-duty within three (3) hours of being requested to respond. Staff members failing to respond within three (3) hours will be subject to disciplinary action. The responding latent staff member will notify their Supervisor and Forensic Manager of the “on-call response” via email upon arrival to CCBI.

21.8. In the event that the Identifier becomes aware of a probable pending identification, they will then contact the on-call Verifier and request them to respond. The Verifier will not respond until the Identifier has determined that identification will likely be made and they have specifically been requested to respond for the purpose of verification. It is the intent of this policy to urge the on-call Verifier to respond as expeditiously as legally and reasonably possible; however, the Verifier is required to be on-duty within three (3) hours of being requested to respond. Staff members failing to respond within three (3) hours will be subject to disciplinary action. The Identifier and Verifier will not both respond to call outs at the same time without the approval of an Assistant Director.

21.9. On call staff members are required to limit the scope of their personal activities while on call to the extent necessary to respond for duty in a fit status and in adherence with CCBI policies within three (3) hours from the time requested. Employees failing to meet this obligation will be evidenced by a response longer than three (3) hours or arriving unfit for duty and will be subject to disciplinary action.

21.10. CCBI considers this on-call time as consistent with Wake County’s “Non-restricted On-Call” and as such will compensate employees consistent with Wake County procedures. CCBI does not require employees on-call to be restricted to the vicinity of Wake County as long as they maintain 3-hour response availability.

21.11. Employees will record on-call time in accordance with Wake County procedures.

21.12. Many of CCBI’s forensic services have the potential to create and/or identify leads in active criminal investigations or may require staffing beyond normal levels in emergency situations. As such, many CCBI staff members have been issued cellular telephones. CCBI policy requirements regarding telephonic reachability and required telephonic response times do not constitute a “Non-Restricted On-Call” status for the purposes of this section or for the purpose of receiving on-call compensation.

21.13. The only CCBI employees recognized as being in an on-call capacity for the purposes of compensation as identified in Wake County Human Resources Manual Section ***7401 On-call Time*** are Latent Print Unit staff members engaging in the functions identified within this section.

## 22. Personnel Records/Background Investigation Checks

22.1. Wake County Human Resources and CCBI jointly maintain responsibility for the maintenance of employee personnel files. Wake County maintains and regulates their personnel files in accordance with **Human Resources Administration Manual Section 1000** - *Employee Records and Reports*. For the purposes of this policy, personnel records and files shall refer to those records maintained by CCBI, which are subject to the provisions of this policy. CCBI will maintain personnel records and establish access policies in accordance with N.C.G.S. §153A-98 and §132-1.10.

22.2. CCBI personnel files shall include any records related to employment, but more specifically will include the following:

|  |  |
| --- | --- |
| * Employment Records | * Disability/Workers Compensation Claims |
| * FMLA Records |
| * Position Classifications and Descriptions | * Medical Records |
| * Application/Interview/Screening Records | * Promotion Process Records |
| * Background Investigation Records | * Training Records (Upon Separation) |
| * Compensation/Leave Records | * Internal Affairs Dispositions |
| * Benefits Records | * Disciplinary Actions |
| * Personnel Actions | * Service Awards/Commendations |
| * Performance Reviews | * Secondary Employment Records |
| * Grievances | * Retirement Records |

22.3. Personnel files for current employees will be maintained in the records room designated as C2371B, which is immediately connected to the Executive Assistant's office. Personnel files of employees who are no longer employed with CCBI may be stored in other secure locations at the direction of the Director. Physical access to personnel files will be restricted to the Director, Executive Assistant, the Office of Professional Standards, and Assistant Directors.

22.4. The Director, the Executive Assistant, and the Office of Professional Standards shall have unrestricted access to all current and former employee personnel records. Assistant Directors shall be authorized to access all current employee personnel files for staff of lesser rank and all former employee personnel records. CCBI Supervisors may request access to personnel files of current or former subordinate employees within, or who have been, within their immediate chain of command.

22.5. Any records to be included in or removed from employee personnel files will only be done by the Director, the Executive Assistant, or the Office of Professional Standards.

22.6. All records contained within a personnel record relating to position selection, interview process/scores, employment background investigation documents, and medical examination results for tests ordered and paid for by CCBI for the purposes of employment or fitness for duty shall be maintained within the personnel file separate from all other records and within a folder labeled as "Confidential".

22.7. Training records for current employees will be maintained by the applicable training coordinator. Access to those records will be limited to the director, the executive assistant, the office of professional standards, division assistant directors, and an employee’s supervisor. Employee training records will be forwarded to the executive assistant for entry into the personnel file upon separation from employment.

22.8. Employees retain the right to review their personnel file upon request. For the purpose of ensuring the confidentiality of records identified in N.C.G.S. 153A-98 (c)(1), employees requesting review of their personnel file will not be given access to those records identified as confidential above without the prior approval of the Director or Office of Professional Standards.

22.9. Employees being granted access to review their personnel file will do so while supervised and may not remove any records from the file. Employees may make copies of any documents within the file with the exception of interview or testing documents utilized in hiring or promotional selection processes whose release may compromise the integrity of future processes.

22.10. Wake County Human Resources Staff are authorized to inspect and/or be provided copies of any record within a personnel file maintained by CCBI.

22.11. External Access and Release of Personnel Files/Records

22.11.1. Any person outside of Wake County legally authorized or possessing legal authorization to access a current or former employee's personnel file/record requesting access to such records will be directed to the Office of Professional Standards for the coordination of access. Supervised access will be granted to those entities. Outside of other legally authorized access remedies, a copy of a written release signed by the employee/former employee will be required prior to granting access to personnel records. A copy of the release will be placed within the personnel file in accordance with N.C.G.S. 153A-98(c)(6). When presenting a signed release, the extent of records provided for inspection and/or the method of inspection shall be consistent with that described within the release.

22.12. Employment Verifications/Reference Checks

22.12.1. External employers, educational institutions, etc., routinely contact CCBI for employment verifications and work history reference checks without having the need for physical access to personnel records. All supervisory staff members and the Executive Assistant may verify current or former employment with regards to the following information; dates of employment, title, position, and salary.

22.12.2. Supervisors are authorized to release employment information to external employers on current or former subordinate staff members who fell under their direct supervision only after having been provided a copy of a written release signed by the employee who is the subject of the inquiry and that release has been received by the Executive Assistant. Information provided may only be consistent with that which is specified within the submitted release. Any information released must be consistent with and able to be substantiated by information within the personnel record.

22.12.3. Supervisors may provide information as a personal reference to external employers, educational institutions, etc. without a signed release when they have been listed by the employee as a personal reference and the inquiry is not related to any supervisory/work role.

22.12.4. The Director, the Office of Professional Standards, and Division Assistant Directors may provide verbal employment information to an external employer on any employee within CCBI at their discretion with or without a signed release.

22.12.5. All information provided to external inquirers under this section must be true and accurate.

22.11.6. All staff are strongly encouraged to be familiar with N.C.G.S. §1-539.12 and N.C.G.S. §14-355 prior to providing any employment information to an external employer.

22.13. Retention of Personnel Records

22.13.1. Personnel records shall be retained for the longer of the following: A period of thirty (30) years beyond an employee's separation of employment, in accordance with the NC Records and Retention Schedule, or Wake County policy.

**23. Professional Affiliations, Research, and Consultation**

CCBI employees wishing to hold official roles within professional associations or membership organizations, beyond a normal membership capacity, and whose participation is based upon their professional role or qualifications of their position at CCBI must receive written permission from the Director prior to being considered for or the acceptance of any such position.

Any employee wishing to participate in any research, consultation, study, or other externally initiated forensic project whose selection for and/or participation is based upon their professional role or the qualifications of their position at CCBI must receive written permission from the Director prior to accepting or initiating any such initiative.

CCBI employees having been given written permission to participate in any role or activity discussed above, must seek approval from the Director or Division Assistant Director prior to conducting, facilitating, or otherwise working on behalf of that role or activity during compensable CCBI work time.

## 24. Call-Back Time

24.1. All CCBI employees are subject to call-back consistent with Wake County Human Resources Policy **7402 *Call-Back Time***.

## 25. Shift Premium Pay

25.1. Wake County provides additional compensation for employees who are regularly scheduled to work on evening or night shifts, or on weekend shifts for certain classifications when determined to be necessary to be competitive with the labor market. CCBI and Human Resources have identified those positions within CCBI to be civilian, “non-exempt positions” within the Criminal Identification Unit and the Investigations Division.

25.2. Shift premium time reporting and compensation will be in accordance with Wake County Human Resources Policy Section **7901 *Shift Premium Pay****.*

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| --- | --- | --- |
| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Dept. of Labor/FLSA Changes |
| May 1, 2014 | 4 | Incorporation of Time Clock |
| September 24, 2014 | 5 | Change all staff to Schedule A, Authorize temporary pay increases, Require resignations be forwarded to Director, Lactation room change, Added policy regarding military deployment |
| May 1, 2015 | 6 | Modified tuition reimbursement - 30 days notice, added CISD Program, Added Chaplain Program |
| October 14, 2015 | 7 | Addressed meal periods, working from home, lactation room change, personal decorations |
| November 14, 2016 | 8 | Swipe card to serve as employee ID. Added 4.5.-4.6. DDs authorized to make schedule changes 6.3.-6.5. Added 6.10. Meal breaks at discretion of DD. Added 11.5. Resignation requests must be in writing, signed, and provided to Director. New Drug/Alcohol policy. Added on-call policy. Added personnel records policy. |
| March 13, 2017 | 9 | Removed Senior Crime Scene Investigator as discretionary salary |
| November 9, 2017 | 10 | 22.3 Authorization to store former employee’s records elsewhere |
| June 1, 2018 | 11 | Added Agency-wide random drug test policy. |
| January 9, 2019 | 12 | Updated drug test policy, Added section 23 |
| November 1, 2019 | 13 | Added 5.2, 23, and 24. Modified 6,7, and 21. |
| June 5, 2020 | 14 | Updated 5.5 for Exception for Investigations Div. |
| Sept. 3, 2020 | 15 | Added 22.7 |

**CHAPTER 9: Code of Conduct**

**1. Purpose**

The purpose of this Directive is to provide policies, rules, and regulations to promote responsible employee activity, on and off duty, consistent with public service and the public expectations of a criminal justice agency.

**2. Policy**

The Code of Conduct shall promote professionalism, accountability, and public trust within the Raleigh/Wake City-County Bureau of Identification and the activities and behavior of CCBI employees shall be consistent with those necessary to ensure the efficient and professional operation of the agency.

**3. Code of Conduct**

3.1. CCBI and its employees adhere to all Wake County Human Resources policies regarding General Rules of Conduct as found in Section 1000 of the [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents).

3.2. The Code of Conduct is applicable to all employees of the Raleigh/Wake City-County Bureau of Identification. The CCBI code of conduct and the CCBI SOP Manual will be provided and/or made available to all CCBI employees on their first day of employment.

3.3. Employees shall not commit any act or be guilty of any omission which constitutes a violation of any of the rules, regulations, directives, orders or policies of CCBI. Being uninformed of such regulations, directives, orders or policies shall not be considered as a justification for any such violation. Employees shall be responsible for their own acts and shall not shift to others the burden for executing improperly, or failing to execute a lawful order or duty.

3.4. Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on this agency. Conduct unbecoming a CCBI employee shall include conduct or misconduct which tends to bring this agency into disrepute or which reflects discredit upon the employee, or that which tends to impair the operation and efficiency of this agency or the employee.

3.5. Employees shall be courteous to the public and fellow employees, tactful in the performance of their duties and in control of their tempers at all times. Employees shall maintain harmonious and cooperative working relationships with Supervisors, co-workers, and subordinates.

3.6. Employees working at a static location inside of the CCBI facility whose work area is in view of the public, officers, or arrestees will refrain from eating, inappropriate personal hygiene practices, inappropriate conversations, offensive language, or any other activity that may be deemed as unprofessional or negligent to their assigned duties.

3.7. No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

3.8. It shall be prohibited to harass, annoy, or intimidate any person – inside or outside the CCBI office – on the basis of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability, or genetic information. Any employee believing that he or she is the subject of such harassment shall inform their division head or the Director without unnecessary delay. Employees may also utilize any remedy available by law for such harassment.

3.9. Employees shall obey all laws of the United States, of the State of North Carolina and its political subdivisions, including all applicable ordinances and motor vehicle laws. At all times, the rights secured to the people under the Constitution of the United States and the State of North Carolina shall be respected by members of CCBI. Conviction of a violation of United States, State of North Carolina, or local laws or ordinances is not necessarily required for an employee to be in violation of this regulation. The Director shall have the authority to examine the employee’s conduct in any such situation and impose discipline pursuant to this policy, relevant State statutes, and the constitution of the United States.

3.10. Employees shall not make intentional misrepresentations of facts or commit a single act of untruthfulness in relationship with their job duties. Employees shall not knowingly make false or misleading statements in any report, while providing court testimony, in response to work-related inquiries from Supervisors or in response to inquiries during internal or administrative investigations. Any violations of this section are subject to disciplinary action up to and including dismissal.

3.11. Employees subject to a criminal investigation are not required to make statements in response to any questions asked by criminal investigators. However, to the extent any employee does make statements in response to any criminal investigation, all answers must be truthful.

3.11. Employees shall not mistreat persons who are in their custody. Such persons shall be handled at all times in accordance with the law and CCBI policy. Employees shall not utilize more force in any situation than is reasonably necessary to safely control the situation. Employees shall not make any arrest, search or seizure of property that they know or reasonably should know is contrary to law or procedure.

**4. Abuse of Authority**

4.1. Employees shall not abuse their authority as sworn or law enforcement related personnel at any time. Abuse of authority shall be deemed to include, but is not limited to, use of their official position, official identification cards or badges for personal or financial gain, for the purpose of obtaining privileges not otherwise available to them except in the performance of duty or for the purpose of avoiding the consequences of illegal acts.

**5. Acceptance of Gratuities, Bribes, or Rewards.**

5.1. CCBI personnel are prohibited from soliciting or accepting—directly or indirectly—any gratuity, bribe, or reward from any person, business or organization for individual use that might reasonably be seen as attempting to influence the employee’s performance of duty, responsibility or discretion. This prohibition shall include federal rewards for apprehension of AWOL military personnel. Employees shall be prohibited from soliciting or accepting any gift on behalf of CCBI under circumstances from which it may reasonably be inferred that the person, business or organization making such gift seeks to influence the action, performance or nonperformance of any official duty.

**6. Ethics Policy**

6.1. The Wake County Human Resources Administration Manual addresses the Wake County Policy on Ethics in Section 1100 of the [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents). Additionally, all sworn and civilian personnel of CCBI will abide by the CCBI Code of Ethics as written below:

1. Employees shall adhere to all laws and regulations that provide equal opportunity for all people regardless of race, color, religion, sex, national origin, age, or handicap.
2. Employees shall act impartially and not give preferential treatment to any private organization or individual.
3. Employees shall protect and conserve Wake County property and shall only use it for authorized activities.
4. Employees shall put forth an honest effort in the performance of their duties.
5. Employees will seek to find and employ more efficient and economical ways of accomplishing tasks.
6. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
7. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State, or local taxes that have been imposed by law.
8. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this policy.
9. Employees shall be ever aware that public service is a public trust and as such will be ever vigilant in adhering to the highest moral principles in the performance of their duties and place that same expectation on their coworkers.
10. Employees will recognize that as public servants in the criminal justice system, their character and behavior should serve as an example to the citizens. As such, employees will keep their private life unsullied as an example to all and be honest in thought and deed in both their personal and official life.

**7. Prohibited Associations**

7.1. Employees shall not knowingly visit, enter, frequent, or reside in any building, establishment or residence wherein any laws are regularly violated, except in the performance of duty and while acting under proper and specific orders from a Supervisor. In addition, regular or continuous association or dealings with persons whom employees know or reasonably should know are felons, illegal gamblers, illegal drug users, persons under criminal investigation or indictment or who have a reputation in the community for involvement in criminal behavior, except as is necessary in the performance of assigned duty, shall be avoided. Special issues regarding association with family of employees who may be subject to the prohibitions in this section will be decided on an individual basis.

**8. Appointment, Employment, or Contract Award of Relatives or Business Partners**

8.1. Public officials of the appointing authority must disclose on the public record any person of their immediate family related by blood or marriage, or business interest who is being considered for appointment, employment or contract award by that authority.  Immediate family related by blood or marriages are to include:  spouse, child, parents, brothers, sisters, grandparents, grandchildren, step-, half-, and in-law relationships for preceding categories.

**9. Confidentiality**

9.1. All employees of CCBI shall treat the official business of this office as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in the normal course of business, unless authorized by the Office of the District Attorney for the Tenth Prosecutorial District, the investigating agency, or the Wake County Manager’s Office. This includes, but is not limited to, the posting or distribution of information, documents, or photographs regarding or obtained during official business on the internet/social media sites.

9.2. No public official or employee shall disclose confidential information concerning the property, government, or affairs of the County in such a manner as to advance the financial or other private interest of him/herself or others.

9.3. No member shall, covertly or openly, make an electronic audio recording of any duty-related conversation with another member, or between other members, without the prior knowledge and approval of all persons present. This does not apply to department authorized investigations or recordings made in the course of duty assignments.

**10. Involvement in Litigation**

10.1. Any employee who becomes involved in or anticipates involvement in any court action, civil or criminal, either as plaintiff or defendant, shall immediately notify their Supervisor, the appropriate Assistant Director, and the Director of the nature of the case and the nature of the employee’s involvement. Employees shall not accept money or other compensation for damages or injuries incurred in the line of duty except for court-ordered restitution without prior notification of both the appropriate Assistant Director and the Director.

10.2. Any employee who is served with civil or criminal process as a result of any action or conduct occurring in the line of duty, including secondary employment, shall notify their Supervisor or appropriate Assistant Director and the Director immediately upon being served and shall deliver a copy of such process to their Supervisor, appropriate Assistant Director, and Director without unnecessary delay.

10.3. No employee shall testify as a character witness for any party in any action whatsoever without the prior knowledge of the Director. Under no circumstances shall any such testimony be given in uniform and, if called in a criminal prosecution, the prosecutor must be notified in advance that the member will be appearing in that capacity.

**11. Recommendations, Legal Advice, Legal Assistance, and Endorsements**

11.1. No employee of CCBI may, under any circumstances, make any recommendation or endorsement of any private service or product while engaged in the discharge of his or her official duties or while on duty. It shall be prohibited to recommend any attorney, bail bondsman, private detective or similar service to any person at any time except to family members of the employee’s immediate family, close personal friends, and other CCBI employees.

11.2. CCBI employees are prohibited from making recommendations or rendering advice to non-employees concerning legal matters at any time except in the specific performance of assigned duty. It shall be permissible to advise an inquiring citizen that civil or criminal options may be open to them and to refer them to the proper agencies of government to pursue those options. Employees shall not give specific advice as to which options the individual should take with respect to a landlord-tenant matter, service of process problem, or other civil matter.

11.3. All CCBI employees will adhere to [N.C.G.S. § 15A-541](http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=15a-541). No CCBI employee or spouse of any such person may in any case become a surety on a bail bond for any person other than a member of his immediate family.

**12. Telephone Service and Issued Cell Phone Use**

12.1. Telephone Service

12.1.1. All employees shall be required to have and maintain telephone service at his or her residence and shall be responsible for making the proper notifications in the event of any change in the telephone number. This may be accomplished by a cellular telephone as long as the employee maintains service, receives a regular cellular signal at their residence, and leaves the cellular phone on at all times. Under no circumstances shall the private telephone number of any CCBI employee be given to non-criminal justice personnel for official business unless specifically authorized by the member in question.

12.1.2. CCBI may inspect all call logs, incoming or outgoing, at any time for any landline or cellular telephone belonging to Wake County.

12.1.3. All CCBI employees answering incoming calls or making outgoing calls on any County provided telephones must verbally identify them self to the other party at the onset of the communication to include, at a minimum, their first or last name. Upon request, CCBI employees engaged in such communications are required to disclose their title, full name, and/or Supervisor’s name and contact information.

12.2. Cell Phone Use

12.2.1. The Raleigh/Wake City-County Bureau of Identification (CCBI) will provide cellular telephones to employees for business use when the use of such telephones will increase the level of service provided to the County’s customers, increase the level of safety for the County employee, and/or satisfy legal requirements.

12.2.2. Employees occupying a position at CCBI whereby being issued a cellular telephone for the course of duty are required to maintain telephone availability at all times, on or off duty. This may be accomplish by providing personal cellular phone numbers or home telephone numbers when the issued cellular telephone may be off, out of service range, or any other factor affecting contact ability. Any applicable employee knowing that they will not be reachable by telephone for more than 12 hours in any day will notify their immediate supervisor prior to being unreachable by telephone. (See links for further information: [eCFR — Code of Federal Regulations](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=c929df916c6871340ecb9631ce0c26d2&r=PART&n=29y3.1.1.2.45#29:3.1.1.2.45.3.445.8) and [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents).) CCBI employees having been issued a County cellular telephone are required to respond to any missed calls, text messages, or received voicemails received on the cellular telephone within two (2) hours of the initial communication whether on or off-duty.

12.2.2. Employees are authorized to carry personal cellular telephones while on duty, however, personal cellular phones or other personal digital communication devices are not authorized in the secure portions of the Wake County Detention Center. Employees violating or found attempting to violate this policy will be subject to disciplinary action up to and including dismissal.

12.2.3. All cellular phones are assigned to specific CCBI Divisions. Upon leaving employment or reassignment, CCBI employees issued a cellular phone will be responsible for turning over the issued cellular phone to the appropriate Supervisor. Any CCBI employee failing to return the issued cellular phone may be required to pay for the cost of the phone at the discretion of the Director.

12.3. Business Use:

12.3.1. A County cellular telephone shall be used for appropriate County business purposes. Such use is defined to be appropriate when an employee must make a call related to furthering County operations, does not have access to a regular County telephone, and the call cannot or should not wait until returning to the office. The County discourages disclosing cellular telephone numbers to the public, as the telephones are County property and not the employee’s. All incoming calls are discouraged unless the calls relate directly to the employee’s official duties.

12.3.2. A County cellular telephone may be used for circumstances in which an employee must make a personal telephone call, does not have access to another County telephone, and such circumstances are at the County’s request and/or relate to County business. For example, an employee may need to notify immediate family members that he/she is working past normal working hours and his/her expected arrival time. Such calls are to be made from a cellular telephone only when a regular County telephone is unavailable and such calls shall be limited to no more than three (3) minutes.

12.4. Personal Use:

12.4.1. Personal calls on County landline phones will be limited to such situations and lengths so as to not interfere with County operations, reflect unfavorably on CCBI, interrupt the work environment, or result in any additional financial obligations to CCBI or the County. No personal calls are permitted on County issued cellular phones except as designated elsewhere in this policy.

12.4.2. Employees are not authorized to utilize a personal cellular phone or electronic device to collect photographs associated with crime scenes investigated by CCBI or of evidence collected as a result of official criminal investigations without approval from the Division Assistant Director or the Director.

12.5. Telephone Misuse:

12.5.1. The Office of the Director, the Office of Professional Standards, and the Assistant Directors shall monitor cellular telephone use and charges. Any misuse of a County cellular telephone may result in, but is not limited to, one or more of the following actions: requiring a telephone log detailing all calls, blocking all incoming calls, loss of cellular telephone, employee reimbursement of telephone charges, disciplinary actions and/or termination of employment.

**13. Political Activity**

13.1. It is the stated policy of the Director of CCBI that all members are encouraged to exercise their franchise and vote in all elections for which they are properly registered. Employees are also encouraged to support the candidates of their choice. However, no member shall solicit funds or support for any political candidate while on duty or while in the uniform or an identifiable part of the uniform. No member shall appear publicly at any political function or headquarters while in uniform or an identifiable part thereof except for an official criminal justice duty. Employees shall be free to sign any petition they desire, but employees shall not permit themselves to be identified by occupation except as to petitions relating directly to CCBI office matters.

**14. Financial Obligations**

14.1. Employees shall not undertake financial commitments that they know or reasonably would know they cannot meet. Under normal circumstances, the fact of bankruptcy shall not be considered grounds for disciplinary action.

14.2. Any County official or employee who must officially consider any public matter involving his financial or personal interests, or those of his immediate family, shall first publicly disclose the nature and extent of such interest and shall abstain from acting thereon unless provisions of state law require otherwise.

**15. Jail and Detention Specific Conduct**

15.1. Employees will maintain a quiet but firm demeanor in their dealings with inmates and will not indulge in undue familiarity with inmates. Employees will not discuss their personal affairs with inmates.

15.2. Employees will not borrow anything from, lend anything to, accept gifts from, give gifts to or barter or trade with any inmate.

15.3. Employees will not make any telephone calls or do any unnecessary favors for any inmate.

15.4. Employees shall not use abusive, indecent or profane language in the presence of inmates.

15.5. Employees will not knowingly make or maintain contact with, or in any way associate with, any inmate’s family members or close associates unless the CCBI employee’s assigned duties require such contact.

**16. Collection and Handling of Evidence**

16.1. Property discovered, gathered, or received in connection with CCBI responsibilities will be processed in accordance with established policies, procedures, and regulations. Employees shall not convert to their own use, conceal, falsify, tamper with, withhold any property, or knowingly falsify any documentation regarding the collection of such evidence or property.

16.2. All original physical, digital crime scene or evidence documentation, or any other information as identified or inferred by North Carolina Discovery Statute §15A-903 including, but not limited to notes, sketches, digital media recordings, photographs, reports, etc., made prior to, during, or as result of a criminal investigation, by which an employee's involvement was a result of their official duties, will be entered into the case file or otherwise submitted and maintained in accordance with established storage and retention procedures. (Original is defined as information or depictions that do not otherwise exist in the exact same format or depiction.)

**17. Court Attendance**

17.1. The nature of many of the positions at CCBI requires court testimony in regards to the performance of official duties. CCBI employees may receive subpoenas, telephone contact, emails, third party notification or other means of notification that their presence in court is needed.

17.2. Any manner of notification made to a CCBI employee by a member of the District Attorney’s Office, a defense attorney, any court staff, or any CCBI staff in regards to their presence needed in court shall be acceptable and the CCBI employee will be expected to be present when needed.

17.3. CCBI employees called to court shall be dressed according to CCBI policy (SOP 22.2.5) and shall be prepared to provide accurate and thorough testimony when called upon to do so. No CCBI employee shall appear in the Wake County Courthouse as a witness or party to any civil, criminal or domestic action outside of an official capacity while armed or in any CCBI identifiable uniform or part thereof.

17.4. CCBI employees under subpoena are expected to be in court as ordered by the subpoena unless having made contact with the issuing party and been placed on standby. CCBI employees having been placed on standby or otherwise notified that their presence may be needed in court will be reachable and will maintain themselves in such a readiness as to be able to respond to court within a reasonable amount of time after being notified to do so.

17.5. Penalties:

1st Offense: Employees having been notified of being needed for court in any of the methods described above and have not been placed on standby by a staff member of the District Attorney’s Office who fail to appear at the date and time previously established by subpoena or other contact will receive, at a minimum, a disciplinary action in the form of a Disciplinary Suspension for no less than two working days. The determination of whether or not acceptable notification was made by the employee with the District Attorney’s Office in accordance with this section will be at the determination of the Director.

2nd Offense: Employees found by the Director to be in violation of this offense a second time will receive Disciplinary Action in the form of termination.

**18. Employee Awards**

18.1. Any CCBI Supervisor observing or being made known of an employee who has demonstrated exceptional professional service that is above and beyond standard expectations may submit a written commendation to the Director for the employee's recognition. The Director may choose to recognize the employee's effort through a written commendation or any other means appropriate and such recognition may be included in the employee's personnel file in the Director's Office.

18.2. Wake County offers the following awards in recognition of exceptional customer services:

* The Caring, Serving and Respecting Customers Service Award was created to recognize the efforts of County employees who provide outstanding customer service.
* Garland H. Jones Excellence in Public Service Awards

For additional information on these award programs contact Wake County Human Resources.

**19. Adverse Incident Reports**

19.1. Any employee who becomes involved in or witnesses any incident or failure to act in which an employee of the CCBI is exposed to potential liability or potential adverse public reaction shall immediately report such incident to his or her immediate Supervisor. The employee shall be responsible for submitting any required written memorandum or any other investigation or follow-up that may be assigned. This requirement shall apply to all potentially adverse incidents, including but not limited to:

1. Wrongful eviction
2. Wrongful seizure of real or personal property
3. Wrongful arrest or detention
4. Improper service of civil or criminal process, including search warrants
5. Discharge of any CCBI firearm or any other firearm by a CCBI staff member. (Other than at the range during scheduled firearms training.)
6. Use of force resulting in death or personal injury requiring medical care
7. Automobile accidents involving any personal injury or property damage
8. Falsification of any report, record or return of process.
9. Provision of or denial of apparently needed or requested emergency medical care to an inmate or being deliberately indifferent to the serious medical need of an inmate.
10. Any circumstance where it reasonably appears that an inmate has been held unlawfully or beyond the commitment period;
11. Wrongful release of an inmate;
12. Delivery of, or discovery of, any weapon, controlled substance or any contraband whatsoever within CCBI.

**20. Notify Director/Supervisor of Incident with Liability**

20.1. In the event an employee of CCBI is involved in a serious incident or incident that would likely result in a heightened community interest, the Director or his/her designee shall be notified as soon as possible with the nature and details of the incident. A serious incident is defined as an event that may result in liability to CCBI and Wake County. Serious incidents include, but are not limited to Crime Scene Investigator-involved shootings, vehicle pursuits resulting in personal injury or property damage, injuries to employees that require medical attention, subjects who are injured or who die while on CCBI property, or any other act or event that may result in civil or criminal action, or any action that results in injury or death of another person. All incidents will be documented in writing as soon as it is feasible.

20.2. Any CCBI employee who is charged with a criminal offense or receives a citation for an infraction or misdemeanor occurring inside or outside of Wake County on or off duty will notify their supervisor as soon as reasonably possible and without delay, specifically prior to their next scheduled workday.

**21. Conflicts of Interest**

Employees of CCBI must be sensitive to the appearance of impropriety and avoid any possible public perception of self-interest or conflict of interest.

Throughout the course of employment with Wake County, employees must disclose to their Supervisor employment or any other business interest of any immediate family member that may create a real, potential, or perceived conflict of interest for the employee or his/her department as these situations arise.

Additionally, employees may be exposed to the criminal charging or criminal investigation of family members, friends, known associates, business partners, or other individuals with whom the employee has regular personal or financial interactions. In such circumstances, the employee is required to immediately notify his/her Supervisor prior to initiating any County service delivery to the known person. The Supervisor will assign a staff member not having such a relationship to perform the job function.

Examples of activity prohibited under this section include fingerprinting and photographing people for booking purposes, the participation in criminal investigations, background investigations, or any other CCBI related responsibility from which the recipient or employee may benefit. Tours, public speaking engagements, or other public relations functions conducted by CCBI staff for or involving such persons for whom no personal or financial gain occurs or could reasonably be expected to occur are not considered prohibited under this section.

Immediate family member is defined in Wake County **Human Resources Administration Manual, Section 1604:** *Other Conflicts of Interest*. Employees knowingly violating any of the provisions of this section may be subject to disciplinary action up to and including termination.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Added Section 3.6. |
| September 24, 2014 | 4 | Added bail surety requirements, Require verbal ID for all phone conversations, Added conflicts of interest |
| November 14, 2016 | 5 | New ethics policy. Added 2 hour response in 12.2.2. |
| March 13, 2017 | 6 | Added sections 12.4.2 and 16.2. |
| June 5, 2020 | 7 | Added 20.2 |

# CHAPTER 10: Mental Illness

## 1. Introduction

1.1. Mental Illness is defined as any of various conditions characterized by impairment of an individual’s normal cognitive, emotional, or behavioral functioning and caused by social, psychological, biochemical, genetic or other factors, such as infection or head trauma.

1.2. The [Americans with Disabilities Act](http://www.usdoj.gov/crt/ada/adahom1.htm) (ADA) entitles people with mental illnesses or disabilities to the same services and protections that law enforcement agencies provide to anyone else.  They may not be excluded from services or otherwise be provided with lesser services or protection than are provided to others.

1.3. The ADA calls for law enforcement agencies to make reasonable adjustments and modifications in their policies, practices, or procedures on a case-by-case basis. CCBI employees who have the potential to come into contact with the public, may need to modify routine practices and procedures, take more time or show more sensitivity to extend the services or protections that would be extended to someone else in a similar circumstance.

## 2. Recognizing Subjects with Behavioral and Symptomatic Characteristics of Mental Illness

2.1. When making contacts with persons during street encounters, interviews, and interrogations, employees should be alert to observe and recognize behaviors and symptoms that may indicate an involved party may be mentally ill. If mental illness is known or suspected, officers should try to determine the nature and severity of the questioned behavior, the potential for change in the behavior, and the effect of the behavior on the individual and its effect upon others.

2.2. Certain behaviors may be signs of mental illness, may result from very stressful situations, or may be associated with cultural and personality differences. While these behaviors are not conclusive proof of mental illness, information about, observation, or recognition of the following behaviors should give an employee cause for consultation with or referral to mental health professionals:

1. Severe changes in behavioral patterns and attitudes, mood changes quickly from highs to lows, disoriented to time or place; or
2. Unusual or bizarre mannerisms, rapid speech, flight of thought, no eye contact, quick movements, disconnected speech patterns, constantly moves or paces, inappropriate dress or nudity; or
3. Persons with mental illness may show signs of strong and relenting fear of persons, places, or things. The fear of people or crowds, for example, may make the individual extremely reclusive, or aggressive without apparent provocation; or
4. Withdrawn behavior and refusal to speak, lack of cooperation; or
5. Tendency to argue, acts of violence, combative/aggressive behavior; and/or
6. One-sided conversations, confused or nonsensical verbal communication, cannot concentrate, or disorganized thoughts.

2.3. Symptoms of mental illness can exist in varying degrees from person to person according to the type and severity of the mental illness. Many symptoms represent internal, emotional states that are not readily observable from a distance, but are noticeable in conversation with the individual. When interacting with contacts on the street, in interviews and in interrogations, employees are not expected to diagnose a mental illness, but may best affect an appropriate response to the individual and situation based on observed behaviors. Symptoms of different mental illnesses may include, but are not limited to:

1. Loss of memory related to such common facts as name, home address; or
2. Delusions (e.g., the belief in thoughts about oneself that have no basis in reality, such as being a famous person or that he/she is God); or
3. Depression (e.g., deep feelings of sadness, hopelessness or uselessness); or
4. Hallucinations (e.g., seeing people who are not there, hears voices telling them to hurt themselves or others, smelling strange odors, a person who is convinced that his/her heart has stopped beating for extended periods of time, or his/her stomach has rotted away, ect.); or
5. Confusion/incoherence (e.g., the subject may either have insomnia or an increase in sleep, has not eaten in days, abused prescribed medications, or the subject has not taken his/her medications, their home or room is in disarray, neglects household, property or personal hygiene to the point of putting him/herself or others at risk); or
6. Extreme paranoia, the feeling that everyone is out to get them, the subject may have suicidal tendencies, speak about previous suicide attempts, makes direct comments about dying or hurting self, and possibly has evidence of previous attempts such as scars on the wrists.

2.4. Self-medication or substance abuse by the mentally ill person can exacerbate existing mental health problems, increase the person’s propensity for violence, and cause additional difficulty for officers in their attempts to manage an encounter.

2.5. Some medications that treat mental illnesses have side effects such as tremors, nausea, extreme lethargy, confusion, dry-mouth, constipation or diarrhea.

## 3. Guidelines for Contact with Suspected Mentally Ill Subjects

3.1. CCBI personnel may encounter victims, witnesses, or suspects who have mental illnesses. As service personnel, they may be called upon to help people obtain psychiatric attention or other needed services of mental health organizations, hospitals, clinics, and shelter care facilities. If this request is made, the CCBI personnel will contact the jurisdictional law enforcement agency for the subject. The notification to a law enforcement agency will be made without delay and the CCBI personnel will ensure that the subject is physically placed in contact with the jurisdictional law enforcement agency.

3.2. When encountering a person who has or exhibits symptoms of mental illness, employees should follow the listed guidelines:

1. Remain calm and avoid overreacting
2. Be helpful and professional
3. Indicate a willingness to understand and help
4. Understand that a rational discussion may not take place
5. Be friendly, patient, accepting and encouraging, but remain firm and professional
6. Be aware that their uniform may frighten the person with mental illness

3.3. If there is no law enforcement officer from the jurisdiction present and the person is not stable and exhibits signs that they are a danger to themselves or others, CCBI personnel will immediately notify Raleigh Communications Center and have an officer dispatched. If the individual is actively engaging in any behavior that constitutes a physical threat to themselves, others or property, the CCBI employee (sworn employees) may detain the subject as is reasonable to prevent physical harm or property damage.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Removed training requirement |
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# CHAPTER 11: Social Media

## 1. Purpose

This policy establishes CCBI’s guidelines on the administration, management, and use of social media. This policy is not meant to address one particular form of social media, rather social media in general as advances in technology will occur and new tools will emerge.

## 2. Policy

Social media provides a new and potentially valuable means of assisting CCBI in meeting community outreach, hiring, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. This department also recognizes the role that these tools play in the personal lives of some department personnel. However, it must be noted that the manner in which department personnel use social media for personal reasons can impact their official capacity and employment. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by departmental personnel.

## 3. Definitions

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for “Web log.”

Page*:* The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile*:* Information that a user provides about himself or herself on a social networking site.

Social Media*:* A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, Myspace), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social Networks*:* Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech*:* Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki*:* Web page(s) that can be edited collaboratively.

## 4. On the Job Use

### 4.1. Department-Sanctioned Presence

4.1.1. Determine Strategy

1. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency’s presence on the website.
2. Where possible, the page(s) should link to CCBI’s official website.
3. Social media page(s) shall be designed for the target audience(s) such as youth or potential applicants.

4.1.2. Procedures

1. All CCBI social media sites or pages shall be approved by the Director or his or her designee and shall be administered by a designee of the Director.
2. Where possible, social media pages shall clearly indicate that they are maintained by the department and have departmental contact information prominently displayed.
3. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
4. Content is subject to public records laws. Relevant records retention schedules apply to social media content.
5. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
6. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.
7. Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks.
8. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

### 4.2. Department-Sanctioned Use

4.2.1. Department personnel representing the department via social media outlets shall do the following:

1. Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
2. Identify themselves as a member of the department.
3. Not make any statements about the guilt or innocence of any suspect or arrestee or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos related to department training, activities, or work-related assignments without express written permission.
4. Not conduct political activities or private business.
5. The use of department computers by department personnel to access social media is prohibited without authorization.
6. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

### 4.3. Potential Uses

1. Persons seeking employment and volunteer positions use the Internet to search for opportunities; social media can be a valuable recruitment mechanism.
2. This department has an obligation to include Internet-based content when conducting background investigations of job candidates.
3. Search methods shall not involve techniques that are in violation of existing law.
4. Vetting techniques shall be applied uniformly to all candidates.
5. Every effort must be made to validate Internet-based information considered during the hiring process.

## 5. Personal Use

### 5.1. Precautions and Prohibitions

5.1.1. Barring state law or binding employment contracts to the contrary, department personnel shall abide by the following when using social media. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the department.

5.1.2. As public employees, department personnel are cautioned that speech on or off-duty made pursuant to their official duties, speech that owes its existence to the employee’s professional duties and responsibilities, is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.

5.1.3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Director.

5.1.4. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission. As such, department personnel are cautioned not to do the following:

1. Display department logos, uniforms, or similar identifying items on personal web pages.
2. Post personal photographs or provide similar means of personal recognition that may cause them to be recognized as employed by CCBI.

5.1.5. Employees choosing to identify themselves as representatives of the agency on personal social media sites do so with the understanding that their actions and all of the content on their sites reflect on the agency and will conform to all CCBI and Wake County rules, regulations, and policies specifically regarding the code of conduct. Self-identification can include the acknowledgment in the user profile for work experience, job title, etc. by identifying oneself as an employee of the agency on their or another’s social networking site. If the employee identifies their employment with the agency they take on the responsibility for representing the agency in a professional manner from that period forward while still employed by the agency. If the employee does identify themselves as a member of the agency in any manner, the employee will post on their social networking site the following disclaimer in a place immediately visible to all persons visiting or accessing the site; “The posts on this site, including but not limited to images, links, and comments left by myself or other users, are my own and do not represent any official or implied position, strategy, or opinion of my employer or the criminal justice community.”

Professional networking sites specifically designed for the purpose of creating or fostering professional relationships are excluded provided that such a site is not designed, intended, or regularly used for the publishing of personal photographs, ideas, opinions, interests, or hobbies.

5.1.5. When using social media, department personnel should be mindful that their speech or electronic communication becomes part of the worldwide electronic domain. Therefore, adherence to CCBI’s Code of Conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:

1. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
2. Speech involving themselves or other department personnel reflecting behavior that would be considered reckless or irresponsible.
3. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an employee’s testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination.
4. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department.

5.1.6. Department personnel should be aware that they may be subject to civil litigation for:

1. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation); or
2. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person; or
3. Using someone else’s name, likeness, or other personal attributes without that person’s permission for an exploitive purpose; or
4. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

5.1.7. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.

5.1.8. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.

5.1.9. Reporting violations – Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

### 5.2. Disclosure of Personal Social Media Information

5.2.1. Department employees may be requested to disclose any information they have posted, have been made aware of having been posted by another department employee and have access to, or may have been posted by an associate or family member based upon information provided by an employee under the following circumstances:

1. The requestor is the Director, The Office of Professional Standards, or a Division Assistant Director; and
2. That such a request is based on reasonable suspicion that the disclosure of such information may reveal violation(s) of this policy.

5.2.2. The failure to disclose such information or intentionally failing to disclose portions of such information upon request will be considered insubordination and the employee may be subject to disciplinary action up to and including termination.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| May 1, 2015 | 3 | Added 5.1.5 requiring disclaimer |
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# CHAPTER 12: Off-Duty Employment

## 1. Purpose

CCBI is committed to the focused dedication and work performed by employees on behalf of the citizens of Wake County. Such work is and should remain the primary focus of CCBI employees.

## 2. Policy

All Off-Duty and/or Extra-Duty employments are authorized at the discretion of the Director and may not interfere with employee’s CCBI role.

## 3. Incompatible Service

3.1. No public official or employee shall engage in or accept private employment or render service for private interest, when such employment or service is incompatible with the proper discharge of his official duties.

## 4. Off-Duty Employment

4.1. Off-Duty employment is defined as employment outside of CCBI in which the need for law enforcement authority is not anticipated nor is law enforcement authority within the scope of employment.

4.2. All CCBI employees desiring to work off-duty employment must complete a Secondary Employment Request Form and the form must be approved by the Director prior to engaging in any form of off-duty work. The Secondary Employment Request Form shall include the employer, the location the employee will be working, dates and times expected to work, the duties and tasks to be assigned, whether or not alcohol is served or routinely consumed at the location, and any other significant aspects of the employment.

4.3. The Secondary Employment Request Form should be submitted to the employee’s Assistant Director for initial approval. The Assistant Director shall forward the request to the Director for final approval. A copy of the Secondary Employment Request Form shall be forwarded by the Director’s Office to the Office of Professional Standards. The Office of Professional Standards will monitor all secondary employment activities and will ensure compliance with CCBI policies and procedures.

4.4. When the Director approves or denies the request, the employee will be notified in writing. A file containing all secondary employment requests will be maintained by the Director's Office.

4.5. Off-Duty employment functions are subject to the following restrictions:

1. All CCBI employees are prohibited from engaging in secondary employment that would constitute a conflict of interest or would tend to bring discredit to the agency.
2. No CCBI Investigations Division employee will be authorized to work any secondary employment while engaged in a supervised portion of the Field Training Program.
3. Employees shall not work secondary employment for an attorney, insurance company, or other employers in an investigatory capacity.
4. No employee shall work for a bail bondsman, collection agency, private guard agency, bar, adult bookstore, or similar type employers in any capacity.
5. No employee shall undertake secondary employment which will interfere with the employee's normal duty hours, result in undue fatigue, or that otherwise interferes with the employee's alertness or attention to his/her normal duties.
6. No employee shall work secondary employment within eight (8) hours prior to his/her scheduled tour of duty.
7. No employee shall engage in secondary employment during which time they are assigned to light duty or under disciplinary or administrative suspension. Furthermore, no CCBI employee may engage in secondary employment during which time they are using sick leave for a personal illness nor shall the days of secondary employment run concurrent with the days on which sick leave was used.
8. Employees will not drive a County vehicle while engaging in Off-Duty employment. N.C.G.S. § 14-247 specifically states, “*It shall be unlawful for any officer, Crime Scene Investigator or employee of any county to use for any private purposes whatsoever any motor vehicle belonging to the county.”*
9. Any employee working a secondary employment position or extra-duty position who is placed under administrative investigation by that employer, receives any disciplinary action from the employer, or is terminated by the employer must report that information to the Director without unnecessary delay.

4.6. This policy does not apply to secondary employment with the reserve program for the Armed Forces of the United States or the North Carolina National Guard.

## 5. Extra-Duty Employment

5.1. Extra-Duty employment will be defined as employment outside of CCBI in which the use of deadly or non-deadly force may reasonably be expected to arise or the use of law enforcement authority is foreseeable. Only sworn CCBI personnel will be authorized to work extra-duty employment. As a matter of standard practice, no extra-duty work will be authorized. However, the Director may authorize extra-duty work as his/her discretion when such work may be beneficial to functions of CCBI. In such situations, requests and approvals will be treated as secondary employment.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Modify wording in 4.5.2. |
| October 14, 2015 | 4 | Added notification to Director upon disciplinary action |
| January 9, 2019 | 5 | Extra-duty at the discretion of the Director |

# CHAPTER 13: Performance Evaluation

**1. Purpose**

To provide a performance based evaluation system to assure satisfactory CCBI employee performance in the application of CCBI services and functions.

**2. Policy**

CCBI will participate in the Performance Development and Management System implemented by Wake County Human Resources.

**3. Performance Evaluation System**

3.1. The Performance Development and Management System is controlled and implemented by Wake County Human Resources in accordance with [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 4400. All CCBI employees will be subject to the provisions contained therein.

3.2. The Performance Development and Management System is an on-line instrument used to evaluate the performance of all CCBI employees. All CCBI employees will be evaluated using the Performance Development and Management System annually.

1. The Performance Development and Management System lists several topics under which key skills are designated. Each key skill includes measurement definitions that can be found in the Performance Expectations for CCBI employees (located on Lotus Notes/Wake County Employee Bulletins/Performance Development Management System).
2. The employee's Supervisor in accordance with instructions provided on the instrument will rate each identified key skill. The Director will determine the weight of each individual key skill and each overall rating topic. The determined weight will be designated on the Overall Performance Rating page of the instrument.
3. CCBI Supervisors are responsible for the completion of the evaluations in time frames required by Division Assistant Directors and the Director. Each evaluation will be conducted in a fair and objective manner. Any rating provided to an employee above or below a meets expectation level will be accompanied by specific examples supporting the rated behavior.
4. All CCBI staff assigned to complete evaluations will receive training on the use of the Performance Development and Management System. Employees are also encouraged to attend additional training offered annually by Wake County Human Resources in regards to the Performance Development and Management System.

**4. Annual Evaluations**

4.1. An annual evaluation will be conducted on all CCBI employees to include the Director, all full-time employees, and all part-time permanent employees. The Performance Development and Management System will be utilized for all evaluations. CCBI Supervisors are responsible for completing the annual evaluations for all employees under their immediate supervision consistent with the organizational chart.

4.2. The Wake County Manager will determine the responsibility for the completion of an annual evaluation for the Director.

**5. Probationary Employees**

5.1. Probationary employees, those who have completed at least two-months in an active pay status during one fiscal year, will be evaluated using the Performance Development and Management System. (See [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 3600)

5.2. Probationary and entry-level employees will receive written evaluations during their initial training period as outlined in the specific Unit's training program. These training evaluations will be reviewed with the employee and a copy will be maintained in the employee's training file.

5.3. Outside of more frequent evaluation schedules as indicated elsewhere, probationary employees will receive, at a minimum, an evaluation a six (6) months and nine (9) months in accordance with Wake County Human Resources' policies and procedures.

**6. Rating Criteria**

6.1. Any established rating criteria will be specific to the assignment of the employee during the rating period. The CCBI Performance Expectations Guide provides the established criteria by which all employees are to be rated.

**7. Personnel Evaluations**

7.1. Personnel evaluations will be conducted at the end of each fiscal year. The evaluation period will cover July 1st to June 30th of each year. Only performance observed during this time period will be evaluated.

7.2. Anytime an employee is given a rating above or below meets expectation, written comments will be provided to support the rating. Any disciplinary actions received during the evaluation period or any written commendations received during the evaluation should be documented in the evaluation.

7.3. Each Supervisor completing the Performance Development and Management System evaluation will electronically sign the form at the conclusion of the evaluation in accordance with instructions provided on the instrument.

7.4. A review of the evaluation will be completed with each employee being evaluated to include the following:

1. During the Supervisor/employee review of the evaluation, the Supervisor will review the results of the performance evaluation completed.
2. The Supervisor will review the performance expectations, rating criteria and goals for the employee for the next fiscal year.
3. The Supervisor will discuss topics such as the possibility for advancement, specialization, and training appropriate for the employee's position during the evaluation review. The Supervisor may discuss any other career counseling advancement possibilities with the employee as appropriate.

7.5. The employee will electronically sign the document at the conclusion of the review and be given the opportunity to add comments.

7.6. The employee will receive the evaluation via email and have the opportunity and ability to print the evaluation.

7.7. Division Assistant Directors will review all evaluations of employees assigned to their division to ensure ratings have been applied uniformly and fairly.

7.8. The Director will have the ultimate responsibility for review of all evaluations.

7.9. Completed evaluations will be printed and retained in each employee's personnel file in the Director's Office and retained in accordance with the North Carolina Department of Cultural Resources' [Records Retention and Disposition Schedule.](https://archives.ncdcr.gov/documents/county-sheriffs-office-schedule)

**8. Annual Evaluation of Supervisors**

8.1. The appropriate assigned Supervisor using the Performance Development and Management System evaluation for Managers, Supervisors, and Team Leaders will evaluate all CCBI Supervisors conducting evaluations.

8.2. Under the Performance Management section of the key skills, the Supervisor's assigned ratings to employees will be examined to ensure the fairness and impartiality of assigned ratings. The Supervisor's ability to counsel employees and their ability to rate employees fairly will be considered.

**9. Unsatisfactory Performance Ratings**

9.1. Any non-probationary employee who receives a rating of needs improvement should have been made aware of such performance deficiencies prior to the evaluation period. When possible, such discussion and review of poor performance should be conducted at least 90 days before the evaluation is completed and written documentation of the review should be completed and provided to the employee.

9.2. Any written review of poor performance, as applies to this section, will include the reasons for the unsatisfactory performance and the suggested actions to be taken to improve the performance.

**10. Appealing Evaluation Results**

10.1. Any employee who wishes to contest any portion of the evaluation may make a written request for review to the Supervisor directly above the Supervisor who completed the evaluation within five (5) working days of receiving the evaluation. The Supervisor receiving this request will have ten (10) working days to review the request and respond. Any employee who continues to contest the review decision may then make a written request for review to the Director. The Director will have ten (10) working days to review the request and respond. The Director’s decision is final on all evaluations.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Added 3.2. and broaden scope of 4.3. |
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# CHAPTER 14: Promotion

**1. Purpose**

The purpose of this section is to describe the policy and methods for CCBI's promotional process.

**2. Policy**

CCBI will maintain a promotional process that selects employees whose performance, skills, and knowledge display the potential and desire for assuming greater responsibilities.

**3. Promotion**

3.1. CCBI will define a promotion as vertical movement within the organization involving an increase in duties and responsibilities for which additional compensation is provided. This definition will not apply to vertical movement involving a separate job classification or pay band as defined in the [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents). Such vertical movement will be applicable to the procedures found in SOP Chapter 6: Hiring and Selection.

3.2. The Director will maintain the discretion for creating, maintaining, or terminating those positions deemed as "promotional" at his/her discretion based on the needs of the agency.

**4. Agency Role in Promotions**

4.1. CCBI will assume the primary responsibility for the promotional process involving both sworn and non-sworn employees and may call upon Wake County Human Resources to assist when needed.

4.2. CCBI will determine the elements involved in the promotion process and the minimum qualifications required for an employee's consideration in the promotional process.

4.3. CCBI considers any increase in responsibilities received for additional compensation that is intended to be a long-term change and will be identified structurally separate from others in the same position on the Agency organizational chart as a promotional position.

4.4. Wake County Human Resources does not consider these positions as separate job classifications nor do the responsibilities amount to the justification of a higher pay band. These positions are indicative of additional assigned responsibilities and duties for additional compensation as determined by the CCBI Director.

**5. Promotional Process Responsibility**

5.1. The Division Assistant Director under which the position exists will be responsible for determining the elements of the selection process and the implementation of those elements.

**6. Promotional Process**

6.1. The Director maintains the authority for determining the minimum qualifications required for the promotional positions.

6.2. Only existing CCBI employees will be eligible for these positions. All CCBI employees meeting the minimum qualifications as determined will be eligible to apply for the position in a manner as directed. The Director may require minimum past performance requirements as a prerequisite for consideration. Minimum qualifications may be established, however, time in service at CCBI shall not be used as a minimum qualification standard.

6.3. The Division Assistant Director and Supervisors will be responsible for evaluating the promotional potential of the interested applicants to determine their eligibility based upon the minimum requirements.

6.4. Any written tests administered during the selection process will be conducted and scored in accordance with those outlined in Chapter 6: Hiring and Selection.

6.5. The Director may elect to use an assessment center during the promotional process. If an assessment center is utilized, a contract will be created detailing the expectations surrounding the results provided, the elements of the center, the Agency’s obligation surrounding resources or staffing, the time frame for the assessment center, the cost, and that all documentation created as a result will be maintained at CCBI. All elements of the assessment center will be conducted objectively and applicable to all candidates selected to participate in the assessment center process.

6.6. An Oral Interview Board will be conducted prior to a promotional appointment in accordance with SOP Chapter 6: Hiring and Selection.

6.7. The Division Assistant Director will review the results of each element of the promotional process and make promotion recommendations to the Director. The Director shall make promotion determinations. Any employee involved in the promotion selection process may appeal the decision to the District Attorney for the Tenth Prosecutorial District, whose decision will be final.

6.8. Any employee who meets the minimum requirements for the position may apply for such promotion anytime the position is available.

6.9. CCBI promotional positions will not be available for lateral entry.

6.10. All promotional materials will be stored securely when not being used and will be forwarded to the selected employee’s personnel file in the Director's Office at the conclusion of the promotional selection. Promotional materials surrounding employees not selected will be stored and maintain in accordance with hiring selection material retention and storage.

**7. Written Announcement**

7.1. Upon the vacancy or creation of a promotional position, the Director will publish a written announcement to all employees of the promotional process. The announcement will include:

1. Any minimum requirements established, and
2. a description of the job duties, and
3. an explanation of the compensation to be provided to selected employees, and
4. the opening and closing dates for application, and
5. the elements of the selection process for the position in detail, and
6. the expected duration of the selection process.

7.2. The announcement will be provided to all employees via email.

**8. Promotional Probationary Period**

8.1. All employees promoted to a position, deemed as a promotion under this section, will serve a twelve (12) month probationary period. This probationary period specifically pertains to the additional job duties and responsibilities incurred by the promotion. This probationary period is not related to the mandatory twelve-month probationary period for all new employees as outlined in the [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 3600.

8.2. The direct Supervisor for the promoted employee shall observe and evaluate employee performance in regards to the new responsibilities. A written evaluation shall be conducted by the employee’s Supervisor at the conclusion of the twelve (12) month probationary period. This evaluation shall be reviewed with the employee by the Supervisor and forwarded to the Division Assistant Director.

**9. Removal from a Promotional Position**

9.1. CCBI will strive to promote employees who have shown the desire, skills, and knowledge for the promotional responsibilities. As such, CCBI will be committed to ensuring that promoted employees are provided with all reasonable training and opportunities to succeed in such positions.

9.2. Supervisors identifying unsatisfactory employee performance relating to the additional responsibilities may correct such performance through counseling, training or other suitable personnel actions to safeguard against the promotion of employees beyond their capabilities.

9.3. Employees who accept a promotion may voluntarily request to be relieved of such responsibilities at any time. Upon receipt of such request, the employee will be placed back into the original job status with the responsibilities consistent with the pre-promotion position. Upon removal from the promotion position, any compensation being provided to the employee for the additional duties shall cease. Any such requests will be forwarded through the chain of command to the Director.

9.4. The acceptance of such responsibilities is accompanied by an increase in salary, allocated only for the time period in which the employee is present, willing, and capable of performing the assigned duties under the normal operational schedule and conditions.

9.5. The assignment and acceptance of these responsibilities in no way constitutes a permanent employment condition or contract and such responsibilities may be removed temporarily or permanently at the discretion of the Director. In any such instance where such responsibilities are removed from an employee, their salary will be adjusted whereby removing the same total sum of money from their salary that was initially allocated for the additional responsibility.

**10. Promotional Training**

10.1. CCBI is committed to providing training to all employees that provides the knowledge and skills necessary to perform the functions of their positions in a professional and confident manner. Newly promoted personnel are no exception and CCBI will maintain this commitment to such personnel in a timely manner. Personnel being promoted will receive training commensurate to the position either prior to or within the first year of promotion.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | 4.3. Changed Forensic Tech to Senior Latent Print Examiner |
| November 14, 2016 | 4 | Annual update |
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# CHAPTER 15: Disciplinary Procedures

## 1. Purpose

The purpose of this Directive is to establish procedures to address and correct inadequate performance and personal misconduct.

## 2. Policy

It is the policy of the Raleigh/Wake City-County Bureau of Identification to administer discipline in a fair and equitablemanner consistent with the provisions of the [Wake County Human Resources Policy Manual](http://we.wakegov.com/docs/hr/policymanual/index.html) Section ~~700~~ 6200.

## 3. Personnel Early Warning System

3.1. CCBI's Personnel Early Warning System is designed to increase agency accountability by providing a system for the early identification of problem employees and a menu of remedial actions. This system allows the department to evaluate, identify, and assist employees whose performance and/or actions indicate specific trends. The Personnel Early Warning System is designed to be corrective and non-disciplinary in nature.

3.2. The Office of Professional Standards shall be responsible for the maintenance and evaluation of specific material from which to identify the need to conduct a formal performance review of employees who meet the specified criteria. There is no particular set of criteria that can determine job stress or performance problems. However, it is important that certain types of criteria are reviewed routinely as possible indicators of job stress or behavior problems. The Office of Professional Standards shall maintain a record of the following factors from which to determine the potential need for a formal performance review.

3.3. All CCBI supervisors shall be responsible for notifying the Office of Professional Standards regarding the occurrence of any of the following activities or situations involving an employee under their immediate supervision:

1. Disciplinary action – The deliverance of any formal disciplinary action ranging from a written reprimand to termination.
2. Poor past evaluations – Any employee receiving an annual evaluation score that is below the meets expectation level.
3. Any complaints against the employee.
4. Use of force reports.
5. Traffic Accidents involving the employee.
6. Documented abuse of sick or vacation time.

3.4. The following criteria will be utilized to initiate a formal performance review:

* Two sustained complaints within twelve (12) months.
* Three or more complaints within twelve (12) months.
* Two formal disciplinary actions within twelve (12) months.
* Any three of the above listed factors within twelve (12) months.

3.5. When the initiating criterion is a disciplinary demotion, the pre-disciplinary determination hearing with the Director may take the place of the personnel early warning performance review at the discretion of the Director.

3.6. Upon finding that any of the above criteria have been met, the Office of Professional Standards shall notify the Director and employee’s Division Assistant Director of the need for a formal performance review. The employee’s immediate supervisor and Assistant Director shall be responsible for conducting the formal performance review. This review shall include the following:

1. Review of available material including performance evaluations, complaints, disciplinary actions, use of force incidents, internal affairs investigations, workmen’s compensation claims, traffic accidents and any other available materials of relevance.
2. The employee shall be made aware of the performance review and the criteria met to warrant the review prior to any performance meetings.
3. Within fourteen (14) days of the notice from the Office of Professional Standards, the Division Assistant Director and the employee’s immediate supervisor shall meet with the employee and discuss the employee’s performance and identify a course of action to resolve any identified areas of concern. Suggested actions include but are not limited to:

* No additional action needed;
* Supervisor-employee counseling;
* Referral to the Employee Assistance Program;
* Alcohol/Drug Screening;
* Remedial training;
* A leave of absence;
* Transfer or reassignment; or
* Fit-for-Duty Examination (Medical and/or Psychological).

1. The performance review meeting, the designated course of action, and a deadline for the successful completion of the action shall be documented in writing by the Division Assistant Director and forwarded to the Director for review. A follow up review will be scheduled during the performance review and will be conducted as scheduled. The results of the follow up review shall also be written and forwarded to the Director for review. Both reviews shall be placed in the employee’s personnel file in the Director’s Office.

## **4. Training as a Function of Discipline**

4.1. A supervisory member of the Bureau, in addition to counseling, written warnings, suspension or demotion, may recommend remedial training. The Supervisor will schedule remedial training. Such training shall be scheduled at the first available training opportunity. Participation in remedial training is mandatory. Failure to successfully complete remedial training as scheduled will subject the employee to punitive disciplinary action. The employee’s Supervisor shall retain written documentation concerning remedial training and forward proof of successful completion to the CCBI Training Coordinator.

## 5. Counseling as a Function of Discipline

5.1. Counseling is an important part of improving employee performance and should be used in conjunction with remedial training, written warnings, suspensions and demotions. The following information should be clearly communicated to the employee during any counseling session:

1. The type of poor performance or employee misconduct;
2. How the poor performance has affected the employee’s co-workers and the Bureau;
3. How the employee can correct the poor performance or misconduct; and
4. What happens if the performance or conduct is not improved?

5.2. Counseling sessions for the purpose of coaching will be documented. A copy of the written documentation will be provided to the employee.

## 6. Performance Discussion Summaries

6.1. CCBI Supervisors may complete a written Performance Discussion Summary as a means of addressing poor performance or misconduct not surmounting to a formal disciplinary action. The Performance Discussion Summary is a means by which to document formal counseling for performance-based issues. The Performance Discussion Summary is not a disciplinary action and therefore no grievance may be filed for such.

6.2. Any Supervisor may complete a Performance Discussion Summary. The Performance Discussion Summary should include the following:

1. Identify the performance, conduct, or action resulting in the counseling; and
2. Describe in detail the desired performance, conduct or actions; and
3. Outline steps for achieving the desired behavior; and
4. Identify a time frame in which the behavior is expected to be corrected and a time frame for examining adherence to the requested behavior: and
5. Explanation of the possible consequences for failure to achieve the desired behavior.

6.3. A copy of the Performance Discussion Summary will be provided to the employee at the time of review. The Supervisor and employee will sign the Performance Discussion Summary. A signature of the employee will only indicate that the employee has read the Performance Discussion Summary and will not imply agreement or disagreement.

6.4. The Supervisor conducting the Performance Discussion Summary shall forward a signed copy to the Director’s Office.

6.5. Wake County has an Employee Assistance Program (EAP) available to all employees. Supervisors may recommend and encourage employees to seek assistance through EAP if appropriate. When used, an EAP recommendation is in addition to remedial training, counseling, written warnings, suspension or demotion.

## 7. Formal Disciplinary Actions

7.1. Formal disciplinary actions are those which will be housed in an employee’s personnel record and include written warnings, demotions, suspensions, and terminations. All such actions will be done in accordance with [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 6204.

## 8. Disciplinary Records

8.1. The CCBI Director will ensure that a Report of Disciplinary Action is completed on all written warnings, suspensions, demotions, and terminations.

8.2. All records of disciplinary action will be maintained in the employee’s permanent personnel file within the Wake County Human Resources Office. Copies of all disciplinary actions will be maintained in the employee’s personnel file within CCBI.

8.3. As of October 1, 2010, certain aspects of disciplinary records are a matter of public record to include the date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the County. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the County setting forth the specific acts or omissions that are the basis of the dismissal (See North Carolina General Statute § 153A-98(b)). Any requests for such records will be forwarded to the Director’s Office.

8.4. When the disciplinary action is a result of an Internal Affairs Investigation, all supporting documentation will be maintained in the Office of Professional Standards files. A separate Disciplinary Action Report will be completed based upon information obtained during the investigation and provided to the employee.

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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Sections 3.5, 9.3, and 10.3 added |
| November 14, 2016 | 4 | Removed annual review of system. |
| January 9, 2019 | 5 | Updated for consistency with County policy |

# CHAPTER 16: Grievance and Appeal Procedures

## 1. Purpose

The purpose of this Directive is to provide the employee with information on the grievance process for the Raleigh/Wake City-County Bureau of Identification and Wake County. Wake County has established a formal grievance procedure. Specific procedures for filing and processing of grievances are found in the [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents), Section 6300. Grievances for Sexual Harassment and Unlawful Discrimination are also found in the [Wake County Human Resources Policy Manual,](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 1303.

## 2. Policy

It shall be the policy of the Raleigh/Wake City-County Bureau of Identification to provide a just procedure for the presentation, consideration, and disposition of employee grievances.

## 3. Grievance Procedures

3.1. Employees who have attained regular status with the County may file a grievance for:

* written warnings
* disciplinary suspensions
* disciplinary demotions
* dismissals

3.2. Wake County's policies and procedures concerning employee grievances and appeals and disciplinary actions against CCBI employees will govern this aspect of CCBI personnel administration.

3.3. A regular employee may submit a non-discrimination grievance by filing in writing within five (5) workdays after the occurrence of the action that the employee seeks to appeal (a written warning, a disciplinary suspension, a disciplinary demotion, or a dismissal).  To request a departmental appeal, the employee must complete 6000-A Departmental Appeal Form and submit it to the Department head and provide a copy to the Human Resources Director.

[**NOTE:** A department head, at his/her discretion, may create an alternative procedure to review grievances at the department level. This internal procedure shall mirror the County’s policy regarding the timeframes for responding to the grievant.  Wake County Human Resources will maintain a record of alternative grievance procedures.]

3.4. All employees appealing a determination or employment action by the CCBI Director shall also have a right to appeal to the District Attorney of the Tenth Judicial District. Determinations regarding written warnings made by the District Attorney are final.

3.4. Grievances concerning a disciplinary suspension, disciplinary demotion, or dismissal not resolved to the employee's satisfaction by the District Attorney may be appealed further in accordance with [Wake County Human Resources Administration Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 6300.

3.5. At each level, an appeal shall be made in writing within five (5) workdays after the preceding decision was received.  A copy of each appeal should be forwarded to the Wake County Human Resources Director by the grievant.  At each level, a ten (10) work day limit for investigation, resolution, and decision after a hearing with the employee should be observed whenever possible. A copy of each decision should be forwarded to the Wake County Human Resources Director by the department.  If an employee has not received a response within 20 working days after the hearing, the employee may advance his grievance.

3.6. At the District Attorney level or below, no attorneys will be present.

## 4. Coordination and Records Responsibility

4.1. The CCBI Director is responsible for the maintenance and control of grievance records.  The grievance records will be maintained in the individual employee's personnel file in the Director’s Office and a copy will be forwarded to Wake County Human Resources.

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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| January 9, 2019 | 3 | Update for consistency with County policy |
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# CHAPTER 17: Office of Professional Standards

## 1. Purpose

CCBI has established the Office of Professional Standards, which will be responsible for the handling of complaints of misconduct and significant violations of policy or procedure by CCBI Personnel.

## 2. Policy

The Office of Professional Standards function is important for the maintenance of professional conduct in a criminal justice agency. The integrity of the agency depends on the personal integrity and discipline of each employee.It is the policy of CCBI that the department investigates all complaints from the public and significant policy violations.

## 3. Scope of Internal Investigations

3.1. All complaints or allegations, including anonymous complaints or allegations against CCBI and its employees will be investigated.

3.2. The Office of Professional Standards will acknowledge receipt of a complaint and describe CCBI’s internal affairs process to the person submitting a complaint.

3.3. The Office of Professional Standards will conduct investigations of complaints or allegations concerning CCBI or its employees or assign the investigation to persons in a supervisory capacity to conduct.

## 4. Maintenance of Records

4.1. All reports and records concerning the investigation of complaints of employee misconduct shall be securely maintained in the Office of Professional Standards. Access to those reports and records shall be permitted only with prior authorization of the Director or personnel assigned to the Office of Professional Standards. Retention, inspection, and copying of complaint reports and records shall be in accordance with Wake County policy and North Carolina state law.

## 5. Office of Professional Standards Authority

5.1. The Office of Professional Standards and its functions is the responsibility of a CCBI Assistant Director designated by the Director of CCBI. The Office of Professional Standards personnel will report directly to the Director. In cases were the complaint or alleged misconduct is by the Director, then the Office of Professional Standards will refer the matter to the Wake County Manager's Office and the District Attorney.

**6. Responsibilities**

The Office of Professional Standards will be responsible for:

1. Establishing and maintaining an effective system for the receipt and redress of complaints concerning CCBI and/or its personnel;
2. Registering, recording and maintaining records of all complaints and allegations concerning CCBI and/or its employees.
3. Assignment and supervision of all internal investigations of complaints and allegations concerning CCBI and/or its employees;
4. Assignment and supervision of all use of force investigations involving CCBI employees;
5. Reporting all complaints, allegations, alleged or suspected misconduct that arises to the level of a criminal law violation to the District Attorney;
6. Coordinate and cooperate with any law enforcement agency conducting a criminal investigation for any complaint, allegation, and/or alleged or suspected misconduct that arises to the level of a criminal law violation;
7. Establish the investigative reporting procedures for each internal investigation;
8. Submission of all internal investigation reports to the director for a review and decision on what action, if any, will be taken as a result of the investigation of the complaint or allegation;
9. Maintaining the confidentiality and security of all Professional Standards’ records and investigation and ensuring all records are maintained in a secure area;
10. Maintain statistics and compile annual statistical summaries based on records of investigations from the Office of Professional Standards and disseminate to CCBI employees and the general public;
11. Notify the director in a timely manner of complaints against CCBI and/or its employees;
12. Establish written procedures on how to file a complaint against CCBI and or its employees and provide those procedures to all CCBI personnel and the news media when requested by them.

## 7. Office of Professional Standards Public Information

7.1. The standard operating procedures involving the Office of Professional Standards will be made available to all CCBI personnel. Each employee of CCBI will be familiar with the Office of Professional Standards function and be able to advise the public of the procedures to file a complaint against CCBI and/or its employees. A copy of the complaint procedure shall be posted in the public access areas of CCBI’s office and CCBI’s Web Site.

## 8. Annual Statistical Summaries

8.1. The Office of Professional Standards will prepare an annual summary of all complaints, noting the date received, nature of complaint, summary of investigation, final disposition and whether disciplinary action resulted. The Director will be provided this summary and it will be used as a tool in reviews and modifications of policy, procedure, and training. Annual statistical summaries based upon the records of the Office of Professional Standards will be made available to the public and agency employees.

## 9. Complaint Procedures

**9.1. Misconduct**

9.1.1. Misconduct shall include but not be limited to violation of the criminal law, violation of CCBI’s rules of conduct, Wake County policy and procedure, misuse or misappropriation of Wake County property, time misuse, misuse or misappropriation of evidence, use of excessive force, or unacceptable personal conduct which shall be defined as actions for which no reasonable person could, or should, expect to receive prior warnings.

**9.2. Internal Investigation Categories**

9.2.1. Internal investigations of allegations or complaints concerning CCBI employees will be conducted in one or more of the following categories:

1. Criminal: CCBI will not conduct any internal criminal investigations. The Office of Professional Standards may cooperate with agencies conducting internal criminal investigations as authorized by law.
2. Administrative: If the complaint or allegation is administrative, an internal administrative investigation will be conducted to determine if the employee has violated CCBI policy or procedure.
3. Reported Grievance/Allegation: When, at the discretion of the Director, the nature of the received complaint fails to rise to the level of a policy or procedural violation if substantiated, CCBI will treat the complaint as a grievance inquiry. Such inquiries will be handled as incident-based performance reviews and will not be subject to the documentation or requirements of this chapter.

**9.3. Reported Grievances and Allegations**

9.3.1. Complaints may be received where, if substantiated, the alleged misconduct or wrongdoing does not rise to the level of a criminal act, a violation of written directives, or jeopardize the level of public trust placed in CCBI or its employees. In such instances, the complaint will be received in accordance with established complaint procedures and forwarded to the Office of Professional Standards. Examples of such instances include, but are not limited to the following:

1. Delayed response times based upon call volumes or case prioritization purposes; or
2. Items of no forensic or evidentiary value that the reporting person believes should have been collected; or
3. Simple mistakes made by staff that do not adversely affect the investigation or quality of work performed and have been rectified appropriately prior to the report; or
4. Reporting persons’ displeasure with current policy, procedures, or forensic capabilities.

9.3.2. The Office of Professional Standards will notify the Director of the allegation. If a determination is made that the allegation meets the above criteria, the allegation will not be documented as a complaint under this section and an appropriate course of action will be determined by the Office of Professional Standards, the employee’s Assistant Director, and the Director. The Director maintains sole responsibility for classifying complaints as grievances under this section.

9.3.3. Reported grievances under this section will be investigated to the extent necessary to determine if employee culpability exists and corrective actions may be taken as deemed appropriate by the Division Assistant Director or Director. In situations where the reporting party has requested to be updated, the investigating employee will contact the reporting party at the conclusion of the inquiry and notify them of the conclusion.

9.3.4. The grievance inquiry will not be recorded as a complaint against the employee within the records of the Office of Professional Standards.

**9.4. Receiving Complaints:**

1. Any person may initiate a complaint of misconduct concerning CCBI and/or its employees.
2. Complaints may be submitted in person, over the telephone, through email, or in writing.
3. A CCBI employee who observes, becomes aware of, or receives a complaint from any identified or anonymous source concerning an allegation or complaint of misconduct against CCBI and its employees shall without unnecessary delay verbally notify their Supervisor and/or the Office of Professional Standards. A written report of the complaint shall be forwarded to the Office of Professional Standards and the Director.
4. Any complaint or allegation of criminal wrongdoing will be reported to the District Attorney by the Director and/or the Office of Professional Standards and will be documented in the Office of Professional Standards’ file.
5. Citizens who wish to make a complaint should be referred to a Supervisor, if feasible.

## 10. Assignment of Complaints

**10.1. Complaints Assigned to Supervisors**

The following types of complaints or allegations may be assigned to supervisory personnel for investigation:

1. Unacceptable personal conduct;
2. Unsatisfactory job performance;
3. Traffic offense;
4. Insubordination;
5. Misuse of Wake County property;
6. Misuse of Wake County time;

**10.2. Complaints Assigned to the Office of Professional Standards**

The following types of complaints or allegations will normally be assigned to the Office of Professional Standards:

1. Untruthfulness;
2. Grossly inefficient job performance;
3. Unlawful release of confidential information;
4. Communicating threats
5. Harassment, including sexual harassment;
6. Falsification of reports or records;
7. Alcohol/Drug abuse on-duty;
8. Alleged or possible criminal violations;
9. Use of force resulting in serious injury or death;
10. Firing a CCBI weapon resulting in injury or death;
11. Unaccountability of evidence, controlled substances, money, firearms, jewelry, negotiable instruments, or other valuables;
12. Death or serious injury to anyone while in the custody of a CCBI employee.

## 11. Director Notification

11.1. The Director shall be notified by the Office of Professional Standards of all complaints received without undue delay. Such notification may be made in person, by phone, or email and will be done no later than the next business day upon which the complaint was received by the Office of Professional Standards. Allegations involving those listed as normally assigned to the Office of Professional Standards in Section 10.2., will be reported to the Director immediately by phone or in person.

## 12. Internal Investigations Time Requirements

12.1. Internal investigations will be completed within (60) sixty days after initiation. The nature of certain investigations may require extensions to this time frame and such extensions may be granted by the Director. The Director or his/her designee shall be made aware of the status of on-going internal investigations on a regular basis.

## 13. Complainant Notification

13.2. When an individual files a complaint against CCBI and/or a CCBI employee, a written notification will be sent to the complainant, acknowledging the receipt of the complaint or allegation. The notification will explain that CCBI is conducting an internal investigation and should be completed within (60) sixty days. The complainant will be provided with a contact name and telephone number at CCBI for further questions.

13.3. If an extension to the (60) day time frame is granted, the complainant will be notified of such a change and such notification will be documented. (A written comment added to the original complainant form may suffice.)

13.4. The complainant will be notified in writing of the completion of the internal investigation. Complainants will be advised that all internal investigations and reports are confidential and if the complaint is sustained, CCBI will not be able to release disciplinary action information because of laws on personnel privacy.

13.5. A copy of the letter of notification to the complainant will be made part of the written internal investigation.

13.6. The Office of Professional Standards shall make all complainant notifications as described under this section.

## 14. Employee Notification

14.1. At the time an internal investigation is assigned, the subject employee(s) will be notified in writing of the investigation when practical. The notification will include the general nature of the complaint/allegation unless law precludes the notification or the nature of the investigation warrants a delay in such a notification. The notification letter to the employee will notify the employee of his/her rights and responsibilities relative to the investigation. A letter of notification shall also be provided to the employee upon the conclusion of the investigation as well as a disposition summary of findings in the investigation.

14.2. Copies of the letters of notification and of disposition given to the employee will be made a part of the investigative file.

## 15. Investigative Rights/Requirements

15.1. A CCBI employee who is the subject of a CCBI administrative internal investigation can be directed by the Director to submit to medical and laboratory examinations at CCBI’s expense, submit to photographic examination, participate in a line-up, submit to financial disclosure statements, or submit to polygraph examinations at CCBI’s expense, when these submissions specifically, directly, and narrowly relate to the internal investigation. Failure by a CCBI employee to comply will be considered insubordination.

15.2. All CCBI property used by an employee including but not limited to facilities, lockers, desks, and vehicles are subject to search at any time and may be searched without a warrant.

15.3. CCBI employees may be required to submit to a polygraph examination during an administrative internal investigation. The CCBI employee will be advised of the following:

1. The questioning and polygraph examination will be administrative in nature.
2. The questions and polygraph examination will relate specifically, directly, and narrowly to the performance of the employee’s official duties.
3. The employee’s answers and any information resulting will not be used against him /her in any criminal prosecution.
4. The employee is required to submit to the polygraph examination and questioning. If the employee fails to do so, the employee will be disciplined for insubordination constituting unacceptable personal conduct as described in the Wake County Human Resource Administration Manual, Section 701.

15.4. During an administrative internal investigation interview, the employee will be advised of the following:

* 1. The questioning will be administrative in nature.
  2. The questions will relate specifically, directly, and narrowly to the performance of his/her duties.
  3. His/her answers or the fruits there from will not be used against him/her in any criminal prosecution.
  4. He/she is required to answer all questions fully and truthfully and if he/she fails to do so, he/she will be disciplined up to dismissal from employment for insubordination constituting unacceptable personal conduct as described in the Wake County Human Resource Administration Manual.
  5. He/she does not have the right to have a lawyer or anyone else with him/her during questioning.

15.5. The employee may be required to submit to medical and laboratory examinations in accordance with Wake County’s Drug and Alcohol Policy and submit to searches of all CCBI property. If the employee fails to submit to these requirements, he/she will be disciplined up to dismissal from employment for insubordination constituting unacceptable personal conduct as described in the Wake County Human Resource Administration Manual, Section 701.

## 16. Relief from Duty

16.1. The Director or his/her designee may make investigatory placements or investigatory suspensions of CCBI employees to provide time for CCBI to investigate allegations of employee misconduct or serious violations of work rules in order to establish facts and make a decision concerning the employee's status. All investigatory placements or suspensions will be done in accordance with the [Wake County Human Resources Policy Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents), Section 6206.

16.2. Employees placed in an investigatory/administrative placement or suspension may be prohibited from accessing CCBI vehicles, evidence rooms, facilities, County computer systems, and/or communication systems at the discretion of the Director.

## 17. Office of Professional Standards Reporting Format

17.1. When the Office of Professional Standards receives a report of a complaint, the Office of Professional Standards will begin an Internal Investigation Initial Report and assign a unique file number to the complaint or allegation.

17.2. The initial report will include:

1. Name of the employee receiving or reporting the complaint or allegation;
2. Date and time that the complaint or allegation is reported and the manner it is reported;
3. The identity, if known, of the person making the complaint or allegation and their mailing address and telephone number;
4. The nature of the complaint or allegation;
5. The date, time, and place that the incident in question occurred;
6. The identity or description of any employee that the complaint or allegation concerns; and
7. The details of the complaint or allegation.

17.3. The Office of Professional Standards will assign a unique file number to each complaint or allegation. The file number will begin with the capital letter I, followed by the year the complaint/allegation was filed. This will be followed by a hyphen and then a sequential number of the complaints/allegations received that year.

## 18. Reporting Requirements

18.1. If evidence of criminal wrongdoing is found during a CCBI internal investigation, the District Attorney will be notified without unnecessary delay.

18.2. The reporting format for the CCBI internal investigation report will be set out as follows:

1. Complaint Form
2. Office of Professional Standards Disposition Summary ~~Form~~
3. Employee Notification Letters
   * 1. Initial Notification
     2. Disposition Notification
4. Complainant Notification Letters
   * 1. Initial Notification
     2. Disposition Notification
5. Office of Professional Standards Investigative Synopsis
6. Statements of parties involved (written or transcribed)
7. Related reports, documents, and investigative activity reports other than interviews

18.3. The Office of Professional Standards may authorize an exception to this format and the internal investigation may be submitted in memorandum form.

18.4. Employees who are the subject of an internal investigation may be provided copies of all information collected as part of the internal investigation. If more than one employee is involved as a subject of investigation, the requesting employee may only access those documents specifically related to their own investigation.

## 19. Final Disposition

19.1. When an internal investigation involves a complaint concerning the violation of criminal law, a violation of CCBI policy or procedure, or unacceptable personal conduct, one of more of the following conclusions of fact will be made:

1. Unfounded: There is no factual basis that exists for the complaint.
2. Exonerated: It is determined that the alleged conduct did in fact occur but it is excused or justified by the circumstances.
3. Sustained: The facts support the allegation of the complaint.
4. Other Misconduct: The investigation determined there was other misconduct.
5. Inactive: There are insufficient facts to make a reasonable determination at this time. (Investigations being deemed as inactive may be re-opened at a later date if additional information becomes available or an additional complaint of a similar nature is received on behalf of the same employee.)
6. Policy Failure: The actions by the employee were the result of an inadequate or defective policy.

19.2. A final disposition report on the findings will be sent to the subject employee and the Assistant Director supervising the employee. A copy of the final disposition report will be made part of the internal investigative file.

19.3. The Office of Professional Standards will recommend finding dispositions in all internal investigations, however, the Director will make final finding~~s~~ determinations in all internal investigations. Any disciplinary action resulting from an internal investigation is a function of the employee’s Supervisor and/or the Director.

## 20. Brady-Giglio Requests

20.1. In *Brady V. Maryland* (1963), the United States Supreme Court held that a prosecution may not suppress any evidence that may be favorable to an accused when the evidence is material to either guilt or to punishment. Further case law additionally required the disclosure of any exculpatory information that may cast doubt on the guilt of the defendant. In 1972, the Supreme Court expanded this decision in *Giglio V. United States,* whereby establishing that any information that could be used to impeach the credibility of a prosecution witness must also be provided to the accused.

20.2. Disciplinary actions and/or Internal Affair Investigations often identify information that may be subject to the Giglio requirements. In the event that any internal investigation or personnel action identifies and sustains any employee behavior or actions that may be subject to the Brady-Giglio requirements for disclosure, the Director will immediately relay that information to the District Attorney for the Tenth Prosecutorial District.

20.3. The District Attorney's Office, as a matter of policy, makes official written requests of CCBI to provide Brady-Giglio information for any employee anticipated to testify in a criminal case. These requests shall be forwarded to the Office of Professional Standards. The Office of Professional Standards will conduct a review of the employee's personnel file and IA internal investigative files to determine if any such information exists. The Office of Professional Standards will respond in writing to the District Attorney's Office. If applicable information is found, the information will be provided to the District Attorney's Office in its entirety to determine its applicability. The Director and the Executive Assistant will be included in Brady-Giglio responses from the Office of Professional Standards to the Office of the District Attorney.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Established reported grievance classification. Modified case numbering. Added Brady-Giglio procedures. |
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# CHAPTER 18: Public Information

## 1. Purpose

The purpose of this directive is to establish procedures for the release of information to the public and news media personnel.

## 2. Policy

It is the policy of CCBI to establish and maintain a positive liaison with the news media. CCBI understands that the right of access by news media and the public to law enforcement information has a community importance but must be accomplished within legal parameters and in accordance with CCBI procedures.

## 3. Public Information

3.1. The release of any official CCBI information to news media, citizens, or the general public will be conducted in accordance with applicable Federal regulations, North Carolina General Statutes (specifically Chapter 132), Wake County Policy, and CCBI policy and procedure.

## 4. Public Information Function

4.1. The Director of CCBI maintains the responsibility for the public information function in regards to news releases and interaction with the news media. The Director in his/her absence may designate an Assistant Director to act as CCBI's Public Information Officer.

4.2. No CCBI personnel have the authority to release information to the news media unless authorized by CCBI policy or the Director. News media inquiries shall be forwarded to the Director or his/her designated Assistant Director. Any CCBI employee requested by the media to provide information related to the agency, an investigation, or any other official information will direct such a request to the Director or Assistant Director acting as Public Information Officer except as when specified in policy.

1. It is the responsibility of the law enforcement agency with primary jurisdiction to handle news media inquiries at scenes of incidents in which that law enforcement agency has requested CCBI assistance. The news media will not be allowed into a secure crime scene area as designated and being processed by CCBI without approval from a CCBI Investigations Supervisor.
2. The CCBI Director or his/her Assistant Director designee shall be responsible for preparing and distributing agency news media releases.
3. The CCBI Director and his/her designee shall be responsible for arranging and/or assisting at media conferences.
4. The Director or his/her Assistant Director designee shall not release any information about victims, witnesses, suspects, or any other investigative facts, crime scene photographs, and/or reports to the news media without authorization and coordination with the law enforcement agency with primary jurisdiction in the investigation and/or the Office of the District Attorney for the Tenth Prosecutorial District.
5. The Director or his/her Assistant Director designee shall be responsible for the release of information concerning confidential agency investigations and/or operations.
6. When other public service agencies are involved in a mutual effort, the agency having primary jurisdiction shall be responsible for coordinating and releasing pertinent information.

## 5. Release of Arrest Information

5.1. Upon request, any CCBI personnel may release to the news media or public any arrest photograph and arrest information as defined in North Carolina General Statute § 132-1.4. of any adult arrestee processed by CCBI. Juvenile arrest photographs and arrest information may only be released when said juvenile was bound over to Superior Court and processed at CCBI as an adult.

5.2. Releasable information includes: (N.C.G.S. § 132-1.4)

* + The time, date, location, and nature of a violation or apparent violation of the law reported to a public law enforcement agency.
  + The name, sex, age, address, employment, and alleged violation of law of a person arrested, charged, or indicted.
  + Photographs of persons processed at CCBI as a result of a criminal violation to include any particularly identifying local, state, or Federal numbers.

5.3. The following information will not be released:

* Social Security Numbers of arrestees.
* Driver license number.
* Date of birth.

## 6. Media Access

6.1. Emergency Scenes: CCBI will utilize the Wake County Emergency Operations Plan and the Wake County Incident Command Master Plan.

6.2. At CCBI: The access of media personnel at CCBI will be at the discretion of the Director or the designated Assistant Director and will be limited to the scope of the requested information.

6.3. Media/Field ride-alongs: Media ride-alongs allow members of the media to accompany law enforcement officers as they perform their duties. The Director may coordinate media ride-alongs with Crime Scene Investigators at his/her discretion. Crime Scene Investigators conducting a media ride-along will only discuss information authorized by this SOP chapter.

* 1. Employees escorting media personnel for the purposes of the ride-along may only allow media personnel access to a crime scene located on private property with the expressed permission and presence of the complainant.
  2. Any identifying information, statements, or otherwise confidential information made by the complainant at a crime scene in regards to the crime shall be withheld from the media personnel by CCBI staff. (N.C.G.S. § 132-1.4(d))

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
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# CHAPTER 19: Legal Process and Court Orders

## 1. Purpose

The purpose of this directive is to establish CCBI's procedures governing the delivery of legal process services.

## 2. Policy

CCBI shall provide prompt service of court-initiated criminal process documents.

## 3. Legal Process

3.1. The Director or his/her designee shall have the primary responsibility to serve subpoenas on CCBI personnel. All legal processes to include subpoenas received shall be recorded.

3.2. The following information will be entered in the legal process database upon receipt of a legal process:

1. Date and time received.
2. Type of legal process, civil or criminal.
3. Nature of document.
4. Source of document.
5. Name of plaintiff/complainant or name of defendant/respondent.
6. Person assigned for service.
7. Date of assignment.
8. Court docket number.
9. Date service due.

3.3. Record entries will be cross-referenced so that the information can be retrieved by means of the court docket number and by the names of the defendant and/or the CCBI employee being subpoenaed.

## 4. Service of Legal Process

4.1. A record on the execution or attempted service of a legal process will be documented in the legal process database. The following information will be entered:

1. Date and time service was executed/attempted.
2. Name of employee executing/attempting service.
3. Name of person on whom legal process was served/executed.
4. Method of service/reason for non-service.
5. Address of service/attempt.

4.2. A subpoena will not be served by a CCBI employee on a third party unless authorized by the Director or his/her designee. No CCBI employee will accept a served subpoena for another employee.

4.3. Any CCBI employee may serve a subpoena on another CCBI employee or former CCBI employee. The employee serving the subpoena has the responsibility and will provide the information required to be recorded to the Director or his/her designee within five working days of service. All CCBI employees will make a diligent and reasonable attempt to serve a subpoena that is assigned to that employee for service.

## 5. Court Ordered Evidence Examinations

5.1. CCBI will make all reasonable accommodations to comply with any evidence examination requests ordered by the court on behalf of a defendant. When such a request is presented to CCBI, the request will be forwarded to the Division Assistant Director over which the evidence is being maintained. The Division Assistant Director will provide the examiner with proper guidelines as to the requirements of the court ordered examination. Any examination of evidence completed under such a request will be completed in a location to be determined by the Division Assistant Director.

5.2. At no time will any persons present to examine evidence under such a request be allowed to access any operational areas of the agency. Any requests to utilize Agency or County equipment for the purposes of the examination will be brought to the Division Assistant Director or Director. Any request to utilize Agency or County equipment that is determined to be unduly burdensome, expensive, may be obtainable from some other source that is more convenient, less burdensome, or less expensive will be referred to the County Attorney’s Office.

5.3. Evidence covered under the order for examination will be presented utilizing the following procedures:

1. The complying employee will make a copy of the court order to place inside of the case file.
2. All evidence to be examined must be accounted for and in a sealed condition when provided to the court ordered expert or examiner.
3. Custody of the examined items will be signed over to the court ordered expert or examiner in accordance with CCBI custody transfer practices.
4. Upon the conclusion of the examination, the receiving employee will receive the items in an unsealed condition.
5. Upon receiving the examined items, the CCBI employee will inventory all items present to ensure accountability for each item and no change in the condition of said items.
6. Any damage or alteration found to have occurred will be brought to the immediate attention of the Division Assistant Director or Director prior to the staff member accepting custody of the item.
7. The receiving employee will seal the item appropriately and sign for custody receipt on the appropriate documentation.
8. The receiving employee will escort the court ordered expert or examiner out of CCBI.

5.4. Division Assistant Directors may require more stringent requirements as necessary specifically to the evidence or function being examined. When such additional requirements exist, they must be in writing and incorporated into an Administrative Manual or Technical Procedural Manual approved by the Director.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Removed specific positional responsibility. |
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# CHAPTER 20: Planning, Research, and Goals

**1. Purpose**

The planning and research function of CCBI should ensure that the changing needs of the citizens of Wake County are being met and that the future needs and resources are being identified to promote responsible growth and operational functions within CCBI.

**2. Policy**

The planning and research function will assist management in determining the changing needs for service and the allocation of resources to best meet the citizens’ needs by providing information to enhance the effective management of CCBI.

**Definitions**

Planning: The development of strategies designed to bring about favorable future conditions.

Research: The systematic and objective analysis of controlled observations that may lead to the development of generalizations resulting in the prediction and ultimate control of events.

**3. Planning and Research Function**

3.1. The planning and research function of CCBI should ensure that the changing needs of the citizens of Wake County are being met and that the future needs and resources are being identified to promote responsible growth and operational functions within CCBI.

3.2. The Director may assign functions of research and planning to any CCBI employee at his or her discretion. The primary placement of research and planning responsibilities will rest with the CCBI employee responsible for crime analysis and/or budget analysis and the Division Assistant Directors. Each of these individuals will have ready access to the Director for the purposes of performing this function.

**4. Development of Goals and Objectives**

4.1. Division Assistant Directors will formulate written goals and objectives for their respective divisions annually and will present those to the Director. The submitted goals and objectives will be reviewed annually and revised as necessary to ensure that the goals and objectives remain consistent with the overall mission of CCBI and the changing demands from the public.

4.2. Upon the approval of each division's goals, the Director or his/her designee will make those goals and objectives available to all agency personnel. The annual Wake County adopted budget as published will serve for this purpose.

4.3. As the goals and objectives are presented by the Division Assistant Directors to the Director annually, an evaluation of the progress made towards the current goals and objectives will be conducted. Information obtained through planning, research, and crime analysis should be utilized when evaluating the progress of the goals and objectives.

**5. CCBI Statistics**

5.1. The CCBI Business Officer will compile statistics and other information necessary to ensure the efficient operations of CCBI based upon available information.

5.2. The information compiled from these analyses will be disseminated at the discretion of the Director or his/her designee. Routine analytical compilations should be disseminated to applicable division Supervisors by email.

5.3. The Director, the Division Assistant Directors, or any CCBI Supervisor may request the CCBI Business Officer to compile statistics, as available, at any time to assist in maintaining efficient operation of CCBI personnel and resources. The CCBI Business Officer may request approval from the Director prior to the compilation of any statistical data requested by the Division Assistant Directors, or CCBI Supervisors.

5.4. Any statistical reports compiled by the CCBI Business Officer will be forwarded to the Director before or upon dissemination of such reports.

5.5. Statistical data or reports including data identifying individual employees' performance shall not be published or distributed outside of command/supervisory personnel.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Modified section 5 to be less specific. Added 5.5. |
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# CHAPTER 21: Budget

## 1. Purpose

To complete the annual budget process in accordance with procedures established by the Wake County Board of Commissioners and as directed by the Office of the County Manager.

## 2. Policy

CCBI will participate and conduct all functions regarding the budget process with integrity, transparency, and in such a manner consistent with public service.

**3. Budget Process and Responsibility**

3.1. The Bureau’s overall fiscal management falls under the Director, however, he/she may delegate the management functions to designated persons within the organization at his/her discretion.

3.2. Annually, CCBI must undergo and complete numerous budget tasks for submission to the Wake County Budget Office:

1. Base Budget - Expenditures
   1. Reallocate dollars as necessary by completing a base budget form for each unit within the department; only increase to base should be for contracts with built-in escalators.
2. Base Budget - Contracts
   1. Complete a Contract Summary template in Microsoft Excel. Form should agree to the amount for Contract Services in the Base Budget.
3. Base Budget – Revenues
   1. Project fiscal year revenues by either increasing or decreasing target base amounts. Any new fees or proposed changes to fees should be listed as an expansion.
4. Expansions
   1. Expansions should be submitted for all new positions, increase in service levels, and new department services. Also, each department may submit a single expansion to capture all requested increases to the target base budget.

* 1. Assistant Directors are responsible to ensure that all expansion requests within their division are submitted.

1. Expansion Ranking
   1. All expansion requests must be ranked in numerical/priority order indicating importance.
2. Budget Book Information
   1. CCBI shows information at the division level. Therefore, budget book information must contain a narrative for each.
3. Matrix
   1. The Matrix is a brief summarization of all programs, services, priorities, policy drivers, and roles and responsibilities. Furthermore, it shows whether the County has a choice in offering the service and whether the County has a choice in the level of funding for those services. The Matrix also identifies cost drivers, expenditures and revenues, and the net cost to Wake County.
4. Performance Measures
   1. The ASC-II collects performance data and compiles the data monthly/annually to report performance measure status.

**4. Functional Recommendations to the Budget**

4.1. Division Assistant Directors are responsible to ensure that his/her division has properly prepared and submitted budget requests. Furthermore, it shall be the Director’s responsibility to verify and approve that all requests are based on previously determined expansion goals and to properly state goals and objectives.

**5. Expansion and Horizon Issues**

5.1. CCBI will annually discuss and identify expansion and horizon issues as part of a multiyear plan during each annual budget process to include the following:

1. Long-term goals and operational objectives;
2. Anticipated workload and population trends;
3. Anticipated personnel levels;
4. Anticipated capital improvements and equipment needs; and
5. Provisions for review and revision as needed.

5.2. The multiyear plan will be reviewed and revised annually as necessary in accordance with budget preparation and submission procedures to include the above listed information.

5.3. Division Assistant Directors will provide to the Director annual information specific to the long-term goals and operational objectives, anticipated workloads and personnel levels, and anticipated capital improvements and equipment needs specific to their assigned divisions.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
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# CHAPTER 22: Fiscal Management

## 1. Purpose

The purpose of this directive is to establish guidelines for the fiscal management of the Raleigh/Wake City-County Bureau of Identification (CCBI).

## 2. Policy

It shall be the policy of the Raleigh/Wake City-County Bureau of Identification to effectively manage agency revenue, funds, and expenditures through fiscal management.

## 3. CEO Authority and Responsibility

The Raleigh/Wake City-County Bureau of Identification Director is designated by the Wake County Manager as having the authority and responsibility for the fiscal management of the Bureau.

## 4. Purchasing

4.1. The Director shall authorize the issuance of P-Cards to CCBI employees at his/her discretion. CCBI employees authorized to make purchases for CCBI will follow the policy and procedure set forth in the Wake County [Budget & Finance Policies and Procedures](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8339/finance-table-of-contents).

4.2. The CCBI Business Officer shall retain all purchasing responsibilities for CCBI beyond P-Card purchases.

4.3. The Director, or his/her designee, must pre-approve all purchases by CCBI personnel. The request will be documented on the CCBI Requisition Form and will be submitted to the Director. If the request is approved, the Director will sign the requisition form and forward a copy back to the CCBI Business Officer for purchase and retention.

## 5. Property Acquired through Civil Process/Asset Forfeiture

5.1. The Wake County Finance Department receives asset forfeiture money from the state and federal government. The Wake County Finance Department provides CCBI a portion of the received asset forfeiture funds. The Wake County Finance Department retains responsibility for the allocation of funds to CCBI as a result of asset forfeiture.

5.2. To be eligible for Federal funds resulting from asset forfeiture, CCBI must complete an Equitable Sharing Agreement and Certification form as required by the U.S. Department of Justice and the U.S. Department of the Treasury annually. The Director or his/her designee shall submit this form as required annually.

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| **Revision History** | | |
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| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| November 14, 2016 | 3 | Responsibilities allocated to Business Officer |
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# CHAPTER 23: Training/Certifications

## 1. Purpose

CCBI’s training function will establish the responsibility, requirements, and methods of documentation for the initial and continued training of all CCBI employees.

## 2. Policy

2.1. To provide training to all Raleigh/Wake City-County Bureau of Identification employees whereby continuously improving skills, knowledge, and abilities in order to set the highest standards in crime scene investigation, forensic analysis of evidence, and the collection of criminal arrest information.

2.2. CCBI will maintain two training coordinators for the purposes of this policy. Training coordinators consist of a CCBI training coordinator and a crime laboratory division training coordinator. Unless otherwise specifically stated, the CCBI training coordinator is responsible for all CCBI personnel training records outside of the Crime Laboratory Division and the crime laboratory training coordinator is responsible for all Crime Laboratory Division training records. Training coordinators will maintain a specific training file for each employee.

2.3. All training records will be retained in accordance with the North Carolina Records and Disposition Schedule for Local Government Agencies.

## 3. Continuing Education Training Requests

3.1. Continuing education is defined as any training opportunity offered internally or externally, free or fee-based, that is required for the position held, that could affect career advancement or that may be reflected on a performance evaluation. Generalized training specifically mandated by CCBI, Wake County, OSHA or the North Carolina Training and Standards Commission does not apply for request purposes in this section.

3.3. All training requests for continuing education will be done by completing a CCBI Training Request Form. This form may be completed by an employee wishing to attend training or by a supervisor on behalf of the employee. Continuing education training requests will include, when available, the start and end dates of the training, the title of the training course, the location and provider, any training agendas, the number of training hours and training costs. Additionally, crime laboratory personnel will include a description of training points and name and qualifications of the instructor when possible, and if not, will document the unavailability of that information on the training request form.

3.4. The Training Request Form will be submitted to the division assistant director. Division assistant directors may appoint a designee at their discretion for additional review or approval purposes. Upon being presented with a training request form, the assistant director will approve or deny the training request. If approved, the request will be forwarded to the director for approval. The CCBI director will have final approval authority. Approved training requests or copies for fee-based training will be provided to the CCBI business officer for finance purposes.

3.5. Upon the completion of the approval process, the form will be provided to the appropriate training coordinator. The requesting employee and supervisor will be notified of the approval status and if denied, the reasons for the denial. All training request forms associated with the employee will be placed in their training file and retained in accordance with records retention policies.

3.6. If the continuing education training is approved, the approving employee or the supervisor will be responsible for ensuring the coordination the employee’s registration and travel arrangements.

3.7. Employees and/or supervisors requesting or approving training should consider the following factors when doing so:

1. Has the employee received similar training in the past?
2. Will the requested training benefit the employee while in their present assignment or prepare the employee for future assignments?
3. Is the training requested the most cost effective option for receiving the training?
4. Does the requested training fit into the agency’s mission and goals?
5. Will the employee’s job performance improve as a result of receiving this training?

## 4. Training Attendance Requirements

4.1. Employees must attend all sessions of any training in which he/she is enrolled. Absences from assigned training are only considered excused if the employee’s supervisor and has been made aware and approved of the absence. Unexcused absences are to be reported to the employee’s supervisor and/or the training coordinator and may be subject to disciplinary action.

4.2. Employees are required to attend assigned training ~~courses~~ in compliance with applicable attendance requirements.

1. Employees participating in training required by the North Carolina Sheriffs’ Education and Training Standards Commission are required to meet attendance requirements as set forth in [12 NCAC 10B](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2012%20-%20Justice\Chapter%2010%20-%20Sheriffs'%20Education%20and%20Training%20Standards%20Commission).
2. Employees participating in training hosted or conducted by an outside agency will comply with the applicable attendance requirements for the course enrolled.
3. Employees participating in training conducted by CCBI or Wake County, in the absence of other specifically stated attendance requirements, are required to attend no less than 90 percent of the scheduled class times.

4.3. Attendance rosters are the responsibility of the entity hosting the training and/or the instructor for classes presented outside of CCBI. For training conducted by CCBI, it is the responsibility of the instructor to ensure that a class roster is completed and is given to the training coordinator.

4.4. For courses conducted by CCBI and for training required by the North Carolina Sheriffs’ Education and Training Standards Commission, it is the responsibility of the training coordinator to document successful completion of training.

4.5. Missed training due to absences excused or unexcused or courses failed by the attending employee will be made up at the discretion and in a manner decided by the employee’s supervisor and the training coordinator. Missed training that is required by the North Carolina Sheriffs’ Education and Training Standards Commission will be made up in accordance with the guidelines set forth in [12 NCAC 10B](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2012%20-%20Justice\Chapter%2010%20-%20Sheriffs'%20Education%20and%20Training%20Standards%20Commission).

4.6. The North Carolina Sheriffs’ Education and Training Standards Commission mandates training annually for sworn deputies. All sworn CCBI employees are individually responsible for ensuring that their Law Enforcement Certification is always maintained to include the responsibility for ensuring that he/she has met the annual mandated training requirements.

4.7. The CCBI training coordinator is responsible for ensuring that all sworn CCBI employees are made aware of and provided with the opportunity to attend the required mandated training. Having scheduled an employee to attend mandated training one time will suffice for the CCBI training coordinator’s responsibility under this section. Employees who fail to complete the scheduled mandated training, other than at the direction of a CCBI supervisor or the CCBI training coordinator, are responsible for the make-up of that training.

4.8. All mandated training attendance, falling under this section, will be documented on the employee’s training record. If an employee completes mandated training outside of the CCBI training coordinator’s knowledge, it is the employee’s responsibility to ensure that the CCBI training coordinator is provided documentation of the successful completion of that training.

## 5. Training Reimbursements

5.1. All training and related expenses, including travel expenses, must be requested and approved by the CCBI director.

5.2. All authorized travel and training inside or outside of Wake County will be reimbursed in accordance with the Wake County Travel Policy.

5.3. At the completion of training and related travel, employees will provide an accounting of all expenses within five business days by submission of the Wake County Travel Expense Report and all receipts to the CCBI business officer. Employees may not request reimbursement for travel expenses paid for with a procurement card.

5.4. Any travel requiring an overnight stay requires pre-approval in accordance with the Wake County Travel Policy. A Travel Authorization form will be completed and submitted with the CCBI Training Request Form along with a CCBI Requisition Form if any cost is to be incurred by CCBI.

5.5. CCBI personnel should refer to Wake County travel policy: [Budget & Finance Policies and Procedures](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8339/finance-table-of-contents)

## 6. Remedial Training

6.1. Remedial training may be utilized to correct poor or unsatisfactory job performance or correct deficiencies in an employee’s skill, knowledge, and/or abilities. Remedial training may be used absent formal disciplinary action as defined by Wake County Policy or in conjunction with a formal disciplinary action.

1. When a supervisor determines an employee is not meeting acceptable job standards, the supervisor will discuss the deficiency or need for improvement with that employee. The supervisor will provide written documentation of the discussion, the reasons supporting the need for remedial training, and outline the specific type of training deemed appropriate for the correction of such actions and provide a copy of that documentation to the employee and maintain a copy. (Documentation of such actions will be made in accordance with [Wake County Human Resources Administration Manual](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8341/hr-table-of-contents) Section 6200, Disciplinary Actions.)
2. The appropriate training will be scheduled by the employee’s supervisor. The training will be scheduled as soon as possible based on the type of training and availability.
3. The supervisor will evaluate the effectiveness of the training on the employee’s performance and discuss the status of the remedial training plan with the employee in a timely manner.
4. Failure to participate in remedial training as directed may result in disciplinary action.
5. If an employee’s performance requiring the need for remedial training is deemed to amount to exposing CCBI to unnecessary liability, the employee may be placed on administrative duty at the discretion of the director and in accordance with Wake County Policy.

6.2. When engaged in ~~a~~ training ~~course~~ provided by or assigned to by CCBI, and the need for remedial training is determined by the instructor or the organizing authority of the training, it is the employee’s responsibility to ensure that such remedial training is completed in a satisfactory manner as to facilitate the successful completion of the training.

6.3. When inspections are made, the inspecting individual may consider the need for remedial training based upon noted deficiencies if it is believed such training may correct these deficiencies. If such a determination is made, the inspecting individual will discuss that recommendation with the employee’s assistant director and any implementation of remedial training under these circumstances will be done at the direction of the assistant director.

## 7. Employee Training Records

7.1. The training coordinator will maintain all training records to include requests and associated certificates until such time as the employee has separated employment at which time employee associated training records will be forwarded to the employee’s personnel file.

7.2. The employee is responsible for providing the training coordinator with verification of successful training completion or performance of continued education training within five (5) working days of the receipt of the certificate. The training coordinator will maintain a copy of the certificate in the employee’s training file.

7.4. Upon receiving documented and verifiable completion of training, training coordinators are responsible for ensuring that all completed training is entered on employee transcripts in the OSSI Records Management System.

7.5. Division assistant directors or their designee will be responsible for documenting initial competency training and securing certificates of competency, when required, for all employees within their division. Upon the completion of initial competency training, records and certificates of competency will be forwarded to the employee’s personnel file.

## 8. Training Class Records

8.1. CCBI training coordinators will maintain records on training classes conducted by CCBI which will include the following, at a minimum:

1. The course content (lesson plan).
2. The names of agency attendees (roster).
3. The performance of individual attendees as measured by tests, if administered. If a test is administered, the test scores should be recorded or copies of the tests should be kept when reasonably available.

8.2. CCBI personnel conducting or coordinating training classes are responsible for providing the appropriate training coordinator with the above information.

## 9. Lesson Plan Requirements

9.1. Any training conducted or provided by CCBI requires a lesson plan. The lesson plan will include the following:

1. A statement of performance and job-related objectives.
2. The content of the training and specification of the appropriate instructional techniques.
3. The identification of any tests used in the training process.

9.2. Lesson plans will be submitted to the division assistant director and approved lesson plans will be provided to the training coordinator for retention, documentation and filing purposes.

9.3. Lesson plans utilized in training outside the agency and lesson plans provided by the North Carolina Justice Academy or the North Carolina Sheriffs’ Education and Training Standards Commission for training not conducted by CCBI for its employees will be considered approved and may not be kept by the CCBI training coordinator unless otherwise mandated by[12 NCAC 10B](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2012%20-%20Justice\Chapter%2010%20-%20Sheriffs'%20Education%20and%20Training%20Standards%20Commission).

## 10. Basic Law Enforcement Training Requirement

10.1. Any CCBI employee assigned to a position inside the agency for which the job classification requires a valid North Carolina Law Enforcement Certification, shall have obtained a valid North Carolina Law Enforcement Certification, in accordance with the North Carolina Sheriffs’ Education and Training Standards Commission, prior to performing any duties in such a position that requires the carrying of a weapon, the enforcement of laws, or making arrests. (To obtain a North Carolina Law Enforcement Certification, an individual has had to complete basic law enforcement training requirements in accordance with the North Carolina Sheriffs’ Education and Training Commission.) CCBI employees accepted by and placed in a pending status by the North Carolina Sheriffs’ Education and Training Standards Commission who are actively pursuing compliance with the reported requirements of and in the time limits imposed by the Commission are excluded from this requirement.

## 11. Annual Retraining

## 11. Annual Retraining

11.1. All sworn CCBI personnel will complete annual in-service training as dictated by the North Carolina Sheriffs’ Education and Training Standards Commission.

11.2. As part of the training mandated by the North Carolina Sheriffs’ Education and Training Standards Commission, various other courses are mandated annually. Many of the courses are classified as “Department Choice” topics. For such classes, the Director of CCBI shall determine annual participation ensuring that the training courses provided comply with the 24-credit minimum requirement dictated by the Commission.

11.3. All CCBI personnel shall also complete annual training as dictated by OSHA and Wake County; this training includes bloodborne pathogen training.

11.4. All CCBI staff members whose functions require the handling of firearms, except for CCBI firearms examiners, will be required to attend and successfully complete CCBI Safe Weapons Handling Training on an annual basis.

## 12. Notary Training

12.1. Some CCBI positions require a notary public certification. The Identification and Records Division assistant director will be responsible for the coordination of training and maintenance of required notary public certifications.

**13. Professional Certifications**

13.1. The possession and maintenance of professional certifications/memberships is essential to ensure proper staff competency, the opportunity for staff to remain current in their assigned disciplines, and to assist in supporting public confidence in the forensic services provided by CCBI.

13.2. CCBI is committed to ensuring that all staff engaged in forensic disciplines participate in professional organizations in their respective fields and maintain those certifications/memberships as a requirement of continued employment at CCBI. Staff assigned to a full-time capacity in the following forensic disciplines will be certified as indicated below, at a minimum:

* Investigations Division (crime scene supervisors, senior crime scene investigators, crime scene investigators) - International Association for Identification Crime Scene Investigator Certification.
* Investigations Division Specialized Bloodstain Pattern Assignment - International Association for Identification Bloodstain Pattern Analyst Certification.
* Latent Print Examination Unit International Association for Identification Latent Print Certification.
* Forensic Photography Unit - International Association for Identification Forensic Photography Certification.
* Digital Evidence Examination Unit - The International Association of Computer Investigative Specialists (IACIS) Certified Digital Evidence Examiner Certification.
* Firearms Examiners – The Association of Firearms and Tool Mark Examiners (AFTE) Firearms Evidence Examination and Identification Certification (FA-AFTE)

13.3. Employees assigned to the analysis of controlled substances or blood as a primary function of their duties must be certified by a certifying body approved by the director. The following certifying bodies are pre-approved by the director:

* Solid Dose Chemistry Unit - American Board of Criminalistics Certification.
* DWI Blood Chemistry Unit - American Board of Forensic Toxicology Certification.

13.4. Certification/membership requirements will be indicated on position job postings and included in each applicable position's position description. Adherence to certification/membership requirements is a requirement for continued employment.

13.5. Staff members becoming employed in a position requiring certification/membership as outlined above will have two (2) years beyond the date of eligibility, as dictated by the issuing authority, to secure the required certification/membership. Based on schedule, training, or testing availability, extensions beyond two (2) years may be required. Such extensions may be granted at the discretion of the division assistant director as long as the employee is actively pursuing the certification/membership. CCBI employees failing to receive the certification within two (2) years of eligibility, having unsuccessfully tested or applied for certification/membership three (3) times, or allowing their certification/membership to expire will be subject to dismissal for the inability to meet and/or maintain the minimum requirements of the position.

13.6. CCBI is committed to the need for the certification/membership requirement and as such will pay for the first two (2) certification attempts/membership application dues. Applicants failing to receive the certification within the first two (2) attempts will not receive compensation from CCBI for a third attempt.

13.7. Employees are encouraged to seek certifications beyond the minimum requirements outlined in this section. For more advanced certifications, when approved by a division assistant director, CCBI will pay for the first certification attempt.

13.8. Continuing education training requests received from staff will be screened by the division assistant director prior to the submission to the director for approval to ensure that requested training hours will apply to re-certification/membership requirements. Training classes serving to credit recertification requirements will receive priority for approval for those positions subject to this section.

13.9. Often, preparatory training classes are available to assist in practice for certification attempts. When such legitimate classes are available, CCBI will pay for a staff member's attendance to one (1) such class during their initial certification attempt. CCBI will not pay for preparatory classes for employees pursuing recertification. Employees are not obligated to request or attend preparatory classes.

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| **Revision History** | | | |
| **Effective Date** | **Version Number** | | **Reason** |
| January 24, 2011 | 1 | New SOP structure | |
| July 12, 2013 | 2 | Restructure and reorganization of SOP | |
| November 14, 2016 | 3 | Removed respiratory, CALEA, and bias-based profiling training requirements. Added 13-professional certification requirements. | |
| November 9, 2017 | 4 | 3.2, 7.1 Maintaining training requests modifying retained information | |
| June 11, 2019 | 5 | Added professional certification requirement for Firearms Examiners | |
| Sept. 3, 2020 | 6 | Created Crime Lab Training Ccordinator | |

# CHAPTER 24: Document Control and Management

**1. Purpose**

This procedure provides requirements for the creation, revision, and control of all written directives and quality documents used by CCBI.

**2. Scope**

2.1. This procedure applies to the creation, revision, and control of all CCBI developed operational documents, forms, written directives, policies, procedures, administrative orders, training manuals, safety manuals, and all documents pertaining to the Laboratory Quality Management System (QS).

2.2. Instrumentation manuals or externally produced quality documents are controlled if they provide direction in performing the quality-affecting activities unless the manual or documents have been referenced to in other controlled documents or have been incorporated in their entirety into an internally produced document. The affected documents include, but are not limited to, the following:

* All Agency Standard Operating Procedures
* All Agency Quality Manuals
* All Agency Administrative Policy and Procedures
* All Agency Technical Procedures
* All Agency Safety Manuals
* All Agency Training Procedures
* All Agency Forms
* Externally produced quality documents

2.3. For the purposes of this policy, the included documents shall be referred to as quality documents.

**3. Definitions:**

Approver **–** The employee responsible for the content of the document. Approvers shall be considered the issuing authority.

Author – The employee who writes or revises the document.

Controlled Document – A document that is issued and distributed in a trackable manner.

Document – Any CCBI written directive, form, or other document as identified by the scope of this policy.

Document custodian(s) – The employee(s) assigned responsibility by the CCBI Director for ensuring the proper formatting, placement, publishing, distribution, and archival of quality documents.

Document Tracking Form (DTF): A form to record and authorize the creation, change, and/or approval of each controlled document. Each controlled document shall have a unique DTF.

Forms – Internally developed forms approved for use in CCBI operations, examinations, analysis, or casework requiring physical completion.

Issuing Authority – Authorized approver of documents.

Quality Management System (QS) – All documents that form part of the Quality Management Systems (internally generated or from external sources) within the Crime Laboratory and Investigations Divisions, such as regulations, standards, other normative documents, test and/ calibration methods, as well as drawings, software, specifications, instructions, and manuals.

Master List – A list that identifies the current version status and distribution of documents in the management system. For each document, the Master List shall include the title, document number, version number, and issue date,

Quality Documents – All documents identified under this section to be controlled.

Revision History – Document prepared for and maintained for each document, policy, or standard to track changes or modifications.

Reviewer – The employee responsible for reviewing documents using reference sources and other pertinent information to ensure inclusion of all necessary elements and in compliance with any associated policies and procedures. The review may be conducted for technical, legal, or quality assurance purposes.

Uncontrolled Document – A document that has been removed from the officially approved controlled location.

Wake County Form Repository - A Wake County Information Services hosted SharePoint site used for maintaining all controlled CCBI forms and accessible to all full-time and part-time permanent CCBI employees through security rights authorized within their Wake County Active Directory user access accounts.

**4. Dissemination and Storage**

4.1. The Director shall assign responsibility for the storage and maintenance of the document control procedure and the assigned entity shall be referred to as the document custodian(s) for the purposes of document control.

4.2. The official copies of CCBI quality documents shall be electronic, whenever possible, and copies published or maintained as described herein. Safeguards shall be in place to ensure that all electronically stored documents are protected from unintentional and unauthorized editing or deletion. No hand written amendments of documents are authorized. Employees may download and print copies; however, any printed copy shall be considered uncontrolled and labeled as such. Employees are responsible for ensuring use of the most current version of all quality documents.

4.3. All quality documents, except forms and those physically maintained, must be maintained electronically and published on the CCBI network location (s:drive) under the folder labeled “Standard Operating Procedures.” In cases where the quality document’s type, size, or copyright regulations prevent the electronic retention of such documents, the method of document retention and the location shall be noted and maintained on the master list.

4.4. The Wake County Form Repository, located on a Wake County hosted share point site, shall house all controlled CCBI forms. Wake County Information Services maintains control of the share point site. The assigned Wake County Information Services liaison shall maintain sole authorization for the physical addition, modification, or removal of forms from the software application with appropriate CCBI authorization. Share point site access is internet-based allowing all employees secure access for the purpose of form retrieval. Forms in the Wake County Form Repository are protected from unauthorized editing.

**5. Format**

5.1. Written Directives - Each written directive will bear the following information at a minimum:

Header Contents:

* The document title;
* The issue date;
* A unique document identifier consisting of the initials of the document followed by a chapter or section number (i.e., SOP12, LAPM10, etc.);
* Version number indicated as Version #; and
* The issuing authority.

Footer Contents:

* The page number indicated as “Page\_ of \_”; and
* The statement that all copies of this document are uncontrolled when printed.

5.2. Forms – Each internally developed form will bear the following information at a minimum:

* The document title;
* The issue date:
* A unique document identifying number;
* A version number indicated by a decimal at the end of the identifying number;
* The issuing authority;
* The page number indicated as “Page \_ of\_”; and
* The statement that all copies of this document are uncontrolled when printed.

5.3. All documents internally produced for use by a division or unit shall be electronically maintained and named in such a manner to specifically identify the division or unit to which the document is applicable.

5.4. Technical Procedures – Each discipline’s technical procedures will establish uniform requirements and analytical procedures for each category of testing or type of examination for which the Technical Leader or Supervisors are responsible. The technical procedures must include at a minimum, if applicable, the following:

* Definitions of key terms;
* Abbreviations;
* Quality control;
* Procedures and/or protocols;
* Performance checking and maintenance of equipment; and
* Use of controls, traceable reference standards, and materials.

**6. Master List**

6.1. A master list shall be contained for all quality documents to include at a minimum the unique document identifier, the title, the revision status, and the effective date of the document.

**7. Revision History**

7.1. A revision history shall be maintained for each quality document. The written history shall be maintained electronically when practical. For all quality documents, except forms and those documents which preclude electronic maintenance or editing, a revision history shall be maintained at the end of the body of each document. For forms and documents precluding electronic maintenance or editing, revision histories shall be maintained by the document custodian(s).

7.2. Documents and forms encompassed by this policy may be edited by the document custodian(s) without approval for the purpose of correcting spelling errors, grammatical errors, formatting issues, or other administrative purposes when such changes have no bearing on the information presented, the information requested, or the meaning of the content. Such changes do not require the implementation of a new version.

**8. Document Development**

8.1. Documents shall be created or modified according to the basic process below.

1. The author of a document shall have expertise in the subject matter. The document shall include enough detail to ensure that the activity addressed conforms to quality requirements. Documents in draft form shall be labeled as such.
2. The author shall complete the Document Tracking Form (DTF) indicating a title of the document and the signature of the author. The DTF shall be submitted with the draft version of the document to the reviewer.
3. Externally produced documents to be added or modified in the quality system shall be forwarded in original form with a DTF to the appropriate reviewer.

**9. Document Review and Approval**

9.1. The draft version of the document and the DTF shall be submitted to the Division Assistant Director for review. Documents directly pertaining to the Investigations Division and the Crime Laboratory shall additionally be submitted to the applicable Division Accreditation Manager for review if different than the Division Assistant Director. Review shall ensure that the proposed or revised documents do not contradict other existing agency directives, quality program practices, accreditation requirements, or applicable law.

9.2. Document drafts authored by Assistant Directors may be submitted directly to the Director for review and approval. In such cases, the authoring Assistant Director shall sign the DTF as the author.

9.3. Once review is completed and approved, the DTF must be submitted to the Director or authorized Assistant Director for review and approval. The Director will indicate approval on the DTF. The DTF along with the finalized version of the document will be forwarded to the document custodian(s) with an effective date.

9.4. Reviewers and the approver(s) shall have access to pertinent background information upon which to base their review and approval including any document revision history.

**10.4. Forms:**

10.4.1. All affected employees will be notified of the addition or change via email.

10.4.2. Approved forms shall be posted on the Wake County Form Repository on the effective date of the form. Having received an approved DTF, the document custodian(s) shall be the only employee authorized to make changes, additions, or deletions of controlled forms. Controlled forms in the Wake County Form Repository are authorized to be printed in mass quantities for use or for forms requiring special considerations (i.e., card stock, carbon paper, etc.).

10.4.3. Many controlled forms in the Wake County Form Repository have restricted editing properties that hinder the ability to submit form modifications and/or use formulas/tables in electronic formats. As such, editable controlled forms folders shall be made accessible to those Units requiring the use of such digitally usable forms. Non-controlled forms shall not be placed or created within the editable controlled forms folders. Forms within the editable controlled forms folders may be utilized in active casework to the extent that the format of the form has not been altered beyond the digital entry of case information. Employees utilizing forms from the editable controlled forms folder for casework are responsible for ensuring the form being utilized is the most current version of the form as found in the Wake County Form Repository.

10.4.4. The document custodian(s) shall maintain responsibility for the maintenance and updating of forms within the editable forms folders. New versions of forms will be placed inside the editable controlled forms folders at the time of posting in the Wake County Forms Repository and obsolete forms will be removed.

10.4.5. When new versions are approved and controlled, all printed copies of obsolete versions being used for quality purposes shall no longer be used for casework. New copies created or ordered must be consistent with the form located in the Wake County Form Repository.

**11. Document Removal**

11.1. The Director retains sole authority for authorizing the removal of obsolete documents. Upon notification to the document custodian(s), the document shall be removed from its location and archived in accordance with procedures. The revision history shall indicate the removal date and reason.

**12. Document Review**

Controlled documents shall be reviewed annually to ensure that the documents reflect current policies, practices, procedures, and technology.

**13. Document Retention and Archival**

13.1. Superseded or removed documents shall be removed from use and when possible, maintained electronically by the document custodian(s) as an archived document. Archived quality documents having been maintained physically shall be forwarded for retention to the document custodian(s). Archived documents shall be maintained separately from current documents and the document custodian(s) shall limit access to archived documents to ensure that archived documents are not utilized for current operations.

13.2. All documents archived shall clearly indicate “archived” status on the document. Electronic document names will indicate the unique numeric document identifier as identified on the master list along with dates that the document was utilized.

13.3. Quality documents shall be maintained permanently.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Added section 9.2. |
| November 14, 2016 | 4 | Changed location of controlled forms to Sharepoint. Modified approval authority for Crime Lab documents. |
| October 2, 2017 | 5 | Add editable forms folder use |

# CHAPTER 25: Facility Access and Security

## 1. Purpose

A safe, secure, and efficiently operated facility is crucial to employee performance and overall productivity. CCBI procedures should reflect this belief and be in accordance with best known practices. CCBI employee’s adherence to and understanding of facility operations and security procedures is imperative to maintaining the strictest level of security regarding the evidence, records, and examinations conducted on a daily basis by CCBI staff.

## 2. Policy

CCBI will provide a productive and safe work environment. CCBI will also be devoted to the integrity of the facility and its security procedures to safeguard all employees, evidence, and records contained therein. CCBI will maintain facility access and security procedures in compliance with ISO 17025 standards.

## 3. Security

The CCBI Director shall be solely responsible for the authorization of individual access to all portions of CCBI facilities. Agreements with the Wake County General Services Administration and the Wake County Sheriff’s Office shall be maintained and be on file at CCBI regarding access authority to CCBI facilities. The Wake County Sheriff’s Office and Wake County contract security staff will maintain perimeter security of CCBI facilities at all times.

## 4. Definitions

Authorized Personnel: CCBI employees who by virtue of their position or official responsibilities have physical access to areas of CCBI.

Authorized Persons: Persons serving Wake County in an official capacity authorized by the CCBI Director to access portions of CCBI facilities.

Employee: CCBI staff members to include full-time, part-time, temporary, volunteers, or interns who have completed the appropriate hiring or appointment process and have successfully passed a background investigation.

Limited restriction: Any area in CCBI not otherwise addressed to include hallways, corridors, break rooms, bathrooms, etc.

Operational Area: Any area inside of CCBI that houses evidence or that evidence is routinely placed in for the purpose of examination or analysis.

Public Area: Any area inside the facility that is accessible by the public during routine business hours.

Restricted Area: Operational areas of CCBI used for examinations or the analysis of evidence.

Secure Area: Areas of CCBI where evidence is maintained and is restricted to specific CCBI employees.

Visitor: Any person not defined as a CCBI employee or Authorized Persons.

## 5. Swipe Card Access

5.1. Wake County utilizes AMAG Technologies access control systems for swipe card access in the Wake Detention Center Facility. Administration of this system including access authorization is the physical responsibility of the Wake County General Services Administration, the Wake County Sheriff’s Office, and any security vendors contracted by Wake County for the maintenance and/or administration of the system.

5.2. The Wake County General Services Administration will maintain responsibility for the creation and distribution of swipe cards to individuals authorized by the CCBI Director. CCBI employees leaving the employment of CCBI shall be required to return their issued swipe cards to the Executive Assistant to the Director upon the termination of employment. Additionally, the Executive Assistant to the Director shall be responsible for terminating card access of CCBI employees at the conclusion of their employment.

5.3. The CCBI Executive Assistant to the Director and the CCBI Office of Professional Standards shall maintain the primary responsibility for coordinating and acquiring facility swipe card access for all CCBI employees, volunteers, interns, or other persons acting on behalf of CCBI requiring access to CCBI facilities. Any requests for access or modifications shall be completed by the entities stated above in accordance with access authorization requirements dictated by the CCBI Director.

5.4. Requests for the modification of any currently provided access rights provided by swipe card access will be forwarded to the Executive Assistant to the Director or Office of Professional Standards.

5.5. Employees placed in an administrative/investigatory suspension status shall be required to turn in their issued swipe cards, CCBI identification, and any keys to the Executive Assistant to the Director. When the suspension has been fulfilled, and the employee returns to a full duty status, the employee may regain the issued swipe cards.

5.6. The Office of Professional Standards shall review the individuals having swipe card access to CCBI facilities annually during annual internal audits to ensure accuracy, security, and adherence to CCBI policies. Documentation of that review will be provided for accreditation files as necessary.

## 6. Temporary Use Swipe Cards

6.1. The Executive Assistant to the Director shall maintain swipe cards for general CCBI access. These swipe cards may be issued to new CCBI employees until receipt of their officially issued employee swipe card. The Executive Assistant to the Director shall log the issuance and return of each temporary use swipe card and maintain account of all CCBI temporary use swipe cards at all times.

## 7. Biometric Access

7.1. Biometric security access will be employed on all CCBI evidence rooms in addition to other security controls. Access to biometric readers will be granted based upon the employee’s position in the agency and the official functions assigned to the position that require access to such areas.

7.2. Only CCBI employees authorized by the CCBI Director will be granted entry access into any biometric reader. Contracted personnel servicing or maintaining the biometric system may be enrolled in the biometric readers for the purpose of service, maintenance, or repairs for a time period no longer than that required to complete the service provided.

7.3. The Office of Professional Standards shall maintain responsibility for facilitating and removing the access of employees to all designated evidence rooms within the CCBI facility. Such action will be determined based upon the employee’s position and employment status. Employees granted light duty status or approved for FMLA leave whereby subject to a condition that prevents the job duties that require access to any evidence room, shall be removed from having biometric access to that area(s) until the condition has been satisfactorily resolved. Any employees leaving the employment of CCBI shall be removed from having access to evidence rooms immediately upon termination of the employment.

## 8. Facility Keys

8.1. The Wake County General Services Administration retains responsibility for all CCBI facility keys and locksmith services in accordance to the aforementioned agreement. The maintenance, accountability, and issuance of all CCBI facility keys shall be the responsibility of the CCBI Office of Professional Standards. The issuance and return of all facility keys shall be documented and maintained by the Office of Professional Standards.

8.2. As CCBI employs a variety of electronic and biometric security access systems, it shall be the policy of CCBI to minimize the issuance of keys wherever possible. When designated security systems are in place and operating precluding the use of a key, CCBI employees are required to use the appropriate system as opposed to accessing the area by a key.

8.3. Requests for additional or copies of any facility keys shall only be authorized by the Office of Professional Standards, the CCBI Director, or his or her designee. The Office of Professional Standards shall maintain copies of all keys to all facility doors, lockable storage units, operational/facility equipment, and furniture items.

8.4. The CCBI Director and Assistant CCBI Directors shall have access to all facility keys as needed for the efficient operation of the agency. The acquisition of such keys shall be done only for legitimate official purposes and with the knowledge of the Office of Professional Standards.

## 9. Video Surveillance

9.1. The Wake County General Services Administration in conjunction with the Wake County Sheriff’s Office maintains administrative responsibilities of the Wake County Detention Center’s video surveillance system. Entryways to all CCBI evidence rooms and the CCBI central files room shall be recorded 24/7. Other areas of CCBI may be monitored by video surveillance at the discretion of the CCBI Director.

9.2. Predetermined areas of CCBI facilities have been designated as necessitating constant video surveillance coverage. The CCBI Director may authorize video surveillance of additional areas at his/her discretion in accordance with applicable laws. Such recordings may be used as evidence in any subsequent administrative investigations. Such recordings may also be released upon request in any criminal investigations in accordance with applicable laws.

9.3. Requests for copies of any video surveillance shall be authorized only with prior approval from and under the direct authority of the CCBI Director or the Office of Professional Standards.

**10. Visitors**

10.1. Visitors to CCBI shall include, but are not limited to, those individuals conducting official business at CCBI to include outside law enforcement officers, general Wake County Detention staff, tour participants, media personnel, sales persons, Wake County employees, accreditation assessors, CCBI vendors or other persons not defined in this chapter. Family members of CCBI employees inside the facility will be considered and treated as visitors.

10.2. All visitors to CCBI, with the exception to those accessing Detention Areas as identified in Section 16, shall be required to sign a CCBI Visitors Log prior to entry into the CCBI limited restriction area. The person hosting the visitor will ensure the completion of the visitors log and provide the visitor a visitor’s identification badge to be visible on their persons while inside CCBI at all times. Visitor groups containing multiple people may be indicated as one entry on the visitors log and are exempt from the visitor’s identification badge requirement only when being accompanied by CCBI employees during the duration of the visit.

10.3. All visitors inside the CCBI facility beyond the designated public area shall move through the facility by escort only. Any employee escorting visitors through the Criminal Identification Unit outside of official business, at any hour, must receive prior authorization from an Assistant Director or the Director. Any employees escorting visitors to any other area of the Agency outside of official business and outside of normal County recognized work hours (Mon. - Fri., 8:30 a.m. - 5:15 p.m.) must receive prior authorization from an Assistant Director or the Director.

## 11. Authorized Persons

11.1. For the purpose of maintaining efficient Wake County and CCBI operations, the following groups of individuals, hereby referred to as authorized persons, shall be provided general swipe card access only to areas of CCBI identified as limited restriction or public:

1. General Services Administration employees assigned to official duties at the Wake County Detention Center.
2. Wake County contractors (housekeeping, security staff, security system administrators).
3. Wake County IS personnel assigned to CCBI operations.
4. Wake County Sheriff’s Office employees specifically responsible for the security or maintenance of the Wake County Detention Center facility encompassing areas indicated as CCBI facilities.

11.2. Authorized persons may only enter CCBI facilities while performing their official duties and must use swipe card readers while inside the facility.

11.3. Keys to CCBI facilities, with the exception of CCBI secure areas, may be maintained and released by the Wake County Detention Center Central Control staff for the purposes of facility maintenance, security, or applicable fire protection procedures. The release of such keys for any of the above outlined purposes will be documented to include date and time of issuance, date and time of return, and to whom the key was provided.

## 12. Public Areas

12.1. CCBI public areas shall be open for public use during official Wake County business hours with no restrictions regarding access. The following area is designated as CCBI’s public area:

1. Room C2351, the 2nd floor public reception area
2. Room C1395; the Evidence Receiving Unit Lobby

## 13. Limited Restriction Areas

13.1. All CCBI facility areas, hallways, and corridors shall be classified as limited restriction unless otherwise addressed in this chapter. Limited restriction areas shall be limited to CCBI employees and those listed as Authorized Persons only. The public and others identified as visitors are not authorized to be unescorted in limited restriction areas. All CCBI Limited Restriction Areas will maintain physical and/or electronic lock systems.

## 14. Restricted Areas

14.1. Restricted areas shall be identified as operational areas of the agency where forensic analysis or examinations are routinely conducted. Additionally, any area maintaining criminal justice information or access to such information shall be considered restricted to include staff office space. All CCBI restricted areas will maintain physical and/or electronic lock systems.

14.2. Restricted areas may be accessed only by CCBI personnel who have been granted physical access authority to such location by virtue of their position or official job duties. Individuals entering these areas who have not been granted access to any of these areas must be accompanied by an authorized CCBI employee during the entirety of the individual’s presence. (Authorization for the purposes of accompaniment, as defined in this section, may include CCBI employees who themselves do not have access to the specific area as long as the restricted area was originally accessed by a physically authorized employee and the accompanying employee was assigned to the responsibility of accompanying the individual. Accompany will be considered as being in such close physical proximity to ensure no unauthorized or illegal activity can take place.)

14.3. Wake County Information Services staff assigned to assist CCBI are excluded from the CCBI employee accompanying requirement as long as the examination of evidence, evidentiary items, or controlled substances are not being maintained presently inside the area or room.

14.4. Wake County Detention Center administration or security staff members may possess facility keys to access CCBI restricted areas for the purposes of security and accessibility by emergency personnel in the event of an emergency.

14.5. The following CCBI facility rooms are designated as restricted areas:

1. C0096 – The Criminal Identification Unit secure employee work area
2. C1378 – The Dry Laboratory
3. C1379 – The Wet Laboratory
4. C1387 - The DWI Blood Chemistry Storage
5. C1388, C1400, and C2427 – The DWI Blood Chemistry Laboratory
6. C1392 – The Vehicle Garage
7. C1396 – The Evidence Receiving Office
8. C1399 – The Drug Laboratory
9. C1401 – The Drug Reference Materials Storage Area
10. C2361 – The Central Files Record Room
11. C2418 – The Photography Laboratory
12. All personally assigned staff offices

## 15. Secure Areas

15.1. Secure areas are those areas of CCBI designed for and utilized for the purpose of maintaining evidence and requiring biometric access for entry. All secure areas of CCBI will require biometric and swipe card access for entry. Entryways to all CCBI secure areas and corresponding access points will be monitored by video surveillance 24 hours a day, 7 days a week. Keys to secure areas will be maintained by the Office of Professional Standards exclusively and will not be issued to any CCBI employees.

15.2. The Wake County Detention Center Administration or staff members may not possess any facility keys to access CCBI secure areas.

15.3. Secure areas may be accessed only by CCBI personnel who have been granted physical access authority to such location by virtue of their position or official job duties. All individuals or CCBI employees entering these areas who have not been granted access to any of these areas must be accompanied by a CCBI employee who has been granted physical access to the area during the entirety of the individual’s presence in the respective area.

15.4. The following CCBI facility rooms are designated as CCBI secure areas:

1. C1397 – The Main Evidence Room
2. C1394 – The Putrefaction Room
3. C1398 – The Drug Evidence Room
4. C2426 – The DWI Blood Evidence Room
5. C2422 – The Latent Evidence Control Room
6. C1377 – The Digital Evidence Laboratory

## 16. Detention Areas

16.1.  Detention areas are defined as operational areas of CCBI, within the portion of the facility designed for arrestee intake, over which physical access authorization is a function of the Wake County Sheriff’s Office and access is request specific, in-person, and digitally monitored. Based on the nature of these areas, it is expected that all persons being provided access to these areas will be for a legitimate CCBI business function and will be physically escorted and monitored throughout the entirety of their time in those areas.

16.2. Considering that persons granted access to detention areas are unable to ingress or egress without the accompaniment of a CCBI employee or other authorized person having access, and all movements are closely monitored and restricted, visitors to these areas are not required to sign in on a visitor’s log or wear a visitor’s identification badge while within these areas.

## 17. Firearms Test-fire Areas

17.1. Firearms laboratory equipment, including but not limited to bullet recovery systems, shall be used only by CCBI Firearms Examiners for official purposes.

17.2. No employees, except Firearms Examiners, shall be present within the CCBI Vehicle Examination Garage (C1392) during any period in which the test fire warning system is activated and/or weapons are being discharged for the purposes of firearm examination functions. Any employee finding themselves present within the garage during the activation of the test fire warning system shall immediately notify the activating CCBI Firearms Examiner of their presence within the garage and coordinate for their egress from the garage or the postponing of the test fire function.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| October 14, 2015 | 3 | Addressed after hour visitor access |
| November 14, 2016 | 4 | Modified 5.6., 11.3, & 15.4. |
| August 13, 2018 | 5 | Added Detention Areas (Section 16) |
| June 11, 2019 | 6 | Added Firearms Test Fire Areas (Section 17) |
| June 5, 2020 | 7 | Modified 10.2 to Prevent Visitors in Lobby |

# CHAPTER 26: Uniforms and Agency Owned Property

**1. Purpose**

To establish dress code requirements and procedures regarding the use of agency property.

**2. Policy**

CCBI’s dress code shall be administered in a manner to reflect a consistent and professional public image. Agency property/equipment shall be maintained and issued to promote efficiency and provide employees with the necessary property/equipment to perform their assigned duties.

**3. Uniforms**

**3.1. Dress Requirements**

3.1.1. It is the policy of the Raleigh/Wake City-County Bureau of Identification (CCBI) for all personnel to present a neat and professional appearance before the public and the agencies we serve. Members of the criminal justice community and public citizens have certain expectations regarding the appearance of professional personnel, including civilian and sworn staff. All employees have an obligation to maintain appropriate personal hygiene, grooming, and dress. Supervisors are expected to ensure that employees report for duty in the fashion described in this policy. In addition, Supervisors must take immediate corrective action regarding any employee who reports for duty in violation of this policy. The final determination of acceptable limits of grooming and dress will be at the discretion of the CCBI Director.

**3.2. Uniformed Employees**

3.2.1. Personnel will wear the issued uniforms, a black or white tee shirt, and black footwear. The issued duty belt and portable radio (when assigned) will be worn with the issued uniform. Personnel issued pepper spray may wear it at their discretion.

3.2.1. Sworn employees may conceal an approved firearm on their person in accordance with N.C.G.S.§ 14-269 while in this uniform without any other identifying insignia provided it is worn in a discrete and fully concealed manner. Sworn employees choosing to openly display a firearm may only display their issued firearm and will possess their law enforcement credentials, a visible belt badge facing forward on their belt on the same side as the firearm is worn, wear handcuffs inside a case, possess a handcuff key, holster, additional magazine(s) with ammunition and issued pepper spray.

3.2.3. Uniforms may be worn during court appearances, speaking engagements, teaching assignments; however, professional business attire is highly preferred and expected when the employee is aware in advance of their expected testimony.

3.2.4. All Investigations Division personnel shall be issued ballistic vests. Employees may wear the vest at their discretion. Employees choosing to wear the vest on a regular basis will wear the vest utilizing the under-carrier under their uniforms. Outer-carrier worn vests must be marked and may only be worn on the exterior of the uniform in extenuating circumstances or actively on a crime scene.

**3.3. All Employees**

3.4.1. Employees not being issued a uniform by virtue of their position shall wear acceptable business casual clothing appropriate for a professional workplace. All clothing shall be properly fitted, neatly pressed, and of good general appearance. Employees are expected to wear professional business attire to include a suit or sport coat with dress slacks, dress shirt and tie, skirt suit, professional dress or similar professional attire when expected to testify in court. Professional business attire or issued uniforms may be worn for teaching and speaking engagements.

**3.4. Hair Styles and Grooming – General**

3.4.1. Hairstyles and hair colors will convey a neat and professional business-like appearance.

3.4.2. Mustaches shall be a conventional type, be neatly trimmed, and not present a bushy or unkempt appearance. No other facial hair is authorized.

3.4.3. Uniformed personnel shall wear their hair pulled back and/or off of their face/shoulders when the length permits doing so. Plain and conservative color pins, combs, barrettes, and headbands may be worn to keep hair in place. Hair ornaments such as ribbons or jeweled pins are not allowed.

3.4.4. Fingernails must be clean, well-groomed and not interfere with duty performance or hinder proper fit of prescribed safety equipment or uniform items.

**3.5. Jewelry and Other Ornamentation**

3.5.1. While on duty watches, jewelry, and other ornamentation will be of a taste, style, and color acceptable for a professional workplace.

3.5.2. Earrings worn should not detract from a neat and professional appearance, may not interfere with work activities, and may not be of a nature that may jeopardize the health and/or safety of an employee. Earrings shall consist of ornamentation designed specifically as earrings unless having been individually approved by the Division Assistant Director. No hoop or otherwise dangling earrings are authorized while in uniform.

3.5.3. All visible body piercings, other than earrings, must be discreet in size and location, not detract from a neat and professional appearance, and may not be of a nature that may jeopardize the health and/or safety of the employee. CCBI employees are not authorized to wear visible body piercing jewelry, except for the ears as approved by the Division Assistant Director, while in uniform, while testifying, or while engaging in presentations or speaking engagements outside of CCBI.

3.5.4. Tattoos or brands may not be visible on the face or hands. Visible tattoos or brands cannot be vulgar, indecent, sexist, racist, or incite sexual thoughts. Tattoos that do not meet the above specifications must be covered in a manner approved by the employee's Supervisor. Covering items must be purchased at the employee’s expense.

3.5.5. Rings worn should not detract from a neat and professional appearance, may not interfere with work activities, and may not be of a nature that may jeopardize the health and/or safety of an employee. Employees may wear no more than one ring on each hand and may not wear thumb rings while testifying or while engaging in presentations or speaking engagements outside of CCBI.

3.5.6. Employees in uniform will not wear visible necklaces. Plain-clothed employees may wear necklaces that are consistent with business casual attire.

**3.6. The following attire/ornamentation shall be PROHIBITED for all employees:**

3.6.1. Body modifications such as horns or split tongues are not allowed.

3.6.2. Clothing which induces ridicule or is offensive.

3.6.3. Clothing which shows excessive wear or has faded or washed out appearance.

3.6.4. Dress/skirt with hemline 2” inches or more above the knees.

3.6.5. “Flip flop” type footwear.

3.6.6. Bedroom type footwear.

3.6.7. Clothing designed for athletic activity.

3.6.8. Tank tops.

3.6.9.Clothing which is designed to reveal the midriff.

3.6.10. Blue jeans.

**3.7. Authorized Personal Equipment**

3.7.1. Any personal equipment and/or apparel used/worn by uniformed personnel must be first authorized by the Director to ensure uniformity and prevent the use of unauthorized and substandard items. Employees are prohibited from making any alteration to issued equipment without the consent of the Director or his designee.

3.7.2. All CCBI employees may carry personal cell phones on or about their person except in secure portions of the Wake County Detention Center Facility.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 3, 2014 | 3 | Require uniforms articles that are replaced to be turned in. |
| September 24, 2014 | 4 | Inv Div no longer wearing polo shirts, Crime Lab employees only issued one uniform and requirements for when it can be worn |
| November 14, 2016 | 5 | Consolidated 3.2 and 3.3. Added ballistic vest requirement. Added 3.3.2. Added 3.4.1. Firearm issuance a task of OPS. |
| August 16, 2017 | 6 | Policy rewritten |
| Sept. 3, 2020 | 7 | Accommodate new unmarked uniforms |

# CHAPTER 27: Agency Owned Vehicles

## 1. Purpose

County-owned vehicles utilized and/or assigned to CCBI are provided for use in official business only to promulgate the efficiency of the services provided by CCBI.

## 2. Policy

CCBI employees will use all County-owned vehicles in accordance with N.C.G.S. § 14-247, Wake County vehicle policies and procedures, and all applicable CCBI policies and procedures.

## 3. Use of CCBI Vehicles

3.1. CCBI maintains County-owned vehicles specifically for the purpose of performing work related functions and the efficient delivery of CCBI services. CCBI vehicles may not be utilized for personal reasons. N.C.G.S. § 14-247 specifically states, “*It shall be unlawful for any officer, Crime Scene Investigator, or employee of any county to use for any private purposes whatsoever any motor vehicle belonging to the county.”*

3.2. All marked and assigned Investigations Division CCBI vehicles shall remain parked at the assigned employee’s residence or the Wake County Detention Center when not in use. No employee having a take-home vehicle shall use the vehicle while “off-duty”. All other CCBI vehicles shall remain at the Wake County Detention Center on the fourth level of the parking deck unless being used in the official performance of duty, authorized by policy, authorized by an Assistant Director or the Director, or in the custody of Wake County Fleet Operations.

3.3. CCBI vehicles may be driven by any CCBI employee with an active North Carolina driver license, having no suspensions or revocations for point accumulation or moving violation within the past 18 months, less than eight DMV points within the past 24 months, having no DUI/DWI conviction during the past three years, or as authorized by the Wake County policies.

3.4. The Director retains full authority for the assignment of “take-home” vehicles. Division Assistant Directors may authorize temporary assignments of “take-home” vehicles as business needs dictate for official County functions.

3.5. The Director may authorize vehicles to be utilized for the purpose of transporting employees to and from their residences in the event of inclement weather as necessary to ensure the continued operation of CCBI services.

3.6. CCBI vehicles operated by non-exempt employees, outside of the Investigations Division, may be utilized for the purpose of a meal period only when the travel to or from the meal location coincides with traveling required as part of an official duty. CCBI vehicles shall not be utilized solely for the purpose of retrieving food for a meal period.

3.7. Non-exempt employees may utilize a CCBI vehicle for official functions occurring during a regularly scheduled shift and for responding to court inside of Wake County on a scheduled day off.

3.8. When the vehicle is in operation, the computer screen should be down, or positioned as not to obstruct or interfere with the operator’s vision for safe driving. Typing by the operator is prohibited if the vehicle is in motion.

## 4. Spare Vehicles

4.1. Spare vehicles will be maintained at CCBI. It is the responsibility of the last employee who drives the spare vehicle to make sure that it is in a state of readiness to include at least 1/2 tank of gas, a Wake County gas card is inside the vehicle, and all applicable supplies. Additionally, the employee using the vehicle will ensure that it is returned in a clean state free from trash or food.

4.2. Employees requiring a spare vehicle will retrieve a key from an authorized person and sign the vehicle out on the spare vehicle log. Upon return of the vehicle, the log will be updated and the key will be returned.

4.3. No employee will take a vehicle designated for use by a specific employee without the approval of an Investigations Supervisor, an Assistant Director, or the Director. If a vehicle designated to another employee is taken, it is the responsibility of the employee taking the vehicle to clean it, fill it with gas, replace any supplies used or consumed, and return the vehicle to its original location.

## 5. Vehicle Maintenance

5.1. Wake County Fleet Maintenance will provide all routine service and repairs to CCBI vehicles. It is the responsibility of the assigned operator(s) of each vehicle to arrange necessary work and regular service maintenance.

5.2. During business hours, employees will notify the CCBI Shift Supervisor and Wake County Fleet Operations if their vehicle becomes disabled. During non-business hours and weekends, if the vehicle becomes disabled while in the field, the employee will notify the CCBI Shift Supervisor and contact the Wake County authorized towing service and have the vehicle towed to Wake County Fleet Operations. The employee or Supervisor must notify Fleet Operations the next business day and advise them of the problems pertaining to the vehicle.

5.3. It is the responsibility of the operator of a CCBI vehicle to make sure the vehicle is clean and properly maintained to include washing, vacuuming, ensuring proper tire pressure, ensuring proper fluid levels, and maintaining a current North Carolina Inspection. Cleaning and maintenance supplies are provided in the CCBI garage and at Wake County Fleet Operations.

5.4. All CCBI vehicles will be maintained and inventoried by Fleet Management. All damages, repairs, upgrades, and replacements will be the responsibility of Fleet Management.

5.5. When an employee is the driver of a County owned vehicle, upon refueling that vehicle, said employee must remain outside of the vehicle near the fuel nozzle during the entire refueling process. It is not acceptable to be seated inside the vehicle during the refueling process.

## 6. Vehicle Accidents

6.1. All accidents involving at CCBI vehicle will be reported immediately. Each vehicle has a Wake County Accident reporting pack in the glove box. The employee will refer to this pack for instructions. The following steps will be followed:

1. Notify the Raleigh Communications Center for police and EMS if necessary.
2. Contact the Investigations Supervisor or CCBI Fleet Manager.
3. The Investigations Supervisor will contact the appropriate Assistant Director.
4. A Risk Management accident report will be completed by the employee’s Supervisor or the involved employee and submitted within a reasonable timeframe.

6.2. Employees will follow procedures set forth by Wake County Risk Management.

6.3. Employees who are on-duty within Wake County, in a marked vehicle, and witness a vehicle accident, will stop and will not leave the scene of the accident until appropriate emergency responders have arrived on scene. After stopping, employees may leave the scene prior to the arrival of emergency responders if none of the involved parties require medical attention and/or and the location of the vehicles or corresponding damage does not present a threat to public safety.

6.4. Employees who are on-duty within Wake County, in a marked vehicle, and witness a vehicle accident will make their identity known to the parties involved in the accident or to responding law enforcement officers as a witness.

## 7. Training

7.1. Non-exempt employees, outside of the Investigations Division, attending authorized training inside of Wake County on a scheduled day off shall not utilize a CCBI vehicle for the purpose of attending such training. Exceptions to this requirement may only be made by the Director or Assistant Directors when such authorized training requires equipment maintained inside of the CCBI vehicle for use during the training.

7.2. Non-exempt employees attending authorized training inside of Wake County on a regularly scheduled workday may utilize a CCBI vehicle for the purpose of attending such training.

## 8. Out-of-Town Travel

8.1. No CCBI vehicle will be taken out of Wake County without the approval of the employee’s immediate Supervisor except for the Investigations Division when such travel is necessary for responding from or returning to home. The assignment of employees to official training shall constitute such permission.

8.2. Employees assigned to functions requiring out-of-town travel are encouraged to use CCBI vehicles when such travel involves driving.

8.3. Employees driving a CCBI vehicle out of Wake County will be subject to all CCBI and Wake County policies the same as if performing official duties inside of Wake County.

8.4. Employees utilizing a CCBI vehicle while traveling outside of Wake County for an authorized purpose may make reasonable personal use of the vehicle while outside of Wake County. This personal use is limited to the duration of the period for which the travel was authorized, the vehicle is used for a reasonable amount of time and is operated in a manner to reflect favorably on CCBI and Wake County.

## 9. Notification Procedures

9.1. In the event a CCBI employee needs to call out street, highway personnel, public utilities personnel or other governmental units, they may do so by contacting the Raleigh Communications Center.

9.2. In the event a CCBI employee needs assistance from additional law enforcement personnel they may make this request by contacting the Raleigh Communications Center.

## 10. Motorist Assistance

10.1. CCBI employees will encounter motorists requiring assistance routinely. The primary role of the assisting CCBI employee will be to ensure the safety of the motorists and other citizens. CCBI employees may provide assistance to motorists when reasonable and appropriate.

10.2. CCBI employees may encounter motorists who require general assistance in the way of acquiring fuel, changing a tire, requiring a jumpstart, or in need of directions. CCBI employees are authorized to use reasonable means to assist motorists in such situations.

10.3. CCBI employees will not recommend a towing service to stranded or disabled motorist. If the motorist requests to contact a particular towing service, CCBI employees may contact that service. Otherwise, at the request of the motorist, CCBI employees may contact Communications for a rotation wrecker.

10.4. CCBI employees will assist motorists who are stranded in a hazardous area by standing by with the stranded motorist until such time as assistance arrives. The CCBI employee may transport the stranded motorist to a nearby safe location where assistance may be obtained. If a stranded motorist is transported, the CCBI employee should provide Communications with the time, mileage and location and ending time.

10.5. CCBI employees will contact Communications by radio or telephone whenever any motorist requires emergency medical services or fire suppression services.

## 11. Roadway Hazards

11.1. If a CCBI employee observes any hazardous conditions such as debris in the roadway, defects in the roadway itself, down or damaged traffic control devices, or abandoned vehicles in the roadway, he/she should report the hazard to Communications by radio or telephone. A CCBI employee may correct simple hazards such as small debris in the roadway as long as it is done in a safe manner.

## 12. Safety Vest

12.1. CCBI employees performing any duty on or around a roadway, which is open for vehicular traffic, shall adorn an OSHA approved reflective safety vest prior to conducting such activity or entering the roadway.

## 13. Occupant Safety Restraints

13.1. In accordance with N.C.G.S. § 20-135.2A, all personnel and occupants of CCBI vehicles will use occupant safety restraining devices (seat belts) when utilizing agency vehicles.

## 14. Ride-Along Policy

14.1. Ride-alongs must be approved by an Assistant Director or the Director.

14.2. A ride-along waiver shall be completed for any individual who is not a CCBI employee engaging in ride-alongs. The ride-along waiver shall be submitted to the Office of Professional Standards.

14.3. All ride-along participants shall be appropriately identified as a CCBI ride-along during such time and shall wear the appropriate identification at all times while engaged in the ride-along. This shall include, at a minimum, a Wake County Identification Badge (issued to interns) or a general CCBI Ride-Along Identification Badge. (Supervisors shall have access to these badges for this purpose.)

14.4. No CCBI ride-along, to include law enforcement officers and any other non-Investigations Division staff participating in a ride-along, shall engage in any way in the collection and/or documentation of any evidence or any other activity by which participation could likely result in the necessity of testimony by the participant.

14.5. All CCBI ride-along participants will be assigned to a CCBI employee who shall be responsible to ensure that the participant’s presence at a crime scene is unobtrusive and does not jeopardize the crime scene or any evidence located within. The CCBI employee shall also be responsible for the safety of all CCBI ride-alongs and shall ensure that their presence at any crime scene is in accordance with all applicable CCBI policies, local, state, and/or federal regulations (including wearing safety vests while in the roadway, etc.). CCBI ride-alongs will be provided a ballistic vest and must wear the vest while participating in ride-alongs with the Investigations Division consistent with CCBI policies.

14.6. CCBI ride-alongs shall not be allowed access to the inner crime scene perimeter of any investigation known to be or reasonably believed to be a homicide.

## 15. Emergency Situations

15.1. Many CCBI vehicles are equipped with emergency markings, lights, and communication equipment that has the potential to assist in protecting the public, expedite the request for emergency resources, and assist emergency first responders to quickly identify a location. Any employees operating a CCBI vehicle who encounter a situation on the roadway, or as may be flagged down by citizens, whose presence in that/with that vehicle or their person may assist in ensuring public safety, promote a quicker emergency response, or otherwise may protect life or property are expected to do so until such a time as an appropriate and a sufficient number of emergency first responders better equipped/trained to handle the nature of the situation arrive.

15.2. Nothing in this section is intending nor should be interpreted as providing non-sworn employees any authority beyond that of a normal citizen. Additionally, nothing in this section should be construed as requiring or expecting non-sworn CCBI employees to place themselves in a dangerous situation or a situation that is unsafe.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Parking take home fleet |
| September 24, 2014 | 4 | Added section 3.9 |
| November 14, 2016 | 5 | Added 3.10. All ride-alongs must be approved by DD. |
| March 3, 2017 | 6 | Ride-alongs must wear ballistic vests |
| November 30, 2017 | 7 | Added requirement to identify self as a witness to accidents and Section 15. |
| June 5, 2020 | 8 | Modified Sections 3, 7, and 8 for Take-Home Vehicles |
| Sept. 3, 2020 | 9 | Removed 3.9 and modified 15.1 for new markings |

# CHAPTER 28: Computer Access and Use

## 1. County Computers and Digital Devices

1.1. All use of County computers and digital devices will comply with Wake County Information Services policies [IS Policies & Procedures](https://thewire.wakegov.com/sites/policies-procedures/SitePage/8361/information-security-policies-and-procedures).

1.2. Any Wake County owned computer or digital devices used, issued, or assigned to or by any CCBI employee may be inspected at any time for any purpose. Use of such devices is designated for official business and may only be used for personal use in accordance with County policies and procedures.

## 2. Computer Software

2.1. No software should be installed on any Wake County Computer without the approval from Wake County Information Services.

## 3. Wake County Network and Internet Acceptable Use Policy

**Purpose**

Wake County offers a technical infrastructure for network and Internet services that are intended to serve the public. This policy establishes the conditions under which County-provided network and Internet services can and cannot be used. This policy provides the framework to ensure the services are used to meet the public purpose and are not used for illegal, private, or other inappropriate activities.

**Policy Statement**

Anyone using the County-provided network and Internet services must do so in an ethical, and lawful manner and is expected to act responsibly and professionally. Anyone using the County-provided network or Internet services shall not use these services in an illegal, malicious, or obscene manner or for self-gain, such as operating a business.

Users may make reasonable personal use of the County-provided network and Internet services as long as:

• The direct measurable cost to the public is negligible.

• There is no negative impact on the user’s performance of public duties.

• The use doesn’t involve illegal, malicious, or obscene behavior.

• The services are not used for personal financial gain or cause an actual or perceived conflict of interest.

Users, to the best of their ability, have a responsibility to make sure that all public information disseminated via the County-provided network and Internet services is accurate.

When using social media representing Wake County, Users must follow the same code of conduct expected in any other form of written or face-to-face business communications. The content of social media communications is subject to the same public record requirements that govern all other communications by public employees.

Users have a responsibility to follow sound security practices, follow policies and procedures related to information risk management, and act in a manner that helps prevent the introduction or propagation of malware and other threats to the County’s technical infrastructure and information management systems.

Wake County and CCBI maintain the right to monitor and review network and Internet activity to ensure compliance with this and related policies, regulations, and laws. Users should have no expectations of privacy when using the County-provided network and Internet services, except when using County-sanctioned services that create, transmit, or otherwise contain sensitive data.

CCBI employees may not utilize any CCBI hosted software, programs, or data for the purposes of accessing criminal arrest or investigatory data not related to official County business.

Depending on the nature of the User’s actions, failure to follow the policy may result in the loss of privileges to use the County-provided network and Internet services, disciplinary action up to and including dismissal, and prosecution for illegal activities.

**III. Definitions**

Digital Media: Digitized content (text, graphics, audio, video, etc.) that can be electronically transmitted over the Internet or computer networks.

Information Risk Management Core Team (IRMCT): The IRMCT is a Countywide, cross-departmental team composed of technology and business managers and is chartered by the County Senior Management Team to assess and address information risk management, including the development of policies and procedures that govern the use of County resources.

Malware: Software designed to infiltrate or damage a computer system without the owner's informed consent. Malware includes computer viruses, worms, trojan horses, rootkits, spyware, dishonest adware, and other malicious and unwanted software.

Peer-to-peer file sharing applications: Applications utilized to download or distribute/provide access to digitally stored information such as computer programs, multi-media (audio, video), documents, or electronic books. Examples include but are not limited to Gnutella, Gnutella2, eDonkey2000, the Kazaa network and BitTorrent.

Sensitive Data: Information handled in business processes that should be disclosed under controlled conditions, such as ePHI, personally identifiable, and any security-related information that needs to be protected.

**S**ocial Media: An umbrella term that encompasses the various activities that integrate technology, social interaction, and content creation. Social media use many technologies and forms, such as blogs, wikis, photo and video sharing, podcasts, social networking, mashups, and virtual worlds. Popular examples include Myspace, Facebook, Twitter, Flickr, Picasa and YouTube.

User or Wake County User: Anyone using Wake County equipment or IT resources and/or providing services on behalf of Wake County government. This includes, but is not limited to, Wake County employees, contractors, volunteers, and partners.

Wake County Information Technology (IT) Resource: Wake County data systems (Advantage, Performance Budget, Sire, etc.) and Wake County IT services (Lotus Notes email, BlackBerry Enterprise Server, Active Directory, NetMotion, etc.).

**IV. Applicability**

The policy applies to any User accessing the County-provided network and internet service whether the computing or communications device that is being used to gain access is publicly or privately owned. Any employee found to have violated this policy may be subject to disciplinary action, up to and including dismissal.

**V. Policy Responsibility and Management**

**Responsibility for the Policy:** The Information Services department has responsibility for development and implementation of this policy. Within the department, the responsibility is delegated to the Security Officer.

**Policy Management:** The Security Officer will review this policy no less than every three years from adoption or last revision date. The Security Officer shall make any necessary revisions in accordance with standard practice changes, statutes or changes in the law. Any policy revision made shall be submitted to the appointed policy committee at the time of revision for approval and adoption.

**Plan for communicating and training:** The Wake County Chief Information Officer will communicate this policy and any changes to the policy to all department heads. Department heads are responsible for disseminating policies and updates to their staff and ensuring their staff attends any associated training.

**Contact Department/Division and number:** Security Officer, Information Services, 919-856-5800

**VII. Appendices**

*Examples of acceptable uses of County-provided network and internet services*

1. Communicating with other Wake County users about work-related matters.

2. Communicating with parties outside Wake County government for County-related business purposes.

3. Personal communications that are brief and do not interfere with work responsibilities.

*Examples of unacceptable uses of County-provided network and internet services*

1. Streaming video and/or audio for non-work use and mass personal mailings, as examples, can have a measurable cost and negative impact on the network and Internet services.

2. Utilization of peer-to-peer file sharing applications are specifically prohibited due to the bandwidth impact on County-provided network services and the high likelihood for creating technical and information security risks.

3. Copying, sending (uploading) or receiving (downloading) commercial software or digital media in violation of copyright law.

4. Using County-provided network and Internet services to play or download games, music or videos that are not in support of Wake County business functions.

5. Using County-provided network and Internet services in support of unlawful activities as defined by federal, state, and local law.

6. Sending sensitive data in violation of County policy or State or Federal law or regulation.

7. Creating and/or exchanging information or communications that can be interpreted as offensive, harassing, obscene or threatening.

8. Personal communication that interferes with work responsibilities.

9. Engaging in commercial activity, including personal business and work related to secondary employment, that is unrelated to Wake County work.

10. Opening file attachments from an unknown, suspicious, or untrustworthy source.

11. Accessing or attempting to gain access to any device, system, portions of the network, applications, files, or accounts for which the User is not authorized.

12. Intercepting or attempting to intercept data transmissions of any kind to which the User is not authorized.

## 4. Locations of Network Access and Use

4.1. Wake County IS Department maintains different network drives for Wake County employees. All drives utilized by CCBI employees may only be utilized for official business. The following drives are provided and should be used for CCBI business:

1. ccbishared on 'data3' (S:) This drive is commonly referred to as the Shared drive. This drive is intended for CCBI use only and may be accessed only by CCBI employees or other Wake County employees as authorized by the Director. Information stored on the shared drive will be accessible by all CCBI employees.

CCBI does not maintain administrative rights for the purposes of security surrounding the Shared (S:) Drive. Therefore, CCBI employees are not authorized to post any information on this drive related to official business that would otherwise be of a confidential nature regarding criminal investigations or information that would be protected as personnel information. All items placed on the Shared Drive shall be in a format that allows viewing by all employees having access to the Shared (S:) Drive. Folders or other documents may be restricted for the purposes of editing by a password. Access restrictions beyond a password and exceptions to the access requirements may only be done with the authorization of an Assistant Director or the Director.

1. (U:) "U" drives are drives assigned to CCBI employees individually. Access to U drives is limited to individual employees. Confidential information may be placed on U drives; however, U drives may only be used for official business. The Director may examine information contained on any U drive at any time.

4.2. All network drives maintained by Wake County Information Technology Services are backed-up and stored every twenty-four (24) hours. Wake County contracts electronic storage services to maintain secure servers off-site containing all stored information

## 5. DCI/NCIC Security and Access

5.1. CCBI maintains a user’s agreement to receive computerized criminal justice information from the North Carolina Division of Criminal Information (DCI) and the National Crime Information Center (NCIC). This policy establishes procedures and guidelines for insuring security of the system and the accessing and dissemination of information.

**Policy**

5.2. CCBI shall conduct all DCI and NCIC record functions and inquiries in accordance with all applicable state statutes, federal and state regulations, and departmental directives.

1. All information obtained from DCI/NCIC system is confidential and will only be disseminated to authorized criminal justice personnel.

2. Only certified DCI terminal operators are authorized to access information from the system. An operator will not access information from a terminal that is signed on through another operator.

3. Violations of DCI/NCIC security policy may result in CCBI having its user privilege suspended.

4. CCBI employees who violate DCI/NCIC regulations may be subject to disciplinary action up to and including dismissal as described in the Wake County Human Resource Administration Manual.

5. It is the responsibility of every CCBI certified DCI operator to maintain an active operator status and be familiar with the regulations and guidelines of DCI and NCIC.

**5.3. Terminal Agency Coordinator**

1. The designated Terminal Agency Coordinator (TAC) will be responsible for ensuring that logs for criminal history inquiries are printed each month and reviewed for DCI compliance. The TAC will maintain these logs for one year.
2. The TAC will maintain all records required of CCBI by SBI/DCI regulation and guidelines. Examples of the records to be maintained are User Agreements and “Defense Attorney Access of SBI/DCI Network” forms. These records will be maintained during the periods described by the SBI/DCI.
3. The TAC will conduct all the duties as set forth by the SBI guidelines to include monitor testing of operators and maintaining user ID files. The TAC is responsible for enrolling personnel into DCI certification classes and providing DCI update information to the certified operators.
4. The TAC will report violations of SBI/DCI guidelines and procedures to the Assistant Director of the Identification and Records Division.
5. The TAC will notify DCI within 24 hours when a certified operator leaves CCBI.

**5.4. Certified DCI Operators**

1. All CCBI personnel who use department owned equipment to access DCI must be certified within 120 days of employment or duty assignment.
2. All DCI operators are required to read and comply with the DCI Personnel Security Agreement furnished by DCI.
3. DCI operators will not share or use another operators ID or password to gain access to DCI. Should an operator forget his/her password, the TAC should be notified to submit the proper form to the DCI Quality Control Office.
4. DCI operators will not release DCI record information to anyone other than authorized law enforcement and criminal justice personnel.
5. DCI operators should shred unused DCI printouts. These printouts will not be thrown in the regular trash.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| September 24, 2014 | 3 | Added personal use statement prohibitions |
| March 13, 2017 | 4 | Added restrictions to information placed on S:drive |
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# CHAPTER 29: Records Management System Administration

## 1. Administration

1.1. The Wake County Sheriff's Office supports and maintains CCBI’s primary records management system for all electronically maintained investigative, examination, or analytical test reports in Sungard’s® ONESolution RMS system, hereafter referred to as RMS.

1.2. All information placed in RMS is backed-up and stored every twenty-four (24) hours. The Wake County Sheriff's Office maintains dedicated servers for the storage of RMS data and contracts electronic storage recovery services whereby maintaining secure servers off-site to back-up all RMS data.

1.3. The CCBI Director shall authorize a CCBI employee(s) to work with the Wake County Sheriff’s Office and act as a CCBI RMS System Administrator. The CCBI Director and RMS System Administrator shall have full authority for creating access accounts, assigning security, and removing accounts as necessary for operational purposes based upon job functions.

1.4. The RMS function precludes the ability to separate investigative or examination records based upon service agency. As such, with the exception of the Wake County District Attorney’s Office, CCBI shall not authorize any outside agency direct access to the CCBI RMS system for viewing or retrieval of records. (See FTP server instructions)

1.5. The RMS record management system automatically requires password changes every ninety (90) days to maintain access security.

## 2. Report Completion

2.1. A CCBI Report Writing Manual will be available to all CCBI employees responsible for the completion and submission of examination or test reports in the records management system. This manual shall provide specific instructions to assist the employee with regards to the operation of the RMS system and specifically serve as a guide in completing all examination or test reports.

2.2. Test and examination reports will be completed under the following situations:

1. Any investigative request resulting in an employee being dispatched or assigned; and
2. Any Investigations Division investigation or follow up investigation conducted by CCBI Investigations Division staff.
3. Any evidence collected by the Forensic Evidence Custodian or designee for examination purposes.
4. Any examinations conducted by the Forensic Drug Chemistry Unit.
5. Any examinations conducted by the Forensic Computer Examination Unit.
6. Any examinations conducted by the Latent Examination Services Unit.
7. Any photographic/video enhancements, crime scene response for photographic services, services requiring print scanning, or evidentiary photographic requests conducted by the Forensic Photographic Services Unit.
8. Any examinations or analysis completed by the DWI Blood Chemistry Unit.
9. When analytical conclusions and/or opinions are made regarding evidence submitted for analysis and/or when Crime Laboratory personnel respond to a crime scene investigation. (e.g., technical field response)
10. Any criminal and non-criminal cases initiated by law enforcement employees; and
11. Any incidents involving arrests, citations, or summonses.

2.3. All other reports conducted by CCBI staff shall be entered upon the collection of evidence or the completion of the examination as appropriate.

## 3. Report Information

3.1. CCBI utilizes Premiere CAD dispatching supported by the Raleigh/Wake Emergency Communications Center to generate unique case numbers and then transfer the generated number to RMS to be used as official CCBI case numbers for tracking and storage purposes.

3.2. The records management system provides a system for case status control by which the following information is recorded and available: the type of case, the CCBI personnel assigned, the date assigned, the requesting agency case number, and the report date.

3.3. Additional requirements for the content of reports vary by Division and/or Unit. See Division specific Administrative Manuals, Unit specific Technical Procedures, and the CCBI Report Writing Manual for further instructions.

## 4. Review

4.1. All CCBI reports are considered "pending" until submitted for review by the employee. All CCBI reports will be reviewed for content, accuracy, and neatness as part of the required administrative review.

4.2. RMS is made of separate modules to allow for a supervisory review process. The RMS supervisory review process shall be considered an administrative review of the report. CCBI Crime Laboratory and Investigations Division Staff create and type reports in a mobile RMS module identified as Mobile Field Reporting or MOBLAN. Once the supervisory review of the report is complete, the report transfers from Mobile Field Reporting/MOBLAN to RMS.

4.3. Reviewers denying any submitted report must provide written reasons for the denial. Comments regarding the denial are documented and maintained by RMS.

## 5. Amendments and Modifications

5.1. Once a report has been administratively reviewed and has moved from the mobile module into RMS, any alteration or modification of the content of the examination record or report is prohibited. Report contents must be corrected using amended report submissions.

5.2. Once the report has been published, if changes are required, a new report must be issued. This new report must be labeled “AMENDED REPORT” at the top of the new report above the date. The body of the report must include a remark about the nature of the amendment made. Upon entering the Supplement screen in the report, select “Amended Report (CCBI Use)” in the Supp Type heading (see OSSI Records Management System document for more detailed instructions).

## 6. Modifications

6.1. The CCBI System Administrator may move and/or copy reports as necessary for the proper administration of the system. Such instances include reports entered in error, duplicate entries, or other administrative functions.

6.2. No report or additional report shall be deleted from the records management system due to content contained in the narrative portion without the expressed permission from the Director.

## 7. Release of Reports

7.1. Reports may be transmitted electronically. Reports will only be released after the appropriate review is conducted.

7.2. All case records are confidential. Reports and test analysis results will not be released outside CCBI except as described below:

1. Preliminary findings and investigative lead information may be released to the submitting law enforcement agency, to the prosecuting attorney’s office, or during deposition. Appropriate documentation of what information was released and to whom will be included in the case record.
2. Final results, conclusions, or reports will only be released to prosecuting attorneys and the submitting agency unless directed by the court, by the submitting agency, or authorized by the prosecuting attorney. Results may also be released by the appropriate authority in response to discovery requests or court orders.

## 8. File Transfer Protocol (FTP) Server

8.1. The RMS function precludes the ability to separate investigative or examination records based upon particular service agencies. As such, with the exception of the Wake County District Attorney’s Office, CCBI shall not authorize any outside agency direct access to the CCBI RMS system for viewing or retrieval of records.

8.2. Wake County Information Services in conjunction with CCBI has established a File Transfer Protocol (FTP) Server to aid in the publication and distribution of completed test reports to customers. Customer agencies have been provided access to agency specific folders on the Wake County FTP Server.

8.3. The CCBI System Administrator designates an IT Liaison with the customer agency. Instructions for use and access are provided to the customer agency. CCBI maintains no further responsibility with regard to the distribution of access to each customer agency employee for access to their agency’s FTP Server folder. Individual requests for access are directed to the specific agency IT Liaison.

8.4. The Wake County District Attorney’s Office has been provided an FTP Server folder that consists of copies of each individual customer agency folder. A routine program has been incorporated to add newly published test reports placed in customer agency folders into the Wake County District Attorney’s Office folder automatically on a routine basis.

8.5. CCBI employees conducting administrative reviews, or otherwise appointed by the Division Assistant Director, are responsible for publishing customer reports to the appropriate customer agency FTP Server folder at the conclusion of the review.

8.6. Test reports downloaded from RMS are named with the CCBI case number. Submitting agencies do not have access to CCBI’s RMS system and do not know the CCBI case number associated with their case. Therefore, when the report is saved on the FTP Server in the agency’s individual folder, the report will be named with the agency’s case number for convenience purposes.

8.7. Specific FTP Server use instructions are included in the CCBI Report Writing Manual.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
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# CHAPTER 30: Evidence Inspections/Inventories/Audits

## 1. Purpose

The accountability of all agency evidence is a foremost priority of CCBI. Policy and procedures for evidence accountability found in this document or other policy and procedural documents shall be adhered to strictly by all employees.

## 2. Policy

All evidence labeling requirements, evidence retention periods, evidence documentation, and evidence storage shall be done in accordance with applicable CCBI policies and procedures at all times.

## 2. Evidence Inspections

2.1. All CCBI personnel assigned to maintaining evidence at CCBI and designated a specific area for the storage of such evidence shall be subject to evidence inspections at any time.

2.2. Investigations Division employees maintaining evidence shall be subject to a formal evidence inspection biannually by their immediate Supervisor. Supervisors conducting evidence inspections shall ensure that evidence contained therein is compliant with appropriate policies including documentation requirements and retention periods.

2.3. Evidence inspections/inventory will be completed by an employee’s immediate Supervisor, Division Assistant Director, or the Office of Professional Standards upon receiving written notice of intention to resign, any personnel action requiring an absence from scheduled duty, or a change in employment function where the employee is no longer responsible for evidence retention as part of their duties. Primary inspection responsibility will rest with the employee’s immediate Supervisor unless otherwise determined by an Assistant Director.

2.4. Supervisors and Division Assistant Directors may conduct evidence, uniform, vehicle, or staff inspections at their discretion and may also establish recurring inspections at their discretion or as required for accreditation purposes. Recurring inspections must be documented revealing the scope of the inspection and the findings from the inspections.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | 2.5. Removed reference to valuable safe |
| January 11, 2018 | 4 | Removed Staff Inspection section 2. Modified 2.3-2.6 |
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# CHAPTER 35: Criminal Identification Unit

## 1. Purpose

The purpose of this directive is to establish procedures for the collection of arrest data by the Criminal Identification Unit.

## 2. Policy

It is the policy of CCBI to establish procedures for the Criminal Identification Unit that prioritize CCBI employee safety, officer safety and the safety of arrestees while providing for an efficient processing process.

## 3. General Processing Security Procedures

3.1. Officers shall not enter the Criminal Identification Unit while carrying a firearm, knife, or other deadly weapon. Such items will be secured prior to entering. Secure lock boxes are provided in the Wake County Sheriff's Office sally port adjacent to the Detention intake.

3.2. Officers may carry tazers, pepper spray, or other issued non-lethal weapons in the processing area as long as such officers are trained and qualified to carry such items by their employing agency. Officers may carry department issued radios and cellular phones in the processing area. The use or volume of such items should not be such as to disrupt the responsibilities of CCBI staff.

3.3. Officers may use discretion in regards to the use or continued use of arrestee restraint devices. The officer shall maintain sole responsibility for any personal items removed from the arrestee during the search procedures.

3.4. Arrestees whose statements, actions, or mental condition present a reasonable belief of possible harm or the intent to do harm to CCBI employees, the officer, or other arrestees, will be restrained by the use of handcuffs behind their backs at a minimum. Those restraints shall not be removed for any processing procedures unless the attending officer can arrange for adequate personnel to maintain control of the arrestee during such procedures.

3.5. Officers bringing arrestees to CCBI for processing purposes will maintain custody, control, and supervision of their arrestees at all times while inside CCBI controlled portions of the facility.

3.6. Arrestees may not be left unattended or unmonitored while in the Criminal Identification Unit.

3.7. Males, females, and juveniles (processed as an adult) need not be separated in the Criminal Identification Unit.

3.8. CCBI employees reporting for duty in the Criminal Identification Unit shall be allowed to carry only those personal belongings as authorized by Wake County, Wake County Sheriff’s Office, and applicable CCBI policies.

## 4. Arrestee Processing Procedures

4.1. The following duties and procedures must be performed for each arrestee brought to the Criminal Identification Unit and in accordance with the charges brought against the arrestee. Each CCBI Criminal Identification Unit employee will record arrest information to include fingerprints and photographs on arrestees presented to them by a law enforcement officer.

4.2. CCBI Criminal Identification Unit employees will ask biographical data from all arrestees brought into CCBI by a law enforcement officer during the arrest process. These questions will be limited to biographical information allowed in the process by state and federal law.

4.3. The CCBI Criminal Identification Unit employee is responsible for obtaining all appropriate information pertaining to the arrest from the arrestee and the arresting officer and for entering this information into the CCBI booking system.

4.4. CCBI employees shall comply with N.C.[G.S. §\_15A-502](http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=15a-502) in regards to fingerprinting and/or photographing persons charged with a crime.

1. CCBI staff will fingerprint and photograph any person charged with a felony or misdemeanor (see below exceptions) when he/she has been arrested or committed to a detention facility. CCBI staff may fingerprint and photograph a person due to the commitment to a detention facility upon conviction of a crime or upon the conviction of a felony when requested to do so by an appropriate legal authority.
2. Fingerprints and/or photographs may not be collected for persons charged with Class 2 or 3 misdemeanor offenses under the Chapter 20 of the North Carolina General Statutes, "Motor Vehicles."
3. CCBI employees will collect fingerprints and photographs on persons charged with certain Class 1 Chapter 20 (traffic) misdemeanors as determined by the Director.
4. Fingerprints obtained subsequent to this section will be forwarded by CCBI employees to the State Bureau of Investigation and will also be entered into any local database that CCBI may maintain or utilize for such purposes.

Fingerprinting Arrestee:

4.5. All arrested individuals brought to the Criminal Identification Unit will be fingerprinted except those exempt from the fingerprint requirement as stated in the North Carolina General Statute described above. The employee taking the prints will ensure that the prints are classifiable and of AFIS quality prior to submission.

4.6. If the arrestee’s ridge detail, fingerprints, and/or palm prints are not of good quality, the employee must indicate in the notes section of the DWP booking system “Best Possible Prints” and the reason why.

Photographing Arrestee:

4.7. It is the responsibility of the CCBI Criminal Identification Unit employee to ensure that a front facial view and right and left side facial profiles of the arrestee ~~is~~ are recorded in the booking system. The CCBI employee will obtain the best possible photographs of the arrestee. Any hats, sunglasses, or other articles presenting an obstructing view of the arrestee shall be removed prior to the photograph unless such articles are worn for religious reasons. If the arrestee wears glasses, two front facial photographs will be completed to include one with glasses and one without glasses.

4.8. All arrest records and photographs will remain on file unless a court ordered expungement is received.

4.9. The identification of arrestees brought to CCBI whose charges do not authorize fingerprints to be taken in accordance with N.C. General Statutes may be identified using the following procedures:

1. No arrestee information will be entered or saved in Dataworks.
2. A search of CCBI’s local database will be conducted for fingerprints on file. If fingerprints are located, then a fingerprint comparison will be conducted to confirm the arrestee’s identity. If no fingerprints are located, a Rapid Identification (ID) search will be completed.
3. A DCI National Name Query “QH” will be conducted to check for possible outstanding warrants, wants, or notifications. Affirmative responses will be provided to the arresting officer.

Assignment of Master ID Numbers:

4.10. Individuals brought to CCBI under custodial arrest for processing will be assigned an individually specific local identification number in the DWP booking system. All subsequent arrest information related to the individual shall be done utilizing the originally assigned local identification number.

4.11. Local identification numbers assigned to individuals shall be linked or provide a cross-reference capability to a fingerprint card, a criminal history, and a photograph. If it is determined that the subject has previously been assigned a CCBI local identification number, the individual will be processed using the original local identification number.

Warrants:

4.12. If an active arrest warrant appears during the processing process, the CCBI Criminal Identification Unit employee will notify the arresting officer.

## 5. Fingerprint Verification

5.1. Only qualified CCBI employees may conduct a fingerprint verification. A qualified employee is defined as one who has successfully completed the Identification Specialist Training Program and has successfully completed and passed a competency test approved by the Identification Unit Administrator.

5.2. When presented with an arrestee by an arresting officer, the CCBI Criminal Identification Unit employee will check the CCBI booking system to ascertain if the individual may have been previously processed by CCBI. If such information is found, the CCBI employee will verify that this is, in fact, the same individual processed by CCBI on those previous occasions by verifying the name, date of birth, race and sex, arrest number, other identifiers, and by comparing the previous fingerprints and photographs stored in the CCBI booking system with that of the arrestee.

5.3. The previously obtained fingerprints will be compared using the single verifier. The CCBI booking system will provide either a verified or not-verified response. If a verified response is received, the entering CCBI employee will manually compare the prints to confirm the identity. If a not-verified response is received, the entering CCBI employee and another qualified CCBI employee will manually compare the print to confirm identity. Both types of verifications shall be documented in the CCBI booking system.

5.4. CCBI’s Photo Manager only maintains thumb prints on arrests prior to April of 2007. In such instances, the corresponding digit will be placed on the single verifier. Two (2) qualified CCBI employees will manually compare the prints to confirm the identity. If the Local ID number cannot be verified by fingerprint comparison, the Local ID number identified on the arrestee’s criminal history will be utilized provided that the SBI response SID number has been verified. In other instances, a new Local ID number will be generated.

## 6. CCBI Criminal Identification Unit Erroneous Identification Policy and Procedures

### 6.1. Purpose

To establish and outline corrective actions for an erroneous identification.

### 6.2. Application

The following policy and procedures apply to Identification Specialists, Senior Identification Specialists, and Criminal Identification Unit Supervisors who have successfully completed the competency test.

**6.3. Definition**

An erroneous identification occurs when a fingerprint comparison is made and it is determined that the two fingerprints originated from the same source, when in fact the fingerprints did not originate from the same source.

### 6.4. Policy

1. In situations where a second examiner reviews and verifies the identification of another examiner and the identification is later found to be erroneous, the second examiner is considered to have made the same erroneous identification.

### 6.5. Punishment:

**First-Erroneous Identification:**

1. Documentation of the erroneous identification will be submitted to the Identification Unit Administrator. The Identification Unit Administrator will notify the employee who made the error. Documentation of the error will be placed in the employee’s personnel file. The error will be noted on the employee’s annual performance evaluation.
2. The employee who made the erroneous identification will immediately be suspended from performing any comparisons (to include verifications and quality checks of prints in SPEX) in the normal course of their duties.
3. The employee will be retrained on fingerprint comparisons and identifications by the Identification Unit Administrator and/or their designee. The retraining will begin upon completion of a performance discussion by the Supervisor with the employee. The retraining will be documented to include the content of the retraining program. A “final examination” will be given to the employee at the completion of the re-training. A perfect score of 100% must be achieved by the employee for them to be authorized to return to performing comparisons in the normal course of their duties. If the employee fails to complete this “final examination” with a perfect score, then the employee will be terminated.
4. Administrative disciplinary action may be taken at the discretion of the Identification Unit Administrator, the Identification and Records Division Assistant Director, and/or the Director up to and including dismissal.

### 6.6. Second-Erroneous Identification:

1. Documentation of the erroneous identification will be submitted to the Identification Unit Administrator. The Identification Unit Administrator will notify the employee who made the error. Documentation of the error will be placed in the employee’s personnel file. The error will be noted on the employee’s annual performance evaluation.
2. The employee who made the erroneous identification will immediately be suspended from performing any comparisons (to include verifications and quality checks of prints in SPEX) in the normal course of their duties.
3. Provided the employee has received initial training and retraining as specified in this policy, the employee may receive retraining at the discretion of the Identification and Records Division Assistant Director and/or the Director. In the event retraining is authorized, it shall be completed and subject to the same provisions as found in Section 6.5.3.
4. The employee will receive administrative disciplinary action. The severity of the administrative disciplinary action will be at the discretion of the Director up to and including dismissal based upon the nature and circumstances of the second error.

## 7. Supervisory Review

7.1. The Criminal Identification Unit Supervisors or designated Senior Identification Specialists are responsible for the review of all work completed during assigned shifts. Quality checks of fingerprints in SPEX are not considered a supervisory review for the purposes of this section.

7.2. When feasible, the review of completed work will be done prior to the end of the assigned shift. Incomplete reviews being passed to the ongoing shift will be brought to the attention of the oncoming Supervisor.

## 8. Priority Searches

The following procedures shall be utilized to assist in the identification of arrestees suspected of concealing their true identity.

8.1. Criminal Search Only (Identification Purpose Only)

1. The arrestee will be fingerprinted at the Live Scan. The NC Fingerprint Card Type will change to “Criminal Search Only.” The Type of Transaction will remain “CAR-Criminal Answer Required.” The charge should be listed as free text. The fingerprints will be submitted to “SBI” and the response will come back via Live Scan transaction tab.
2. For “CSOs” performed Monday-Friday between the hours of 8:00 a.m. and 11:30 p.m., CCBI shall contact the SBI to remove the CSO. CCBI will update and change all necessary information and will resubmit the same fingerprint card as an arrest. For CSOs performed after hours (including weekends) the arrestee must be re-fingerprinted and submitted as an arrest.
3. All CSOs will be changed to an arrest or be deleted as applicable.
4. The TCN number and Check Digit number of the CSO will be provided to the Identification Unit Administrator.

8.2. Priority Submission to the FBI:

1. Call the FBI Special Criminal Identification Unit in Clarksburg, West Virginia at **304-625-5584** and ask for a rush fingerprint search for the purpose of establishing positive identification of an arrestee who is in custody.
2. Print the fingerprint card and the CCBI fax coversheet. Include any additional information in the comment section of the coversheet.
3. Scan/E-mail the CCBI fax coversheet and the fingerprint card to [SPC@leo.gov](mailto:SPC@leo.gov);
   * 1. Page setup: 2 sided
     2. Increase resolution to 600 DPI
4. A response to this inquiry will be faxed to CCBI from the FBI.

## 9. Arrestee DNA Collection

9.1. Purpose

9.1.1. North Carolina General Assembly House Bill 1403 and corresponding North Carolina General Statute § 15A-266.3A requires a DNA sample to be collected upon arrest for certain offenses as of February 1, 2011. The CCBI Criminal Identification Unit will provide this service to all law enforcement agencies utilizing CCBI for processing purposes. Nothing within this section should be construed in such a manner as to suggest that service law enforcement agencies are required to use CCBI for adherence to this legislation.

9.1.2. The following policy is subject to only DNA samples collected under the authority of the above listed legislation and is not applicable to any DNA samples collected for evidentiary purposes. The CCBI Criminal Identification Unit will not collect any DNA samples to be used as evidence. Such samples or requests shall be done in accordance with established CCBI evidence collection procedures.

9.1.3. CCBI will collect these samples in a professional manner and do so in accordance with the established collecting procedures set forth by the North Carolina State Bureau of Investigation in the “Collection Procedures for Arrestees” publication. CCBI employees will adhere to these procedures specifically to ensure the integrity of the DNA samples, however, CCBI does not consider these DNA samples to be evidence and as such hereby adopts the following procedures to guide employees in the collection and submission of these samples.

9.2. Training

9.2.1. All CCBI Criminal Identification Unit employees actively involved in the processing process as a function of their employment shall be trained and responsible for the completion of this DNA collection service. CCBI employees shall receive training in the collection of DNA samples prior to collecting DNA samples. Such training shall include at a minimum the Collection Procedures for Arrestee’s publication and training program as published by the North Carolina Justice Academy and shall include familiarization with CCBI policies regarding the collection of DNA samples. Additional training requirements may be made at the discretion of the Director. This training shall be documented by the CCBI Training Coordinator or be included and documented in the CCBI Identification Specialist Training Program.

9.3. Collection

9.3.1. North Carolina General Statute § 15A-266.3A requires that a DNA sample be collected from an arrestee at the time of arrest, or when fingerprinted, when arrested for any of the offenses specified below. If the person is arrested without a warrant, the DNA sample shall not be taken until a lawful probable cause determination has been made by a judicial official. DNA samples will not be collected if a sample on the arrestee has previously been obtained lawfully, the record is stored in the State DNA database, and that record or sample has not been expunged pursuant to any provision of law in accordance with applicable statutes. The SBI shall maintain responsibility for making previously collected DNA sample information available.

9.3.2. A detailed list of applicable charges shall be provided to CCBI employees. In accordance with N.C.[G.S. §\_15A-266.3A](http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=15a-266.3a), DNA samples will be collected for arrestees charged with any offenses outlined in the statute.

9.3.3. CCBI employees will collect the DNA sample in accordance with the procedures outlined in the “Collection Procedures for Arrestees” publication to include the completion of the DNA collection card and providing the arrestee with the written notice of expunction procedures form promulgated by the Department of Justice as provided in the DNA sample collection kit. CCBI employees are responsible for instructing arrestees regarding the actions required for the completion of the DNA collection kit. Under no circumstances will CCBI employees use or participate in any physical force or physical coercion to complete a DNA sample collection kit. Upon request by the arresting law enforcement officer, CCBI employees completing the DNA collection card will provide a complete copy of the DNA collection card to the arresting officer.

9.3.4. The DNA Collection Form will be completed in the following manner:

1. Type the information on the DNA Collection Form for Arrestees.
2. Print off three copies.
3. Hand write any information on the form needed (and/or left blank) upon completion of fingerprint (i.e., Check Digit number, SID number, FBI number)
4. Give one copy of the form to the Arresting Officer.
5. Paper clip the second copy of the form to the DCI printout for the DA’s Office.
6. The third copy will be given to the Identification Unit Administrator

9.3.5. In accordance with N.C.G.S. § 7B-2201, when jurisdiction over a juvenile is transferred to the superior court, a DNA sample shall be taken from the juvenile if any of the offenses for which the juvenile is transferred are included in the list above.

9.4. DNA Sample Submission

9.4.1. Upon the completion of the DNA collection kit, CCBI employees will place the completed kits into a secure storage container provided. The kits will be given to the CCBI Forensic Evidence Custodian. The CCBI Forensic Evidence Custodian shall maintain responsibility for transporting the kits to the NC SBI. The retrieval and transporting of the kits will be done at a time frame determined by the CCBI Crime Laboratory Division Assistant Director and the Director.

9.5. Refusal or Inability to Complete the DNA Sample Collection Kit

9.5.1. Occasionally, the behavior of arrestees may preclude the ability of CCBI staff to obtain the required DNA sample. This may be due to the mental or physical state of arrestees, the inability of arrestees to follow directions, language barriers, or the simple refusal of arrestees to complete the sample as directed. North Carolina General Statute § 15A-534(a) affords judicial officials the authority to make the DNA sample a condition of pretrial release in the event that a defendant refused to provide the DNA sample.

9.5.2. In the event of a refusal, follow procedures set forth below in Section 16.

9.6. Legality of DNA Collection Pre-Conviction

See Maryland V. King, 569 U.S. \_\_\_\_ (2013)

## 10. Criminal Identification Unit Inspections/Review

10.1. The Criminal Identification Unit Supervisor or his/her designee shall inspect all areas of the Criminal Identification Unit at the beginning of each shift. A CCBI Secure Area Checklist shall be completed and forwarded to the Identification Unit Administrator and theBusiness Officer. The Identification Unit Administrator may forward this form to other personnel at his/her discretion. The retention of these forms shall be at the discretion of the Director. This inspection shall include a search for contraband, cleanliness as well as an inspection of the facility to identify any unsafe conditions present or developing.

10.2. Any unusual incidents occurring in the processing area during a shift shall be documented on a CCBI Criminal Identification Unit Incident Reporting Form by the Criminal Identification Unit Shift Supervisor or his/her designee prior to the end of the shift. Unusual occurrences shall include but are not limited to:

1. Found property for which ownership is unable to be determined
2. Found contraband
3. Assaults
4. Exposure to biohazards
5. Injured persons

6. Damage to CCBI property

10.3. The CCBI Criminal Identification Unit Incident Reporting Form shall be forwarded to the Identification Unit Administrator. Incidents resulting in criminal charges, increased agency liability, or otherwise deemed significant by the Identification Unit Administrator will be forwarded to the Identification and Records Division Assistant Director, the Office of Professional Standards, and the Director. The Office of Professional Standards will maintain these reports for a period no less than three years.

## 11. Found/Recovered Item Disposition

11.1 Should Personal property or contraband items be found in the Criminal Identification Unit, the Criminal Identification Unit Supervisor or his/her designee shall make every reasonable attempt to identify ownership of the item. When such items can be identified to a particular person, the arresting officer should be notified. The item should be turned over to the arresting officer or otherwise returned to the rightful owner.

11.2. Items not deemed to be contraband for which no owner or arresting officer can be determined shall be turned over to the Identification Unit Administrator. The Identification Unit Administrator shall document the item on a CCBI Evidence Form. Items shall be retained for no longer than sixty (60) days. After sixty days, items shall be disposed. A witness shall observe the disposal and the Identification Unit Administrator and witness shall sign the evidence form. Upon disposition, the Identification Unit Administrator shall forward all evidence forms to Central Records for storage.

11.3. Contraband shall be defined as weapons, drugs, or any other item by which possession is illegal. Contraband items for which ownership cannot be determined shall be turned over to a Wake County Sheriff’s Office Deputy. The following procedures should be utilized:

1. The Criminal Identification Unit Supervisor or his/her designee will make contact with the on duty Wake County Detention Center staff Officer in Charge and notify him/her that contraband was located inside the secured CCBI arrestee processing area.
2. The Criminal Identification Unit Supervisor or his/her designee will make contact with the Deputy working the front desk at the Detention Center and request a report to be filed in regards to the found contraband.
3. The CCBI employee will provide the reporting Deputy with the necessary information for the completion of the report and will sign the contraband item(s) over to the Deputy on a Wake County Sheriff’s Office Receipt for Evidence/Property form. The CCBI employee will document the date, time and the name of the Deputy to whom the item(s) were transferred to on the CCBI Criminal Identification Unit Incident Report.

## 12. Criminal Identification Unit DCI Use

All DCI use shall be in accordance with the following:

12.1. Each DCI certified Criminal Identification Unit employee processing an arrestee will complete a computerized criminal history on each arrestee that is processed/booked. Persons presented for a misdemeanor booking(s), under the custody of Wake County Detention Staff and having been so since the initial booking, do not require an additional computerized criminal history to be completed. A computerized driving history will be completed on each arrestee charged with a traffic offense. Random checks through DMV or DCI/NCIC on persons not being presented for processing, not as a result of official business, or for personal reasons are not permitted and may be subject to disciplinary action up to and including termination.

12.2. The DCI certified CCBI employee will enter the arrestee’s name, date of birth, race, sex, and social security number on the “QH” screen. If the name entered has a criminal record, a response with either a State ID Number (SID), or a Federal ID Number (FBI) will be received. If the entry name has no record, a NO RECORD will be received. If a response with a SID/FBI number is received, the searching CCBI employee will input the SID/FBI number into the National Record Query “QR” screen and obtain the full criminal history. The QR response (and when applicable, all out-of-state records) will be printed and disseminated to the authorized designees.

12.3. Records received as a result of DCI computerized criminal history search (to include NLETS) shall be distributed in the following manner:

1. Felonies AND Domestic Violence offenses - Four copies will be printed and a copy will be provided to each: the Wake County Detention Center, (2) copies to the District Attorney’s Office, and to the Magistrate. NCIC responses that include a “hit/want” for the arrestee shall be stapled to the criminal history for distribution to the DA’s office.
2. Felonies OR Domestic Violence offenses - Three copies will be printed and a copy will be provided to each: the Wake County Detention Center, the District Attorney’s Office, and to the Magistrate.
3. Misdemeanor – Two copies will be printed and a copy will be provided to the Wake County Detention Center and to the Magistrate.
4. Pre-Trial Release – Pre-trial release staff are authorized to receive one copy of the printed criminal history for an arrestee upon request.

12.4. Any arrestees found to qualify as required under the 287G program will be indicated by placing a stamp on the tracker and the DCI copy provided to the Wake County Detention Center.

**12.5. Driver’s History Checks**

12.6. All arrestees brought to CCBI’s Criminal Identification Unit for processing for a violation of the North Carolina Motor Vehicle Law will have a computerized driver history check done by a DCI terminal operator.

1. The arresting officer’s first two initials, last name, and law enforcement agency will be put in the “Attention Line.”

2. The driver’s history check will be given to the arresting officer for the on-duty magistrate overseeing the arrestee’s bond.

12.7. The Identification Unit Administrator or Identification and Records Division Assistant Director may adopt or change procedures regarding the manner of distribution as necessary to promote efficiency or the needs of those agencies receiving these records.

## 13. Refusal Process

13.1. Occasionally, the behavior of arrestees precludes the ability of CCBI staff to process the individual. CCBI processing employees encountering such a situation may use discretion in refusing to process an arrestee based upon such behavior; however, when possible an on-duty Supervisor will be consulted prior to such a decision being made.

13.2. CCBI employees do not possess statutory authority to require an arrestee be maintained in custody for failure to complete a booking process. Such authority rests with the Magistrate. CCBI employees shall inform the Magistrate when the actions of an arrestee preclude our ability to obtain fingerprints, photographs, or DNA under statutory authority. The failure of an arrestee to provide any or accurate demographic information does not constitute a refusal in situations where the arrestee fails to provide such information, but is willing and able to provide fingerprints, photographs, or DNA in accordance with North Carolina General Statutes.

13.3. Refusal Process:

1. Prior to beginning the refusal paperwork, a reasonable effort should be made to complete the process.
2. Inability to complete the booking process will be communicated to the arresting officer, Wake County Detention Staff, and a Magistrate.
3. CCBI will complete the appropriate/applicable portion of the Refusal Form and indicate whether the refusal was a result of the inability to collect fingerprints, take a photograph, or collect DNA. CCBI will hand the form to the appropriate Magistrate for completion of the form; the Magistrate will authorize or deny the hold to be placed).
4. A copy of the refusal form will be made and given to the Lead Criminal ID Unit Supervisor .

Denied Holds

1. For holds that are denied, CCBI will take the following steps:
   1. All information already obtained in CCBI records will remain.
   2. Notation will be made in the CCBI booking system.
   3. The booking slip, copies of the defendant’s charges, and the original refusal form will be given to the Lead Criminal ID Supervisor.

Authorized Holds

1. For holds that are authorized, CCBI will take the following steps:
   1. All information pertinent to the refusal will be documented on the booking slip. This will include the name of the Magistrate who authorized the hold and the steps of the booking process that need completion.
   2. The live Scan record will be updated to include all pertinent arrest information. CCBI will note “REFUSAL” in the notes section of the record.
   3. One (1) copy of the OSSI tracker will be made.
   4. CCBI will staple the OSSI tracker and a refusal slip to the card stock photo tracker. The refusal slip will be marked to include the booking processes that remain incomplete.
   5. CCBI will find the correct record in OSSI and place a hold noting the processes that still remain and the magistrate that authorized the hold.
   6. The OSSI tracker will be scanned out at the Live Scan.
   7. The arresting officer will be provided with the defendant’s charges, the criminal history, the card stock photo tracker with refusal slip and OSSI tracker attached, and the original copy of the refusal form.
   8. The booking slip, copy of the defendant’s charges, and a copy of the OSSI tracker will be stapled together and filed according to arrestee’s last name in the refusal bin.
   9. The CCBI Supervisor on duty will send an e-mail to CCBI-Incomplete Processing and include the Identification Unit Administrator. The e-mail will include the OSSI arrest number and the Local ID number of the arrestee.

## 14. Expungements

14.1. The Criminal Identification Unit shall be responsible for all expungements received by CCBI. Expungement orders are received from the Wake County Clerk of Court's Office. The date they are received and by whom are recorded on the list that accompanies each group of orders. All expungement orders will be logged documenting the Clerk’s date of list, the date received, the assigned packet number, and the total number of cases as identified by separate CR #s. The date the employee begins work on the expungement will be documented as well as the date the expungement is completed. Criminal Identification Unit Supervisors are responsible for the completion of received expungements at the discretion of the Identification Unit Administrator.

14.2. The names shown on the expungement orders will be checked in the records management system to verify the name, charges, date of charges, and the court docket number(s). Once the data is verified, all information pertaining to the expungement order will be deleted from CCBI's record management system along with any other records maintained by CCBI relating to the expungement. When an expungement order mandates only partial expungement, only the records indicated on the order shall be deleted from CCBI records. If the remaining charge(s) being retained is an infraction or chapter 20 class 2/3 that is not a fingerprintable offense according to GS 15A-502 the nonfingerprintable charge(s) will be removed from all CCBI databases.

14.3. All expungements shall be conducted in accordance with North Carolina General Statutes found in Chapter 15A, Article 5.

**15. Identity Verifications/Errors**

15.1. On occasion, customers shall request CCBI records to be changed as a result of erroneous information entered at the time of processing an arrestee. Such a request shall be ~~made~~ forwarded to the Identification Unit Administrator. Contact information, copies of any identity verification, and the requestor’s fingerprints shall be collected by the Civil Identification Unit at no cost to the requestor. The requestor's contact information, identity verification documents, and the accompanying fingerprint card will be forwarded to the Identification Unit Administrator. Such verification shall be made by the appropriate CCBI staff as directed by the Identification and Records Division and/or the Crime Laboratory Division Assistant Directors. All identifications/verifications must be verified by a second qualified person who is qualified and has been deemed competent to conduct verifications as a function of their position.

15.2. Upon the verification of erroneous information entered in CCBI records, such records shall be corrected by a designee of the Identification and Records Division. The Identification Unit Administrator will contact the SBI, Clerk of Court, or other external entity as necessary for the correction of the record.

15.3. A written notification of the results shall be provided to the requestor by the Lead Criminal Identification Supervisor in person or by mail and such notification shall be documented.

15.4. All documents, records, fingerprint cards, correspondence, or other records related to the examination shall be forwarded to the Central Records Unit for retention.

**16. Juvenile Operations Function**

16.1. The Identification and Records Division retains responsibility for juvenile functions of CCBI to include the following:

1. Completion of Non-Testimonial Identification Orders
2. Completion of juvenile elimination prints
3. Completion of juvenile major case prints
4. Completion of juvenile fingerprints/photographs in accordance with N.C.G.S. §7B-2102.

16.2. All juveniles requiring fingerprinting, photographs, or major case prints will be completed by appointment only. For major case prints, a latent examiner will complete those requests. Major case print collections will be reported as a Technical Field Assistance for reporting purposes. (This does not include juveniles bound over to superior court)

16.3. The completion of these tasks will be done in the CCBI designated for the purpose of juvenile processes. All criminal justice personnel responding with secure custody juveniles will be required to enter through Gate 6 of the Wake County Detention Center and into the building through CCBI Evidence Receiving. The Identification Specialist present at the appointed time will maintain responsibility for assisting in getting them in and out through Gate 6 and the facility.

**17. Non-Testimonial Identification Order**

17.1. A (juvenile) Non-Testimonial Identification Order may be issued by a judge of district or superior court and may order identification by fingerprints, palm prints, footprints, measurements, blood specimens, urine specimens, saliva samples, hair samples, or other reasonable physical examination, handwriting exemplars, voice samples, photographs, and lineups or similar identification procedures requiring the presence of a juvenile. (N.C.G.S. § 7B-2103)

17.2. Juveniles brought to CCBI for processing subsequent to a Non-Testimonial Identification Order shall be accompanied by the appropriate authority (attorney, prosecutor, law enforcement officer, parent, etc.). The Non-Testimonial Identification Order shall be present at the time of the requested processing and shall be presented for review to the CCBI employee fulfilling the requirements set forth in the order. The Identification and Records Division shall be responsible for the completion of such orders.

17.3. Juveniles being processed under such an order will be done in private, outside of the view of the public and/or any other detainees. The item created by any identification procedure will be given to the appropriate accompanying authority. CCBI will keep no record of the procedure or any copy of the generated item. No information shall be entered in the CCBI records management system nor shall any fingerprints or photographs be retained by CCBI.

**18. Comparison Requested/Major Case Prints**

18.1. Comparison Requested Prints and Major Case Prints for all juveniles who are not in the physical custody of a detention facility are only authorized to be completed physically in the room designated for juvenile processes. Comparison and Major Case Prints for persons in the physical custody of a detention facility will be completed in the CCBI Criminal Identification Unit. At no time will any persons from whom such prints are be taken or anyone who may be accompanying them be allowed to access any secure operational areas of CCBI.

18.2. The Latent Examination Services Unit maintains responsibility for the collection of fingerprints from subjects and/or witnesses in criminal investigations for the purposes of comparing to previously collected impressions. Identification and Records Division staff may be utilized to assist in the electronic collection of the prints, however, will not collect the prints outside of the presence of a custodial Latent Examination Unit staff member.

18.3. The CCBI employee collecting the prints will indicate on the fingerprint card the date and time the comparison print card was completed and the employee will sign the card.

18.4. Fees shall not be assessed for comparison requested prints.

**19. Fingerprinting and Photographing Juveniles (Nondivertible Offense Petitions and Adjudications)**

19.1. The Identification and Records Division will be responsible for the fingerprinting and photographing of juveniles who allegedly committed a nondivertible offense or upon the issuance of an adjudication order. Juveniles being fingerprinted and photographed will be kept out of view of the public or other unrelated persons.

19.2. Non-divertible offenses may be found in N.C.[GS\_§ 7B-1701](http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=7b-1701) and are identified as follows:

1. Murder;
2. First-degree rape or second degree rape;
3. First-degree sexual offense or second degree sexual offense;
4. Arson;
5. Any violation of Article 5, Chapter 90 of the General Statutes that would constitute a felony if committed by an adult;
6. First-degree burglary;
7. Crime against nature; or
8. Any felony which involves the willful infliction of serious bodily injury upon another or which was committed by the use of a deadly weapon.

19.3. All fingerprinting and photographing will be done in accordance with N.C. [GS\_7B-2102](http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=7b-2102).

19.4. CCBI shall forward all fingerprints and photographs collected as a result of a delinquency adjudication to the SBI.

19.5. Fingerprints or photographs collected as a result of a petition for a nondivertible offense in the absence of a delinquency adjudication order shall be turned over to the requesting authority. A green SBI Final Disposition Card shall be completed and forwarded to the Criminal Superior Court Assistant Clerk of Court on all nondivertible offense petitions.

19.6. When completing the SBI fingerprint card for petitions and/or adjudication orders, the CCBI employee will enter the following in the Additional Arrest Data block: **"Juvenile/Nondivertible Offense"** or **"Adjudicated Delinquent Juvenile"** as appropriate.

19.7. Absent a court order (petition, adjudication order, non-testimonial identification order) CCBI will not fingerprint or photograph any juvenile offender unless bound over to superior court to be tried as an adult.

## 20. Processing Juveniles Transferred to Superior Court

20.1. A juvenile may be transferred to superior court in accordance with N.C.G.S. § 7B-2200. In such an instance, the juvenile shall be taken to the room designated for juvenile processing and processed as an adult to include fingerprinting, photographing, and being entered into the record's management system. (Also see N.C.G.S. § 7B-2201) An appropriate authority shall maintain constant supervision of such juveniles and be physically in the presence of such juvenile at all times during such processing.

**21. Juvenile Elimination Prints**

21.1. Elimination prints on juveniles will be completed only under the authority of a Non-Testimonial Court Order or at the expressed direction of the Wake County District Attorney's Office.

22.2. A juvenile must be accompanied by a law enforcement officer.

22.3. Juvenile elimination prints will be completed in the CCBI room designated for juvenile processes. The prints may be collected by Identification and Records Division staff members. A fingerprint card, including palm prints, will be collected and given to the accompanying law enforcement official. CCBI will keep no copy of elimination prints. Elimination prints for submission to CCBI for comparison purposes will be submitted to the CCBI Forensic Evidence Custodian.

22.4. Any prints collected from a juvenile for comparison purposes in a criminal investigation other than elimination prints will be done so only under the authority of a nontestimonial identification order or other legal court authority (See N.C.G.S. § 7b-2107.)

22.5. Elimination prints submitted to CCBI shall be used for elimination purposes only.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| September 24, 2014 | 3 | Clarified no fingerprinting of Class 2 and 3 traffic offenses, New procedures for photo only, changes to erroneous id policy, modified supervisory approval process, defined expungement responsibilities |
| May 1, 2015 | 4 | Changed Photo Only to Identity Verification |
| November 14, 2016 | 5 | Required side profile photos. Various logistical changes. New found property/contraband procedures. ID Verifications assigned to Lead CID Supervisor. |
| November 3, 2020 | 6 | Transferred juvenile functions to Hammond Rd from PSC. |

# CHAPTER 36: Central Records Unit

## 1. Purpose

The purpose of this directive is to establish guidelines for the administration of the Agency's Central Records Unit.

## 2. Policy

2.1. CCBI will maintain a Central Records Unit and a Records Management System to maintain accurate records and such records shall be compiled, retained, and/or released according to North Carolina General Statutes, the North Carolina Department of Cultural Resources' [Records Retention and Disposition Schedule](https://archives.ncdcr.gov/documents/county-sheriffs-office-schedule), CCBI policies and procedures, and any Agency specific court orders.

2.2. The Director’s Office shall maintain the applicable North Carolina Department of Cultural Resources’ Records Retention and Disposition Schedules as well as all Agency specific orders in regards to the retention of records.

## 3. Definitions

Active Case File: Active (“open”) cases refer to active criminal investigations in which CCBI personnel are actively investigating or cases in which CCBI maintains custody responsibilities for evidence.

Case File: Any records created or utilized by CCBI personnel in regards to a criminal investigation to include: reports, notes, sketches, evidence forms, photographs, service requests, or any other discoverable documents as defined in North Carolina General Statutes Chapter 15A, Article 48.

Closed Case File: CCBI case files for which CCBI's portion of the investigation or requested action is completed and all evidence has been removed from CCBI custody.

Evidence Trackers: Tracking instruments used for documenting cases for which evidence has been collected by CCBI. Multiple tracking documents may be utilized for specific disciplines at the discretion of the Division Assistant Director.

Test report: CCBI shall define a test report as any investigative, examination, or analytical test report prepared by CCBI employees as a result of a service provided to a Wake County Law Enforcement Agency or as a result of the examination of evidence submitted to CCBI by a Wake County Law Enforcement Agency.

**4. Administration**

4.1. All CCBI documents, records, or case files shall be retained according to policy and access to such shall be limited to those individuals specified and in the manner specified. The release of any agency records, case files, or documents shall be done in accordance with CCBI policy and North Carolina General Statutes.

**5. Central Records**

5.1. The Central Records Unit shall be a component of the Identification and Records Division of CCBI. Unless otherwise stated in policy, the Central Records Unit shall be responsible for maintaining, archiving, and disposing of all CCBI records. Such records shall be organized and maintained in a manner promoting efficient retrieval.

5.2. The Central Records Unit shall be responsible for the following records:

5.2.1. Physical Records:

1. All Closed Case Files: All closed case files shall be forwarded to the Central Records Unit.
2. All investigative request forms, Latent Examination Manual Comparison Requests, and latent examination notes and identifications.
3. All historic chemical breath test maintenance files, test results, and notes.
4. All physical fingerprint cards.
5. CCBI Criminal Identification Unit Processing Slips.
6. All completed Habitual Felon/Firearm by Felon Fingerprint Request Comparisons
7. The completion and documentation of all requested Discoveries

5.2.2. Electronically Stored Records

1. A record of all fingerprint, photograph, or criminal record services conducted through the Civilian Identification Unit.
2. Master index files for all stored or disposed records.

**6. Record Retention Schedule**

6.1. CCBI records shall be retained in accordance with North Carolina General Statutes, the North Carolina Department of Cultural Resources' [Records Retention and Disposition Schedule](https://archives.ncdcr.gov/documents/county-sheriffs-office-schedule), CCBI policies and procedures, and any Agency specific court orders or authorization memorandums from the Wake County District Attorney's Office.

**7. Privacy and Access to Central Records**

7.1. The Central Records Unit shall maintain physical records in the Central Records File Room (C2361.)

7.2. Physical access to all agency records shall be limited to only CCBI personnel authorized by the Director. The entrance to the Central Records File Room shall maintain video surveillance twenty-four (24) hours a day and seven (7) days a week.

1. Case Files: Case files located in the Central Records Unit may be accessed by Central Records/Support Services staff, Investigations Division Supervisors, Assistant Directors, or the Director and his/her designee.
2. Historical Chemical Breath Test Records: Chemical breath test records shall include Intoxilyzer test tickets, operator notes, and Intoxilyzer Preventative Maintenance Records.

Chemical breath test records may be accessed by any Central Records/Support Services staff, any CCBI Assistant Director or his/her designee, or the Director and his/her designee. All original records shall remain in the files. Only copies may be released.

Any copies made in the Central Records Unit of chemical breath test records shall be documented on the Case File Removal Form and attached to the chemical breath test records.

1. Fingerprint Cards: Fingerprint cards may be accessed by any Central Records/Support Services staff, any CCBI Assistant Director or his/her designee, or the Director and his/her designee.
2. Habitual Felon/Firearm by Felon Comparison Requests shall be completed by Criminal Identification Unit staff and forwarded to the Central Records Unit at the end of each shift or at the discretion of the Identification and Records Division Assistant Director. Any Central Records Unit staff, any CCBI Assistant Director or his/her designee, or the Director and his/her designee may access processing slips and Habitual Felon Comparison Requests.
3. Electronic Records: Access to any electronic records maintained by Central Records shall be at the discretion of the Identification and Records Division Assistant Director and the Director.

7.3. CCBI personnel accessing case files for copies shall physically remove the case file from the Central Records unit, make copies in the copy room nearest to the Central Records Unit (C2359), and immediately return the case file to the Central Records unit. All copies made for external usage shall be documented on the Case File Removal Form and placed inside the case file. Copies made by CCBI personnel for internal usage are not required to be documented on the Case File Removal Form.

7.4. Original documents found in CCBI case files shall not be provided to any person outside of CCBI. Any person requesting access to such case files, for which authorization may be given, shall receive copies of said case files.

7.5. Any current CCBI employee being called to court to testify regarding a criminal or civil investigation, in which they were involved, and testimony will be regarding their official duties shall be granted access to any case files related to such investigation and shall be prepared to provide testimony. In the absence of a judicial order requiring original copies, any documentation taken from a case file in preparation for court will be done so in the form of a copy.

7.6. Investigations Division Investigations Supervisors will have after-hours access to records maintained and located inside the Central Records Unit in accordance with this section. Any Investigations Supervisor accessing records after hours will do so in accordance with all applicable CCBI policies and will provide written notification of the access and reason for such access to the Identification and Records Division Assistant Director.

7.7. All requests by former CCBI employees for case file information will be directed to the Central Records Coordinator for release. Case information will be authorized for release only when the former employee has been specifically subpoenaed for the case and a copy of the subpoena will be provided and placed within the original case file at the time of release or when directed to provide/be provided access by a prosecutorial entity. Former employees will not be given access to case files simply based on having been involved during their employment with CCBI or by virtue of their former employment.

**8. Removal of Records**

8.1. With the exception of original case records in the process of being copied, no original records having been assigned to the custody of the Central Records Unit shall be removed from the Central Records Unit without written documentation of the removal of such record.

8.2. Original case files shall only be removed from Central Records for copying purposes or when a Case File Removal Form has been completed indicating the case file removed, the official removing the file, and the reason for removal. The Case File Removal Form shall be inserted into the case file in place of the removed case file. When the case file is returned, the Case File Removal Form shall document the return of the case file and shall be inserted into the original case file. All original documents shall remain with the original case file at all times.

**9. Release of Agency Records**

1. Case Files: Any CCBI employee authorized to access such records, may release records contained within a CCBI case file to any law enforcement officer involved in the case and employed by the investigating agency with primary jurisdiction for the case.
2. Authority for the release of any case file records to any other person shall rest with the agency with primary jurisdiction for the case or the prosecuting authority.
3. All requests for Intoxilyzer records in tests run by CCBI employees will be in writing or by subpoena. Requests for records and subpoenas will be forwarded to the Central Records Unit. Written requests will be documented in the CCBI Records Request Log and subpoenas will be documented in the CCBI Legal Process Log.
4. All written responses to requests and subpoena information will be sent to the requestor by way of U.S. Mail. If the requested or subpoenaed information is unavailable, a notification letter will be sent to the requestor and a copy of that letter will be kept on file with the Central Records Unit.
5. Preventative maintenance records and individual employee permits are available on-line through the [North Carolina Department of Health and Human Services](http://www.ncpublichealth.com/chronicdiseaseandinjury/fta/index.htm).
6. Central Records will maintain preventative maintenance records in accordance with procedures set forth by the North Carolina Department of Health and Human Services.
7. Chemical breath test records will be retained by CCBI for a period of five (5) years.
8. Copies of fingerprint cards may be released to any requesting law enforcement agency, prosecuting attorney or any defense attorney requesting access to such records.
9. DCI/NCIC records maintained by CCBI for the purposes of this section may only be released in accordance with applicable FBI and SBI rules and regulations.
10. CCBI Habitual Felon/Firearm by Felon Comparison Request files may only be released to or at the discretion of the prosecuting entity’s authority.
11. Any electronic records not otherwise specified may be released at the discretion of the Director.

**10. Discovery**

10.1. The release of records for Discovery purposes shall be a function of the Central Records Unit or persons designated by the Identification and Records Division Assistant Director or the Director. Any request of records for Discovery purposes shall be directed to Central Records. Any Discovery request shall be logged and placed in the original case file.

10.2. An Order for Discovery and Compliance Form will be completed. This form shall include at a minimum the requesting entity and date, the copies provided, a signature of receipt by the requesting entity and the date of receipt, and the CCBI employee complying with the request. This form shall be maintained with the original record. Any documents added to the record after discovery shall be documented on the Order for Discovery and Compliance Form and the appropriate entity shall be notified.

10.3. No CCBI employee shall provide any record or portion thereof to any prosecutorial entity for discovery purposes except as outlined in this section or without the expressed permission of the Director. All requests for records made by prosecutorial persons for the purpose of Discovery shall be done so in accordance with this policy and forwarded to the Central Records Unit.

**11. Juvenile Arrest Records**

11.1. If CCBI obtains information alleging that fingerprints, photographs, and an arrest record were created on an offender believed to be an adult and the offender has subsequently been found to have been a juvenile at the time of the offense, the Identification and Records Division Assistant Director shall be made aware immediately.

11.2. The Identification and Records Division Assistant Director or his/her designee shall review any substantiating documentation of the offender's age. If such documentation is verified, all CCBI records, fingerprints, and/or photographs, outside of those authorized in N.C.G.S.§7B-2102, will be destroyed. Any electronic records related to the individual will be removed and deleted from the record's management system. The Identification and Records Division Assistant Director or his/her designee will inform the SBI of the mistake as soon as possible.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| March 19, 2018 | 3 | Updated 7.3 to allow for case file removal from Central Records for copying purposes, and clarify usage of Case File Removal Form when documenting copying.  Updated 8.1 and 8.2 to allow for removal of case files for copying purposes without  documentation |
| June 5, 2020 | 4 | Modified 7.5 and Added 7.7 |
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# CHAPTER 37: Civil Identification Unit

**1. Purpose**

CCBI will be committed to serving the citizens of Wake County by providing civil identification services and public information as required by North Carolina General Statutes.

**2. Policy**

CCBI shall offer services to the public as determined by the Director in compliance with North Carolina General Statutes regarding public information and assess fees for such services as dictated by the Wake County Board of Commissioners.

**3. Civil Identification Services and Record Check Requests**

3.1. The CCBI Civil Identification Unit provides the following services to the general public:

1. The completion of fingerprint cards.
2. The distribution of Wake County arrest records.
3. Upon request of a citizen, CCBI will photograph the citizen for a "mugshot" style photograph. This photograph will be given to the citizen and CCBI will not maintain this photograph.

**4. Requests for Fingerprinting**

4.1. A request for civilian fingerprinting should be made to the Customer Service Representative or Administrative Assistant. The requesting person must present a current (not expired) form of government issued identification such as a driver license, a passport, or a military identification card. The identification must contain a photograph of the requestor.

4.2. No person under the age of 16 will be fingerprinted unless authorized by North Carolina General Statute or without the approval from the Identification and Records Division Assistant Director or the Director.

4.3. Civilian fingerprinting will be conducted by the Civil Identification Specialists. Unless otherwise approved by the Identification and Records Division Assistant Director or Civil Identification Unit Supervisor, all civilian fingerprinting will be done on standard fingerprint cards. The fingerprint card will be given to the requesting person.

4.4. Civilians requesting an electronic submission of the fingerprints must have an electronic submission form from the requesting agency. The fingerprints will be submitted in accordance to the SBI's policy and procedure on electronic submission. A printed version of an electronically submitted fingerprint card may be furnished to the person if requested.

4.5. Fingerprinting fees shall be charged in accordance with the Wake County Fee Schedule. There shall be no fee charged for Wake County employees, Wake County contractors, or Wake County vendors needing fingerprints for official Wake County business. Any other free services may only be done at the discretion of the Civil Identification Unit Supervisor, Assistant Directors, or the Director.

**5. Record Requests**

5.1. Requests for CCBI arrest records may be requested in person or in writing. Customer Service Representatives and Administrative Assistants will receive all civilian requests for arrest records. All arrest records requests will be indicated in the point of sale system.

5.2. An arrest record check is done based off a name, race, sex, and date of birth search in the CCBI Arrest Database. Social security numbers and agency case file numbers may also be used.

5.3. Arrest information or the fact that there is no arrest information will be documented on a CCBI Record Form. The signature of the CCBI employee doing the check is placed on the form along with the CCBI seal. The CCBI Record Form will be given to the person requesting the record upon completion of the check. Records that were requested in writing will be mailed back to the requestor.

5.4. All other record requests received by the Customer Service Representative or Administrative Assistant will be forwarded to the Civil Identification Unit Supervisor for approval. If the Customer Service Representative or Administrative Assistant receives a court ordered request for records, the order should immediately be forwarded to the Civil Identification Unit Supervisor or Identification and Records Division Assistant Director.

5.5. Fees charged for arrest record checks shall be done so in accordance with the Wake County Fee Schedule. Checks or money orders received with written requests will be documented and processed according to the CCBI procedure on cash receipts. (SOP 17.4.2) **News media organizations will not be charged fees for copies of CCBI arrest records or arrest photographs unless the voluminous nature of the request causes an undue burden on CCBI. Fees will not be charged to any attorney or defendant for records they are entitled to under Federal or State laws of evidence discovery.**

**6. Mail Receipt**

6.1. The Civil Identification Services Section shall be responsible for the receipt of all official mail received by the agency. Upon receipt, each item will be date and time stamped with the date and time received. Any mail specifically addressed to CCBI may be opened and examined by Civil Identification Specialists to ensure proper delivery. Any mail addressed to a current employee of CCBI shall remain unopened and be delivered to that employee through interoffice mail procedures. Exceptions to this policy may only be made with prior approval of the Director.

6.2. Any CCBI employee who receives mail for CCBI or on behalf of another CCBI employee will transfer that mail to the Civil Identification Services Section for delivery receipt and distribution.

**7. Cash Fund/Account Maintenance**

7.1. All financial records related to CCBI public services shall be retained by the Business Officer and in accordance with Wake County policy and procedure. Access to such records shall be limited and physically restricted to the Business Officer, the Identification and Records Division Assistant Director or his/her designee, and the Director or his/her designee.

7.2. Any financial records maintained by CCBI will be released at the discretion of the Director or the Wake County Manager's Office.

7.3 Authority

7.3.1. The Civil Identification Unit Supervisor is responsible for the management of all cash funds/accounts where agency personnel are permitted to receive, maintain, or disburse cash and will maintain the following information: the transaction date, employee who completed the transaction, service type(s), payment method(s), and total amount collected.

7.3.2. All transactions made by CCBI personnel are collected as cash, check, money order, and Electronic Fund Transfers.

Monies are collected for the following services:

* + 1. Record Checks
    2. Fingerprints
    3. NC Court ordered fee(s)
    4. Payment from the City of Raleigh
    5. Arrest Photos

7.3.3. Any accounts maintained by CCBI must be approved by the ID and Records Division Assistant Director prior to any fund transfers. Should any accounts require funding for which a deposit is required, CCBI will maintain a negative balance (balance forward) for any authorized accounts only. Any account payments received by CCBI employees for which the amount received is in excess of the account balance will be returned to the customer by mail with a letter requesting the correct fee be re-submitted. (For instance, CCBI receives a check for $150.00 and the balance is only $100.00, the check will be returned. However, if CCBI receives a check for $100.00 and the balance is $150.00, then CCBI shall accept the $100.00 payment and balance forward the amount of $50.00.)

7.3.4. The Director and/or his/her designee shall determine the appropriate initial cash balance to be provided to employees involved in cash transactions. The on-hand cash balances will be maintained securely by the Civil Identification Unit Supervisor or his/her designee and provided to employees on a daily basis. All cash shall be turned into the Civil Identification Unit Supervisor or his/her designee by the end of the shift and in accordance with CCBI policies.

7.4. Receipts for Services Rendered

The following procedures shall be utilized in preparing and/or providing receipts for services rendered:

1. A receipt will be generated for ALL money received, to include walk-in customers and mailed-in payments.
2. Each receipt must indicate method of payment: cash, check, ~~credit card~~, or money order. If check or money order, the number will be written on the receipt.
3. Original receipts written for checks received in the mail will be returned to the customer with the mail request, if possible. If not returned, the original receipt will be submitted to the Civil Identification Unit Supervisor.
4. Receipts written for monthly charge customer payments must be so noted with breakdown of services, i.e., record checks $50, fingerprints $90, etc. The original receipt shall be provided to the customer.
5. Each person receiving checks must stamp the checks on the back “FOR DEPOSIT ONLY.”
6. If the customer is present, the original receipt will be given back to him/her.
7. If the payment is received by mail, the original receipt will be forwarded to the Civil Identification Unit Supervisor.

7.4.1. Employees needing to void a transaction may do so as necessary. Upon the voiding of the transaction another employee shall sign the register tape and indicate the reason for the void on the tape.

7.4.2. CCBI does not authorize cash disbursements or possess a petty cash fund. CCBI does however possess a change fund to change larger bills when needed at the discretion of the Civil ID Unit Administrative Manager or Assistant Director.

7.4.3. Records/documentation of cash expenditures are n/a, as noted above.

7.4.4. No person within CCBI is authorized to disburse cash other than in business transactions for services rendered. As several positions at CCBI may be required to accept cash in response to providing the above listed services, the Director, Identification and Records Division Assistant Director, and/or the Civil Identification Unit Supervisor are authorized to determine those employees that may receive cash funds for the provided services.

7.5. Cash Balances

7.5.1. The CCBI Identification and Records Division cash register shall be balanced at least one time per workday. The Civil Identification Unit Supervisor or his/her designee shall be responsible for conducting this balance.

7.5.2. Persons responsible for working at or relieving the Receptionist’s Desk will be issued individual cash supplies for a designated amount. Each person assigned a cash supply will be responsible for balancing his/her transaction balance prior to the daily Civil Identification Unit Supervisor’s balance.

7.5.3. The administrative daily balance shall include retrieving the register transaction tape printout for a twenty-four (24) hour period. Using the register transaction tape, each individual employee’s currency and check transaction totals should be added. The initial amount of cash supplied to the employee should be subtracted. The remaining currency and check total should match the total indicated on the register transaction tape.

7.5.4. Overages/Shortages: Should an overage or shortage be found during balancing, a written note must accompany the deposit indicating the amount of overage/shortage, any explanation in regards to the reason for the overage/shortage, and should be signed and dated by the employee incurring the overage/shortage. The Civil Identification Unit Supervisor shall maintain a separate file with these notes which shall be made available upon request for auditing purposes.

7.6. Deposit Preparation

**7.6.1. CCBI employees preparing a deposit cannot be involved in any transactions occurring during the time period for which the deposit is being prepared.**

7.6.2. Deposits shall be prepared and made by the Civil Identification Unit Supervisor or his/her designee. Deposits shall be made either daily or when collections amount to at least $250.00.

7.6.3. The Wake County Finance Department furnishes CCBI with deposit slips imprinted with the department name, number, and account number. Each set consists of an original (white), pink, and yellow copy. All three copies are enclosed with the deposit along with the money and go to the bank for verification of deposit funds. After the bank has accepted and verified the funds, the copies stamped with a “received” date are returned to the depositing CCBI employee. The deposit slip copies shall be returned to the Civil Identification Unit Supervisor or his/her designee. The yellow copy shall be attached to the CCBI Cash Report and forwarded to the Identification and Records Assistant Director or their designee and then sent to the Wake County Finance Department. The pink copy of the deposit slip will be kept with the CCBI copy of the CCBI Cash Report.

7.6.4. The following information shall be indicated on the deposit slip:

1. Date of deposit
2. A breakdown of the currency denomination totals and a total cash amount
3. Total amount of checks
4. Total deposit in two different spaces as indicated on the deposit slip

7.7. Deposit Submission

7.7.1. Deposits will be hand delivered to the county designated financial institution daily by the person preparing the deposit. Deposits being submitted will include:

1. All cash
2. All checks
3. All copies of the deposit slip

7.7.2. The Wake County Finance Department shall receive and forward the Bank Balance Detail Inquiry Report daily to CCBI. The Identification and Records Division Assistant Director or his/her designee shall review the report to confirm that the deposited totals on the report accurately reflect the previous day’s register tape balances as indicated on the CCBI Cash Report.

7.8. CCBI Cash Reports

7.8.1. The Civil Identification Unit Supervisor or his/her designee shall complete a CCBI Cash Report daily upon the conclusion of the balancing. The CCBI Cash Report shall be completed accurately and thoroughly. All CCBI Cash reports shall be submitted to the Wake County Finance Department and a copy of the report and all included documentation shall be kept on file at CCBI. The CCBI Cash Report shall include:

1. The CCBI Cash Report form
2. The pink copy of the deposit slip (for CCBI’s copy) and the yellow copy of the deposit slip (for Finance’s copy)
3. The register transaction tape balance printout for all transactions occurring during the reporting period
4. A copy of all checks received as payment by mail
5. A CCBI Daily Log of Checks Received by mail
6. A machine tape computation of received mail in check totals

7.9. Finance Reporting

7.9.1. The CCBI Cash Report shall be forwarded to the Wake County Finance Department. Upon completion of the CCBI Cash Report, the Business Officer or his/her designee shall document the transaction balances on the AMS Advantage Performance Budgeting System in accordance with the procedures set forth by the Wake County Finance Department.

7.10. Recording Revenues by Type of Service

7.10.1. The Civil Identification Unit Supervisor is tasked with accounting for all transactions and will maintain the capability of giving daily, monthly, quarterly, and annual balances.

7.10.2. The software includes a breakdown of revenues generated by services to include: record checks and fingerprints completed by the Civil Identification Unit, and court ordered fees. The sum of these categories should be the same as recorded on the CCBI Cash Reports.

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| --- | --- | --- |
| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| May 1, 2015 | 3 | Free services limited to Wake County Only |
| November 14, 2016 | 4 | Modified duties surrounding Civil Supervisor and Business Officer |
| March 13, 2017 | 5 | Section 13.2-LPU responsible for major case prints, Section 15.3-Civil ID may perform elimination prints on juveniles. |
| August 16, 2017 | 6 | Require court order for Juvenile Elim Prints |
| November 3, 2020 | 7 | Transferred juvenile function to from PSC to Hammond Rd. Removed photo services, and lineups. |

# CHAPTER 38: Law Enforcement Role and Authority

## 1. Purpose

The purpose of this Directive is to define CCBI’s role regarding law enforcement functions and regulate law enforcement action taken by sworn CCBI personnel.

## 2. Policy

It shall be the policy of CCBI to define the role and authority sworn employees to ensure understanding and compliance to local, state, and federal laws.

## 3. Legal Authority

3.1. The legal mandated authority and responsibilities vested in sworn CCBI personnel is derived from Chapter 535 of the North Carolina Public-Local Laws of 1937, North Carolina common law and North Carolina General Statutes § 15A-401, § 15A-402, and § 162-14.

3.2. CCBI maintains only one category of sworn personnel, which by definition is a sworn employee who possesses the legal authority to make a full custody arrest. Sworn CCBI employees exercising legally mandated authority in any enforcement activity will be subject to all applicable legal requirements and all CCBI policies in regards to those enforcement activities.

3.3. All sworn personnel of CCBI, prior to assuming sworn status, will take and subsequently abide by an Oath of Office to enforce the laws of the State of North Carolina and uphold the United States Constitution (See attached).

## 4. Legal Authority to Carry/Use Weapons

4.1. CCBI sworn personnel are authorized to carry and use weapons pursuant to the implied authority granted by the State of North Carolina. Law enforcement is granted the right to use deadly force in North Carolina General Statutes § 15A-401 (d) (1) and (d) (2) which implies the right to carry and use weapons. N.C.G.S. § 14-269 (b) (4) and  [18 U.S.C. § 926B](http://uscode.house.gov/view.xhtml?req=18+usc+926b&f=treesort&fq=true&num=3&hl=true&edition=prelim&granuleId=USC-prelim-title18-section926B) allows law enforcement officers to carry and or use concealed weapons while in the discharge of their duties. The North Carolina Sheriffs' Education and Training Standards Commission mandates the minimum requirements for sworn law enforcement officers to carry and use weapons ([12 N.C.A.C. 10](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2012%20-%20Justice\Chapter%2010%20-%20Sheriffs'%20Education%20and%20Training%20Standards%20Commission)).

## 5. Constitutional Requirements

5.1. CCBI Crime Scene Investigators conduct interviews of citizens during crime scene investigations. Any interviews by CCBI Crime Scene Investigators shall be conducted in a manner that safeguards the individual’s rights under the United States and North Carolina Constitutions.

5.2. Interviews shall not be conducted without first establishing the nature of the circumstances surrounding the interviewee. If the person being interviewed is in custody, the Crime Scene Investigator will ensure that the person has been advised of his/her Miranda Rights and has waived those rights. If the interviewee in custody requests access to counsel, the interview will stop until that person talks to counsel or withdraws the request.

5.3. CCBI is an assisting law enforcement agency and any interviews or interrogations conducted by CCBI staff of suspects not in CCBI custody shall be limited to that which is necessary for the function of evidence collection procedures. Participation in such interviews or interrogations by CCBI staff shall be in accordance with applicable laws and policy.

5.4. If a CCBI employee uses another agency's interview room for the purpose of an interview or interrogation or is requested to conduct a forensic examination of a detainee during the course of an interview or interrogation in a specifically designated room for such a purpose, then the employee will adhere to the corresponding agency's policies and procedures for the use of such a room. All information from an interview and the circumstance of that interview will be documented in an investigative report to comply with North Carolina General Statute § 15A-903.

## 6. Search and Seizure

6.1. CCBI Crime Scene Investigators shall conduct searches and seizures within the confines of the law. All Crime Scene Investigators shall comply with the following guidelines relating to searches and seizures without a warrant:

6.2. Pursuant to Chapter 15A, Article 9 of the General Statutes of North Carolina, Crime Scene Investigators may conduct searches and make seizures by consent; however, consent must be granted by:

1. The person to be searched;

2. The registered owner of a vehicle, or the person in apparent control of its operation at the time;

3. The person who, by ownership or other circumstances, is reasonably and apparently entitled to give or deny consent to search of premises.

6.3. Individuals may be stopped and frisked without a warrant as authorized by N.C.G.S. § 15A-255. Only sworn Crime Scene Investigators may conduct a stop and frisk and sworn Crime Scene Investigators conducting a stop and frisk shall:

1. Have articulable reasons to fear for their safety, or the safety of others present; and

2. Feel for dangerous weapons by an external patting of an individual’s clothing; and

3. During such frisk, upon feeling any object consistent with a weapon or an object that makes an officer reasonably believe a dangerous weapon is present, then such object may be seized.

6.4. Vehicles may be searched without a warrant when such a search is based upon the movable vehicle exception. Article 10, N.C.G.S. § 15A-231, of the North Carolina General Statutes authorizes other searches that are constitutionally permissible and are not covered by any of the General Statutes of North Carolina. The United States Supreme Court has ruled on warrantless searches of vehicles in a number of cases, most notably, Carroll v. United States, 267 U.S. 132, 45 S. Ct. 132, 69 L. Ed. 543 (1925), which deems a vehicle to be an exception in regards to securing a search warrant due to the mobility of a vehicle, so long as that vehicle is in a public place, and probable cause exists to believe that it contains evidence of a crime.

6.5. A crime scene may be searched without a warrant pursuant to N.C.G.S. § 15A-231 which authorizes other searches that are constitutionally permissible and not covered by any of the General Statutes of North Carolina. The United States Supreme Court has ruled that crime scene searches are permissible in certain situations; Mincey v. Arizona, 437 U.S. 385, 98 S. Ct. 2408, 57 L. Ed. 2d 290 (1978) is the most notable. Therefore, based upon N.C.G.S § 15A-231 and the United States Supreme Court, Crime Scene Investigators may conduct a warrantless search of a crime scene as listed in Sections 6.6 through 6.9.

6.6. The General Statutes of North Carolina authorize such actions (1.2.4{2}) in emergency situations. N.C.G.S § 15A-285 gives officers such statutory authority; however, officers must abide by the provisions contained within said statute.

6.7. An inventory of property shall be done on any vehicle that is seized. The inventory shall be completed by the law enforcement agency that conducts the seizure. Any CCBI Crime Scene Investigator who completes an inventory for a law enforcement agency shall provide a written list to that agency and document it in an investigative report. If a CCBI Crime Scene Investigator seizes any vehicle, it will be that Crime Scene Investigator’s responsibility to complete the inventory of property and document the inventory in the investigative report.

6.8. Crime Scene Investigators who seize property in an investigation will provide a description of the property seized to the law enforcement agency that had requested assistance. The requesting agency will be responsible for completing the Inventory of Seized Property form to comply with N.C.G.S. § 15A-223 (b). If a CCBI (sworn) Crime Scene Investigator is the primary affiant of a search warrant, then it will be the responsibility of that Crime Scene Investigator to complete the Inventory of Seized Property and comply with the requirements of N.C.G.S. § 15A-223 (b).

6.9. Crime Scene Investigators may find other situations that permit a warrantless search or seizure. If such incidents should arise, each officer shall use the Fourth Amendment of the United States Constitution as a guide in performing such search or seizure. N.C.G.S. § 15A-231 provides the authority to conduct other searches; however, such searches or seizures must be constitutionally permissible.

## 7. Arrest With/Without A Warrant

7.1. Any CCBI (sworn) Crime Scene Investigator who initiates an arrest will document the details of the arrest in the CCBI records management system. The state arrest form will be completed. The arrest form and a copy of the arrest warrant or citation will be forwarded to the CCBI Records Section and filed by case number.

7.2. CCBI (sworn) Crime Scene Investigators making arrests, with a warrant or without a warrant, shall abide by the General Statutes of North Carolina. To ensure that all arrests are in accordance with the law, CCBI Crime Scene Investigators shall:

A. Abide by all the laws governing arrests in accordance with North Carolina law; Article 20, N.C.G.S. § 15A-401, which defines arrests by law enforcement officers, including arrests made pursuant to an arrest warrant and arrests made without an arrest warrant. Included in said statute are laws governing how arrests are made, the use of force in arrests, entry into private premises or vehicles, and use of deadly force during arrests.

B. Crime Scene Investigators (sworn) making arrests pursuant to an arrest warrant, as authorized by statute, may arrest the person named or described on said warrant at any time and at any place within the Crime Scene Investigator’s territorial jurisdiction; however, if the Crime Scene Investigator does not have an arrest warrant in their possession but has knowledge that it exists, they must inform the person arrested that the warrant has been issued and serve said warrant as soon as possible.

C. Crime Scene Investigators, as authorized by statute, may make arrests without an arrest warrant when an offense is committed within the Crime Scene Investigator's presence. If the offense occurs out of the Crime Scene Investigator's presence, then said Crime Scene Investigator must have probable cause to believe an arrestee has:

1. Committed a felony; or

1. Committed a misdemeanor, and:
   * 1. Will not be apprehended unless immediately arrested, or
     2. May cause physical injury to himself or others, or may damage property unless immediately arrested; or
2. Has committed a misdemeanor under N.C.G.S. § 14-72.1 (Concealment of merchandise), § 14-134.3 (Domestic criminal trespass), § 20-138.1 (Impaired Driving), or § 20-138.2 (Impaired driving of commercial vehicle);

1. Has committed a misdemeanor under:
   1. N.C.G.S. § 14-33(a) (Simple Assault), § 14-33(c)(1) (Assault with a deadly weapon inflicting serious injury), § 14-33(c)(2) (Assault on female by a male at least 18), or § 14-34 (Assault by pointing a gun) when the offense was committed by a person with whom the alleged victim has a personal relationship as defined in N.C.G.S. § 50B-1; or
   2. N.C.G.S. § 50B-4.1(a) (Violation of valid protection order)

D. Pursuant to an arrest, whether made with or without a warrant, Crime Scene Investigators have the authority to search certain areas and/ or persons who have been arrested. Such authority is granted by N.C.G.S § 15A-231, which gives law enforcement officers the authority to conduct searches and seizures if such is constitutionally permissible and not regulated or prohibited by any of the General Statutes of North Carolina. Accordingly, the United States Supreme Court has ruled that searches and seizures incident to an arrest are constitutionally permissible; however, certain restrictions do apply. Crime Scene Investigators shall use the following guidelines established by the United States Supreme Court when conducting searches and seizures incident to arrest:

1. Crime Scene Investigators may search a defendant and seize evidence from said defendant during a search incident to the defendant's arrest, pursuant to United States v. Robinson, 414 U.S. 218, 94 S. Ct. 467, 38 L. Ed. 2d 427 (1973) .
2. Crime Scene Investigators may search the area within the defendants immediate control pursuant to Chimel v. California, 395 U.S. 752, 89 S. Ct. 488, 38 L. Ed. 2d 456 (1969).
3. Crime Scene Investigators may search the entire passenger compartment of a vehicle during a search incident to arrest to include glove compartments, consoles, or other receptacles located anywhere within the passenger compartment pursuant to New York v. Belton, 453 U.S. 454, 101 S. Ct. 2860, 69 L. Ed. 2d 768 (1981); however, pursuant to the court's ruling, the trunk of a vehicle cannot be searched during a search incident to arrest as it is not within the scope of the arrestee's immediate reach or control.

Arizona v. Gant, 556 U.S. \_\_\_, 129 S. Ct. 1710, 173 L. Ed. 2d 485 (2009), further restricts such a warrantless vehicle search in that “Police may search the passenger compartment of a vehicle incident to a recent occupant’s arrest only if it is reasonable to believe that the arrestee might access the vehicle at the time of the search or that the vehicle contains evidence of the offense of the arrest.”

E. Crime Scene Investigators shall be cognizant that persons under arrest have the right to due process of law as provided by the United States Constitution and the North Carolina Constitution. Therefore, all Crime Scene Investigators shall comply with federal, state, and local laws, including N.C.G.S. Article 23, § 15A-501(2), which dictates the proper procedures regarding the rights of an individual to be taken before a judicial official after arrest without unnecessary delay.

F. Pursuant to any arrest of a person 16 years of age or older in which a felony or criminal misdemeanor is charged the arresting officer shall ensure that an arrest report is completed. If the arrestee is 16 or 17 years old, the arresting Crime Scene Investigator or his/her Supervisor must notify the arrestee’s parents and/or guardian, and if applicable, the arrestee’s school as required in N.C.G.S. § 15A-505.

## 8. Discretion

8.1. CCBI (sworn) Crime Scene Investigators may use their discretion when deciding the best course of action to take when confronted by an enforceable offense. Crime Scene Investigators should consider the following:

1. Crime Scene Investigators shall use discretional authority in furtherance of established departmental goals and objectives, but only when in compliance with applicable laws and the Law Enforcement Code of Ethics.
2. The exercise of discretion shall be defined and controlled through a combination of written enforcement policies, training, and supervision.
3. Reasonableness and probable cause shall vary with each situation and different facts may justify investigation, detention, search, arrest, warning, referral to another law enforcement agency or no action at all. In each case, Crime Scene Investigators shall act reasonably and within the limits of authority as defined by statute and judicial interpretation.
4. Arrests or other enforcement action should generally be taken or effected when there is probable cause to believe a person has committed a serious crime. Crime Scene Investigators should severely limit the use of discretion when the incident involves an indictable offense.
5. For minor offenses, Crime Scene Investigators should consider the action that would most likely deter future violations. Such actions may include the following: physical arrest; citation; written warning; or verbal warning.
6. The degree of enforcement action or inaction used by Crime Scene Investigators shall not be influenced by malice, vengeance, or prejudice based upon race, gender, ethnic background, religious belief, sexual preference, gender orientation/identity, economic status, or political affiliation.
7. Enforcement action shall not be more severe than can be reasonably and objectively justified. Crime Scene Investigator contact shall not be extended unnecessarily for the purpose of delaying the release or inhibiting the free movement of any person.\
8. Any sworn CCBI employee taking any law enforcement action derived from the authority vested in them as a result of their sworn status shall communicate the use of such action to their immediate supervisor as soon a reasonably possible.

## 9. Strip and Body Cavity Searches

9.1. CCBI Crime Scene Investigators have the authority to conduct strip searches and attend body cavity searches when a valid request for assistance is received from a law enforcement agency to detect and secure evidence.  Such searches shall be conducted only with proper justification, *i.e.,* search warrant, written consent to search and in accordance with the procedural guidelines for conducting such searches as set forth in this directive.

9.2. Strip searches are defined as any search of an individual requiring the removal of clothing to permit the visual inspection of the skin surfaces including genital areas.

9.3. Strip searches may be conducted by a CCBI Crime Scene Investigator of the same sex as the person being searched or with another law enforcement officer of the same sex. It is preferred that the CCBI Crime Scene Investigator be of the same sex as the person being searched. The strip search should be conducted in a private area out of the view of the public and only personnel authorized to conduct the search present.

9.4. Body cavity searches are defined as any search involving visual inspection or physical examination of internal body cavities, such as the rectal or vaginal cavity, excluding visual inspection of the open mouth.

9.5. A body cavity search shall be performed pursuant to a search warrant or written consent of the person being searched. Only a physician or other medically trained personnel, who are acting under a physician's direction, shall perform a body cavity search.

9.6. All details of investigations involving strip searches and body cavity searches will be fully documented in the CCBI Crime Scene Investigator's investigative report. The report should include all personnel involved in the search.

## 10. Bias Based Profiling

10.1. CCBI Crime Scene Investigators are prohibited from conducting any enforcement actions based solely on race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or other identifiable groups.

10.2. Any CCBI Crime Scene Investigator that conducts bias based profiling in any enforcement action shall be subject to disciplinary action up to and including dismissal.

## 11. General Firearm Policies

11.1. All firearms carried by CCBI employees while on or off-duty shall only be carried on their person in an approved holster. No employees shall carry a firearm in their pocket, waistband, or in any other fashion that would reasonably present an increased risk of discharge. Any CCBI employee carrying a firearm on or off-duty under statutory authority and in accordance with CCBI policy shall also maintain on their person their issued photographic CCBI identification card identifying them as a sworn law enforcement officer.

## 12. Authorized Firearms and Ammunition

12.1. CCBI personnel will only use firearms and ammunition approved by the Director. Sworn employees displaying a firearm openly while on duty shall only display a departmentally issued service weapon and must be identifiable as a law enforcement officer. Sworn employees wishing to conceal a firearm on or about their person while on duty and in a CCBI issued uniform may do so when that firearm has been approved and qualified with in accordance with CCBI policies, North Carolina Administrative Code and N.C.G.S.§14-269. Employees must be qualified with all firearms carried on or off-duty. Civilian CCBI employees are not authorized to carry a concealed weapon/firearm on duty.

12.2. The following weapons are the only weapons approved for use on-duty:

1. Issued Glock 26, 9mm caliber semi-automatic pistol (Sworn Only)

2. Oleoresin Capiscum (OC) Spray

3. Authorized “personal” firearms.

12.3. Type and specification of approved ammunition:

* + 9mm caliber Gold Dot Hollow Point
  + Any approved hollow point ammunition

12.4. Additional types of ammunition may be utilized for training purposes provided that the Director or his/her designee has approved such ammunition for training purposes. Ammunition used for training purposes that differs from the ammunition listed above is not authorized to be carried in issued weapons while on-duty or off-duty except when actively engaged in an official training activity. Any ammunition approved for such purposes will have the same point of impact and felt recoil as the issued ammunition.

12.5. CCBI (sworn) employees may carry their issued service firearm within the State of North Carolina in compliance with North Carolina State Law, N.C.G.S. § 14-269. An employee will not carry a firearm while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the employee’s body.

12.6. All CCBI issued firearms will be inspected and/or approved by a designated firearms instructor or qualified armorer upon issuance to an employee. The designated firearms instructor or armorer will inspect and/or approve firearms when an employee is required to demonstrate proficiency. If any firearm is found unfit or unsafe, the firearm will be removed until it is made to function properly and safely.

12.7. It is the responsibility of any CCBI employee issued a firearm to maintain that firearm in a clean condition. The proper method of cleaning the issued firearm can be found in the preventive maintenance of the Glock semi-automatic “safe action” pistol manual supplied with the firearm. A copy of this manual will be supplied to the employee upon the initial issuing of the firearm.

12.8. CCBI armorers are the only individuals authorized to disassemble, modify, or make changes to the issued CCBI firearms. CCBI employees may not disassemble issued firearms beyond that specifically indicated in the preventive maintenance of the Glock semi-automatic “safe action” pistol manual for any purpose to include cleaning, changing or removing of grips, altering sights, or any other modifications.

12.9. The Director or his/her designee will maintain an inventory of all firearms issued or approved. The weapon’s manufacturer, model number, serial number, and assigned employee will be recorded. Firearms that are not issued will be stored in a locked safe designated by the Office of Professional Standards. Employees will not leave firearms unattended or unsecured at any time or in any place accessible to the public either directly or indirectly. Employees are responsible for the safe storage of their issued firearm in accordance to N.C.G.S. § 14-315.1.

## 13. Carrying Concealed Weapons

13.1. Sworn CCBI employees may carry their service or approved personal firearm while off duty in accordance with N.C.G.S. § 14-269. North Carolina and CCBI prohibits this authority when entering federal property or while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the employee's body. Employees wishing to carry a firearm out of state must do so in accordance with Title 18 U.S.C. § 926B.

13.2. Sworn employees may not openly carry their issued service firearm while off-duty unless responding to or returning from duty.

13.3. Employees who choose to carry a concealed handgun beyond their geographical jurisdiction do so at their own risk. CCBI and Wake County will not assume liability, pay judgments, or represent officers sued for actions arising out of incidents which occur off-duty outside of the employee's geographical jurisdiction.

## 14. Personal Weapons

14.1. Sworn CCBI employees may carry approved firearms off-duty in accordance with N.C.G.S. § 14-269 during periods of employment when such an employee's status is defined by the North Carolina Sheriffs' Education and Training Standards Commission as authorized to carry and active and only during those periods of employment when the employee is authorized to carry their issued service firearm. CCBI employees placed in an unauthorized to carry status, placed on administrative investigation with the condition of not carrying their duty firearm or during any periods of disciplinary action or suspension may not carry a firearm based on their authority as a law enforcement officer.

## 15. Authorized Personal Weapons and Ammunition

15.1. CCBI employees desiring to carry a personal firearm different than their issued service firearm must obtain written approval (CCBI Off-duty Weapons Approval/Inspection Form) from a CCBI Firearms Instructor and the Director prior to carrying such a weapon. In addition to approval for the specific firearm, any holster to be utilized to carry such a firearm and ammunition to be carried in the firearm must also be approved. The following sections shall provide specific requirements for each area:

15.1.1. Firearms: Any firearm to be considered for approval must be of such a caliber as to be reasonably considered sufficient to neutralize a threat should a deadly force engagement be encountered. Requested firearms must also be of such a size as to easily maintain concealment when carried in an approved holster.

* Calibers may include but are not limited to .380 ACP, 9mm, .357 sig, 10mm, .40 caliber, .45 caliber
* Firearms must carry a combined total of at least six (6) rounds
* Must be double action or "safe action"

15.1.2. Holsters: The only holsters to be approved for personal weapons will be those specifically to be worn about the waist or ankle, must secure the firearm in a safe manner, must be size specific to the firearm, and must secure the firearm to prevent accidental removal.

15.1.3. Ammunition: Any ammunition carried in the approved firearm must be approved and be "duty" quality. Ammunition must be factory loaded. Reloaded or remanufactured ammunition will not be approved. Ammunition must be expandable or hollow point ammunition. No full metal jacket ammunition may be carried in personal weapons being carried under law enforcement authority except for training purposes as indicated below.

15.2. All personal weapons will be inspected and/or approved by a designated firearms instructor or qualified armorer prior to being carried. The designated firearms instructor or armorer will inspect and/or approve firearms when an employee is required to demonstrate proficiency. If any firearm is found unfit or unsafe, the employee shall not be authorized to carry the weapon until such time as the firearm is proven to function properly and safely. This examination shall be documented on the CCBI Off-duty Weapon Approval/Inspection Form.

15.3. CCBI will not defray any costs of maintenance or repair to personally owned weapons. The carrying of approved personal weapons does not relieve the officer from accountability for regular care, cleaning, and maintenance of such weapons.

## 16. Qualifying with Personal Weapons

16.1. CCBI employees must qualify with any approved firearm prior to carrying such weapon and in accordance with the same standards required of the issued service firearm and those requirements set forth by the North Carolina Sheriffs’ Education and Training Standards Commission as found in SOP 1.3.10 Demonstrating Proficiency with Weapons and SOP 1.3.11 Annual Proficiency Demonstration for Firearms.

16.2. Any employee approved to carry a personal firearm must qualify with the specific ammunition approved for carry during the initial qualification. Subsequent annual qualification attempts for the same firearm may utilize different ammunition than approved for carrying as long as such ammunition is approved by the CCBI Firearms Instructor conducting the qualification and the ammunition has the same point of impact and felt recoil as the issued ammunition. Only ammunition that has been indicated on the approval form and has been approved may be carried inside the personal firearm while being carried in an off-duty capacity.

16.3. Any employee failing to qualify as required by this policy shall be immediately prohibited from carrying the firearm until such time as the employee is able to successfully qualify. The qualification of CCBI employees' personal weapons shall be conducted by CCBI Firearms Instructors only. All qualification records shall be maintained by the CCBI Training Coordinator.

16.4. A record of all approved and qualified personal weapons to include make, model, serial number, ammunition, and holster will be maintained by the Office of Professional Standards.

## 17. Annual Proficiency Demonstration for Firearms (Sworn Only)

17.1. All CCBI sworn employees being held in an authorized to carry status will qualify annually with their issued firearms. Any sworn employee wishing to not carry a firearm and/or annually qualify may request of the Director to be placed in a non-carry status. The firearms qualification will be conducted and monitored by a North Carolina Specialized Firearms Instructor and conducted in accordance to the standards as required by the North Carolina Sheriffs' Education and Training Standards Commission.

17.2. All CCBI employees subject to the required annual firearms qualification will be required to attain a minimum passing score as mandated by the North Carolina Sheriffs’ Education and Training Standards Commission.

17.3. The training and firearms test scores will be documented in accordance with the requirements of the North Carolina Sheriffs’ Education and Training Standards Commission. Copies of the approved instructional lesson plans, including the courses fired, and the scores achieved by employees will be kept at CCBI by the CCBI Training Coordinator.

17.4. In accordance with the North Carolina Sheriffs’ Education and Training Standards Commission, CCBI employees will have three attempts during the same qualification period to achieve a minimum passing score during any firearms qualification. CCBI employees must successfully complete one of the three attempts. Failure to successfully qualify will necessitate immediate remediation.

17.5. Upon the failure to successfully qualify, the CCBI employee will turn an issued firearm over to the Firearms Instructor. The firearm will be turned over to the CCBI Training Coordinator and the CCBI employee will not be allowed to carry the firearm on or off-duty. Employees failing to qualify with a personal firearm may not carry that firearm under their authority of a law enforcement officer until successfully having qualified. Employees choosing not to qualify with their issued service firearm will turn in the firearm.

17.6 The Firearms Instructor will provide written documentation to the CCBI Training Coordinator on the employee’s failure to qualify. The CCBI Training Coordinator will schedule remedial training for the employee. Upon successfully completing the qualification requirements, the employee will be re-issued their service firearm or may again carry their personal firearm.

17.7. The Firearms Instructor will document in writing the completion of remediation and qualification and forward the information to the CCBI Training Coordinator. All remediation, training, and documentation will be done in accordance with the North Carolina Sheriffs’ Education and Training Standards Commission.

17.9. The Criminal Justice Standards Division of the North Carolina Department of Justice maintains the Retired Law Enforcement Officers Firearms Qualification Certification Program by which law enforcement officers retiring from a law enforcement agency may continue to qualify with that agency for the purposes of carrying a concealed firearm. Any such CCBI retirees wishing to participate in this program shall direct such a request to the Director who shall maintain the authority to approve, approve with stipulations, or deny such a request.

## 18. Enforcement Action Against Juveniles

18.1. CCBI employees shall not formally charge a juvenile with a criminal offense in any manner. Any exceptions to this Directive will be made only at the discretion of the Director

18.2. Any CCBI employees dealing with a juvenile offender will do so in the least intrusive manner possible and in a non-adversarial way.

## 19. Custody of Juveniles

19.1. Sworn CCBI employees may take a juvenile into temporary custody in accordance with N.C.G.S. § 7B-500, § 7B-501, § 7B-1900 in the following circumstances:

1. A juvenile may be taken into temporary custody without a court order by a law enforcement officer if there are reasonable grounds to believe that the juvenile is abused, neglected, or dependent and that the juvenile would be injured or could not be taken into custody if it were first necessary to obtain a court order.
2. By a law enforcement officer if grounds exist for the arrest of an adult in identical circumstances under N.C.G.S. § 15A-401(b).
3. By a law enforcement officer if there are reasonable grounds to believe that the juvenile is an undisciplined juvenile involved in non-criminal misbehavior (status offense) including runaway juveniles.
4. By a law enforcement officer if there are reasonable grounds to believe the juvenile is an absconder from any residential facility operated by the Department of Social Services or from an approved detention facility.
5. In accordance with N.C.G.S. § 7B-500(b)(c)(d)(e) in regards to the voluntary delivery of an infant under seven days of age to a law enforcement officer.

19.2. Sworn CCBI employees taking a juvenile into temporary custody will do so for only such a length of time until custody can be transferred to the appropriate agency with jurisdiction. Any sworn CCBI employee maintaining temporary custody of a juvenile will ensure that the juvenile's constitutional rights are protected. Any CCBI employee taking a juvenile into temporary custody should be aware that N.C.G.S. § 7B-1901 requires a law enforcement officer to notify the juvenile's parent, guardian, or custodian that the juvenile has been taken into custody.

**19.3. Any sworn CCBI employee who takes a juvenile into temporary custody will immediately notify his/her Supervisor.**

## 20. Juvenile Interrogation

20.1. No CCBI employee shall conduct an interrogation of a juvenile suspected of committing a criminal offense. Any CCBI employee requested to collect information or evidence from a juvenile who is in custody will ensure that the requesting agency is in compliance with N.C.G.S. § 7B-2101 "Interrogation Procedures" prior to such collection.

## 21. Health and Physical Fitness

21.1. The physical demands of a law enforcement officer require that sworn CCBI employees maintain the appropriate level of general health and fitness necessary to safely and effectively perform the law enforcement function. Sworn CCBI employees are encouraged to maintain a physical fitness level consistent with the requirements of a law enforcement officer.

21.2. The Director may include physical fitness training and/or requirements as part of the mandated annual in-service training at his/her discretion. When such courses or requirements are conducted, all sworn CCBI employees shall be required to complete such courses or requirements successfully.

## 22. Physical Examinations

22.1. All newly hired sworn CCBI employees must successfully complete a physical fitness examination conducted by a physician selected by CCBI and in accordance with the requirements set forth by the North Carolina Sheriffs’ Education and Training Standards Commission. The examination will be provided at no cost to the employee.

22.2. Any CCBI employee who serves as a firearms instructor will have the appropriate medical examination completed annually at no cost to the employee. Such examination will be done in accordance with [OSHA 29 CFR, 1910.1025](http://www.osha.gov/).

**STATE OF NORTH CAROLINA**

**OATH OF OFFICE**

**DEPUTY SHERIFF**

**COUNTY OF WAKE**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do solemnly swear and affirm that I will be alert and vigilant to enforce the criminal laws of this State; and that I will not be influenced in any matter on account of personal bias or prejudice; that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith; and that I will faithfully and impartially discharge and execute the duties of my office as a law enforcement officer according to the best of my skill, abilities and judgment; so help me, God.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do solemnly swear and affirm that I will well and truly execute the duties of office of Deputy Sheriff of Wake County to the best of my knowledge and ability, according to the law, so help me, God.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy Sheriff, Wake County

Sworn and subscribed to me

This\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary

My commission expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Accommodate new service weapons and carrying “off-duty” weapons while on-duty |
| November 14, 2016 | 4 | Removed annual review of bias based policies. Allow more than one off-duty firearm. Removed regular retraining requirement for less-lethal and defensive tactics. |
| January 9, 2019 | 5 | Added to 12.1 and 17.1 |
| June 19, 2020 | 6 | Added 8.1 (8) |
| Sept. 3, 2020 | 7 | Modified section 11-17 for personal weapons |

# CHAPTER 39: Use of Force

## 1. Purpose

The legal authority of a law enforcement officer to use force in accomplishing lawful objectives must be strictly regulated to ensure the constitutional rights of citizens are protected at all times. CCBI’s Use of Force policies are designed to provide rules and regulations to meet that expectation.

## 2. Policy

Use of force used by any CCBI sworn employee will be reasonable and in accordance with North Carolina General Statutes and CCBI policies.

## 3. Definitions

Deadly Physical Force**:** That force that is reasonably likely to result in the death or serious physical injury of any person against whom it is applied and shall specifically include but is not limited to:

1. The discharge of a firearm; or
2. The use of an “impact tool” against the unprotected head of any person.

Firearm**:** As used in this policy, any handgun, rifle, or shotgun issued to an officer by this department or any other such handgun, rifle, or shotgun owned or possessed by an officer of this department.

Force: physical contact or actions beyond mere restraint

Hard Hands: techniques that have a higher probability of injury, such as punches and/or kicks.

Imminent: Impending on the point of happening.

Impact Tool**:** Any inanimate object that is used as a weapon to strike a physical, mechanical blow to the body of a person.

Non-Lethal Weapon**:** A weapon that is designed to be used in a manner which minimizes the likelihood that a person against whom it is used will suffer death or serious physical injury as a result of the weapon’s use. Such weapons include, but are not limited to, electronic stun guns (both contact and projectile type), chemical mace, pepper mace, and “police batons” when used other than to strike a blow to another person’s unprotected head.

OC Spray: aerosol spray based in the active natural ingredient oleoresin capsicum, a derivative of various species of cayenne pepper

Officer**:** As used in this policy shall include all sworn deputy sheriffs employed by the Raleigh/Wake City-County Bureau of Identification.

Personal Weapons**:** An officer’s personal weapons are the officer’s own physical strength and parts of the body, such as the hands and feet, which may be used both offensively and defensively against another person.

Reasonable Belief: The facts or circumstances the officer knows, or should know, that would cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.

Reasonable Officer: a legal term used to describe how an officer will be judged by the courts. The courts use an objective standard: how a “reasonable” officer would act in the same circumstances. The officer will be thought of as an ordinary and prudent law enforcement officer, not an exceptional officer.

**S**erious Physical Injury: A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; results in long-term loss or impairment of the functions of any bodily member or organ, or requiring significant medical intervention to diagnose or treat.

Soft Hands: techniques that have a low probability of injury, such as joint locks and pressure points.

Use of Force**:** The use of any weapon, tool, or object (including parts of a person’s body) by a person that causes actual physical contact of the same or another object against the body or clothing of another person which is applied to subdue, stop, or otherwise exert control over the person against whom it is applied. Additionally, the use of a motor vehicle to physically stop a person or another motor vehicle is considered to be the use of force

## **4. Use of Force in accomplishing lawful objectives (Sworn Only**)

4.1. Sworn CCBI employees will use only the amount of force reasonably necessary to accomplish lawful objectives. Excessive force used by a sworn CCBI employee will not be tolerated. Sworn CCBI employees are expected to comply with North Carolina General Statutes governing the use of force by law enforcement officers.

4.2. According to N.C.G.S. § 15A-401, Use of Force in Arrest:

1. A law enforcement officer is justified in using force upon another person who he reasonably believed has committed a criminal offense, unless he knows that the arrest is unauthorized, or
2. To defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

4.3. Officers of this department are authorized to use whatever degree of physical force as reasonably appears necessary, under the totality of the circumstances then known to them, to effect the relocation of an individual, when necessary, to or within some law enforcement or detention facility.

5. Use of Deadly Force (Sworn Only)

1. A law enforcement officer is justified in using deadly physical force upon another person for a purpose specified in subsection (1) of this subsection only when it is or appears to be reasonably necessary thereby:
   * 1. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force, or
     2. To effect an arrest or to prevent the escape from custody of a person who he/she reasonably believes is attempting to escape by means of a deadly weapon, or who by his conduct or any other means, indicates that he presents an imminent threat of death or serious injury to others unless apprehended without delay.
2. While North Carolina General Statute authorizes the use of deadly force to prevent the escape of a person from custody imposed upon him as a result of conviction, CCBI employees will not shoot a fleeing felon simply because he/she has been convicted of a felony.
3. Nothing in this subsection constitutes justification for willful, malicious or criminally negligent conduct by a person, which injures or endangers any person or property, nor shall it be construed to excuse or justify the use of unreasonable or excessive force.

5.1. Although N.C.G.S. § 15A-401 (d)(2)(c) permits the use of deadly force to prevent the escape of a person from custody imposed upon him as a result of a conviction for a felony, it is the policy of this department that this authority is primarily intended to be exercised by prison guards employed by the North Carolina Department of Correction, and that officers of this department will use deadly force only as permitted in this regulation under sections i and ii.

5.2. A verbal warning, if feasible, will be given before using deadly force.

5.4. The use of deadly force against an animal is justified for self-defense or defense of a third person.

5.5. Deadly force will only be used as a last resort.

## 6. Issuance of Directives and Training on Use of Force (Sworn Only)

6.1. All sworn CCBI employees will be issued a copy of CCBI’s Use of Force directives and trained on these directives before being authorized to carry a weapon. Training on CCBI's Use of Force policies will be conducted annually in accordance with the requirements set forth by the North Carolina Sheriffs’ Education and Training Standards Commission. The CCBI Training Coordinator will document this training.

## 7. Use of Force Continuum (Sworn Only)

7.1. Force shall be any degree of control beyond mere restraint. The use of physical force shall be restricted to that amount of force that is reasonably necessary to affect a lawful arrest or in defense of self or others.

7.2. Restraint is defined as physically overpowering without striking or using weapons. Scuffling, holding, tackling, etc., may or may not be mere restraint depending upon the circumstances. Whenever doubt exists as to whether or not the level of restraint used constitutes use of force, the immediate Supervisor will be notified of the incident. It will then be the Supervisor's responsibility to determine whether the incident qualifies as use of force.

7.3. The following Use of Force Continuum is to be utilized in an escalating manner when feasible and doing so does not subject the employee to additional risk of injury or death. The Continuum is a guide for the purposes of understanding the various actions considered force and increases consistent with the likelihood of injury or death as a result of the action. The presence of a Continuum should not be considered as a requirement for employees to follow each step in the continuum prior to escalating force. At all times, employees should use the most minimal level of force reasonable to reduce the likelihood of injury to the suspect, employee, or public, but sufficient enough to effect custody of the suspect or otherwise stop the action causing the need for force as quickly as possible. The various levels of the Use of Force Continuum are as follows:

1. Employee’s presence: The mere presence of uniformed officers, marked patrol vehicles, or a number of officers may be sufficient to prevent a Use of Force incident.
2. Verbal directive: Lawful commands in a firm and authoritative voice will often be sufficient to control the situation and avoid a Use of Force incident.
3. Soft empty hands control techniques are techniques that have a low probability of causing an injury and control can still be maintained over the subject.
4. OC Pepper Spray: Anytime a subject is sprayed with OC Pepper Spray, medical attention will be provided.
5. Hard empty hands control techniques are techniques that have a higher probability of causing an injury to the subject. (Striking with a fist, kicking, etc.)
6. Impact weapons: Impact weapons are defined as any instrument used to strike a subject that have a likelihood of resulting in injury to the subject. Anytime an impact weapon is used medical attention will be provided.
7. Deadly force: The use of lethal or deadly force includes, but is not limited to, the use of a firearm or striking a subject with an impact weapon on areas such as the head, neck, clavicle, groin, or multiple strikes to organ areas. Chokeholds shall be considered a use of deadly force for the purposes of this policy and are only authorized in enforcement encounters when used in response to the use or imminent use of deadly force.

7.4. A sworn employee may draw his/her weapon when he/she has reasonable grounds to suspect that the use of deadly force may be necessary. The sworn employee may not need to be under immediate attack but need only be reasonably apprehensive that a deadly force situation could occur.

7.5. Sworn CCBI employees shall make reasonable attempts to deescalate any enforcement encounter when feasible and doing so does not constitute allowing the continuation of an activity or violation which creates or perpetuates a direct and immediate threat to the safety of themselves, the violator or other persons.

7.6. Sworn CCBI employees present during law enforcement actions taken upon any individual have an ongoing obligation to intervene in any action that would reasonably be known to violate the constitutional rights of any person and to protect persons from such actions as necessary. Any employee witnessing an activity described in and/or acting under this section shall report this activity to their immediate supervisor as quickly as reasonably possible at the conclusion of the event.

7.7. Sworn CCBI employees shall not shoot or otherwise discharge a firearm at a moving vehicle.

## 8. Warning Shots (Sworn Only)

8.1. The discharge of a firearm in the performance of duty, outside of an official training capacity, may only occur when the requirements of N.C.G.S. § 15A-401(d)(2) have been met in regards to the use of deadly force. Anytime a firearm is discharged there is the potential for harm and/or property damage. As such, sworn CCBI employees shall not fire warning shots.

## 9. Use of Force Reporting

9.1. In any situation in which a sworn employee is required to use force against another person, or when a person is injured in any manner whether or not the injury is caused by the employee, the employee shall contact a Supervisor to come to the scene. If the circumstances make such action impractical, the Supervisor is to be contacted as soon as possible following the incident. It shall be the responsibility of the sworn employee to forward the report as required to the Office of Professional Standards and the Assistant Director of the Investigations Division.

9.2. When an arresting employee strikes or injures a person, he shall (1) complete an investigative report in CCBI’s reporting system; (2) complete the appropriate Use of Force form with statement as soon as possible; (3) forward the Use of Force form to the employee’s immediate Supervisor for review and appropriate action; (4) Supervisor will forward form to the Assistant Director for employee’s assigned division for review and appropriate action; (5) Assistant Director will forward form to the Office of Professional Standards for review and any appropriate action; (6) Said documents will be filed in the Office of Professional Standards upon the above parties signing the Use of Force form acknowledging their review. The reports and statement shall be completed no later than the end of the shift during which the force was used. Off-duty employees involved in use of force situations are subject to the same reporting procedures as on-duty employees. Such use of force notifications shall be made to an on-duty Supervisor. The following are examples of situations where completion of the form is required:

1. A sworn employee points a gun at any person or discharges a weapon in the line of duty other than for training purposes.
2. A sworn employee exercising law enforcement authority uses force, which causes any apparent physical injury or death.
3. A sworn employee exercising law enforcement authority uses any object, including flashlight, hand, fist, or foot to strike a blow, hold, or take down a subject or uses OC Spray.
4. A sworn employee exercising law enforcement authority uses force which in any way causes a subject to suffer a blow to the head, or a head injury or uses any degree of force as defined by this policy.
5. Any action of hard empty hand control techniques, use of intermediate weapon, or deadly force.
6. Any CCBI sworn employee who engages in a vehicle pursuit.

9.3. When a subject in custody is accidentally injured, claims to have been injured or claims to be sick from the effects of a strike or blow from empty hands or intermediate weapon or from the effects of OC Pepper Spray, employees shall notify their Supervisor immediately and prepare a memorandum about the incident. The report should be forwarded to the Assistant Director of that employee’s division and the Office of Professional Standards.

9.4. Any employee who is responsible for the death or injury of any person shall immediately determine the physical condition of any injured person and render first aid, when appropriate. The employee shall also: (1) notify the Telecommunicator of the incident, location, age and nature of injury of person; (2) request any necessary medical-aid, request assistance from the law enforcement agency that has jurisdiction, and request the presence of the on-duty Supervisor; (3) remain at the scene (unless injured) until the arrival of the Supervisor and; (4) protect his weapon for examination.

9.5. In all use of force incidents, it shall be the responsibility of the Supervisor to: (1) notify the Office of Professional Standards; (2) conduct an initial investigation; (3) attach a Supervisor’s Investigative Report to the employee’s use of force report; (4) forward the reports to the Office of Professional Standards and the Assistant Director of that employee’s division. In the event an employee is unable to complete the use of force report, his/her immediate Supervisor will have the responsibility for completing the paperwork.

9.6. The Supervisor shall also coordinate with and assist the law enforcement agency that has jurisdiction, and without delay, cause to be notified the Director, or his/her designees, the Office of Professional Standards, and the Assistant Director of the division the employee is assigned.

9.7. The Director, without unnecessary delay, will notify the District Attorney of the Tenth Prosecutorial District.

## 10. Use of Force Medical Attention Requirement

10.1. If, in an employee’s opinion, a prisoner needs medical attention, or if the employee is in doubt as to the necessity of medical treatment for a subject, then EMS should be contacted. Medical attention should be sought for any subject on which OC Pepper Spray or Impact Weapons were utilized. EMS will be contacted in any situation in which Deadly Force was applied and any type of injury or death resulted.

## 11. Review of Use of Force Reports

11.1. All Use of Force reports and Supervisor's Investigative Reports in regards to Use of Force incidents will be submitted to the Office of Professional Standards. The Office of Professional Standards will conduct a parallel internal investigation to determine whether the incident was within the guidelines set forth in CCBI’s Directives and Administrative Orders and Wake County’s Policy and Procedures. The Office of Professional Standards will submit a detailed report of the findings to the Director.

## 12. Review of Use of Force Incidents

12.1. The Office of Professional Standards will conduct an annual analysis of all incidents of force involving CCBI personnel. This analysis will be documented in a written report and provided to the Director for review.

## 13. Administrative Use of Force Review

13.1. While acting in an official capacity, any employee involved in incidents resulting in death or serious injury shall be placed on administrative leave pending completion of the investigation conducted by the Office of Professional Standards. This leave shall be without loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave shall not be interpreted to imply or indicate that the employee has acted improperly. While on administrative leave, the employee shall remain available at all times, should he/she be needed for official interviews and statements regarding the deadly force incident and shall be subject to recall to duty at any time. CCBI will make available post-incident counseling to employees involved in incidents resulting in death or serious injury.

13.2. Upon returning to duty, the Director or his/her designee may assign the officer to administrative duty for a period of time, as deemed appropriate

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Removed flashlight as example of impact weapon at recommendation of CALEA Assessor |
| November 1, 2019 | 4 | Updated language in 7.3 |
| June 19, 2020 | 5 | Modified 7.3 (7), Added 7.5, 7.6 and 7.7 |

# CHAPTER 40: Law Enforcement Vehicle Operation

## 1. Purpose

To establish directives for the law enforcement operation of CCBI vehicles.

## 2. Policy

Sworn CCBI employees engaged in an authorized law enforcement function will operate CCBI vehicles in a safe and legal manner consistent with North Carolina General Statutes and applicable policies. Such operation shall be done with the utmost regard for the safety of the public at all times.

## 3. Responding Procedures

3.1. Vehicles operated by sworn personnel engaged in an official law enforcement function shall be operated in accordance with N.C.G.S. § 20-145 and N.C.G.S. § 20-156.

3.2. Only sworn CCBI employees may operate a CCBI vehicle in an emergency response manner as described in this Section.

3.3. The Director will have the discretion to exempt other sworn personnel from the marked vehicle requirement.

3.4. Employees should be aware that CCBI operates non-police certified four-wheel drive vehicles and therefore will not operate these vehicles in excess of fifteen (15) miles per hour over the posted speed limit at any time, including when emergency equipment is activated.

## 4. Specific Procedures

4.1. Employees are required to weigh the nature and the gravity of any offense or situation, the external physical conditions, and determine that such emergency equipment activation can be accomplished with due regard for the safety of themselves and others.

4.2. The proper use of emergency equipment is essential to the safety of the officer and other motorists when responding to emergencies and when unusual conditions exist. Basically, the emergency equipment is used to call attention to an unusual act or condition, which presents a hazard to the safe operation and flow of vehicular and pedestrian traffic. N.C.G.S. § 20-157 requires a motorist, when being approached by an authorized emergency vehicle from any direction, to pull as far to the right as is practicable and to stop his vehicle for the purpose of yielding to the emergency vehicle.  Concurrently, the laws of our state do not exempt the police officer or any driver of an authorized emergency vehicle from liability should he fail to drive with due regard for the safety of all persons, even though the emergency equipment (blue light and/or siren) may be in operation at the time.

4.3. Employees will not intentionally exceed the speed limit or deviate from the traffic laws normally applicable to non-emergency vehicles unless they are responding to an emergency.

4.4. It shall be the responsibility of any employee responding to a call or other situation requiring CCBI action to make the initial determination as to whether or not the situation calls for the emergency operation of a vehicle. Generally, emergency responses are limited to these situations involving an emergency or where there is an imminent threat to violence, danger, or personal injury.

4.5. Law enforcement agencies' requests for CCBI at crime scenes will not constitute a required emergency response. Generally, incidents involving non-violent misdemeanors and property damage and incidents of that nature would be excluded from those actually requiring or deserving an emergency response on the part of CCBI.

4.6. Any activation of emergency equipment, other than when used for visual safety purposes while stationary in the roadway, will be reported to the employee's Supervisor immediately. Any employee initiating emergency operations of a vehicle will immediately notify the telecommunicator and provide current location and destination or direction of travel as appropriate.

4.7. Vehicles engaged in emergency operations are required to use both blue light and siren. Any time either the blue light or siren has been discontinued, emergency operations will be terminated and all speed and traffic laws will be observed.

4.8. It shall be the responsibility of any Supervisor to direct the responding CCBI member, through the telecommunicator, to cease emergency operations if it appears that the emergency operation is unwarranted or that the risk to the public by the emergency operation outweighs the risk of continuing the emergency operation.

4.9. Employees engaged in the emergency operation of a vehicle shall cease exceeding the speed limit and/or deviating from traffic laws normally applicable to non-emergency vehicles when:

1. A Supervisor directs an employee to terminate the emergency operations.
2. The employee learns that the emergency situation warranting emergency operation no longer exists or that other units have arrived on the scene in sufficient numbers to handle the situation.
3. Traffic, weather, visibility or other conditions increase the risk of danger to the public using the highways to such a degree that emergency operation are no longer authorized under the provisions of this policy.

4.10. Any activation of emergency equipment will be reported to the employee’s Supervisor immediately through telecommunications.

4.11. Employees observing or witnessing a violation of State motor vehicle laws should contact a marked patrol vehicle of the jurisdiction where the violation occurred. The employee should provide that agency with the following: a) CCBI unit identification; b) location, speed and direction of travel of the vehicle; c) description and license plate number of the vehicle, if known; d) number and description of occupants in the vehicle, if known; e) reason for the request for the vehicle to be stopped. The only exception to this policy is a violation that presents an extreme emergency circumstance, whereby failure to take immediate action would result in clear and present danger to the safety of the public.

## 5. Pursuit of Motor Vehicles

5.1. CCBI employees will not engage in or otherwise involve themselves in the pursuit of motor vehicles.

## 6. Roadblocks and Forcible Stopping

6.1. CCBI employees will not engage in any roadblock and/or forcible stopping of any vehicle.

## 7. Traffic Enforcement Actions

7.1. It is the policy of CCBI that traffic enforcement is the responsibility of the municipal law enforcement agencies in Wake County and the North Carolina State Highway Patrol. CCBI will only conduct traffic enforcement when the violation is an imminent threat of serious injury and/or death to the general public.

7.2. Sworn CCBI employees may only conduct a traffic stop when they have a reasonable belief that the driver or an occupant has committed a violent person crime and may not be otherwise identified or apprehended or when a driver is operating a vehicle in such a manner as to cause an imminent threat of serious injury and/or death to him/herself or the general public.

7.3. Upon conducting a traffic stop, Raleigh Communications shall be notified and provided with a description of the vehicle to include the vehicle license number, the number of occupants in the vehicle, and an exact location of the stop. The CCBI employee shall contact the municipal law enforcement agency with jurisdiction or the North Carolina State Highway Patrol to take enforcement action. The CCBI employee will provide their name, contact information, and a summary of the reasonable suspicion or probable cause for the vehicle stop to the responding law enforcement agency.

7.4. CCBI employees subpoenaed to court as a result of CCBI initiated traffic stops will respond to court as directed.

7.5. If the requested law enforcement agency is unwilling or unavailable to take enforcement action, the CCBI employee will notify his/her Supervisor and may take the appropriate enforcement action. The type of enforcement should be determined based upon the following factors:

1. The severity of the violation.
2. The potential danger to the public.
3. The likelihood that the violator will adhere to court requirements.
4. Known factors relative to the violator's traffic/criminal history.

7.6. Physical Arrest

Sworn CCBI employees physically arresting a violator will do so in accordance with applicable laws and the following.

* The CCBI employee will inform the violator that they are under arrest.
* The violator will be secured and searched.
* The CCBI employee will immediately notify his/her Supervisor.
* The municipal law enforcement agency or the Wake County Sheriff's Office will be contacted to transport the violator to CCBI's Criminal Identification Unit. Violators will not be transported in a CCBI vehicle.
* The CCBI employee will process the violator appropriately.
* The CCBI employee will document the incident in an investigative report. A copy of the citation or warrant, the arrest report, and a copy of the DCI driver's history will be forwarded to the employee's Supervisor to be stored in central records.

7.7. Citations

* + The sworn CCBI employee will contact the municipal law enforcement agency with jurisdiction, the Wake County Sheriff's Office, or the North Carolina State Highway Patrol to obtain a citation.
  + The CCBI employee will notify his/her Supervisor of the intent to issue the citation.
  + The violator will be informed of the charge(s).
  + If the charges require a mandatory court appearance, the violator will be informed of the date, time and location to appear both verbally and in writing.
  + If the charges are waivable, the violator will be verbally informed of payment options, and the employee will explain the "Notice to Defendant" information located on the back of the violator's copy of the citation.
  + The CCBI employee will document the incident in an investigative report. A copy of the citation and a copy of the DCI driver's history will be forwarded to the employee's Supervisor to be stored in central records.

7.8. Warnings

* + The violator will be informed of the reason for the stop.
  + The CCBI employee will notify his/her Supervisor of the traffic stop.
  + The verbal warning and the circumstances of the violation and traffic stop will be documented in an investigative report.

## 8. Vehicle Stops (Sworn Only)

8.1. Location

8.1.1. The CCBI employee should choose the location for the vehicle stop carefully, taking time to effect the stop at a place where any available lighting and nearby cover may be utilized to the fullest advantage if necessary.

8.1.2. The CCBI employee should also consider the following in choosing a location for a vehicle stop:

* 1. Traffic congestion; and
  2. Pedestrians; and
  3. Road conditions and surrounding terrain, avoiding curves, hill crests, and intersections; and
  4. Visibility to oncoming or trailing traffic.

8.1.3. The use of private driveways or areas providing access to open business establishments should not be used for traffic stops unless absolutely necessary. When private property is used all possible measures will be taken to avoid inconvenience to property owners and patrons.

8.2. Communications

8.2.1. Employees making a traffic stop will inform the Raleigh Communications Center of the following:

1. Unit identity and activity conducted.
2. The location of the stop.
3. Registration number plate including the state of issuance.
4. Brief description of the vehicle, which may include make, model, color, year, number of occupants, and other particularly identifying information.

8.3. Emergency Equipment

8.3.1. CCBI employees should use emergency equipment (lights, siren, etc.) in a prudent, judicious manner when making traffic stops or unknown risk stops. CCBI employees initiating a high risk stop shall not clear the vehicle until another law enforcement unit has arrived to assist with the traffic stop.

8.4. Vehicle Positioning

1. Traffic Stops: The CCBI vehicle should be at a distance of approximately 10-15 feet to the rear of the vehicle. Offset the CCBI vehicle approximately three feet to the left of the violator vehicle. The front wheels should be turned sharply to the left.
2. Unknown Risk and High Risk Stops: CCBI employees shall allow a greater distance between his/her vehicle and the violator's than what is required for a routine traffic stop. When possible, the front of the CCBI vehicle will be pulled slightly to the left of the violator's vehicle.

8.5. Approaching the violator

8.5.1. When approaching the stopped vehicle involving a traffic or unknown risk stop, CCBI employees are to exercise caution, bearing in mind the potential dangers from both a violator and existing traffic flow. CCBI employees are encouraged to employ all necessary tactics that will ensure officer safety and the accomplishment of a law enforcement task:

* + 1. CCBI employees should check the trunk lid, rear window, rear seat and floorboard as they approach the violator.
    2. Stop slightly to the rear of the front door or rear door post.

8.5.2. Should any occupants of the vehicle exit before the officer has made his/her approach, have that person get back into the vehicle before attempting the approach.

8.5.3. In High Risk stops, CCBI employees shall not clear a vehicle until another law enforcement vehicle and officer is present to assist. The vehicle will be cleared in the following manner:

* 1. CCBI employees will seek cover behind a portion of the vehicle that provides reasonable protection.
  2. The contact law enforcement officer will give commands to vehicle occupants via the PA system. Each person will be given instructions as to how he/she is to exit the vehicle, where to go, and placed and to remain in a prone or kneeling position. Instructions shall be given clearly and slowly. The contact officer will give instructions to only one person at a time.
  3. The contact officer will continue to keep visual contact with the occupants of the vehicle with his/her weapon drawn.
  4. After each known occupant is secured (handcuffed), the contact officer will make another challenge toward the vehicle (in the event someone is hiding in the vehicle). If no one else is detected, officers may approach the vehicle keeping in mind the uncertainty of other occupants being in the vehicle.

## 9. DWI Procedures (Sworn Only)

9.1. If a DWI violator is stopped by a CCBI employee, the employee should attempt to contact the law enforcement agency with jurisdiction or the North Carolina Highway Patrol to process the violator.

9.2. The CCBI employee arresting a DWI violator should document all evidence for and against the suspected impaired driver. The CCBI employee will complete an investigative report. The administration of evidentiary breath/blood test will be conducted in accordance with N.C.G.S. § 20-16.2 and § 20-139.1.

9.3. A person arrested for DWI will not be transported in a CCBI vehicle. The CCBI employee should contact the municipal law enforcement agency for that jurisdiction or the Wake County Sheriff's Office for transport. The arrestee should be monitored by law enforcement while in custody.

9.4. When an impaired driver is arrested for DWI, the vehicle driven by the suspect may be left at the scene of arrest if properly parked and the owner/driver requests that it be left there. If the vehicle is improperly parked or is in an unsafe position, the law enforcement agency with jurisdiction should be contacted and request made for a rotation wrecker. The status of the arrestee's vehicle will be documented in the investigative report.

9.5. The conditions for the release or incarceration of persons arrested for DWI is the responsibility of the judicial official conducting initial appearance. The criminal procedures for handling such persons are set out in N.C.G.S. § 15A-534.2.

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| **Revision History** | | |
| **Effective Date** | **Version Number** | **Reason** |
| January 24, 2011 | 1 | New SOP structure |
| July 12, 2013 | 2 | Restructure and reorganization of SOP |
| February 2, 2014 | 3 | Addition to 5.2.4. per CALEA changes |
| June 19, 2020 | 4 | Modified 5.1, No pursuits authorized |
| Sept. 3, 2020 | 5 | Modified 3.1 for new markings |