

All Null + Void
Active Policy is Ord # 141E

POLICE DEPARTMENT

ORD.#	DATE	NAME OF ORDINANCE
141	06/26/2003	POLICE POLICY
141A	06/19/2007	AMENDMENT #141
141B	01/08/2008	AMENDMENT #141
141D	05/08/2018	Amendment # 141
141E	05/08/2018	Amendment # 141
141F	05/08/2018	Amendment # 141
141C	08/14/2018	Amendment # 141
141G	5/21/21	

ORDINANCE NO. 141-G
TOWN OF KILLIAN

AN ORDINANCE TO SET POLICY AND PROCEDURE MANUAL
KILLIAN POLICE DEPARTMENT

BE IT ORDAINED by the Mayor and the Board of Alderman of the Town of Killian, that this Ordinance is hereby enacted to nullify and take the place of Ordinance numbers 141, 141A, 141B, 141C, 141D, 141E and 141F.

BE IT ORDAINED that this ordinance is for establishing Policy and Procedure Manual for the Killian Police Department.

This Ordinance shall become effective on the 25th day of May, 2021.

Said ordinance having been introduced on the 25th day of May, 2021, by Alderman,

Attwell.

Notice of public hearing having been published on the 21 day of May, 2021.

Said public hearing having been held, the title having been read, and the ordinance considered on the 25 day of May, 2021.

Motion by Alderman Attwell to adopt Ordinance No. 141G, seconded by Alderman Binkley, to adopt ordinance, a record vote was taken and the final result was had:

YEAS: 4 DeMaio, Harvey, Attwell, Binkley
NAYS: 0

ABSTAIN: 0

ABSENT: 1 Barham

Whereupon, the mayor or presiding officer declared the above ordinance duly adopted on the 25 day of May, 2021.

Gillis Windham
Gillis Windham, Mayor

Cathy Posey
Cathy Posey, Town Clerk

ORDINANCE NO. 141-G

TOWN OF KILLIAN

AN ORDINANCE TO SET POLICY AND PROCEDURE MANUAL

KILLIAN POLICE DEPARTMENT

BE IT ORDAINED by the Mayor and Board of Alderman of the Town of Killian, that this Ordinance is hereby enacted for Policy 25-A to nullify and take the place of Policy 25.

BE IT ORDAINED that this ordinance is for establishing Policy and Procedure Manual for the Killian Police Department.

This ordinance shall become effective on the 13th day of July, 2021.

Said ordinance having been introduced on the 13th day of July, 2021 by Alderman, Brian Bentley

Notice of public hearing having been published on the 9 day of July 2021.

Said public hearing having been held, the title having been read, and the ordinance considered on the 13 day of July 2021.

Motion by Alderman Pat Cavall to adopt Ordinance No. 141G, seconded by Alderman Pat Cavall, to adopt the ordinance, a record vote was taken and the final result was had:

Yeas: 5 Attwell, Henry, Buckley, Cavall, Baylin
Nays: 0 _____
Abstain: 0 _____
Absent: 0 _____

Whereupon, the mayor or presiding officer declared the above ordinance duly adopted on the 13 day of July, 2021.

Gillis Windham
Gillis Windham, Mayor

Cathy Posey
Cathy Posey, Town Clerk

100. PURPOSE OF THE KILLIAN POLICE DEPARTMENT

#14
#141

The Killian Police Department's overall purpose is the protection of life and property. This goal is accomplished through numerous methods such as detecting crime, maintaining street and highway safety, and, in general, through enforcement of State and Town laws.

Specifically, the role of the Killian Police Department may be listed as follows:

1. Patrol of various highways, and streets in order to provide police protection, reduce opportunities for crime, and maintain highway and street safety.
2. Identify criminal activity and apprehend criminals.
3. Provide assistance to persons who are unable to help themselves, are in danger, or in need of other emergency services.

101. LOYALTY TO THE DEPARTMENT

A member shall not publicly criticize the department, its policies or other members or employees by talking, writing, or expressing in any other manner, where such talking, writing or expressions is defamatory, obscene, unlawful, exhibits a reckless disregard for truthfulness, or tends to undermine or detrimentally affect the operation of KPD.

However, nothing herein shall prohibit a member from filing a complaint or criticism through the proper channels.

200. PERSONNEL POLICIES

The Town of Killian shall employ as many full time and part time officers as deemed appropriate who are dedicated to rendering service to the Town of Killian Police Department per the rules and regulations set forth. Auxiliary officers receive no compensation for their performance of duties, except in special events, and as approved by Chief of Police and Mayor. The Chief of Police shall make recommendations to the Mayor and Board of Alderman for appointment of police personnel, for the promotion of officers, to effect disciplinary actions, and for dismissal of police personnel.

201. QUALIFICATIONS

Full time and auxiliary officers are selected by application and appointment by the Mayor and the Board of Alderman for the Town of Killian. Applicants must meet the following qualifications:

1. Education: High School Graduate or possession of a high school

#141

equivalency certificate.

2. Age: Officer-must be at least 18 years of age.
3. Height and weight: Must be proportionate.
4. Physical condition: Must successfully pass a physical examination if required by the Town of Killian.
5. Character: Must be free of any criminal record and be of good moral character.
6. Residence: Officers-must be registered voters of Livingston Parish. Preference will be given to qualified residents of the Town of Killian.
7. Veteran: Honorable Discharge or Discharged under honorable conditions.
8. Training: Must successfully complete a basic course of training as prescribed by the Killian Police Dept.
9. Telephone at own expense.
10. Must have a Louisiana Driver's License.

202. MISREPRESENTATION

Any person who shall cause himself/herself to be enlisted, appointed, or hired by the Killian Police Department by means of misrepresentation or misstatement as to his/her qualification, character, reputation or other shall be dismissed.

203. PROBATIONARY PERIOD

The probationary period shall commence immediately upon appointment and shall continue for a period of not less than three (3) months nor more than one year. Auxiliary officers will buy their own uniforms, and then be reimbursed by the Town upon completion of the probationary period.

204. RANKS

The following ranks are established in the Killian Police Department.

1. Chief
2. Assistant Chief
3. Auxiliary Officer

205. VACATIONS

Annual Leave-Police Department.

1. Each full-time employees of the classified service after having served one Year shall be entitled to vacation of 5 calendar days with full pay. After 5 years of service, vacation shall increase to a maximum of 10 calendar days per year.

2. Each employee may divide vacation leave into two separate periods, the total of which shall not exceed the employee's total accrued vacation time. No cash payments may be made in lieu of a vacation. Up to 5 days of 1 day vacations are allowed, but must be requested at least 72 hours in advance.
3. All employee vacation schedules must be approved by the Chief of Police at least two (2) weeks before any vacation is to begin. Employees with the greatest departmental seniority will have priority on the scheduling.
3. Emergency vacations must be approved by the Chief of Police.

206. HOLIDAYS

Fourth of July; Thanksgivings; Christmas; --- If an officer is scheduled to work on these holidays, he will only be required to remain on call.

207. PROMOTIONS

Promotions in the Kililian Police Department are made by qualifications and upon approval by the Mayor and Board of Alderman for the Town of Kililian.

208. SALARIES

Salaries are set by the Mayor and Board of Aldermen.

209. SICK LEAVE

Sick leave with pay is granted for a bona-fide illness of self. In the event of serious illness which would necessitate Police employees being off for longer time than above prescribed, the Chief reserves the right to grant extended sick leave when investigation will show it is justified.

A Doctor's certificated shall be required for three (3) days sick leave when reporting back to work or whenever required by the Chief of Police.

210. PAYMENT FOR ACCRUED LEAVE UPON RETIREMENT

When an employee retires, vacation leave shall be paid as severance pay not to exceed thirty (30) working days.

211. MILITARY LEAVE

Leave of absence, without loss of pay, time or annual leave is allowed for employees ordered into active duty for training purposes with any branch of the armed services. The periods cannot exceed fifteen (15) calendar days in any one year.

212. AUXILIARY OFFICERS

Auxiliary officers may work in place of full time officers, only in cases of vacation, sick leave or emergency leave. Qualified auxiliary officers may work on their own during off-duty hours of full-time officers. In the event of any major happening, the auxiliary officer must seek assistance from either a full-time officer, LPSO or the State Police.

300. DISCIPLINARY ACTION

Violators subject to disciplinary action- All members of the KPD, regardless of rank or assignment, are subject to immediate disciplinary action for any violation of these rules and regulations, Town Ordinances, State statutes or for any violation of the policies and procedures as may be in effect by the department.

Suspension-any members of the KPD may be suspended by the Mayor, pending a hearing by the Board of Aldermen to determine disciplinary action.

301. DISMISSAL

The dismissal, discharge or firing of any members of the department shall be disciplinary action limited to the Mayor with approval of the Board of Aldermen.

302. SURRENDER OF EQUIPMENT DURING SUSPENSION

A member suspended in excess of fifteen (15) days shall immediately surrender his/her badge, commission card, and issued firearms, department vehicle, and any other specified equipment to the Assistant Chief, the Chief of Police or the Mayor. A suspended member is not permitted to wear any part of the official uniform, or the use of Town owned equipment or act in any manner, except when under judicial subpoena.

303. VIOLATOR SUBJECT TO ADDITIONAL DISCIPLINARY

Any members of the department who, upon notice of his suspension, fails to acknowledge and obey such suspension shall be subject to such additional disciplinary action as the Mayor and the Board of Aldermen may prescribe.

304. APPEALS BY EMPLOYEES

Any regular employee who feels that he/she has been discharged or subjected to any corrective or disciplinary action without just cause, may within fifteen (15) days after action, demand in writing, a hearing and investigation by the Board of Aldermen to determine the reasonableness of the action. The Board shall grant the employee a hearing and investigation within thirty (30) days after receipt of the written request.

400. PERSONAL CONDUCT AND APPEARANCE

401.

Personal Conduct and Behavior: Every member of the Kilian Police Department, whether on or off duty in an official or unofficial capacity, must conduct himself/herself and act or behave at all times in such a manner as to set a good example for all others with whom he may come in contact.

402.

Smoking and Chewing Tobacco: No member of the department while on duty shall smoke or chew tobacco in any form which requires spitting, while dealing directly with the members of the general public.

403.

Personal Appearance: Every member of the department must at all times appear to be neat and clean; he/she must keep his/her clothing and equipment in proper condition. He/she shall be cleanly shaved, hair properly groomed, in accordance with standards set forth by the Chief of Police. He/she must at all times maintain personal cleanliness and where necessity causes any uncleanliness or lack of neatness, he/she must avail himself/herself of the first opportunity to remedy this condition.

A. Haircuts

1. Must be neatly trimmed and hair will not exceed any longer than the middle of the ear on each side.
2. Will not exceed the top of the uniform shirt or collar, when buttoned, on the back of the head or neck.

B. Sideburns

1. Will not exceed the lower lobe or bottom of the ear in length.
2. There will be no mutton chop sideburns.

C. Mustaches

1. No wider than ½ inch beyond the corner of the mouth.
2. No longer than the middle of the mouth.

D. Beards

1. No beards will be worn by any uniformed Police Officer unless with a medical excuse.

411. Non-Prescription Drugs: Any member of the Department determined to be a habitual user of non-prescription drugs, or drugs designated as controlled dangerous substances, or in possession of same without good cause, will be immediately suspended until he/she is exonerated of such charge. If the member is convicted of said charge, he/she shall be immediately dismissed.

412. Entering Public Bars or Disreputable Places: No member of the Department shall, while in uniform or on duty, enter a public drinking place where intoxicating liquors are sold or other disreputable places, except in the proper performance of his/her duty.

413. Violation of Laws: No member of the Department shall violate provisions of the Constitution, laws, statutes, or ordinances of the Federal, State or Municipal Governments.

414. Charged or Convicted of a Felony: Any member of the Department made a party defendant in either a civil law suit or a criminal proceeding, whether duty connected or not, or threatened with a lawsuit arising out of the member's performance of duty, will immediately report such fact to the Mayor.

415. Charged or Convicted of a Misdemeanor: Any member of the department who is Officially charged with a misdemeanor may, at the discretion of the Mayor, be Suspended until h/she is exonerated or found guilty of such offense. If such Member is convicted of said offense, a hearing will be held by the Mayor and the Board of Aldermen to determine appropriate disciplinary action. Where the Circumstances warrant, disciplinary action by the Mayor and the Board of Aldermen may be taken without regard to the results of criminal trials.

416. Members of a Defendant: Any member of the Department made a party defendant in either a civil law suit or a criminal proceeding, whether duty connected or not, or threatened with a lawsuit arising out of the member's performance of duty, will immediately report such fact to the Mayor.

417. Opinion of Law Abiding Public: It shall be the duty of every member of the Department, individually, and collectively, to cultivate and maintain the good Opinions of the public by members prompt obedience of all commands; by a Steady and impartial line of conduct in the discharge of his/her duties; by clean Sober and orderly habits, and by a respectful bearing to all classes. Every

Member shall give his/her rank and name to any person upon request.

418. Conduct in the Times of Extreme Peril: Coolness and firmness is required of every member of the Department in times of extreme peril. Concerted action and mutual protection are imperative in the restoration of order and no member of this department shall shirk danger or avoid responsibility or manifest cowardice.

500. THE METHOD OF PATROL

501. Patrol Speed: All members of the Killian Police Department on routine patrol will travel at a speed not to exceed the speed limit. All members will operate the vehicles according to state and local laws unless on an emergency.

502. Point to Point Speed: All members of the Killian Police Department when traveling from one point to another shall not exceed the legal posted speed limit.

503. Emergency Speed: All members of the Killian Police Department engaged in pursuit of an emergency are allowed to exceed the above rule, but under no circumstances will the travel at a speed which would endanger themselves or others or at a speed which would prevent their having complete control of the vehicle. No member of the Killian Police Department, in pursuit, in careless or in other business, will operate any way cause or bring about a collision. Should any member be involved in an accident where the member has violated A law or rule of safety then that member will be subject to disciplinary action.

504. Speed Code Assignments:

- A. Code 1 or Routine Calls: A code or routine call is usually prompted by the following requests for assistance.

1. Accident where there is no injury or possible danger of future accidents or where another officer is standing by.
2. Escort when no emergency is involved.
3. Offenses against property.

Code 1 indicates no delay in response. Officers should proceed in a manner obeying all traffic and speed laws. The use of emergency equipment should not be necessary since the office will not be violating any traffic or speed laws. The emergency equipment may, however, be used if the officer deems it necessary for his own safety and that of the public. Any violations observed while in route will only be enforced if the

failure to do so would endanger life or discredit the Killian Police Department.

B. Code 2 or urgent Calls: A code 2 or an assignment of an urgent nature May apply to the following situations;

1. An officer need assistance with transport of prisoners, crowd Control, disturbance, etc.

NOTE: Code 2 situations are of a lesser nature than those promoting "officer needs help" calls. They indicate that the officer's life or safety is not directly threatened, but he/she requires direct assistance to perform his/her assignment.

2. A citizen calling for help.
3. A disturbance.
4. A possible injured person.
5. Emergency type escorts of blood, eyes, packages, etc.
6. A fire.

The contrast between an emergency and an urgent call is summarized by the following examples:

An emergency call applies to those situations in which the physical safety And individual is directly affected.

An urgent call is assigned to circumstances where personal injury is likely To occur if assistance is delayed and whenever additional police Manpower is required to assist an officer to complete a potentially Dangerous assignment.

When responding to a Code 2 or urgent call, the officer shall use good judgment and exercise extreme caution for the public. He should weigh the necessity for speed against the nature of assignment. The officer should utilize the emergency lights and sirens when good judgment finds it necessary and in the manner prescribed by R.S. 32:24.

C. Code 3 or Emergency Calls:

A code 3 or emergency call is usually prompted by the following requests For assistance:

1. A police officer needs help-all instances in which the safety of an Officer is directly threatened.
2. A shooting.
3. An explosion or bombing.
4. Asphyxiation or electrocution.
5. A robbery or any felony in progress involving danger to life.
6. ~~May~~or accident with severe injuries or creating a serious road Condition
7. An attempted suicide.
8. All other situations in which human life is in peril and the police have the prime responsibility for taking action.

Each of these examples represent an actual danger of serious injury or death. Consequently, the speedy arrival of police personnel in any one of these instances is necessary to save a life or reduce the extent of injury.

When responding to a code 3 or emergency call, the officer shall use good judgement and exercise extreme caution for the public. He/she should utilize all emergency lights and sirens and arrive as soon as possible under the prevalent conditions.

D. Use of Red Lights or Siren:

The warning equipment should be utilized in accordance with the above Procedures. The officer should be reminded that according to state law, The red light and siren are to be used simultaneously while on an Emergency assignment.

When an officer reaches the scene of an emergency such as a traffic Accident, he will insure that the patrol unit is parked in a good position Where the red light is readily visible to other traffic approaching the Scene.

Portable red lights, if available, shall be placed so that they are readily Visible to oncoming traffic.

The red light and siren must be used while in pursuit.

Penalties for violation by members-officers who carelessly violate Laws and regulations while engaged in pursuit driving or responding May subject themselves to criminal action; to civil actions for above Mentioned operational procedures.

505. LEAVING VEHICLE: All members of the Kililian Police Department having occasion to stop at any place will so advise their office/and /or LPSO of the name, location and phone number of such place. No member will stop at any place, except on an emergency call that does not have a telephone. In stopping, the officer will park his/her vehicle in a safe place facing the roadway where his/her way will be clear for immediate takeoff, and where it can be plainly seen by all. In stopping at an accident scene, depending on prevailing conditions, the officer Will park his/hr vehicle in as safe a place as possible where it can be plainly seen.

506. Safeguarding Vehicle and equipment: It shall be the responsibility of all members of the Kililian Police Department to remove the keys when they are out of their vehicle for any reason or length of time whatsoever, and also the safeguarding of all equipment while they are so stopped.

600. CARE AND USE OF PROPERTY AND EQUIPMENT

601. Damaged or Disposed Property: No member of the Kililian Police Department

shall willfully or through neglect or failure to act, lose, damage, or wrongfully dispose of or destroy any property of the Killian Police Department.

602. Personal Identification: No member of the Killian Police Department shall allow any other member or any other person to use his/her badge or any other of his/her means of personal identification.

603. Use of equipment: No member of the Killian Police Department shall use any gas, bombs, tanks, flares, or other official equipment for purposes other than those for which they were issued.

604. Firearms: No member of the Killian Police Department shall use Killian Police Department firearms or any other related except in the official discharge of his Duties. Nor shall any member waste, destroy, or otherwise dispose of such official Property.

605. Gas Mileage: Killian Police officers will be required to log in their mileage when any police unit is gassed at the gas pump. The officer will be required to write this data on his daily log sheet each time a unit is fueled up. This information, in addition to gas receipts, including gallons will be turned in daily.

606. Maintenance of Town Police Unit: The Town Police unit will be maintained every month. Follow monthly maintenance check sheet, which includes oil change, transmission check, tires, brakes, etc. Check sheet must be completed and turned into the Town clerk.

607. Washing of The Police Unit: The Town police unit will be maintained in a clean and orderly condition at all times. This includes washing, waxing, cleaning of interior, etc.

608. Wrecker calls: Wrecker service is to be provided by any wrecker service inside Livingston Parish, unless request is made by owner of vehicle for a particular Qualified wrecker service.

700. SOCIAL OBLIGATIONS

701. Properly Support Families: All members of the Killian Police Department are required to properly support their families.

702. Payment of Debts: All members of this department will promptly pay their just debts, which incurs civil action, will be just cause for disciplinary action or dismissal.

703. Garnishment: Any member of the department who has his/her salary garnished may be subject to disciplinary action as such garnishment is presumptive evidence of failure to pay his/her just debts.

800. RESPONSIBILITIES IN RELATION TO DUTIES

801. Chain of Control: The chain of command is from the Chief of Police to the Ass't. Chief and down the ranks to the lowest rank. Lower ranking officers shall not by-pass the Chief of Police and take matters directly to the Mayor. If however, any Members of the department feels he/she is being treated unfairly, after exhausting The chain of command, he/she may appeal to the Mayor, notifying the Chief The Chief of Police of his/her intentions.

802. Obedying Orders: All members of the department are required to obey all standing orders heretofore issued or to be issued hereafter, and shall promptly and fully comply with all lawful orders given them by members of superior rank.

803. Punctual in Attendance: All members of the department must be punctual in attendance to all calls, requirements of duty, court appointments and other circumstances where time is specified.

804. Hours subject to call: All members of the department are on duty or subject to call twenty-four hours a day and may be recalled from leave or vacation when necessity demands.

805. Neglect of Duty: Failure on the part of any member of the department to report and take proper action in any situation requiring police attention, whether on or off duty, in uniform or not, shall be considered neglect of duty.

806. Desertion: No members of the department shall absent himself/herself from duty without proper leave. Any member of the department who shall absent himself/herself from his/her duties without proper authority and remain absent for a period

of one (1) day, shall considered be considered a deserter, and shall be dismissed from the Killian Police Department.

807. Emergency Leave: Should an emergency arise, the Chief may grant such emergency leave and notify the Mayor of such action. Each emergency request will be handled upon its merits.

808. Emergency Leave Notification Procedure: Should an emergency arise, and a member of the department is unable to locate the Chief, he/she will notify the Town Clerk, or in the clerk's absence, any member of the Board of Aldermen Accompanied by a brief description and location of the emergency. It will Then become the responsibility of that person notified to notify the Mayor At the earliest possible time.

809. Evidence: Any evidence in custody of Killian Police Department will remain locked in the Chief's office and accompanied by a police report until disposed of by the City Court, City Prosecutor or the District Attorney's office. No one but the above will be allowed to release any evidence that has been seized by the department. There will be no exceptions by anyone.

810. No out of town trips permitted unless on official business for the Town of Killian.

811. No calls to be answered by Killian Police for any other municipality, Livingston Parish Sheriff's Department without being specifically requested to do so.

812. Personal business that detracts from duties and appointed rounds may not be conducted while on duty.

813. No person other than the officer on duty shall occupy on official vehicle unless such person is acting within official capacity or is in custody of the arresting officer.

814. No Killian Police officer is to ride with other Sheriff's Department, Town Police Department or Village Police Department while in Killian uniform, unless it Pertains to Killian Police business or unless it is official business or an emergency.

REQUIREMENTS AND RULES FOR ANY NEW KPD OFFICERS AND AUXILIARY OFFICERS

Must have no criminal record.

Town residents will have preference over others of police jobs or auxiliary only if one is available and is best qualified for the job.

Officers and auxiliary must be willing to take a polygraph test.

A schedule must be made for the officers of the KPD. Auxiliary officers are to put in at least 16 hours per month and are on a 60 hours of road experience before patrolling on their own.

Proper attire must be worn at all times while on duty.

Personal appearance must be maintained.

Officer or auxiliary officer shall submit upon request by any of his superior officers for the Town of Killian to a test for the use of controlled dangerous substance not prescribed for that officer by a licensed physician.

817. Creating or destroying evidence: No member of the department, shall, under any circumstances whatsoever, manufacture any evidence or, without proper authorization, destroy evidence of any kind. All evidence must be properly tagged and placed in the Clerk's office, along with a police report substantiating the holding of such evidence.

818. Bribe and Extortion: No member of the department shall accept any bribes or engage in any act of extortion or any other unlawful means of obtaining anything of present or prospective value through his/her position as a member of the Killian Police Department.

819. Notification of illness or injury: A member who knows that he/she will be unable to report for duty due to illness or injury shall immediately notify the Chief of Police advising of the nature of the injury or illness, where the Member will be recuperating and the expected date of return to duty. The Chief of Police shall also be advised of a change in any of the above which May occur after the original notification was given. A member injured while On duty shall report such injury to the Chief as soon as possible. A member Shall not feign illness or injury or otherwise deceive or attempt to deceive any Town Official or representative of the KPD as to the real condition of his/her illness or injury.

820. Release of Prisoners: No member of the department shall, without proper authority, release any prisoner, or through neglect or design allow any

prisoner to escape.

821. Confiscated Property: No member of the department shall under any circumstances neglect to secure an properly preserve any property, money, or articles which he/she has confiscated to be offered as evidence, no shall he wrongfully misappropriate any property money, or articles under his/her care or convey same to his/her personal use.

822. Affiliation with Other Organizations: All members of the department are prohibited from affiliation with any organization or body where the provisions of the constitution or charter of such organization or body would in any way exact prior consideration and prevent him/her from performing his/her duties as a member of the department.

823. Business Confidential: All business of the Kililian Police Department which is confidential will not be disclosed by a member except to another member of the department, those legally entitled thereto, or as directed by the Chief of Police.

824. Presenting Statements or Facts: No member of the department, under any circumstances, shall make any false official statement or misrepresentation of facts.

825. Interviews Prohibited: No member of the department will give out interviews, speeches on department policy or business without permission by the Mayor or Chief of Police.

826. Proposed Actions or Movements: No member of the department shall make Known any proposed action or movement or the department of the contents of Any order, other than to person directly concerned with its execution.

827. Residence and Telephone: Every member of the department shall be a registered voter of Livingston Parish. Further, every member is required to have installed and maintain a telephone in his/her residence at his/her own expense. Said telephone number and residence address shall be recorded by the Town Clerk. Changes of place of address or telephone number shall be made known to the Town Clerk and the Chief of Police within forty-eight hours of such change.

828. Completion and Submission of Required Forms: All member of the department must properly complete and turn in all of the necessary reports, forms citations and

2. Any officer called in for duty and required to be in uniform must be clean shaven.

404. Courtroom Dress(male): All members of the department, when appearing in court to testify, shall be in uniform or suit and tie. Sports clothes will be permissible.

405. Courtroom dress (female): All female officers of the department, when appearing in court to testify shall be dressed as follows:

- A. Uniform of the day, or
- B. Pajamas with coat, or
- C. A dress or combination of blouse and skirt

NOTE: Sub-sections 1 and 2 shall be governed by Section 401 of the departmental rules and regulations.

406. Court Subpoenas: Officers receiving subpoenas must appear in court, on date and time specified, unless you were excused by the Court. You will automatically receive one day suspension without pay for failure to do so.

407. Answering the Phone: When an officer answers the telephone of the Killian Police Department, he/she must give his/her name. For example: Killian Police Department, Chief Jeff.

408. Courtesy: All Persons having business with the Police Department are entitled to courtesy and respectful consideration, and all care must be taken to meet the public in this manner. The use of harsh, profane, insolent, indecent, suggestive, sarcastic or insulting language is positively prohibited. Conversations must be must be conducted in a dignified and proper manner, avoiding the use of slang or facetious expressions.

409. Command of Temper: All members of the department must at all times be quiet, Civil, and orderly in the performance of his/her duties and must maintain decorum, Command of temper, patience and discretion.

410. Habitual use of Intoxicating Liquor: Any member of the Department who is determined, after a complete investigation, to be a habitual user of intoxicating liquor will be immediately suspended. The duration of the suspension shall be determined by the Mayor and the Board of Aldermen.

data concerning any investigation conducted by him/her in the line of duty. This shall be done at the end of the tour of duty during which the investigation was Made except in cases when Town Hall is unavailable, then turn in at next day it is Open.

829. Information Required in Line of Duty. No member of this department may remain silent when information is required of him/her in the line of duty. He/she must promptly and fully answer all questions asked of him/her by a superior officer and must immediately report to the proper officer, any information of which he/she may have knowledge concerning the commission of a crime or other misconduct by another member of the department.

830. Self-Incrimination. A member of the department cannot be compelled to incriminate himself/herself but his/her refusal to answer a proper question relating to his/her duties on the grounds of possible self-incrimination, is itself grounds for dismissal from the service.

831. Driver's License Required. Each member of the department must have in his/her possession at all times a valid state of Louisianan drivers license which has been issued to him/her.

832. Use of Firearms:

Purpose: the use of a firearm is the most serious act in which a police officer will engage. It is imperative, therefore, that training be given and procedures developed so that the officer acts within the boundaries of the Law and good judgement. The intent of this policy is to establish clear legal and moral guidelines on the use of deadly force with firearms.

Policy: based on the facts known at the time, an officer must meet two criteria before discharging a weapon.

- A. Defense:
1. When the officer has probable cause to believe that it is necessary as a means of self-defense from death or serious injury.
 2. When he/she has probable cause to believe it is necessary to defend the life of another officer, or
 3. When he/she has probable cause to believe that it is necessary to defend the life of a victim of a crime, or
 4. When he/she has probable cause to believe that it is necessary to prevent a crime in which human life is in serious jeopardy as a result of a suspect's actions, or

5. To apprehend a fleeing felony suspect when the officer has an immediate threat of violence, serious injury or death to other persons.
- B. Attention or Warning: Shots fired into the air or ground as a warning are a Danger to the officer and innocent people and are prohibited except for the Purpose of summoning aid when other methods are ineffective and safety is Considered.
- C. Moving Vehicles: Firing at or from moving vehicles is discouraged. Experience shows such action is rarely effective and is extremely Hazardous to innocent people.
- D. Disposal of Animals: The use of firearms to kill an animal which is Seriously injured or poses a threat to the safety of humans is approved When no other disposition is practical.
- E. Surrendering of Weapon: An officer should not surrender his/her firearms To anyone, except when giving them to his/her superior, if officer is involved In a shooting. Surrender of a weapon rarely de-escalates a serious situation And can in fact put an officer and innocent people in jeopardy.
- G. Weapons Aboard Commercial Aircraft: Carrying weapons aboard Commercial aircraft must be approved by the Chief of Police and a Representative of the airline.

833. Practical Firearms: No member of the department will practice with his/her or with any departmental firearm issued to him/her, any phase or shooting, including quickdraw, snapping trigger, aligning sights, etc., in any public place or on any any public property other than the firing range.

834. Firearms-Discharge of Fire Report: Any officer who discharges his/her revolver or any other weapon accidentally or intentionally, while performing any police function, shall make verbal report to his/her immediate supervisor as circumstances will permit, and shall file a written report to the town clerk as soon as possible.

835. Firearms-General: Standard sidearms for the Killian Police will not be less than .38 or .357 not grater than .45. Support weapons are subject to department approval. All officers must be certified with a service firearm.

836. Wearing of Firearms Off-Duty: In order that a member of the department may take proper action in any situation requiring police attention, whether on or off duty, (Section 825), Sidearms shall be worn while off duty, the member being within the town limits of the Town of Killian, Louisiana. Members are cautioned to use common sense in complying with this section, and shall not unnecessarily display weapons. Or wear same at times or places embarrassing situations may develop. In attending a social function where intoxicating liquors are served and the officer drinks, he must divest himself/herself of any weapon.

837. Bond Approvals: Only the Mayor will be authorized to approve a bond for the release of an arrested subject. A copy of their tax receipt if possible, must be presented. The Chief of Police or Asst. Chief of Police may authorize a bond in the absence of the Mayor.

900. CONDUCT IN RELATION TO DEPARTMENTAL
PERSONNEL

901. Respect of Rank: All members of the department shall treat members of superior rank with the respect and response due such rank. They must, on all occasions, be civil, respectful, and considerate of their superiors and all others with whom they come in contact. No member shall criticize, condemn, or complain about any action, policy, or orders of any superior.
902. Respect Between Ranks: Superior officers shall treat those of lesser rank with the respect and response due to them as fellow officers.
903. Assault, Attempted Assault, Insubordination or Disrespect: No member of the department shall, on any pretence whatsoever, strike or attempt to strike, draw or lift up any weapon, or offer any violence to ward his/her superior, or any other member of the department, he being in the execution of his office; nor shall he use threatening or insulting language or behave in an insubordinate or disrespectful manner toward any officer of the department, while that officer is in the execution of this office.
904. Carrying Out Orders: All members of the department shall obey all lawful order given by superior officers, and in the absence of a superior officer, police officers shall carry out all lawful orders given by the senior police officers in the detail. Should any order conflict with another order given previously by another superior Officer or with any departmental policy or procedure, the officer to whom such Order was given shall respectfully call attention to the conflict. If the superior Officer giving such order does not change it to eliminate the conflict, the order shall Stand and the responsibility shall be his.
905. Criticism of Official Action- No member of the department shall publicly criticize or ridicule any member of the department.
906. Rebellious or Reactionary Movement and their Suppression: No member

of the department shall attempt to create, originate, excite, cause or join any mutinous, seditious, rebellious or reactionary movement within the department, but shall, being present or having cognizance of such movements or acts, se his utmost effort to suppress the same, or without delay, give information thereof to his immediate superior officer.

907. Cooperation Between Members- All members of the department shall cooperate, support and assist each other at every opportunity, and no member shall publicly or otherwise criticize the work or performance of any fellow member.

908. Cooperation with other Public Agencies- Members shall cooperate with all enforcement agencies, other city departments, and public service organizations and shall give aid and information as such organizations are entitled to receive, consistent with departmental policy and procedure.

909. Seeking Publicity- A member shall not directly or indirectly seek publicity for himself/herself through the press, radio, television her news media, nor shall he/she furnish information to same for the purpose of gaining personal recognition as a police officer.

910. Secondary Employment- Members shall not allow the secondary employment to interfere with their performance as an employee of the Kililian Police Department. If a member of this department is working on his/her secondary job and an Emergency arises, he will be expected to report to this department upon Notification.

911. Political Activity- No member of the Kililian Police Department shall participate in political activity by soliciting votes or contributions; by making contributions; by wearing campaign badge, ribbon, or insignia; by distribution or political cards, posters, or serving as a member of any political committee or taking part in the management or affairs of a political party or organization; by publicly displaying political campaign literature or place-cards on personal property; or by participating in a n effort to recall from office an elected public official.

However, the support of issues involving bonded indebtedness, tax Preference or constitutional amendments shall not constitute prohibited Activity.

912. Public Statements- Officers shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a news-paper or periodical, release or divulge investigative information, or act as a re-

representative of the department in other matters prior authorization.

913. Purchase Orders- All purchase other than fuel and maintenance items for the the police unit made by officers of the department will require approval form the Mayor. In the event that anything is purchased by any officer without approval from the Mayor, that officer will be held responsible for the cost of the items. In case of a late night or weekend purchase, the Mayor, the Chief, Ass't Chief, or the Town Clerk may be contacted by telephone and authorization be Given to make the purchase.

However, a note must be attached to the receipt showing who and when One of the above were contacted.

1000. MOTOR EQUIPMENT

1001. Daily Report- A daily report is made by each officer, each day. This report will include needed work on vehicles and will also act as a record of gas and oil consumed and repairs made, giving both amount and quatity.
1002. Operation by civilians- Civilians will not be allowed to operate department owned motor equipment except by a mechanic, for the purpose of repairs.
1003. Transportation of Civilians- Only prisoners or commissioned police officer will be allowed to ride in Kililian Police Units. Civilians will not be transported in department owned vehicles except by permission of the Mayor.
1004. Abuse of Vehicles- At no time will any member operating department owned equipment abuse, mistreat, or cause damage to this vehicle whether such abuse was due to his/her actions or his/her failure to act. Example of such abuse-idling motor over long periods of time, racing motor, driving in low gear at high rates of speed or for long periods, jumping curbs, ditches, etc.
1005. Use of Vehicles- The following would apply for the use of town owned vehicles by the Kililian Police Department.
1. Will be used during assigned work hours.
 2. May be driven form home to work, work to home.
 3. May be driven to court when officer is subpoenaed.
 4. Vehicles may be drive, if an officer is leaving work and going directly to an extra duty assignment for the Town of Kililian.

5. If an officer is at home of their day off, vacating, etc., they will not drive the vehicles to extra duty assignment unless the assignment is related to town business.
6. Vehicles may be driven if the officer is called in for a meeting or requested to come to the office by his/her superior officer.
7. No vehicle may be used for personal business. (Example: Grocery Shopping, picking up or dropping off kids from school.)
8. No out of town trips permitted unless on official business for the Town of Killian. All out of town trips are to be logged and recorded on officers daily report.

1006. Member Involved in Accident Disciplined- Should any member of the Killian Police Department operating department owned equipment, who has been Involved in an accident be found to have been negligent, careless or reckless, Then that member shall be subject to immediate disciplinary action.

2000. CARE AND USE OF DEPARTMENTAL PROPERTY AND PROPERTY AND EQUIPMENT

2001. Use of Equipment and Property- No member of the department shall use any departmental or official property for purposes other than those for which they are issued.

2002. Member Responsible- Any member of the department using any department owned property or equipment will be responsible for any damage done, due to his failure to properly check out, service, and maintain said property and equipment.

2003. Report of damage or Loss- Any member of the department who shall destroy, damage, or lose any department owned property or equipment will immediately report same to the Mayor, and a complete investigation will be forwarded to the Board of Aldermen on the incident, with a recommendation as to whether or not Disciplinary action should be taken.

2004. Loss of Property or Equipment- The department shall keep an inventory and shall charge against each member of the department the value of all property of department issued to him/her and if it determines that any loss or destruction of such property was due to the carelessness or neglect of the member, it shall cause the value of the property to be deducted from the pay of the member.

2005. Member Involved To Be Disciplined- Should any member of the department damage, lose, destroy, abuse, or wrongfully dispose of any property of the department and be found to have been negligent, careless, or reckless in the use of said property or equipment shall be subject to disciplinary action.

2006. Repairs By Unauthorized Garage or Service Station- No member of the department equipment at other than authorized places of business decided by the Mayor or the Chief of Police unless repairs are to be paid for by the officer.

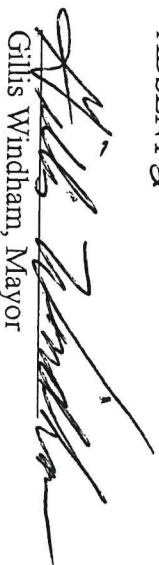
2100. WEARING OF UNIFORMS

2101. Civilian Clothes- Only in Police emergencies will it be allowed for the KPD uniform to be worn with civilian clothes. Nor shall clothes be worn with the uniform, unless authorized by the Mayor. Exception will be made for uniform jackets in the winter for officers on call.

2102. Daily Inspection- All members of the Killian Police Department shall be subject to an inspection daily by the Mayor. The inspection shall see that the uniform is worn correctly. Leather polished, all metal polished and shining, face clean shaven, hair neat and combed, hands and face clean, and the member being inspected is generally neat.

These procedures and rules were introduced on June 26, 2003 and adopted On June 26, 2003.

Vote:
YEAS 3
NAYS 0
ABSENT 2


Gillis Windham, Mayor

The above and foregoing ordinance having been read in full, was thereupon submitted to a vote and the vote thereon was as follows

Yeas: 3
Nays: 0
Absent: 2

Whereupon this ordinance was declared adopted on the 26th day of June 2003.


Gillis Windham, Mayor

Attest:


Tuwana Edwards, Clerk

X 141

AMENDMENT OF POLICE POLICY AND PROCEDURES OF THE KILLIAN
DEPARTMENT ORDINANCE #141

BE IT ORDAINED by the Mayor Kathleen Abels and Board of Aldermen Paul Canik, Larry Laborde, James Prather, Vincent Deliberto and Dean Sharp of the Town of Killian, Louisiana, that the Amendment of Police Policy and Procedures of the Killian Town Hall Department Ordinance #141 listed below be adopted:

2102. All members of the Killian Police Department will be required to use the supplied forms for daily work log, report of damage to vehicles and requisition for repair and supplies which will be reviewed by the mayor for approval.

2103. All members of the Killian Police Department will submit a weekly log of activities and hours to the town clerk to be signed by the Police Chief/Marshal. In the event the forms are not submitted or signed by the Police Chief/Marshal, no wages will be issued.

2104. The Police chief/Marshal is required to be in attendance, in uniform, at all regular Monthly and Special Town Council meetings.

2105. The Police Chief/Marshal is required to report to the council the activities of the Police Department for the month, including, hours worked, citations written and an expenses comparison of supplies, fuel usage and repair to equipment of the current month vs yearly budget.

2106. The Police Chief/Marshal is required to submit, to the town clerk, a weekly duty roster for the Police Chief/Marshal and all Killian deputies.

2107. The Police Chief/Marshal is required to sign all weekly work logs or payroll will not issue checks.

2108. The Police Chief/Marshal is required to utilize all work log and requisition forms supplied by the town, for the documentation of hours worked by the department, explanation of vehicle damages, requisitions for repair and requisition for supplies.

2109. The Police Chief/Marshal will be present or assign a deputy to provide security for city court.

2110. The Police Chief/Marshal will ensure all deputies keep a daily log while on duty.

2111. The Police Chief/Marshal is required to be available to the public 24 hours a day.

1005. DELETE LINE 2: Use of vehicles may be driven from home to work: work to home.

These regulations are in compliance with the Larson Act, failure to comply will result in immediate dismissal

The above ordinance was read in full and considered section by section. A motion made by Paul Canik, seconded by Vincent Deliberto to accept the amendment to ordinance #141 as read. Roll called and vote taken as follows.

YEAS	4
NAYS	0
ABSTAINED	
ABSENT	1

The Ordinance was thereon adopted this 19th day of June, 2007

Kathleen Abels
KATHLEEN ABELS, MAYOR

ATTEST: *Carolyn MaDoney*
CAROLYN MADONEY, CLERK

Amended May 17
#141

141A

TOWN OF KILLIAN

**MAYOR
Kathleen Ables**

**LIVINGSTON PARISH, LOUISIANA
Post Office Box 546
Springfield, La 70462
Telephone: 225-695-6785
Fax: 225-695-3365**

**ALDERMAN
Paul Canik
Vincent Deliberto
James Jay Prather
Larry Laborde
Dean Sharp**

**Attn: Chief of Police
Police Department**

Effective immediately, the following overtime sheet must be used. The Chief of Police and the Mayor must sign this sheet in order for any overtime to be paid or compensation time to be given.

Please complete and turn in all time sheets at the end of each shift. This is important and will ensure proper compensation.

Extra overtime sheets will be kept in the file drawer labeled blank forms. Please let me know if you have any questions.

**Thanks,
Mayor Kathleen Ables**

TOWN OF KILLIAN

141B

**AMENDMENTS TO RULES AND REGULATIONS FOR KILLIAN POLICE
POLICE DEPARTMENT-KPD**

BE IT ORDAINED BY the Mayor and Board of Aldermen of the Town of Killian, that the Killian Police Department Rules and Regulations are amended as follows:

Qualifications: Officers and auxiliary must be willing to sign an agreement to take

1. A polygraph Test
2. Insurance psychological Test
3. A drug Test
4. A physical test
5. Be POST Certified

A schedule must be made for officers of the KPD. Auxiliary are to put in at least 16 hours per month and are on a 60 day probation period. They must have 10 hours classroom training and 60 hours of road experience before paroling on their own. Auxiliary officers are to buy their own uniforms and then be reimbursed by the Town.

The above amendment having been read in full was considered section by section and was submitted to a vote thereon as follows:

YEAS:	4
NAYS:	0
ABSTAINED:	0
ABSENT:	1

THE Amendment was therefore adopted this 8th Day of January , 2008

Kathleen Abels
KATHLEEN ABELS, MAYOR

ATTEST:
Carolyn Maloney
Carolyn Maloney, Clerk

ORDINANCE NO. 141C
TOWN OF KILLIAN

AMENDMENT TO RULES AND REGULATIONS FOR KILLIAN POLICE DEPARTMENT

BE IT ORDAINED BY the Mayor and Board of Aldermen of the Town of Killian, that the Killian Police Department Rules and Regulations Ordinance No. 141 are amended as follows:

Qualifications: Officers must be willing to sign an agreement of:

6. EMPLOYMENT CONTRACT

This ordinance shall become effective on the 14th day of August, 2018.

Said ordinance having been introduced on the 10th day of July, 2018 by Alderman Paul Canik.

Notice of public hearing having been published on the 19th day of July, 2018.

Said public hearing having been held, the title having been read, and the ordinance considered on the 14th day of August, 2018.

Motion by Alderman Brian Binkley to adopt Ordinance No. 141C, seconded by Alderman JJ Barnum.

A record vote was taken and the following result:

Yeas: 3 JJ Barnum, Brian Binkley, and Gillis Windham.

Nays: 1 Blaine LeMaire.

Abstain: 0

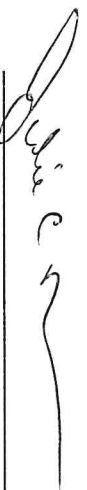
Absent: 1 Paul Canik.

Whereupon, the mayor or presiding officer declared the above ordinance duly adopted on the 14th day of August, 2018.

Attest:



Peter Bock, Mayor



Julie C. Monteleone, Town Clerk

EMPLOYMENT CONTRACT

Between: Town of Killian

State of Louisiana

And:

Parish of Livingston

BE IT KNOWN on this _____ day of _____.

BEFORE ME, the undersigned authority, duly commissioned and qualified within and for the

State and Parish aforesaid and in the presence of the undersigned competent witnesses,

PERSONALLY CAME AND APPEARED:

TOWN OF KILLIAN, a Louisiana municipal corporation located in the parish of Livingston, State of Louisiana, represented herein Peter Bock, Mayor, herein-after referred to as "Employer".

AND _____

Hereinafter referred to as "Employer"

Do hereby contract and agree as follows:

Whereas, Employer desires to retain the services of Employee for the purpose of Police work, and Employer is willing to provide financial aid to employee to assist with employee's training and P.O.S.T. certification.

Whereas, employee desires to perform those services for employer as set forth more particularly herein for the compensation described herein; therefore it is agreed and understood:

1. Employer hereby employs employee to perform the services as patrol officer for a term of two (2) years commencing with the P.O.S.T. certification.
2. Employee shall work the shift assigned by the Police Chief or his assignee.
3. For the services to be rendered by the employee, Employee salary is fixed at the sum of \$ _____ per month, \$ _____ per Hour.
4. Employer shall provide the necessary training to enable the Employee to complete P.O.S.T. certification.
5. In the event that the Employee fails or refuses to complete the full two (2) year P.O.S.T. certification term of this contract, the employee shall pay to employer the expenses incurred in training and equipping the employee.
6. If, however, the employee is forced to resign do to causes beyond the control of the employee or is terminated by employer, reimbursement shall be negotiable.
7. The employer may terminate this contract with cause upon 24 hour written notice or without cause upon thirty (30) days written notice.

8. This contract shall terminate at the expiration of two (2) years from the date of the employee's P.O.S.T. certification and the parties shall re-negotiate for such additional extensions that the parties find to be in the employer's or employee's best interest.

THUS DONE AND SIGNED at Killian, Louisiana, this _____ day of _____,
_____ in the presence of the undersigned competent witnesses.

WITNESSES

TOWN OF KILLIAN

By: _____

Peter Bock, Mayor

Notary Public

ORDINANCE NO. 141D
TOWN OF KILLIAN

AMENDMENT TO RULES AND REGULATIONS FOR KILLIAN POLICE DEPARTMENT
BE IT ORDAINED BY the Mayor and Board of Aldermen of the Town of Killian, that the Killian Police Department Rules and Regulations Ordinance No. 141 are amended as follows:

OPERATIONS ORDER #14 FIREARMS

The purpose of this order is to establish controls over the types of weapons carried by Killian Police officers and to enumerate guidelines for the proper use of weapons.

This ordinance shall become effective on the 8th day of May, 2018.

Said ordinance having been introduced on the 10th day of April, 2018 by Alderman Brian Binkley.

Notice of public hearing having been published on the 19th day of April, 2018.

Said public hearing having been held, the title having been read, and the ordinance considered on the 8th day of May, 2018,

Motion by Alderman Gillis Windham to adopt Ordinance No. 141D, seconded by Alderman Blaine LeMaire.

A record vote was taken and the following result:

Yeas: 4 JJ Barnum, Paul Canik, Blaine LeMaire, & Gillis Windham.

Nays: 0 _____,

Abstain: 0 _____,

Absent: 1 Brian Binkley, _____

Whereupon, the mayor or presiding officer declared the above ordinance duly adopted on the 8th day of May, 2018.

Attest:


Peter Bock, Mayor


Julie C. Monteleone, Town Clerk

ORDINANCE NO. 141E

TOWN OF KILLIAN

AMENDMENT TO RULES AND REGULATIONS FOR KILLIAN POLICE DEPARTMENT

BE IT ORDAINED BY the Mayor and Board of Aldermen of the Town of Killian, that the Killian Police Department Rules and Regulations Ordinance No. 141 are amended as follows:

OPERATIONS ORDER #14-A – USE OF FORCE

The purpose of this order is to ensure that deputies use the appropriate level of force necessary in the performance of their duties.

This ordinance shall become effective on the 8th day of May, 2018.

Said ordinance having been introduced on the 10th day of April, 2018 by Alderman Brian Binkley.

Notice of public hearing having been published on the 19th day of April, 2018.

Said public hearing having been held, the title having been read, and the ordinance considered on the 8th day of May, 2018,

Motion by Alderman Paul Canik to adopt Ordinance No. 141E, seconded by Alderman JJ Barnum.

A record vote was taken and the following result:

Yeas: 4 JJ Barnum, Paul Canik, Blaine LeMaire, & Gillis Windham.

Nays: 0 _____.

Abstain: 0 _____.

Absent: 1 Brian Binkley.

Whereupon, the mayor or presiding officer declared the above ordinance duly adopted on the 8th day of May, 2018.

Attest:


Peter Bock, Mayor


Julie C. Monteleone, Town Clerk

ORDINANCE NO. 141F
TOWN OF KILLIAN

AMENDMENT TO RULES AND REGULATIONS FOR KILLIAN POLICE DEPARTMENT
BE IT ORDAINED BY the Mayor and Board of Aldermen of the Town of Killian, that the Killian Police Department Rules and Regulations Ordinance No. 141 are amended as follows:

OPERATIONS ORDER #14-B – DEFENSIVE IMPACT WEAPONS

Killian Police Department guidelines relative to the types of defensive impact weapons.

This ordinance shall become effective on the 8th day of May, 2018.

Said ordinance having been introduced on the 10th day of April, 2018 by Alderman Brian Binkley.

Notice of public hearing having been published on the 19th day of April, 2018.

Said public hearing having been held, the title having been read, and the ordinance considered on the 8th day of May, 2018,

Motion by Alderman Blaine LeMaire to adopt Ordinance No. 141F, seconded by Alderman JJ Barnum.

A record vote was taken and the following result:

Yeas: 4 JJ Barnum, Paul Canik, Blaine LeMaire, & Gillis Windham.

Nays: 0 _____

Abstain: 0 _____

Absent: 1 Brian Binkley.

Whereupon, the mayor or presiding officer declared the above ordinance duly adopted on the 8th day of May, 2018.

Attest:


Peter Bock, Mayor


Julie C. Monteleone, Town Clerk

OPERATIONS ORDER NUMBER 14

FIREARMS

Purpose - The purpose of this order is to establish controls over the types of weapons carried by Killian Police officers and to enumerate guidelines for the proper use of weapons.

I. General

A. It is reasonable to anticipate that officers, in the course of their duties, may find it necessary to protect a citizen or himself. Since this defense may involve circumstances where life itself is in jeopardy, each deputy needs to develop the greatest possible proficiency in the use of weapons available to him. He also needs to develop the utmost respect for the moral and legal implications associated with this responsibility.

B. The bearing and possible use of deadly weapons by officers imposes a great responsibility on both the officer and this office. A officer must be able to handle his weapons safely and effectively. He must also have confidence in his ability to protect himself or others, should the need arise. This confidence is gained only through training and the development of skills in the use of firearms and the practice of these skills to keep the officer proficient. Only through training and the practice of skills can the officer have the confidence in his ability to react properly and effectively in situations requiring the use of deadly force.

C. This policy is intended to provide rules of conduct and practice aimed at preventing accidental discharges and/or the possible misuse of deadly force. It is recognized that the establishment of rules cannot prevent an accident or an incident of weapons misuse. Only the practice of these rules by all officers, the exercise of good judgement and the enforcement of the rules can accomplish that end. The Killian Police Department intends to do its part to insure compliance with this policy, and each officer will be expected to do his part.

II. Discharge of Firearms

C. The discharge of any firearm in connection with law enforcement officers is authorized only under the following circumstances:

1. In the necessary lawful defense of your own or another person's life.
2. To kill animals that are seriously wounded or dangerous, when other disposition is impractical.
3. When participating in firearms training at an approved range.

B. The discharge of firearms are prohibited:

1. As "warning" shots.
 2. At or from moving vehicles.
 3. Under the circumstances that would present a more substantial risk to innocent person(s), than does the person(s) at which your deadly force is directed.
- C. The discharge of any firearm in connection with law enforcement officer, other than practice at an approved range, must be reported to the officer's supervisor and the Internal Affairs Section as soon as circumstances will permit. Additionally, a written report shall be filed by the officer discharging the firearm within 24 hours of the incident.
- D. Should the discharge of the firearm involve a "combat" situation, the incident shall be investigated by the Livingston Parish Detective Division and Internal Affairs. It is the responsibility of the Supervisor on duty to insure notification of Detectives and Internal Affairs as soon as possible following his notification.

III. Training Required

- A. Participation in training programs by officers is mandatory as prescribed in Procedural Order Number 14.

IV. Authority to Carry Firearms

- A. Only those officers who are "Enforcement Qualified" (see Procedural Order Number 14) shall be authorized to carry firearms.
- B. Further, those officers who are required and/or authorized to carry firearms must participate in in-service training exercises as prescribed in Procedural Order Number 14 in order to retain that privilege.

V. Carrying Firearms Off-Duty

- A. In order that an "Enforcement Qualified" member of the Office may take proper law enforcement action in any situation requiring law enforcement attention, while off-duty, side arms may be worn by off-duty personnel provided the following criteria are met:

6. Qualification shall consist of:

- a) Must participate in bi-monthly firearms training

7. Be required to qualify twice a year on P.O.S.T. firearms training course with qualifying scores on range (and meet minimum requirements set by P.O.S.T.)
8. Participation in training programs as prescribed by Procedural Order Number 14.

B. Officers authorized to carry firearms off-duty are cautioned to exercise good judgement in exercising this privilege, and shall not unnecessarily display or wear firearms at times or places where compromising situations may develop.

C. Officers drinking intoxicating beverages shall not wear firearms while engaged in such activity, or for a minimum of eight (8) hours after the cessation of such activity.

VI. Service Side arms and Accessories

A. The standard firearm for uniformed personnel shall be a serviceable handgun, of modern manufacture meeting the following specifications:

1. Make: Smith & Wesson, Colt, Ruger or other brand as approved by the Chief.
2. Type: Double-action revolver or semi-automatic pistol.
3. Barrel Length: Not less than 2" or more than 6". (NOTE: For Detectives or for off-duty wear, not less than 2 inches)
4. Sights: Fixed or adjustable
5. Caliber: 9mm parbellum, 357 magnum, or other caliber as approved by the Chief.
6. Single action trigger pull of not less than 2 1/2 pounds.

B. Grip panels, other than standard factory installed models, must be approved by the Chief prior to use.

C. No trigger, hammer or sighting installations, other than original manufacturer offered options, are permitted. Trigger "shoes" are prohibited.

D. No internal or external modifications of duty weapons are to be attempted by any Officer. Weapons requiring repair must be taken to an office approved gunsmith. Modifications to internal or external workings of duty weapons not expressly approved by the original manufacturer are prohibited.

VII. Ammunition

A. Ammunition used in service firearms must be of American factory manufacture, and approved by the Chief. No "hand loaded" ammunition may be used except for practice on an approved range.

- B. Ammunition is to be replaced with fresh ammo both in the service weapon and in spare cartridge holders at least every six months.
- C. Each patrol deputy must carry at least eighteen (18) rounds of approved ammunition on their person and at least fifty (50) rounds in their vehicle.

VIII. Holsters

- A. Standard issue holsters for uniform duty wear shall be leather "Border Patrol" type with thumb-break of quality manufacture. Officers may chose to purchase their own holster, however, the type and manufacture must be submitted to and approved by the Chief or Commander prior to use.
- B. Cross-draw holsters are not permitted for uniform duty use.
- C. Holsters for off-duty or plain clothes use shall be made of leather and have some means for effectively securing the weapon in the holster.
- D. Holsters not meeting these criteria may be approved for special uses (undercover work) upon the recommendation of the Chief.
- E. Weapons are not to be carried by thrusting them into the pants waist band or pockets.

IX. Shotguns and Other Special Weapons

- A. Each patrol unit is equipped with a 12 gauge, pump action, shotgun. Each shotgun has four (4) rounds of 12 gauge 00 buckshot loaded in the magazine. Additionally, each shotgun has three (3) rounds of 00 buckshot and two (2) rounds of slugs in a bandolier attached to the buttock of the shotgun.
- B. Each officer is to remove the shotgun from the unit, check to see that the safety is engaged, and unload the shotgun through the loading port before initiating his patrol assignment. Do not unload the weapon by jacking the rounds through the chamber! Having checked the safety and unloaded the weapon, the action is to be opened and the shotgun visually inspected to insure that the chamber and barrel are clear. At this time, the ammo removed from the weapon should also be inspected for dents, cuts and fraying. Ammo that is dented, cut or frayed should be taken to the armory and replaced with fresh ammo. The shotgun action should now be closed, and safety engaged, and four rounds of 00 buckshot in good condition loaded into the magazine. The weapon should then be re-secured in the unit.
- C. Detectives issued shotguns should likewise check their weapons. Shotguns in unmarked cars will be kept in a flexible gun case on the floorboard in front of the

front seat of the vehicle when the vehicle is occupied. At all other times, it is to be stored in the gun case and placed in the trunk of the vehicle.

- D. Personally owned shotguns may not be placed in any unit unless they are capable of being secured as prescribed, and the approval of the weapon is obtained from the Chief.

- E. Special tactical weapons (Rifles, submachine guns, etc.) are not to be carried in any unit without the approval of the Chief.

- F. No shotgun or special tactical weapon is to be carried in any unit with a round in the chamber.

- G. Vehicles taken to maintenance are to have all shotguns, pistols and special tactical weapons removed and secured in a safe place.

X. Firearms Safety

- A. No officer shall participate in any "quick draw", dry-firing or any other simulation exercises with any firearm except on an approved range.

- B. No officer shall withdraw his weapon from its holster except in the necessary police related use of the same.

- C. Weapons are not to be left unsecured in the Squad Room, Communications Center, or any other location, but must be:

1. Secured in a holster on one's person.
2. Secured in a unit.
3. Secured in the weapon lock boxes at the detention center..

- D. No weapon shall be cleaned except at an approved range, or at your residence. Remember, always unload first!

- E. Do not bring loaded shotguns, rifles, submachine guns or unsecured handguns into the Chiefs Office.

- F. All safety rules for the use of weapons on duty, off-duty at the range, and at home must be adhered to by all personnel.

XI. Care of Weapons

- A. All weapons are to be properly maintained and cleaned to insure proper function in accordance with manufacturers' recommendations.

B. All weapons should be cleaned after firing as soon as practical. Further, weapons subjected to unusual conditions (total immersion, caustic fumes, corrosives, etc.) should be immediately cleaned and taken to a competent gunsmith for inspection as soon as practical.

C. All side arms used on or off duty must be inspected by an Office approved gunsmith/range officer once per year. Written evidence of such inspection, if not performed by Armory personnel/range officer must be submitted to the Armory.

XII. Penalties

A. Violation of any provisions of this policy may result in disciplinary action up to and including dismissal.

B. Officers are reminded that they may be held civilly and criminally liable for misuse of weapons and/or of deadly force.

OPERATIONS ORDER NUMBER 14-A

USE OF FORCE

I. Policy

The Killian Police Officers will use the minimum amount of control necessary to compel compliance in accordance with State and Federal law.

II. Purpose:

To ensure that deputies use the appropriate level of force necessary in the performance of their duties.

III. Definitions:

Physical Force: Any degree of physical force exceeding verbal persuasion.

Less Than Lethal Force: Physical force and/or Less than Lethal weapons that are of a non-deadly nature or that normally do not result in serious bodily injury or the death of a subject.

Less Than Lethal Weapons: Authorized non-lethal weapons for use, including, but not limited to:

Chemical Irritants
Impact Weapons
Electronic Restraining Devices
Other Less Than Lethal weapons as defined by the Sheriff's Office and consistent with individual/team training.

Lethal Force: The intentional use of force which can cause death or serious bodily injury or which creates a degree of risk that a reasonable and prudent person would consider likely to cause death or serious bodily injury.

Excessive Force: Any physical force which exceeds the degree of physical force permitted pursuant to State law. The use of excessive physical force shall be presumed when an officer continues to apply physical force in excess of the force permitted by State law to a person who has been rendered incapable of resisting arrest.

IV. Method

The use of force is sometimes necessary in the detention environment for justifiable self-defense, protection of others, protection of property, and prevention of escapes. Use of force is to be used only as a last resort and never as punishment. Force should be employed only to the degree necessary to control the offender(s) or restore order to a disruptive group with a minimum of harm to both staff and the offender(s). Whenever

practical, a officer of the same gender will be involved in forced cell moves and other applications of force, so that at least one officer of the same gender as the offender is present to observe the incident.

The Killian Police Department ("KPD") adheres to a use of force policy that follows a progressive continuum scale. As a general rule, the officer will follow the listed steps in sequence in the escalation and de-escalation of force. Whenever possible or practical, initial attempts to control a subject shall be made through verbal means. However, in situations where physical resistance or a threat of bodily injury is encountered, and/or reasonable alternatives to physical force have failed, physical force may be used. It is not mandatory to follow in sequence each step in every situation. Officers must be able to articulate the basis for the amount of force used and how that force relates to the progressive continuum. The application and degree of such force shall be consistent with State law, Killian Police standards and the officer's training.

No officer shall use any level of force without first successfully completing any and all required training in that level of force used.

A. Use of Force Continuum:

- Officers Presence and bearing in which Officers present themselves in uniform, identification of authority, or if not in uniform, by identification as a Officer or other member of KPD.
- Use of verbal skills in which Officers control a situation by communicating verbal instructions.
- Application of Less Than Lethal Weapons used together with verbal instructions to gain compliance in a less than lethal manner
- Application of Physical Force without the use of Less Than Lethal Weapons
- Application of Lethal Force

B. Factors Affecting Use of Force:

Response. In properly determining the appropriate response to a subject's resistance, several factors must be evaluated by an officer. For instance, an unarmed small framed female juvenile may be displaying level five resistance, but would probably only require a level three response by the average officer. In contrast, a single officer faced with a very large and powerful individual may find that the response to even mild physical resistance must be escalated several levels in order to effect control over the subject. It should be remembered that by law an officer need not retreat in efforts to lawfully control a subject, but may utilize the amount of defensive action necessary to accomplish lawful duties. This is not to

say that a tactical retreat in the face of overwhelming odds may not be the wisest choice.

Additional factors that must be considered when making decisions regarding appropriate levels of control include:

1. Subject Factors:

- a) Seriousness of the crime committed by the subject;
- b) Size, age, and weight of the subject;
- c) Apparent physical ability of the subject;
- d) Subject's medical conditions, mental state and influence of alcohol or drugs;
- e) Number of subjects present who are involved, or who may become involved;
- f) Weapons possessed by or available to the subject
- g) Known history of violence or propensity for violence by the subject;
- h) Presence of innocent or potential victims in the area;
- i) Whether the subject can be recaptured at a later time;
- j) Whether evidence is likely to be destroyed

2. Officer Factors:

- a) Size, physical ability, and defensive tactics expertise of the officer;
- b) Number of officers present or available;
- c) The necessity for immediate reaction in the case of sudden attack;
- d) Weapons or restraint devices available to the officer;
- e) Legal requirements;
- f) Office policy.

C. Care and Treatment:

After force has been used against an offender, the offender will be examined by medical staff and receive any necessary treatment as soon as safely possible, including the opportunity to shower when chemical irritants were used.

D. Reporting Requirements:

A Supervisor will be notified when any type of force is used above the level of verbal compliance. A written report prepared by the Officer involved will be completed no later than the conclusion of that shift. The report will include the following:

- a) An account of the events leading up to the use of force;

- b) An accurate description of the incident and the reasons for using force;
- c) A description of the intermediate weapon used, if any, and the manner in which it was used;
- d) A description of the injuries suffered, if any, and the treatment given or received;
- e) A list of all participants and witnesses to the incident.

1. Officer to Report Excessive Use of Force:

In accordance with KPD policy: A Officer who, in pursuance of such Officer's law enforcement duties, witnesses another peace officer, in pursuance of such other peace deputy's law enforcement duties in carrying out an arrest of any person, placing any person under detention, taking any person into custody, booking any person, or in the process of crowd control or riot control, use physical force which exceeds the degree of physical force permitted, must report such use of force to the Officer's immediate supervisor.

(1) **TASER, LESS LETHAL WEAPON SYSTEM**

1. Policy

The Taser is a less lethal weapon system that delivers electrical energy, and is deployed against subjects who are placing themselves or others in danger of physical injury and/or death. The Taser is designed to incapacitate a person rather than injure him/her. This allows officers to take a combative person into custody with a minimum risk of injury to all of the parties involved. The amount of control or force used in an encounter will be governed by the circumstances of each situation taken as a whole in accordance with KPD policies. Threat indicators to assess each situation, levels of control and levels of resistance are described in detail in this policy at IV regarding Use of Physical Force. The use of the Taser probes and a drive stun will be considered as the same level of control when deployed. The Taser is a uniform instrument for Officers assigned to uniform assignments. Exceptions to this may be made by the supervisor.

b) Authorized Use of the Taser

The Taser may be used in the following circumstances pursuant to the procedures in the use of physical force:

- A) A person engages in or displays the intent to engage in physical resistance to a lawful police action. Physical resistance is actions that prevent or attempt to prevent a Officer's attempt to control a subject, but do not involve attempts to harm the Officer.
- B) A person engages in or displays the intent to engage in aggressive physical resistance to a lawful police action. Aggressive physical resistance is physical actions of attack or threat of attack, coupled with the ability to carry out the attack, which may cause physical injury.
- C) A person engages in or displays the intent to engage in suicidal behavior. Only those members currently certified with the Taser are authorized to deploy the Taser. Officers deploying the Taser operationally, if feasible, should be supported by at least one officer capable of providing immediate cover. The Taser is not meant to take the place of deadly force options.

c) Prohibited Use of the Taser

The Taser shall not be used on the following persons or circumstances, unless one of the exceptions following this list is met:

- A) Children, who are known to be, or are obviously under the age of 12;
- B) Persons, who are known to be, or are obviously older than 60 years of age;
- C) A woman who is known to be, or is obviously pregnant;
- D) A person known to be, or is obviously medically fragile.

Exceptions that would permit the use of the Taser on the above persons or circumstances:

- A) The person is armed with a dangerous weapon;
- B) The person is engaging in suicidal behavior;
- C) The person cannot safely be controlled with other force options;

The Taser shall not be used on handcuffed suspects unless the subject is actively engaging in aggressive physical resistance. Officers should obtain, when time permits, supervisory authorization before deploying the Taser on a handcuffed suspect. If used, a supervisor will be notified immediately.

In addition, the use of the Taser is prohibited:

- A) For horseplay or practical jokes;
- B) At demonstrations or protests without the permission of the Incident Supervisor;
- C) To harass or unduly influence a person under any circumstances;

The Taser shall not be used on subjects engaging in passive resistance.

The Taser shall not be aimed at the head or face.

The Taser shall not be used on subjects who are known to have come in contact with flammable substances or those in areas where flammable substances are present. KPD currently authorizes the use of a water based oleoresin capsicum spray that is not flammable. However, some police agencies use an alcohol based oleoresin capsicum that is flammable. This should be considered when working with outside agencies.

Cautionary Use of the Taser:

Consideration should be given before deployment on individuals who are standing in or near a body of water, in an elevated position or in such a position where a fall could likely cause serious injury/death. In those cases, other methods of control should be considered unless they are unreasonable, too dangerous or pose a higher likelihood of injury than deploying the Taser. Consideration of alternate tactics or less lethal options should be given in the event a Taser deployment, and/or subsequent deployments, is unsuccessful.

Consideration should be given before deployment on fleeing suspects based on the following factors:

- A) The severity of the crime;
- B) The threat to other officers or citizens;
- C) The subject's known history of violent behavior.

II. PROCEDURE

Directive Specific Definitions:

- A) Drive stun: The procedure of using the Taser with a spent probe cartridge or no probe cartridge to make physical contact with a subject and deliver energy;
- B) Immediate cover: A Officer who stands ready to deploy additional control if needed (i.e., the Taser is ineffective or it fails to function properly);

- C) Probe cartridge: A device that contains two probes connected to light gauge wire that is propelled and attaches to the subject upon activation of the Taser.

Training and Certification Required Prior to Deployment:

The Training Division (Training) is responsible for the training, certification and recertification of Officers in the proper use and deployment of the Taser. To obtain certification, members must complete the Taser Basic Operator's course as conducted by Training. To maintain certification, members must attend periodic refresher training as mandated by Training.

Verbal Warnings Prior to and During Deployment:

Officers will, if feasible, provide a warning to the subject before using the Taser. The warning should be an explicit statement such as, "Stop, get on the ground, or you will be tasered." Officers should announce to cover officers that the Taser is being deployed. A verbal notification such as, "taser, taser, taser", should be used.

III. Conditions and Behaviors Requiring Medical Treatment After Deployment

Medical attention will be summoned when the Taser is deployed on the following individuals.

Medical attention will also transport them to a hospital:

- A) Children, who are known to be, or are obviously under the age of 12;
- B) Persons, who are known to be, or are obviously older than 60 years of age;
- C) A woman who is known to be, or obviously pregnant;
- D) A person who is known to be, or obviously medically fragile (i.e., any individual with a chronic medical illness). Examples include diabetes, seizure disorder, emphysema, asthma, heart disease (previous heart attack, chest pain, angina), history of pacemaker or defibrillator, kidney failure, cancer, or transplant;
- E) A person suffering from hyper stimulation (before, during or after deployment). This includes the following: behaviors such as rapid speech, agitation, apprehension, excitation, restlessness, verbalization of impending doom, emotional instability; physical symptoms such as dilated pupils, headache, teeth grinding, clenched teeth, nausea, vomiting, vertigo, tremor (i.e., twitching of small muscles, especially facial and finger), tics, non purposeful movements, pseudo hallucinations (e.g., cocaine bugs), seizures or coma; pale skin, racing pulse or increased breathing; skin temperature hot or very warm to touch;
- F) A person suffering from agitated delirium (before, during or after deployment). This includes the following: severe agitation, over-amped or wired; paranoia; delirium (an abnormal mental state characterized by disorientation, fear, and

Irritability), altered mental status (a change in the level of consciousness or the content of consciousness), confusion or disorientation, restlessness or purposeless movements in the setting of cocaine use, tremor (i.e., twitching of small muscles, especially facial and finger).

Other Medical Treatment after Deployment:

When the Taser is deployed on a person, other than those listed above in required medical treatment, using:

- A) Drive stun mode:
 - 1) Medical personnel will not be summoned to the scene unless medical treatment is necessary.
- B) Probe deployment mode:
 - 1) Depending on the area the probes are embedded in the skin, once the person is in custody, medical personnel will be summoned to remove the probes and provide medical treatment if necessary;
 - 2) If the probes are not embedded in the skin, medical personnel will not be summoned unless medical treatment is necessary (probes may be attached to clothing only).
- C) Medical personnel will respond to deployments that require only the removal of probes and no other medical treatment, other than removal and treatment of the wound caused by the Taser probes;
- D) Officer responsibilities:
 - 1) The primary deputy for the incident will ensure that his/her on-duty supervisor is notified about any Taser related EMS transport;
 - 2) The supervisor that is notified will follow the normal procedures for posting a guard at the hospital as needed.

Notification and Reporting of Use:

After a Taser deployment, the deploying officer will immediately notify an on-duty supervisor. If the deploying Officer is incapacitated or otherwise unable to make the notification, another member at the scene will make the notification. Officers using a Taser on a person will, in accordance with KPD policy on use of Physical Force, complete the appropriate police reports documenting the circumstances of the Taser deployment prior to the end of shift. At the top of the narrative section of the report the officer will write T ASER to assist with report tracking. The report shall document:

- A) The specific circumstances leading to the use of the Taser;
- B) All verbal warnings given to officers and the subject. If no warnings were given, officers will document the circumstances that precluded any warnings;
- C) If deployed on any person or in any circumstance described in Prohibited Use of the Taser or Cautionary Use of the Taser, the deputy will explain what considerations were taken and why other methods of control were unreasonable, too dangerous or posed a higher likelihood of injury than deploying the Taser. For example, the subject was armed with a dangerous weapon;
- D) The distance from which the Taser was used;
- E) The number of air cartridges expended;
- F) The serial number of the Taser used;
- G) The name and KPD number of the Officer designated as immediate cover, if any;
- H) The name and KPD number of the notified and/or reporting supervisor;
- I) If medical personnel responded, and the results of any medical evaluation. If medical personnel were not summoned, Officers will document the reason why;
- J) Any evidence of injury or illness (notations should be in the appropriate box on the report);
- K) Any complaints of injury or illness (notations should be in the appropriate box the report).

Negligent Discharge:

An on-duty supervisor will respond and assume investigative responsibility for all negligent or unintentional discharges, except:

- A) At KPD authorized training events. In those circumstances, Training will have responsibility for investigation and reporting.

TASER SYSTEM RESPONSIBILITY, ACCOUNTABILITY, AND CONTROL

Officer Responsibilities

Officers carrying the M-26 Taser shall ensure that the M-26 Taser batteries are fully charged at the beginning of each shift. Members carrying the M-26 Taser shall ensure that the battery packs are recharged when not in use. Members carrying the M-26 Taser will check the battery level at the beginning of each shift and ensure that the battery charge meets or exceeds recommended levels outlined by Training.

Supervisor Responsibilities

Supervisors shall ensure that all pertinent information is documented in the appropriate reports, and that all appropriate evidence is collected, following the use of the Taser. The supervisor will also complete an After Action Report. The After Action Report will outline the circumstances that lead up to the Taser deployment along with steps taken after deployment. The After Action Report will include, but not be limited to the following information:

- A) The cover officer information;
- B) Actions of the suspect(s) and officer(s) before and after deployment;
- C) The pre-deployment warnings;
- D) If deployed on any person or in any circumstance described in prohibited use of the Taser or cautionary use of the Taser, Officers will explain what considerations were taken and why other methods of control were unreasonable, too dangerous or posed a higher likelihood of injury than deploying the Taser. For example, the subject was armed with a dangerous weapon;
- E) Medical response;
- F) Evidence collection;
- G) Photograph information;
- H) Witness information along with their statement;
- I) Any unusual circumstances;
- J) The Taser data port download for the specific incident.

The supervisor will also make a recommendation on whether the deployment was within policy or not within policy. The After Action Report will be forwarded through channels to the supervisors.

Chief Responsibilities:

The Officer's supervising Officer will review the Taser deployment and make a recommendation to the Officer's supervisor on whether the use was within policy or not within policy. Supervising Officers are responsible for the security of the Tasers and associated equipment, assigned to their shift.

Training Manager Responsibilities

The Training manager will review the Taser deployment and make a recommendation to the deploying Officer's supervisor on whether the use was within policy or not within policy. The Training manager is responsible for the following:

- A) Procurement, maintenance, and issuance of the Tasers, and associated equipment;
- B) The training, certification and recertification of members in the use of the Taser;
- C) An annual review of the Taser program. The review will include an analysis of all deployments, training, and examination of the Taser policy. At the completion of the review, the Training manager will prepare a written document outlining the results and forward it to the Chief.

Supervising Officer's Responsibilities

The Supervising Officer may concur with or controvert the recommended findings made by the Officer's Shift Supervisor and/or Training Officer. If the Supervising Officer determines that the use of the Taser was within policy, no further review will be conducted. If the Supervising Officer determines that the use of the Taser was not within policy, the incident will be forwarded through channels to the Chief for a review of use of force.

ICE-SHIELD:

The policy for use of the ICE-SHIELD is the same as the Taser policy when an electrical shock is utilized.

FREEZE +P (O.C.):

Freeze +P is a chemical agent propellant used to control noncompliant, combative subjects that display the threat of physical resistance when deadly force is not justified and empty hand techniques alone might not be sufficient. Freeze +P is a strong irritant that affects the skin and the mucous membranes of the eyes, nose and mouth.

1. Training. All enforcement personnel will be trained in the use of Freeze +P.
 - A) Prior to issuance of the Freeze +P, all officers shall receive training in its use which will include instruction and actual application to afford the deputy an understanding of the effects of the substance. Only those deputies that have successfully completed the office training on the use of Freeze +P will be authorized to carry the approved chemical agent.
 - B) Freeze +P and the carrying pouch will be issued and worn as part of the deputy's required uniform equipment after successful completion of the Office training.
2. Authorized Use of Freeze +P.
 - A) Freeze +P spray is an alternative to physical control techniques and the use of other intermediate weapons. Guidelines cannot be written to encompass every possible application for the use of Freeze +P spray, however, as with any other use of force, the Freeze +P spray must not be used indiscriminately or without just cause.
 - B) The Freeze +P shall be utilized as issued and authorized to prevent injury to the involved person(s), deputies and others present. The use of Freeze +P may prevent the use of more severe physical force and therefore may be used:
 1. To effect an arrest or when a deputy is threatened with physical force and other means of controlling the offender, such as verbal commands, persuasion, etc. have been ineffective in inducing cooperation;
 2. Officers are authorized to use issued Freeze +P spray to establish control over subject(s) who physically resist, demonstrate an intent and capability to physically resist, or to establish control over combatants engaged in or at the threshold of committing violent acts against other person(s) or property or to prevent self-inflicted injury;
 3. In cases where the size and demeanor (combative, uncooperative) of the offender indicates that the deputy would be endangered by the use of physical force;
 4. To defend against an attack by an animal.
 - C) The use of Freeze +P spray is a justified response to "passive resistance," i.e, "verbal non-compliance";

- D) Officers should keep in mind they must be able to articulate the reasons(s) the person was sprayed with Freeze +P;
- E) Nothing in this policy is intended to discourage deputies from using a higher level of force whenever such force is necessary and can be justified;
- 3. Deploying Freeze +P.

When deploying Freeze +P, officers should consider the person(s) in the immediate area.

- A) Since Freeze +P can adversely affect individuals in the immediate area of the person against whom it is used, Officers should make every effort to avoid unnecessarily exposing bystanders.
- 1. The aerosol is designed to be sprayed into the face area of a person from a recommended distance of two (2 ft.) to ten (10 ft.) feet for a burst of one (1) to two (2) seconds (1 - 2 seconds).
- 2. The aerosol is effective with most individuals, including persons under the influence of alcohol or drugs, or persons with health/emotional problems.
- B) A verbal warning should be issued to all persons about to be sprayed with Freeze +P prior to discharge, except when such warning in the Deputies impression and the situation, could provide a tactical advantage to the person being taken into custody.
- 4. Treatment of Persons Exposed to Freeze +P.

Individuals that are exposed to Freeze +P will be treated for exposure as soon as they are handcuffed and cease to resist the officer according to the following:

- A) Persons intentionally sprayed with Freeze +P should be restrained as soon as practical.
 - 1. Subjects who appear to have difficulty in breathing or who complain of breathing difficulty, lethargy or appear pail, shall receive first aid treatment immediately;
 - 2. Any individual who is experiencing or complains of symptoms other than those normally associated with the use of Freeze +P spray or who does not show signs of recovering within forty-five (45) minutes, shall be provided immediate medical attention. Unusual symptoms would include loss of consciousness, profuse

sweating, chest pain or slow, shallow breathing, lethargy or pale appearance.

- B) After Freeze +P is applied to the subject(s), the deputy shall notify his/her supervisor immediately;
- C) Persons who have been sprayed with Freeze +P should be monitored and verbally reassured they will fully recover from the effects of the spray;
- D) The maximum effects of a properly applied burst of Freeze +P lasts at least thirty (30) to forty (40) minutes.
- E) If the subject is wearing contact lenses, deputies will not remove contact lenses from the eyes of a person who has been exposed to Freeze +P spray. Proper personnel will be notified to remove, or to transport the person(s) for treatment/removal of the lenses.
 - 1. The subject shall be informed that because he/she was exposed to Freeze +P, soft contact lenses are no longer usable and placing them in the eyes will result in a return of the symptoms of the Freeze +P exposure;
 - 2. Hard contact lenses will be usable once properly cleaned with the appropriate contact solutions.
- 5. Booking Prisoners Contaminated with Freeze +P Spray.
 - A) In order to ensure that residual spray from arrestees does not contaminate booking personnel and that arrestees who have been sprayed receive medical screening, transporting officers must immediately advise booking personnel upon arrival at the jail that the prisoner being booked was sprayed with Freeze +P.
- 6. Reporting Use of Freeze +P. Following any use of Freeze +P spray on a suspect or any other person, except during approved training, the deputy shall complete a written report on the incident and shall submit the report prior to leaving duty. If the incident occurs off-duty, the Officer shall be considered on-duty until the report is completed.
- 7. Carrying Freeze +P, Off-Duty. While off-duty and in their jurisdiction, Officers may perform those functions that they normally perform during duty hours. Freeze +P spray must be used in a manner which is reasonably expected of on-duty deputies in similar situations.
 - A) When a Officer is outside his/her jurisdiction, use of Freeze +P spray while off-duty will be for self-defense purposes only.

PEPPER BALL LAUNCHER:

The Killian Police Department will utilize the Pepper Ball Launcher System as an authorized force option. Officer personnel may use the Pepper Ball Launcher System to effect an arrest, apprehend, or subdue a combative or resisting individual, or to protect themselves, others or property.

The Pepper Ball Launcher System will only be used by those personnel who have successfully completed the authorized training program.

DEFINITIONS:

Pepper Ball Launcher System: A high pressure air operated, semi-automatic launcher used to deploy specialty munitions classified as a less lethal force option.

Projectile: A .68 caliber solid or hard frangible sphere, similar to a paintball round, that may contain specialty munitions or inert material with an operating temperature range of -30 to 150 Fahrenheit.

HPA Air Bottle: HPA (high-pressure air) is a 13 or 47 cubic inch air bottle that is capable of holding 3000 pounds per square inch (psi) of compressed air and provides the Pepper Ball Launchers with launching power.

PROCEDURE:

1. General Information:

- A) The Pepper Ball Launcher system uses a paint ball gun technology that provides the capability to launch projectiles, which may contain specialty munitions or possibly inert material from various distances;
- B) The Pepper Ball Launcher system is deployed as an additional law enforcement tool and is not intended to replace firearms or self-defense techniques;
- C) The Pepper Ball Launcher system may be used, when the action of the subject(s) is Defensive Resistance in nature or greater and such response is necessary to gain control of the subject(s) or situation;
- D) The Pepper Ball Launcher shall be issued to and used only by Deputies who have completed the Pepper Ball Launcher System Training;

- E) All personnel using the Pepper Ball Launchers shall ensure that the Pepper Ball Launchers are operational and in good proper working order;
 - F) Only properly functioning and charged Pepper Ball Launchers shall be used;
 - G) Each discharge of the Pepper Ball Launcher shall be governed in accordance with the Use of Force Continuum Policy.
2. Responsibilities
- A) The Chief or designee shall:
 - 1. Assign deployment of the Pepper Ball Launcher system as needed;
 - 2. Review and document each use of the Pepper Ball in Action Response incidents in accordance with the Action Policy;
 - 3. Ensure training on the Pepper Ball Launcher system is provided as needed;
 - 4. Ensure that those trained remain proficient in use of the Pepper Ball and techniques for use;
 - 5. Ensure that those trained are familiar with the munitions associated with the Pepper Ball launching systems and the appropriate use of each;
 - 6. Designate personnel to:
 - g) Be instructors and remain updated as necessary;
 - h) Receive, inspect, and ensure the maintenance and replacement of the Pepper Ball launcher components;
 - i) Establish and maintain systems to record issuance of the Pepper Ball Launcher systems and munitions;
 - j) Maintain an adequate inventory and supply of fill tanks, HP A bottles and munitions for both use and practice;
 - k) Provide re-training to certified users as required;
 - l) Maintain training updates from Pepper Ball Launcher system supplier.
- B) The Supervisor shall:
- 1. Ensure that incidents involving any discharge of a Pepper Ball Launcher System is investigated and documented pursuant to policy;

2. Monitor and ensure use of the Pepper Ball Launcher system is assigned and used only by trained personnel in accordance with the policy.

C) Supervisor's Responsibilities:

1. Respond to scenes where the Pepper Ball Launcher system has been deployed, if not already on scene;
2. Summon medical personnel or medical personnel to administer emergency medical care, if needed;
3. Ensure that Officers who use the Pepper Ball Launcher system complete report and any follow-up necessary;
4. Investigate each incident in which a Pepper Ball Launcher system is fired and review the report;
5. Ensure that pictures are taken of the projectile impact location on any individual and any secondary injuries caused by falling to the ground, etc.

D) Officers Discharging a Pepper Ball Launcher System shall:

1. Request the response of a supervisor if not on the way to the scene or on-scene;
2. Upon the decision to deploy munitions from the Pepper Ball Launcher system, advise those in the immediate area that the Pepper Ball Launcher system is ready to be used;
3. Issue warning to subject(s) in vicinity of target of munitions;
4. Prior to the use of the Pepper Ball Launcher system, if practical, advise those in the immediate area that you are launching the munitions in an effort to prevent unintentional sympathetic shootings;
5. Complete reports as directed by supervisory personnel.

3. Tactical Deployment

Officers using the Pepper Ball Launcher system shall:

- A) Ensure the HPA air bottles are appropriately filled and the Pepper Ball Launcher system is ready for use;
- B) Ensure that they are aware of surroundings (i.e., subject(s), uninvolved personnel, concealment cover, etc.);

- C) Take up position that is safe and able to be secured;
- D) Use covers and distance to ensure safety;
- E) Use Pepper Ball launching system to control violent confrontation;
- F) Ensure that the Pepper Ball Launcher system shall be secured appropriately when no in use;
- G) Avoid dropping the Pepper Ball Launcher system.

OPERATIONS ORDER NUMBER 14-B
DEFENSIVE IMPACT WEAPONS (I.E. NIGHTSTICKS, ETC.)

I. General

- A. It is reasonable to anticipate that a law enforcement officer may in the course of carrying out his assigned duties meet with resistance from individuals bent on avoiding lawful arrest or committing unlawful acts.
- B. Further, it is also reasonable to anticipate that the resistance encountered by the law enforcement officer may not be such that the use of deadly force, as represented by firearms, will be justified and/or practical.
- C. However, it is reasonable to anticipate that the law enforcement officer may need to apply greater force than that represented by mere hand to hand contact with such unlawful persons.
- D. Therefore, the Killian Police Department hereby establishes the following guidelines relative to the types of defensive impact weapons approved for use by personnel of this office, and the use of such devices.
- E. The defensive impact weapons outlined herein are permitted for use by office personnel in order that the deputy may:
 - 1. Better defend himself in the event of attack.
 - 2. Protect citizens from attack.
 - 3. Disarm or disable an assailant when in close quarters, rather than resort to deadly force.
 - 4. Safely make a lawful arrest when resistance is encountered.

II. Use of Force

- A. All officers must adhere to the philosophy that the defensive impact weapons outlined herein are for defensive and control purposes only.
- B. At all times, the deputy must exercise self-control in using only the amount of force necessary to resist attack or overcome unlawful resistance to arrest.
- C. The use of defensive impact weapons to strike a person in the head or face is prohibited, except under the same considerations given to the use of deadly force.
 - 1. It is recognized that actions or movement by an attacker/arrestee cannot always be controlled by the officer, and therefore, if the actions or movements of an attacker/arrestee result in an unintentional strike to the head or face, that is unavoidable.

III. Training Required

- A. It is mandatory that all officers successfully complete a course which has been specifically designed to train the officer in the proper use of the approved defensive impact weapon chosen by the officer for use in the course of his duties. Said course to be approved by the Training Section and conducted by a certified instructor.
- B. Further, each officer shall complete on regular basis a re-trainer on his chosen defensive impact weapon. (See Procedural Order #502.) Such re-trainers shall be approved by the Training Section and conducted by a certified instructor.

IV. Approved Defensive Impact Weapons

- A. Straight batons meeting the following criteria:
 - 1. Length - not less than 20" or more than 26"
 - 2. Material- Hickory, Monpac plastic, Aluminum
 - 3. Color - Black
 - B. The PR-24 or PR-22
 - C. Smaller expandable baton combinations meeting the criteria for straight batons will be permitted, (i.e. - Cobra, etc.)
 - D. The electronic defensive weapon known as the "Source" will be permitted.
 - E. As the development of defensive weapons for use by law enforcement officers is on-going, consideration will be given to adding new products to the approved list as they become available. However, no deputy is to carry or use any device not specifically approved herein or by revision hereto.
- ### III. Penalties
- A. Failure of office personnel to abide by the requirements of this order with regard to equipment, training, or conduct shall subject themselves to disciplinary action up to and including dismissal.
 - B. Personnel are reminded that malicious use of force may result in criminal or civil litigation.

- C. The purpose of the penalties provided herein are to discourage the undue or excess use of force by officers and to provide for the appropriate office punitive action in such an event.

However, the fear of office action or the fear of court action for the use of force must not influence the officer to the extent that he will jeopardize his safety, that of a fellow officer or that of a citizen. The determining factor in the use of force must be the necessity for such action based upon the officer's evaluation of the situation and reasonable judgement.

Town of Killian
Regular Meeting
November 10, 2015

Mayor McGehee opens town meeting with a word of prayer.

The Regular monthly meeting of the Mayor and Board of Alderman for the Town of Killian was held Tuesday November 10, 2015 in the Killian Town Hall at 6:00 p.m. Those present were Mayor McGehee, Alderman, Gillis Windham, Vincent Deliberto and JJ Barnum. Absent; Roy Winston Jr. and Paul Canik

Minutes October 2015:

Motion made by Vince Deliberto to accept the minutes as submitted for the Regular meeting held October 2015, seconded by Jerry Barnum.

Yeas: Deliberto, Barnum and Windham
Nays: None

Discuss and approve the financial statements for October 2015.

Motion made by Jerry Barnum to accept the financial seconded by Gillis Windham.
Yeas: Deliberto, Barnum and Windham
Nays: None

Review of Draft from CPA

All councilman received the review from CPA LA Champagne via email. The councilman had no question about the review from the CPA LA Champagne.

Water Business:

Discussed the meter problems and flat rates. Mayor will get with Clerk about new rates.

Police Business:

All councilman reviewed the addition to the Standard of Operation Procedure. Mayor recommend to add the new addition to the Standard of Operation Procedure. Jerry Barnum motion the recommendation and Gillis Windham seconded the motion.

Yeas: Deliberto, Barnum and Windham
Nays: None

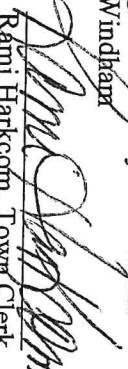
Joint Police and Fire building was discussed. Capital Outlay needs a Cooperative Endeavor, Attorney B. Abels will look over the draft that was given. Capital outlay has appointed a project manager.

Mayor made a recommendation to hire Joe Sones as a Reserve Officer. Motion made by Vince Deliberto to accept the recommendation. Gillis Windham seconded the motion.

Yeas: Deliberto, Barnum and Windham
Nays: None

Motion by Gillis Windham to adjourn the meeting, seconded by Paul Canik.

Yeas: Canik, Deliberto, Barnum and Windham
Nays: None


Ramni Hartcom, Town Clerk



KILLIAN POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE
CHIEF AARON CORMIER

ORDER OF THE CHIEF

This, by order of, Chief Aaron Cormier: ORDER # 1-2020

September 01, 2020

It is here by mandated on above date, that no Police Officer employed by the Killian Police Department, will place/secure evidence into evidence locker #00335(Fire King Turtle file cabinet) located in evidence closet. This order is mandated until all evidence located within, is audited by the State of Louisiana Legislative Auditor. The key(s) of locker 00335 as well as evidence closet key(s), will be secured and kept with the Chief of Police.

Ak Aaron Cormier Chief of Police

 Officer

Audit was carried out by State, Order no longer in effect.
Ak Chief Aaron Cormier