



Sioux Falls Police Department

Partnering with the community to serve, protect, and promote quality of life!

Policy: Standards / Conditions of Employment - Officers	Related Policies: 104 , 106 , 203	Section #: 100 Standards / Conditions of Employment
		Policy #: 101
		Effective: 6/2020
		Page 1 of 3
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to establish a set of standards, conditions, and expectations of members of the Sioux Falls Police Department as it relates to employment.

2. Policy:

2.1. The members of this department are employees of the City of Sioux Falls and as such are subject to all the requirements and protections of such employment. Members are responsible for familiarizing themselves with, and adhering to, applicable City ordinances, policy directives, and terms of applicable labor agreements.

3. Procedure:

3.1. Good Faith Bargaining

3.1.1. The Sioux Falls Police Department will participate in “good faith” bargaining with duly recognized bargaining units. Supervisors will be advised of any changes to contract language that may affect the various operations of the department.

3.2. Oath of Office

- 3.2.1. The required Oath of Office is administered to newly hired police officers by a Circuit or Magistrate Judge immediately after employment begins.

3.3. Expectations

As law enforcement officers in this state and serving for this department, know that:

- 3.3.1. You are expected to conduct yourselves lawfully and properly in order to bring honor and respect to the law you are sworn and duty bound to uphold.
- 3.3.2. Your failure to conduct yourself in such a manner will cast a shadow of public distrust.
- 3.3.3. Adherence to standards that are higher than those applied to many other professions and positions in City government must be demanded and expected by the Chief of Police.
- 3.3.4. This standard demands more than a lack of tolerance for overt and indictable illegal conduct.
- 3.3.5. This standard demands that, in both an officer's official and private lives, they do nothing to bring dishonor upon their profession and employment as a Police Officer for the City of Sioux Falls, and in no way contribute to a weakening of the public confidence and trust of its very citizens.
- 3.3.6. Acting in a questionable manner that could bring dishonor upon your profession of Police Officer for the City of Sioux Falls, and which contributes to a weakening of the public confidence and trust, cannot be tolerated or accepted as satisfactory job performance.
- 3.3.7. The City of Sioux Falls has the right to demand for itself, and the obligation to secure for its citizens, law enforcement personnel whose conduct is above and beyond reproach.
- 3.3.8. Each of you is expected to meet and consistently perform at such a standard.

3.4. Officer Responsibilities

As this department has long maintained, it is the responsibility of every member of the Sioux Falls Police Department:

- 3.4.1. To observe, respect, and protect the constitutional rights of all persons with whom we come in contact.

- 3.4.2. Not to subject persons to any stop, detention, enforcement action, or search when such stop, detention, enforcement action, or search is based solely and impermissibly on that person's race, color, sex, or national origin.

3.5. Conditions

- 3.5.1. Sworn and non-sworn members of the department are subject to call for duty 24 hours each day. Each member shall have a telephone and shall keep the Office of the Chief of Police advised of their current home address and telephone number.
- 3.5.2. Whenever a condition exists that the Chief of Police considers of an emergency nature,
 - 3.5.2.1. regular tours of duty may be extended and;
 - 3.5.2.2. any leaves cancelled for any or all department personnel.
 - 3.5.2.3. If necessary, the Chief of Police may also require officers going out of town to leave word where they may be reached in case of emergency.



Sioux Falls Police Department

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Policy: Recruitment / Selection of Personnel	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 102
		Effective: 6/2020
		Page 1 of 1
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference: SDCL 3-7-5, 3-7-5.1, 3-7-6, 3-7-7, 3-7-9, 3-7-11, 3-7-14.1, 3-7-18, 3-7-20, 3-7-21, 3-7-22, 3-7-23, 3-7-24, 3-7-25, 23-3-26, 23-3-35, 23-3-41, 23-3-42, 23-3-43, 23-3-47, 23-3-65, 23-3-66, 23-3-67, 23-3-69		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. This policy is created to establish guidelines for the recruitment and selection of sworn personnel for the Sioux Falls Police Department.

2. Policy:

- 2.1. The policy of this agency is to hire only those persons qualified for employment in law enforcement. This agency seeks the highest level of professionalism and integrity by its members and recognizes that this commitment begins with the selection of candidates for this agency.

3. Procedure:

- 3.1. The recruiting and selection of personnel is conducted jointly by the Human Resources department and the Sioux Falls Police Department according to specifications adopted by the City of Sioux Falls Civil Service Board, the Chief of Police, and the State of South Dakota Law Enforcement Standards and Training Commission minimum standards requirements.

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Sioux Falls Police Department

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Policy: Training	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 103
		Effective: 4/2024
		Page 1 of 7
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference: South Dakota Administrative Rules		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to outline the department's commitment to training. It is the intent of this policy to encourage every officer to take a personal interest in maintaining their own training.

2. Policy:

2.1. The Sioux Falls Police Department is committed to the development of employees through continuing education and training. The department will provide a curriculum of in-service training, and will provide opportunities for advanced training at outside schools, conferences, and seminars as resources allow. All officers are required to participate in continuing training to maintain and improve their knowledge, skill, and ability.

3. Procedure:

3.1. Minimum Training Standards

3.1.1. The South Dakota Law Enforcement Standards and Training Commission has mandated that all sworn officers must attend a minimum of 40 hours of continuing education every two years. If that minimum is not met, your law enforcement certification and thus the right to be a sworn police officer in this state may be in jeopardy.

- 3.1.2. Because the department values on-going training, all sworn, full-time Sioux Falls Police Department personnel are required to attend a minimum of 40 hours of in-service training ***each*** calendar year. All sworn, part-time personnel are required to attend a minimum of 20 hours of in-service training ***each*** calendar year. This training may consist of:
 - 3.1.2.1. Curricula mandated by Law Enforcement Standards and Training.
 - 3.1.2.2. Specialized courses, conferences or external training.
 - 3.1.2.3. Scheduled trainings and meetings for the Department's specialized units will be included.
 - 3.1.2.4. Properly documented line-up trainings.
 - 3.1.2.5. Approved and properly documented online courses, classes, trainings or tutorials.
- 3.1.3. Some in-service training sessions will be designated as mandatory for all officers.
- 3.1.4. Officers may be excused from mandatory in-service training for court attendance or with advance approval from the officer's shift / unit commander or his designee.
- 3.1.5. The individual amount of training received by personnel of this department will be overseen by an employee's immediate supervisor and the training staff to ensure that the department's goal of 40 hours annually is maintained.

3.2. In-Service Training Topics

- 3.2.1. Certain training topics have a minimum standard of requalification or recertification. While all of these standards are not mandated by South Dakota Administrative Rule, the Sioux Falls Police Department feels that regular training in these topics will improve an officer's overall skill and knowledge of the subject matter.

3.2.2. Recertification Standards for sworn, full-time personnel:

3.2.2.1. Annually

- 3.2.2.1.1. Response to Resistance training.
- 3.2.2.1.2. Firearms Training and Qualification.
- 3.2.2.1.3. Officer Survival and Rapid Deployment Training.
- 3.2.2.1.4. Domestic Violence and Stalking.
- 3.2.2.1.5. Mental Health Response Training.
- 3.2.2.1.6. Tourniquet Training.

3.2.2.2. Biennially

- 3.2.2.2.1. Baton/OC instructor recertification.
- 3.2.2.2.2. First Aid Training (including CPR and AED).
- 3.2.2.2.3. NCIC Recertification.
- 3.2.2.2.4. LIDAR / RADAR recertification (Uniformed Services Division only).

3.2.2.3. Triennially

- 3.2.2.3.1. Emergency Vehicle Operations (EVOC) Training.
- 3.2.2.3.2. Naloxone Training.

3.2.3. Recertification Standards for sworn, part-time personnel:

3.2.3.1. Annually

- 3.2.3.1.1. Response to Resistance training.
- 3.2.3.1.2. Firearms Training and Qualification.
- 3.2.3.1.3. Tourniquet Training.
- 3.2.3.1.4. Mental Health Response Training.
- 3.2.3.1.5. Domestic Violence and Stalking.

3.2.3.2. Biennially

- 3.2.3.2.1. First Aid Training (including CPR and AED).
- 3.2.3.2.2. NCIC Recertification.

3.2.3.3. Triennially

- 3.2.3.3.1. Naloxone Training

3.2.4. A curriculum of annual training will be developed by the Training Team with input from the Administration of the Police Department.

3.2.5. The Training Team will post course schedules on the training calendar located on InSite. This calendar can be accessed by highlighting "Police" under the "Your

Department's" tab and accessing the "Police Training Calendar." The Training Team will maintain an up-to-date schedule and roster for officers to view.

- 3.2.6. Officers will be scheduled for annual training by the supervisors of the unit they are assigned to.
- 3.2.7. Once the training schedule is posted, officers may review InSite for pertinent information regarding the classes being offered. The information will include the course title, location, and officers who have already been scheduled.

3.3. Lesson Plans

- 3.3.1. All in-service training conducted or sponsored by the department will be accompanied by a lesson plan.
- 3.3.2. The Training Team shall review and approve lesson plans, which shall include at a **minimum:**
 - 3.3.2.1. A statement of learning objectives.
 - 3.3.2.2. An outline of the topics presented during the training.
 - 3.3.2.3. A description of the instructional techniques used.
 - 3.3.2.4. Copies of any material provided to students or tests administered.

3.4. Instructor Requirements

- 3.4.1. All training conducted or sponsored by the department will be instructed by persons who meet the following minimum qualifications:
 - 3.4.1.1. A sworn law enforcement officer that possesses specific experience or training in the topic; or
 - 3.4.1.2. Completion of an instructor development course or DARE Instructor course; or
 - 3.4.1.3. The qualifications of instructors from outside the department will be evaluated by the Training Team.

3.5. External Schools and Conferences

- 3.5.1. The department seeks to provide access to external schools and conferences based on the needs of the department and career development goals of the employee.
- 3.5.2. The Training Team will maintain up-to-date listings for classes provided outside of our department. From time to time, the department may seek applicants for

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attendance at a specific training event by posting notices. Employees may also initiate a request through their chain of command.

- 3.5.3. Shift officers interested in attending external schools and conferences must submit an application to their respective shift supervisor, which will be forwarded to the shift commander for approval. Once approved, recommendations will be made to the Training Team as to who should attend. The Training Team will not make the selections.
- 3.5.4. After receiving the candidate listings, a travel request will be completed by the training staff to be routed through the Chain of Command for approval.
- 3.5.5. Employees, other than shift officers, will submit their training applications to their direct supervisor. Their supervisor will be responsible for reviewing and submitting the training or travel request through their Chain of Command.
- 3.5.6. At the completion of the external training program, officers or detectives will submit information regarding the training to their section's designated supervisor of training. This supervisor will review the items and complete the department's Sioux Falls Police Documentation of Training Report located in Templates on the department's Insite page. They will scan all relevant documents and certificates, and, in the absence of a training syllabus or course description, complete the course description synopsis. This information may be a syllabus or other material that reflects the content of the program offered. They will then email the completed packet to the Police Training email group. *Any training records submitted that are missing the required information will not be entered and will be returned to the supervisor for completion.*

3.6. Training Records

- 3.6.1. The training staff is responsible for maintaining and updating all employee training records.
- 3.6.2. A record is maintained of all in-service training sponsored by the department and includes:
 - 3.6.2.1. Course content (lesson plans).
 - 3.6.2.2. Names of employees in attendance.
 - 3.6.2.3. Date and time of training.
 - 3.6.2.4. Performance scores (if applicable).
 - 3.6.2.5. Name of instructor(s).
 - 3.6.2.6. Any documentation or presentation utilized.

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3.7. Training Bulletins

- 3.7.1. Periodic Training Bulletins will be disseminated by the Training Section as required to keep all employees informed of changes in law and ordinances, technique, and procedures used by this department.

3.8. Lateral Transfers and Promotions

- 3.8.1. All employees, upon promotion or lateral transfer, shall receive appropriate training applicable to their new duties. This training is the responsibility of the employee's direct supervisor with the support of the Training Team.
- 3.8.2. Supervisors shall ensure that personnel receive training appropriate to their field, either prior to assignment or as soon as practical thereafter, and at reasonable intervals during their assignment. Training shall include on-the-job coaching and instruction.
- 3.8.3. Police supervisors will attend and successfully complete supervision training offered by South Dakota Law Enforcement Training and the City of Sioux Falls Human Resources, when available.

3.9. Study Material for Promotional Exams

- 3.9.1. Textbooks and instructional manuals for promotional exams will be maintained for the use of all officers by the Training Team.

3.10. Firearms Training

- 3.10.1. All sworn personnel must qualify with their department-issued firearm at least once each year by achieving a qualifying score.
 - 3.10.1.1. The qualification course will be that prescribed by South Dakota Law Enforcement Training. A qualifying score of 76% is required for handguns and a score of 80% is required for the UPR.
 - 3.10.1.2. Officers may be granted a waiver by South Dakota Law Enforcement Training for a variety of reasons, which may include military activation or medical reasons. Before resuming their regular duties, officers must fire the required qualification course of fire before they perform the duties of a law enforcement officer.
- 3.10.2. All sworn personnel carrying a department-authorized backup firearm must qualify at least once each year by achieving a qualifying score.

- 3.10.3. Any officer failing to attain a qualifying score with their duty weapon or UPR will be able to repeat the course of fire no more than two times, for a total of three attempts. If a qualifying score is still unattainable, the officer will not be allowed to return to normal duty and will be placed on limited duty status.
- 3.10.3.1. Officers will be required to complete a department approved firearms remediation course. Following the remediation course the officer must attain two consecutive qualifying firearms scores within the next 90 days.
 - 3.10.3.2. The officer will be required to attend follow-up remediation and demonstrate proficiency during the following quarter.
 - 3.10.3.3. If after a maximum of 5 days of remedial training the officer is unable to meet the minimum standards, the officer will be considered unfit for duty. Appropriate disciplinary action will be taken up to and including termination.
- 3.10.4. In all firearms training, prescribed safety appliances (hearing and eye protection) must be used.
- 3.10.4.1. In no case will conventional eyeglasses suffice as protective eyewear.
 - 3.10.4.2. Protective eyewear must be ANSI/OSHA approved.
 - 3.10.4.3. Standard protective eyewear is furnished for all shooters.
 - 3.10.4.4. Prescription safety eyewear can be obtained through Risk Management.
- 3.10.5. Female officers that are pregnant or subsequently breastfeeding their newborns shall be advised of the possible harmful effects that firearms training may have on their child. Studies have shown that concussions and exposure to lead (however slight) from firearms being discharged can have unintended consequences for the child.
- 3.10.5.1. Female officers will not be required to participate in firearms training until such time that they are no longer pregnant or breastfeeding their child. However, the choice to participate in firearms training rests solely with the individual expectant or breastfeeding officer. If the officer elects to participate in the firearms training, she will be required to sign a waiver indicating that she has been made aware of the potential hazards and is voluntarily choosing to participate.
 - 3.10.5.2. All missed firearms qualifications and training exercises will be made up at a later date without penalty.



Sioux Falls Police Department

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Policy: Grounds for Discharge, Suspension or Reduction of an Employee	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 104
		Effective: 4/2024
		Page 1 of 4
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. The purpose of this policy is to establish the grounds for and terms of disciplinary action taken against employees of the Sioux Falls Police Department.

2. Policy:

2.1. No employee shall be suspended, removed, discharged, or reduced from his official position, except for just cause, which shall not be race, creed, color, national origin, political affiliation, or religion.

3. Definitions:

- 3.1. **Discharge** – A separation of employment from the City of Sioux Falls.
- 3.2. **Reduction** – A reduction in rank, pay or position.
- 3.3. **Suspension** – A period of time in which an employee is disciplined for unwanted behavior. During this time the employee is absent from work without pay for the imposed period.

4. The following conditions or occurrences will be considered just cause for discharge, suspension, or reduction of any employee. However, just cause for discharge, suspension, or reduction may be found by the Chief of Police, and is not limited to those conditions and occurrences listed below.
 - 4.1. **Criminal Convictions** - Conviction of a felony offense or conviction of a misdemeanor involving dishonesty.
 - 4.2. **Brutality or Cruelty** - Willful, wanton, or culpably negligent brutality or cruelty to a prisoner or person in custody.
 - 4.3. **Insubordination**
 - 4.3.1. Violation of any lawful and reasonable official regulation or order, or failure to obey any lawful or reasonable direction made and given by his superior officer or employee, or any order relayed from a superior by an employee of the same or lesser rank, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline, or results or may be reasonably expected to result in loss or injury to the city, or to the public, or to the prisoners or wards of the city.
 - 4.3.2. In the event an employee receives an order that is in apparent conflict with a previously issued order, or the employee feels the order may be unlawful, the employee shall notify the supervisor issuing the conflicting or unlawful order of the nature of the conflict.
 - 4.3.3. After notification, if the conflicting order stands as issued and any action to execute that order is taken by an employee, the responsibility for issuing the conflicting order rests with the supervisor that issued the order.
 - 4.4. **Conduct Unbecoming of a Police Officer** - Wantonly offensive conduct or language towards the public or towards City officers or employees, or other conduct unbecoming an officer or employee of the City of Sioux Falls, whether on or off duty.
 - 4.5. **Dishonesty** - Given the nature of the law enforcement profession, dishonesty cannot be accepted or tolerated.

4.6. **Possession of or Being Under the Influence of Alcoholic Beverages or Illegal Substances**

- 4.6.1. Being under the influence of alcoholic beverages while on duty, or
- 4.6.2. Having any measurable amount of alcohol in his system while on duty, or
- 4.6.3. Consumption or unauthorized possession of alcohol while on duty, in any City vehicle or personal vehicle while engaged in City business, or on any business property owned or leased by the City of Sioux Falls is prohibited and will be proper cause for disciplinary action, up to and including termination. This does not apply to public safety officers who are in possession of alcohol as legally authorized while acting in the line of duty.
- 4.6.4. Being in possession or under the influence of any illegal narcotic substance or marijuana, or
- 4.6.5. Having any measurable amount of any illegal narcotic substance or marijuana in their system at any time.
- 4.6.6. Because of the unique nature of our work, it sometimes becomes necessary to consume alcohol in order to achieve an objective while engaged in undercover investigations. While permissible, in certain circumstances, good judgment must prevail in this area and intoxication is forbidden. In those instances where an officer has to consume alcohol to preserve the investigation, that fact must be reported to his immediate supervisor so as to address any allegations of misconduct by an officer that an unwitting citizen could possibly report.

4.7. **Recklessness** resulting in a serious accident while on duty.

4.8. **Failure to report** an accident or criminal incident, while on or off duty.

4.9. **Incompetence or inefficiency** in the performance of the duties of the employee's position.

4.10. **Carelessness or negligence** with property of the City of Sioux Falls while on or off duty.

4.11. **Political influence** - The use of, threat to use, or attempt to use political influence in securing promotion, leave of absence, transfer, change of grade, pay, or character of work.

4.12. **Inducement of or attempt to induce** an officer or employee in the service of the City of Sioux Falls to commit an unlawful act or to act in violation of any lawful and reasonable departmental or official regulation or order; or acceptance of any fee, gift, or other valuable thing in the course of his work, or in connection with it, for their personal use

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from any citizen, when such fee, gift, or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.

Inducement of or attempt to induce any person doing business with the City of Sioux Falls to give employment to any relative of said officer or employee or show any material favor or consideration of any kind to any relative of the City officer or employee, when this officer or employee holds a position in a department or office having direct contact with the person.

- 4.13. **Civil Service Rules** - Willful violation of any of the provisions of the civil service or of the rules of the Civil Service Board of the City of Sioux Falls.
- 4.14. **Release of Information** - Employees shall refrain from furnishing information to the public relative to Sioux Falls Police Department policy, practices, or business affairs, except as authorized by the Chief of Police. An officer may be disciplined for misconduct, including misrepresenting departmental positions, for lying, or for acting without permission as an official spokesperson for the Sioux Falls Police Department.
- 4.15. **Physical Ailment** - A physical ailment or defect which, in the opinion of the Civil Service Board, renders the employee unfit for City service.
- 4.16. **Determination of guilt of an immoral or criminal act**
 - 4.16.1. If the act is, at the time the charges are before the board on hearing, the subject of a criminal proceeding before a grand jury or the courts, the employee may request that the board hearing be postponed or continued until such time as the criminal proceedings are terminated.
 - 4.16.2. This request shall be granted, provided the employee executes a waiver of all right to pay during the period of continuance, and that the employee may have the hearing or investigation proceed before the board at any time on ten (10) days notice in writing.
- 4.17. Any other act or omission deemed sufficient cause by the Civil Service Board of the City of Sioux Falls.



Sioux Falls Police Department

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Policy: Internal Investigations / Complaints Against Department Personnel	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 105
		Effective: 4/2024
		Page 1 of 4
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to describe the process in which complaints against department personnel and internal investigations are to be conducted.

2. Policy:

2.1. The Sioux Falls Police Department regards the investigation of all complaints made against its employees as important to its overall mission of providing dependable, quality services to the citizens of Sioux Falls. All complaints against Sioux Falls Police Department employees will be investigated.

3. Procedure:

3.1. Receiving and Processing Citizen Complaints

3.1.1. All citizen complaints against department personnel will be referred to an on-duty Shift or Section Supervisor. The supervisor will make every effort to take the complaint in person. If that is not possible, the complaint can originate from any of the following sources:

- a. Individual aggrieved person,

- b. Third party,
 - c. Anonymous,
 - d. Agency employee,
 - e. News media,
 - f. Governmental agency,
 - g. Notice of civil claim,
 - h. Complaints can be made by members of the public,
 - i. City website,
 - j. By letter,
 - k. Email,
 - l. Phone,
 - m. Other alternative form of communication.
- 3.1.2. The supervisor will get all available details from the complainant, including full names, addresses, and telephone numbers of the complainant(s) and all persons present at the time of the alleged offense.
- 3.1.3. If the complainant is intoxicated when the initial complaint is taken, a follow-up interview will be conducted when the complainant is sober.
- 3.1.4. If a preliminary investigation of the complaint by a Shift/Section Supervisor indicates that there is a factual basis for the complaint and that the complaint may result in criminal charges and/or departmental disciplinary action, the facts of the complaint will be documented on the department's administrative reporting software program and forwarded through the Chain of Command to the Assistant Chief of Police.
- 3.1.5. In most cases, the immediate supervisor of the employee who is the subject of the complaint will obtain a written response to the complaint from the employee(s) who are the subject of the complaint, giving all details of their involvement in the incident, to be forwarded to the Assistant Chief of Police. All employees involved in the incident will be required to submit a written response.

- 3.1.6. If warranted, and at the discretion of the department, the following Administrative Warning may be read to the employee(s) prior to securing a written or verbal response to the complaint:

“You are being questioned pursuant to an order from a superior officer for use in a police internal investigation. The investigation is specifically directed and narrowly related to the performance of your official duties and/or fitness for office. If you refuse to answer, or give a false or intentionally incomplete statement, you will be subject to disciplinary action up to and including termination.

Neither your statements nor any information or evidence that is gained by reason of your statements may be used against you in any criminal proceeding pertaining to this investigation. However, your statements may be used against you in subsequent departmental and civil service proceedings.”

- 3.1.7. Requests for the presence of a union steward by an employee during the written or verbal response will be accommodated.

3.2. Complaint Investigation

3.2.1. Shift / Section Level Investigation

- 3.2.1.1. Many complaints against department personnel may be investigated by Shift/Section Supervisors, while others will be forwarded to the Office of Professional Standards for a more in-depth investigation at the discretion of the Assistant Chief of Police.

3.2.2. Investigation by Professional Standards – Internal Investigation

3.2.2.1. All internal investigations:

- 3.2.2.1.1. Will be documented in writing,
- 3.2.2.1.2. Will be reviewed by the Chief of Police once they are completed.
- 3.2.2.1.3. Reports will be retained in the secure, confidential files of the Office of Professional Standards’ administrative reporting software.

- 3.2.3. If at any time during an internal investigation it is suspected that a department employee may have committed a criminal violation that information will be turned over to the South Dakota Division of Criminal Investigation, or other appropriate outside law enforcement agency, for their independent investigation and action.

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- 3.2.3.1. Once an incident has been turned over to the Office of Professional Standards for investigation and initial inquiries determine that an investigation is warranted, the subject(s) of the complaint will be notified of the investigation in writing.
- 3.2.3.2. The notification will include the Incident # of the call (if applicable), the allegation, and the name of the complainant (if known).
- 3.2.4. When the subject(s) of an investigation is interviewed by the Office of Professional Standards investigators:
 - 3.2.4.1. Requests for the presence of a union steward during the interview will be accommodated.
 - 3.2.4.2. The union steward will be allowed to participate in the interview process as long as their participation does not interfere with or disrupt the interview process.
 - 3.2.4.3. The Administrative Warning may be read to subjects of routine internal investigations prior to their being interviewed. However, the department reserves the right to exercise discretion in administering this warning.
- 3.2.5. Once an internal investigation is completed and has been reviewed by the Chief of Police, the subject(s) of the investigation will be notified in writing or through electronic communication as to the findings of the investigation.
- 3.2.6. In the event that a departmental investigation leads to a disciplinary action against an employee, that employee may appeal the action through grievance procedures established by the current labor agreement.
- 3.2.7. The findings of a complaint shall be categorized from one of the following:
 - 3.2.7.1. **Exonerated** – The allegation in fact did occur, but the actions of the employee were legal, justified, proper, and in accordance with the law and the department’s policy and procedure.
 - 3.2.7.2. **Not Sustained** – The investigation failed to produce a preponderance of evidence to either prove or disprove the allegation.
 - 3.2.7.3. **Sustained** – The investigation produced a preponderance of evidence to prove the allegation did in fact occur and the action of the employee was improper.
 - 3.2.7.4. **Unfounded** – The allegation in fact did not occur, based on the evidence.



Sioux Falls Police Department

Partnering with the community to serve, protect, and promote quality of life!

Policy: Disciplinary Procedures	Related Policies: Officer Standards – Conditions of Employment; Discharge, Suspension or Reduction of Employee	Section #: 100 Standards / Conditions of Employment
		Policy #: 106
		Effective: 3/2021
		Page 1 of 3
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is written to outline the disciplinary actions taken against employees of the Sioux Falls Police Department.

2. Policy:

2.1. With the exception of verbal reprimands, all disciplinary action administered by this department shall be documented on an Employee Incident Report. This includes everything from written reprimands to dismissals.

3. Procedure:

3.1. Employee Incident Reports

3.1.1. The Employee Incident Report can be found on InSite – Support Services – Human Resources – Civil Service. The following information should be included:

- 3.1.1.1. A summary of the investigation of the incident.
- 3.1.1.2. A complete factual narrative of the allegation.
- 3.1.1.3. A complete narrative of the results of the investigation.
- 3.1.1.4. A reference to the specific policy (s) violated, applicable City ordinance provisions, and recommended disciplinary action.

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3.2. Disciplinary Hearings

- 3.2.1. Whenever the recommended discipline is a suspension, demotion, or discharge (termination of employment), the Predetermination Hearing Notice/Appeal Rights form shall be printed and completed. This form is found on InSite with the Employee Incident Report. This form is not needed if the recommended discipline is a written reprimand.
 - 3.2.2. The disciplinary hearing will be held during the employee's normal duty time whenever possible or reasonable.
 - 3.2.3. If the employee is a member of a bargaining unit, he will be advised that they are permitted to have a union steward attend the hearing.
 - 3.2.4. The hearing officer is not required to tape record the hearing; but if the employee requests it to be recorded, then a recording will be made. Recordings will not be allowed during a hearing unless everyone in the hearing is advised of the existence of the recording device.
 - 3.2.4.1. After the hearing is conducted, documentation of the outcome of the hearing should be attached or added to the Employee Incident Report. This documentation should include the date and time of the hearing, names of all members present for the hearing, a summary of the hearing discussion, and the conclusion and outcome of the hearing.
 - 3.2.5. The Chief of Police will hear all matters where a recommendation for more than fifteen (15) days suspension, or the dismissal of an employee is received from a supervisor.
 - 3.2.6. Division Commanders will hear all matters where a suspension of up to fifteen (15) days has been recommended. In any case where the employee may be required to participate in the Employee Assistance Program, the Division Commander will be the hearing officer.
 - 3.2.7. Section Commanders/Shift Commanders (Lieutenants) will hear all matters where reprimands or one (1) day suspensions have been recommended.
- 3.3. Disciplinary action taken against an employee involving written reprimands, suspensions, or dismissals will be maintained in the officer's file by the Professional Standards Unit in the administrative reporting software; currently IA Pro.

- 3.4. Access to personnel files will be limited to Division Commanders and the Chief of Police and Assistant Chief of Police. Section Commanders/Shift Commanders will consult with their respective Division Commanders prior to holding a hearing for information on the disciplinary history of the employee.
- 3.5. Compensatory time, vacation, and personal leave will not be used to cover ordered suspensions.
- 3.6. Verbal Reprimands
 - 3.6.1. Are to be documented on a departmental interoffice.
 - 3.6.2. Are to be handled at the section/shift level.
 - 3.6.3. Are intended as minor corrective guidance for employees who are not in compliance with established practice or policy.
 - 3.6.4. Are submitted to the Chief of Police for review before being submitted to the employee.



Sioux Falls Police Department

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Policy: Personnel Records / Employment References	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 107
		Effective: 6/2020
		Page 1 of 2
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to provide direction to employees of the Sioux Falls Police Department regarding personnel records and employment references.

2. Policy:

2.1. Official personnel records are kept on file in Human Resources at City Hall. Access to personnel files is limited to the Chief of Police, Assistant Chief of Police, Division Commanders, and the Administrative Assistant.

3. Procedure:

3.1. Personnel Records

- 3.1.1. Employees shall advise the Chief of Police of changes in status, including change of address or phone number.
- 3.1.2. Accomplishments in outside education, training, or letters of recognition and thanks that are personally received may be placed into the employee's file if requested.

3.2. Employment References

- 3.2.1. All requests for references by former or current temporary or regular employees will be referred to Human Resources for response.
- 3.2.2. No information will be provided by employees to anyone—all requests must be sent to Human Resources.
- 3.2.3. Unless written permission has been given, Human Resources will not provide information regarding employability or performance. Human Resources will provide only the following facts:
 - 3.2.3.1. Length of service
 - 3.2.3.2. Temporary or regular status
 - 3.2.3.3. Job title
 - 3.2.3.4. Wage
- 3.2.4. Employees who terminate employment with the City of Sioux Falls will have the opportunity to sign a “Reference Release Authorization” form. A reference will be given only after Human Resources receives a signed written request for references on an individual who has signed the release authorization.



Sioux Falls Police Department

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Policy: Performance Reviews	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 109
		Effective: 10/2023
		Page 1 of 5
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. This policy is created to establish guidelines whereby supervisory staff may have direction for the review of employee performance.

2. Policy:

- 2.1. In order to assess the performance of its employees, the City of Sioux Falls expects that an annual performance review be conducted of each employee. This review is done to acknowledge exemplary employee performance, correct any deficiencies, document any corrective action taken and to serve as a mechanism to award raises based on merit.

3. Definitions:

- 3.1. **Annual Performance Review** – A electronically written review of an employee's performance on an annual basis. It is a culmination of the employee's preceding year's performance.
- 3.2. **Work Performance File** – A file where supervisors keep documentation throughout the year regarding employee performance.

4. Procedure:

4.1. Work Performance File

- 4.1.1. Supervisors will establish a Work Performance File for each employee they supervise. This can be physical or electronic.
- 4.1.2. This file will contain all relevant information needed to prepare the employee's annual performance review.
- 4.1.3. Copies of commendations, disciplinary actions, oral reprimands, and all positive and negative documents relating to the employee's work performance during the rating period will be placed in this file.
- 4.1.4. If the employee transfers to a new supervisor during the rating period, the Work Performance File will be given to the new supervisor for review.

4.2. Periodic Performance Review

- 4.2.1. Each supervisor will meet with each of the employees they supervise on a quarterly basis to discuss the employee's work performance. This is an opportunity for the employee to make any comments they wish on any subject, to receive future career development direction, and to review their current performance. The quarterly "Performance Impact" schedule is as follows:

4.2.1.1. Performance Impact Review

- 4.2.1.1.1. Administered based on the date of hire.
- 4.2.1.1.2. Sworn probationary employees will receive their first Performance Impact Review on their 15 month, off-probation date. All evaluations thereafter will be on the employee's date of hire.
- 4.2.1.1.3. Sworn probationary employees' first Performance Impact Review will be completed by the ASD Training Sergeant, with feedback from the USD Sergeant supervising the employee. The review will be submitted through the ASD chain of command.
- 4.2.1.1.4. Employee completes self-evaluation form electronically prior to Performance Impact review.
- 4.2.1.1.5. Supervisors will complete and present Performance Impact review.

4.2.1.2. First Quarter following Performance Impact Review – Goal Setting

- 4.2.1.2.1. Employees will electronically complete the Goal and Growth Plan

4.2.1.3. Second Quarter following Performance Impact Review - Check In

- 4.2.1.3.1. Discuss workload
- 4.2.1.3.2. Discuss Goal and Growth Plan

4.2.1.4. Third Quarter following Performance Impact Review – Check In

- 4.2.1.4.1. Discuss workload
- 4.2.1.4.2. Discuss Goal and Growth Plan
- 4.2.1.4.3. An officer not performing up to shift standards will be made aware of their shortcomings during the required quarterly meeting with their squad leader.
- 4.2.1.4.4. Each officer's monthly activity summary will be taken into consideration and will be reflected in their annual evaluation.
- 4.2.1.4.5. Supervisors will conduct a uniform inspection to ensure that the employee is in compliance with the Uniform / Appropriate Attire policy as outlined in policy # 903.
- 4.2.1.4.6. Supervisors will conduct a personal appearance inspection to ensure that the employee is in compliance with the Personal Appearance and Grooming policy as outlined in policy # 110.
- 4.2.1.4.7. Officers who fail to perform as expected will be subject to remedial actions.
- 4.2.1.4.8. Officers who fail to respond to remedial actions will be subject to discipline.
- 4.2.1.4.9. The results of this meeting will be prepared by the supervisor who will summarize the discussion that occurred and then add that information to the employee's work performance file in ESS or cumulatively into a local file to be added into ESS at a later time.

4.3. Annual Performance Review

- 4.3.1. An Annual "Performance Impact" Review will be prepared as scheduled. Supervisors will follow the guidelines within the **Performance Impact Manual** when completing annual performance reviews.
- 4.3.2. In Q4, the employee will be given an opportunity to fill out a self-evaluation form. This will be sent to the employee by HR. If the employee does not wish to do so, the form will be attached to the review and the employee's desire not to complete the form so noted.
- 4.3.3. Each rating category will contain a rating of 1-5 and a comment by the supervisor.
 - 4.3.3.1. **5** - Work outcomes consistently exceed expected performance and affect measurable improvements in organizational performance.
 - 4.3.3.2. **4** - Work outcomes consistently meet and often exceed stated expected performance.
 - 4.3.3.3. **3** - Work outcomes meet stated expected performance.
 - 4.3.3.4. **2** - Work outcomes consistently do not meet stated expectations.
 - 4.3.3.5. **1** - Unsatisfactory work outcomes.
- 4.3.4. The review will contain a description of all disciplinary action taken during the evaluation period.
 - 4.3.4.1. This includes all verbal reprimands and written reprimands.
 - 4.3.4.2. The supervisor will comment on whether or not there has been an improvement in the employee's performance following the disciplinary action.
 - 4.3.4.3. If there has not been improvement, describe what action must be taken to improve the employee's performance.
- 4.3.5. Once the supervisor has prepared the review in Employee Self-Service (ESS), it will be forwarded on for review and comments through the following Chain of Command:
 - 4.3.5.1. Officer evaluations through Division Captain.
 - 4.3.5.2. Sergeant evaluations through Assistant Chief of Police.
 - 4.3.5.3. Captain and Lieutenant evaluations through the Chief of Police.
- 4.3.6. Upon completion of the review, the review will be returned to the supervisor for presentation to the employee.

4.3.7. Once the employee has reviewed the evaluation and the review is complete, the employee must digitally sign this form.

4.4. Merit Increases

4.4.1. If the employee is due for a merit increase, then the supervisor will indicate whether or not the employee should be given the increase based upon the employee's performance.

4.4.2. Merit increases will occur on the employee's anniversary date independent of their Performance Impact annual review.



Sioux Falls Police Department

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Policy: Personal Appearance	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 110
		Effective: 11/2023
		Page 1 of 5
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. Given our regular and close contact with the public, it is important for all department employees to present a professional image to the community.

2. Policy:

2.1. All employees shall be neat in appearance, well groomed, and clean in their person and manner of dress.

3. Definitions:

3.1. **Body art, intentional scarring, brands, mutilation** – This includes, but is not limited to, foreign objects inserted under the skin, pierced, split or forked tongue, and/or stretched out holes in the ears. It also includes intentional burning or scarring of the skin.

3.2. **Dental ornamentation** – The use of gold, platinum, silver or other veneer caps for the purposes of ornamentation, this includes designs, jewels, initials, etc.

3.3. **Visible tattoos** - A permanent picture, design, or other marking made on the skin by pricking it and staining it with an indelible dye.

4. Procedure:

4.1. Special assignments such as, but not limited to, narcotics enforcement may require departure from the stated policy and rules.

4.2. Specific Guidelines

4.2.1. The following are specific guidelines that are established and which will be uniformly related to personal appearance and grooming:

4.2.2. Hair Standards

4.2.2.1. On duty uniformed and non-uniformed officers should wear their hair in a manner that presents a professional image. All officers' hair will be neatly groomed and the length of the hair will not be excessive or present in an unkempt or extreme appearance. Dyed, tinted, or bleached hair must be within the naturally occurring color range. In all cases, officers will wear their hair in a style that does not jeopardize their vision, safety, or effectiveness. Hair should not interfere with equipment required for duty. Shift/Section supervisors will make this determination. Exceptions may be granted based on the duty assignment and final approval must be granted by the Chief of Police or their designee.

4.2.3. Facial Hair

4.2.3.1. Officers may grow a full beard or goatee.

4.2.3.1.1. The beard cannot extend below the jaw line or extend down the neck line (trimmed above the Adam's apple). The beard cannot extend high up on the officer's cheek bone and must stop midway up the cheek and connect with the mustache. The beard cannot be longer than ½ inch in length.

4.2.3.1.2. The goatee must include a fully connected mustache at the corner of the lip. The goatee must not extend down the officer's neck and be trimmed above the Adam's apple. The goatee cannot be longer than ½ inch in length.

4.2.3.1.3. Officers that have a beard or goatee will be subject to periodic fit testing of gas masks to ensure that there is a proper seal. Specialty unit commanders may make further restrictions on facial hair in response to special circumstances or events.

- 4.2.3.1.4. In the event the Chief or their designee deem the beard or goatee to be unsightly or not within regulation, the employee will shave the beard when requested to do so.
- 4.2.3.1.5. If a department member intends to grow facial hair, they must initiate growing the facial hair during a period of at least two consecutive days off to not give the appearance of failing to shave.
- 4.2.3.1.6. Officers assigned to the Narcotics Section are not subject to this policy. The ISD commander has authority to set grooming standards for this unit as they see fit.

4.2.4. Mustache

- 4.2.4.1. The mustache cannot extend more than ¼ inch below the corners of the mouth; cannot extend more than ¼ inch beyond the corners of the mouth.
- 4.2.4.2. Officers shall ensure that mustaches are maintained in a professional and groomed appearance.
- 4.2.4.3. In the event the Chief or their designee deem the mustache to be unsightly, the employee will shave the mustache when requested to do so.

4.2.5. Sideburns

- 4.2.5.1. Shall not extend more than ¼ inch beyond a point even with the bottom of the ear lobe. They shall be neatly trimmed and rectangular in shape.

4.2.6. Jewelry or Personal Ornaments

- 4.2.6.1. Shall not be affixed to the uniform or personal equipment of an officer.
- 4.2.6.2. Any jewelry that is oversized, gaudy, or pretentious in appearance or color, or which may present a potential safety hazard, or which may interfere with the regular performance of a police officer, will not be permitted.
- 4.2.6.3. Shift/Section supervisors will make this determination.
- 4.2.6.4. A watch and no more than two rings per hand are permitted.
- 4.2.6.5. Neck jewelry shall not be visible on uniformed officers.

4.2.6.6. No more than two earrings per ear are permitted.

4.2.6.6.1. Male officers are not permitted to wear earrings on duty.

4.2.6.7. Tongue studs, eyebrow piercings, nose piercings, or other visible piercings are not permitted.

4.2.7. Tattoos, Piercings and Body Art

4.2.7.1. Employees are permitted to have visible tattoos that are not prohibited by the Chief of Police or their designee.

4.2.7.2. Prohibited Tattoos, Piercings and Body Art

4.2.7.2.1. All employees of the Sioux Falls Police Department are prohibited from displaying any body art, intentional scarring, brands, mutilation or dental ornamentation while on duty or representing the department in any official capacity.

4.2.7.2.2. Tattoos prohibited by the Chief of Police or their designee, that are not covered by clothing or able to be concealed by reasonable means are not authorized.

4.2.7.2.3. Tattoos that may be considered racist, sexist, gang related, obscene or sexually explicit, vulgar, anti-American, anti-social, or prejudicial to the good of the order are prohibited.

4.2.7.2.4. Tattoos on the neck, face, head, ears, or scalp, and below the wrist must be approved by the Chief of Police or their designee, with the exception of a single band tattoo of no more than 3/8 of an inch in width on the left ring finger.

4.2.7.2.5. Body art, intentional scarring, brands or mutilation may not be visible by the area not covered by a short sleeve uniform shirt and pants or the uniform worn by the bicycle officers.

4.2.7.2.5.1. Officers working in an undercover capacity would be exempted from this policy if covering the tattoo, body art, scarring, branding or mutilation would jeopardize the officer's safety or the furtherance of the case.

4.2.7.2.6. The Chief of Police or designee will make the final determination as to what is or is not offensive.

4.2.8. Candidates for Employment

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4.2.8.1. Candidates for employment must disclose existing visible tattoos, body art, intentional scarring, brands, mutilation or dental ornamentation that will become visible while wearing the Sioux Falls Police Department uniform or business clothing while acting as a representative of the department.

4.2.8.1.1. During the application process, the candidate's visible tattoos, body art, intentional scarring, brands, mutilation or dental ornamentation will be screened to determine whether the applicant would be in violation of this policy.

4.2.8.1.2. If the candidate is found to be in violation of this policy, that person will have the option of having the prohibited visible tattoos, body art, intentional scarring, brands, mutilation or dental ornamentation (or that portion that would become visible) removed at their own expense. If the candidate expresses a willingness to have this done, it must be removed prior to receiving a final offer for employment.

4.2.9. Coverings

4.2.9.1. Those employees having intentional scarring, brands, mutilation or dental ornamentation shall use reasonable means to cover them.

4.2.9.1.1. Reasonable means of covering the prohibited visible tattoos, body art, intentional scarring, brands and mutilation include wearing a long sleeved shirt and/or uniform pants, use of a skin tone patch or make-up, wearing of a tattoo sleeve cover (black or beige), or by having the prohibited tattoo removed at their own expense.



Sioux Falls Police Department

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Policy: Tardiness	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 111
		Effective: 9/2023
		Page 1 of 1
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:
 - 1.1. The purpose of this policy is to establish expectations for reporting to duty and the consequences of failing to do so.

2. Policy:
 - 2.1. Employees of the Sioux Falls Police Department are expected to report for work, court, training, meeting or other scheduled event at the scheduled start time. Failure to do so may result in disciplinary action taken against the employee.

3. Definitions:
 - 3.1. **Tardiness** – refers to any unexcused late arrival, not only to work station assignments, but also scheduled events, court proceedings, meetings, and training.

4. Procedure:
 - 4.1. Tardiness enforcement is based on the number of occurrences within a year of the first occurrence, not a calendar year.

 - 4.2. In order to ensure uniformity in the enforcement of infractions of tardiness, the following guidelines shall be used:
 - 4.2.1. First infraction: verbal reprimand
 - 4.2.2. Second infraction: written reprimand
 - 4.2.3. Third infraction: suspension
 - 4.2.4. Subsequent infractions: progressive discipline up to and including termination.



Sioux Falls Police Department

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Policy: Tobacco Free Workplace	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 112
		Effective: 9/2023
		Page 1 of 2
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference: <i>Executive Order 196, City Ordinance 92.210</i>		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. This policy establishes regulations regarding the use of tobacco products in buildings, facilities, equipment and vehicles owned and leased by the City of Sioux Falls or while on duty at any time as a city employee. The City of Sioux Falls has an obligation to provide a safe and healthful environment for every City employee and for the public we serve. This policy has been established to protect and promote the health and well being of employees and visitors.

2. Policy:

- 2.1. Effective January 1, 2011, the use of tobacco products by City employees and customers, contractors, or others doing City business is prohibited in all City-owned and City-shared buildings, facilities, vehicles, parking lots, equipment, worksites, and walkways leading into City facilities.
- 2.2. The use of tobacco products by City employees is prohibited during paid work hours, which includes paid break time.

3. Definitions

- 3.1. **Tobacco** – any product made or derived from tobacco that is intended for human consumption, including any component, part or accessory of a tobacco product.
- 3.2. **Tobacco Product** – Includes, but is not limited to, cigarettes, cigars, pipes, electronic smoking devices, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, and dissolvable tobacco.
- 3.3. **Electronic Smoking Device** – Any device that can be used to deliver an aerosolized solution that may or may not contain nicotine to the person inhaling from the device, including, but not limited to, e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs, or other simulated smoking devices. Nicotine products approved by the U.S. Food and Drug Administration for tobacco cessation shall be allowed.

4. Procedure

- 4.1. In accordance with the directive of the Mayor, tobacco use in or on the grounds of buildings and facilities of the City of Sioux Falls is prohibited.
- 4.2. Tobacco use by City employees is prohibited during paid work hours to include paid break time.
- 4.3. Tobacco use is permitted on any City employee's unpaid break time when not on or in City property.
- 4.4. Tobacco use is not permitted in vehicles owned or leased by the City of Sioux Falls.
- 4.5. Tobacco cessation support programs are offered to employees and their family members through the City Wellness Program. The City encourages all employees who use tobacco to quit.
- 4.6. Compliance with the No Tobacco Policy is mandatory for all City employees and persons visiting City of Sioux Falls properties. Each employee is completely responsible for his actions at all times and is expected to share in the compliance of this policy in a positive and respectful manner.
- 4.7. Employees who violate this policy will be subject to the consequences in the same manner as any other performance issue and may be subject to progressive disciplinary action. Any violation should be brought to the attention of the appropriate supervisory personnel.



Sioux Falls Police Department

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Policy: Discrimination / Harassment in the Workplace Prohibited	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 113
		Effective: 9/2023
		Page 1 of 2
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference: <i>Executive Order 176</i>		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. The administration of the Sioux Falls Police Department will not tolerate discrimination and or harassment in the workplace.

2. Policy:

- 2.1. Discrimination and/or harassment of fellow employees or members of the public, whether in or out of the workplace, will not be tolerated. Such discrimination and/or harassment, whether based upon sex, race, religion, disabilities, or any other legally recognized factor, is a violation of department policy and will be dealt with as a disciplinary matter.
- 2.2. City of Sioux Falls **Executive Order 176** serves as an overall guidance for all city employees as it pertains to discrimination / harassment in the workplace.

3. Procedure:

- 3.1. Any employee who feels that they are the victim of discrimination and/or harassment should report that information to their supervisor or to Human Resources.

- 3.2. If the offending employee is the immediate supervisor of the offended employee, the offended employee may report that information to the offender's supervisor.
- 3.3. If the offender is the Chief of Police, then the information may be submitted to the Mayor or Human Resources.
- 3.4. Investigation
 - 3.4.1. All investigations of a complaint will be documented in writing.
 - 3.4.2. The primary responsibility for investigating the initial stages of a complaint will be that of the **offender's immediate supervisor** unless otherwise designated by the offender's Division Commander or the Assistant Chief of Police. Complaints that are deemed valid will then be referred to the City of Sioux Falls' Human Resources Department and if necessary, the Professional Standards Unit for further investigation.
 - 3.4.3. All investigations will contain the following information:
 - 3.4.3.1. A written report prepared by the offended employee or supervisor.
 - 3.4.3.2. The results of the investigation.
 - 3.4.3.3. The investigator's findings as to the validity of the complaint.
 - 3.4.3.4. If a complaint is found to be valid, a recommendation for discipline.
- 3.5. When a complaint is found to be valid, the offender's Division Commander will conduct a hearing into the matter. If the Division Commander finds an employee in violation of this policy, the Division Commander will take the appropriate disciplinary action.
- 3.6. All complaints and the resulting investigation reports will be forwarded to the Chief of Police for review, regardless of whether the complaint is found to be valid or not.
- 3.7. In those cases, where the complaint is found to be valid and serious, consideration is being given to termination of the offending employee, a hearing will be held by the Chief of Police.
- 3.8. In those cases, where the offending employee is a Division Commander, the investigator will be designated by the Chief of Police. The Chief of Police will also conduct the hearing when the complaint is against a Division Commander.
- 3.9. The offended employee will be advised as to the outcome of their complaint. The offended employee is assured that they will not suffer any retaliation by any member of this department as a result of filing a complaint for violation of this

policy. However, this does not preclude the department from taking action against an employee when it is found that the employee filed a complaint with no factual basis or with malicious intent.

- 3.10. All investigations will be kept confidential with only those who have a need to know being apprised of the situation.
- 3.11. Withdrawal of Complaints
- 3.12. Employees filing any form of discrimination/harassment complaint may withdraw the complaint or any part thereof, at any time. Despite the withdrawal request, however, the police department still has an obligation to investigate the allegation. The police department shall become the complainant.



Sioux Falls Police Department

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Policy: Receipt and Solicitation of Gifts	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 114
		Effective: 9/2023
		Page 1 of 2
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference: <i>City Ordinance Chapter 35</i>		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to provide employees a general guideline as it pertains to receiving or soliciting items of value during the course of their employment with the City of Sioux Falls.

2. Policy:

2.1. It is the policy of the City of Sioux Falls that employees shall not use their official position or the knowledge granted therein in such a manner that a conflict between the City's interest and their personal interest shall arise.

Employees shall conduct their affairs so as to avoid any conflicts between their personal and outside interests and the interest of the City.

3. Procedure:

3.1. No officer or employee shall directly or indirectly solicit any gift, or accept any gift whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence the officer or employee, in the performance of official duties, or was intended as a reward for any official action.

- 3.2. It is not a conflict of interest for any official or employee to receive a gift or gratuity that is an unsolicited item of nominal intrinsic value.
- 3.3. Employees shall not use their position to gain special privileges and benefits, including favors, services, and promises of future employment.
- 3.4. Remedy:
 - 3.4.1. If an employee receives a gift that they are unsure meets the nominal intrinsic value standard, that employee will contact their division commander who will facilitate a decision on the gift through either the City Attorney's Office or the City of Sioux Falls Board of Ethics.
 - 3.4.2. If an employee receives a gift that is in violation of this policy, the employee should return the item and send a polite letter to the donor advising that person why the gift may not be accepted and urging that such offers not be repeated in the future.
- 3.5. Receipt and disposition of items addressed in this policy shall be reported in writing to the employee's Division Commander through the Chain of Command. If a work unit were to receive such a gift, reporting procedure is the same.



Sioux Falls Police Department

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Policy: Police Services	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 115
		Effective: 9/2023
		Page 1 of 2
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to establish the expectations of department when providing police services.

2. Policy:

2.1. Officers shall be familiar with the applicable statutes and ordinances to provide for effective performance of the police function consistent with the Constitution and laws of the United States, the State of South Dakota, and the City of Sioux Falls.

3. Procedure:

3.1. Each newly hired Police Officer will be administered the Oath of Office at the beginning of their formal training program by a judge of the Circuit or Magistrate Court.

3.2. The variety of incidents and circumstances leading to police intervention requires considerable adaptation and flexibility. The required adaptation and flexibility should in each instance be geared to the public interest.

3.3. Initial responses shall give priority to protection of life.

3.4. During investigations, the officers should focus efforts on all types of evidence and the interrelationship that may be of value in determining the truth of an incident.

- 3.5. The apprehension of offenders and recovery of property shall be accomplished consistent with the law, policy, and procedure.
- 3.6. The procedures established herein are the judgment of the department. The performance of each officer should be an extension of that judgment. Each action should be the culmination of all department resources, policy, and procedures, meaningfully arranged within the context of good judgment.
- 3.7. This department shall extend all services to other law enforcement agencies in keeping with the public interest. Whenever cases investigated by this department involve matters that may be of interest to other jurisdictions, they shall be notified.
- 3.8. Whenever other law enforcement agencies request information or assistance, it shall be considered as a request from a member of this department, unless law or regulation prescribes otherwise.
- 3.9. Whenever the police have been called and the circumstances indicate it is not a matter for police action, diligence should be exercised in arranging for the most appropriate agency, department, or individual to satisfy the needs of the situation.



Sioux Falls Police Department

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Policy: Secondary Employment	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 116
		Effective: 4/2024
		Page 1 of 3
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. It is essential that certain standards and conditions be observed in the off-duty employment of department employees.

2. Policy:

- 2.1. Secondary employment will not be permitted that is inconsistent with the objectives of the Police Department or would compromise the performance of the member's official duties. No off-duty employment will be allowed that would cause the dangerous condition of excessive fatigue for on-duty personnel.

3. Procedure:

Guidelines for off-duty employment of Police Department employees:

- 3.1. All outside employment must have the approval of the Chief of Police.
- 3.2. All requests for approval of off-duty employment will be made on Form 14.
- 3.3. No Police Department uniform, equipment, or insignia will be worn, used, or displayed in any off-duty employment, except in special situations where the Chief of Police grants approval.
- 3.4. Employees will not solicit off-duty work while on duty.

- 3.5. No employee will:
- 3.5.1. allow off-duty work to interfere in any way with the performance of his official duties;
 - 3.5.2. perform off-duty work where the employer is involved in a labor or civil dispute;
 - 3.5.3. work off-duty where the employer restricts the police employee in any way from performing his duty as a member of the Sioux Falls Police Department;
 - 3.5.4. work off-duty where they would be involved in pictures or advertising and endorsing commercial products while identified as a Sioux Falls Police Department employee;
 - 3.5.5. work off-duty security where the employer will not hire an adequate number of personnel to handle the nature of the work safely.
- 3.6. Due to the confidential nature of information and materials available to police department employees, and to eliminate the appearance of impropriety, no police department employee will be allowed to work as or for a private investigator, or as an investigator for an attorney dealing in civil or criminal cases. This does not apply to background investigations.
- 3.7. Officers having secondary employment in the field of accident reconstruction will not consult on cases that originated in the City of Sioux Falls, Minnehaha County, or Lincoln County.
- 3.8. No probationary police officers will engage in off-duty employment related to law enforcement. This would include working as a security guard or bar bouncer.
- 3.9. **Reminder:** An employee injured while engaged in off-duty employment cannot use sick leave during the recovery period and is not eligible for City Workers' Compensation or health benefits.
- 3.10. Department members engaged in secondary employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days regarding whether they intend to continue to engage in such secondary employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the secondary employment along with any related doctor's orders and make a recommendation to the Chief of Police whether such secondary employment should continue.

In the event the Chief of Police determines that the secondary employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding the work permit, a notice of revocation of the employee's permit will be forwarded to the involved employee, and a copy attached to the original work permit. Criteria for revoking the secondary employment permit include, but are not limited to, the following:

(a) The secondary employment is medically detrimental to the total recovery of the modified/light duty employee, as indicated by the City's professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability as would be required of an on-duty employee and no accommodation made by secondary employer.

(c) The employee's failure to make timely notice of their intentions to their supervisor.

3.10.1. When the modified/light duty employee returns to full duty with the Sioux Falls Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

3.10.2. The modified/light duty employee should provide his/her physician a copy of the secondary job description that would state any physical demands of the secondary job or should at least discuss the secondary job duties with the physician. The physician should also give approval to work the secondary job with or w/o restrictions depending on the physical demands. The employee should provide return to work documentation to the secondary employer and should continue to provide updated documentation after every exam. The employee should review/discuss his/her restrictions with the secondary employer which is required as restrictions apply to all jobs. If there are any restrictions, the secondary employer should indicate to the employee if they are able to accommodate that job with modified/light duty so the employee can continue to work safely within his/her restrictions at the secondary job.



Sioux Falls Police Department

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Policy: Off Duty Conduct / Incidents	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 117
		Effective: 9/2023
		Page 1 of 4
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose

1.1. The purpose of this policy is to establish safety directives and guidelines for the carrying of firearms while in an off-duty status and dealing with an officer's duty and responsibility to take action in response to criminal activity.

2. Policy:

2.1. Officers are allowed to carry a personally owned firearm while off duty in accordance with state and federal law. Officers will not carry their city issued firearm while off duty. This does not preclude an officer from carrying their city issued weapon to and from work or to a range facility.

2.2. Officers should refrain from carrying firearms when contemplating the consumption of alcoholic beverages or under other circumstances where the need to carry a firearm is outweighed by safety issues associated with the circumstances that the officer will be undertaking.

2.3. A member of the police department who becomes aware of an incident which poses a threat of serious bodily harm or death to some individual shall take "action" to minimize the risk of serious bodily harm or death. "Action" under this provision is

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fulfilled by reporting the incident and shall not require the officer to place him or herself in a position of peril. An officer who is faced with such a circumstance should act in accordance with the guidelines as spelled out in this policy.

2.4. In order to maintain the public's expectation of a higher standard for employees of the Sioux Falls Police Department, a supervisor will be contacted and respond to the scene of the off duty incident or unless as listed in Section 4.3 below.

3. Procedure:

3.1. First, go to a safe location and call 911.

3.2. When you encounter a situation off-duty that seems to require police action, you must consciously evaluate whether your involvement is necessary or desirable, given the circumstances. How important and urgent is the need for your intervention? A number of circumstances may impact your decision to get involved in any situation. Your intervention may actually spark an escalation of violence. Therefore, your best plan of action may be to:

3.2.1. Gather accurate intelligence like a good witness until uniformed, on-duty officers arrive.

3.2.2. Remember, you have NO LEGAL OR DEPARTMENTAL obligation to get involved, especially if such intervention places you in a position of peril.

3.2.3. While department policy mandates that you "take action" when witnessing a serious crime, that obligation is fulfilled by calling the police and monitoring the situation from a SAFE vantage point.

3.2.4. Most survival-conscious officers have trained themselves NOT to intervene while off-duty UNLESS their life or the life of another innocent party is IMMEDIATELY in danger. The decision to take action, beyond simply reporting, is a personal one and is not a requirement of this department.

3.2.5. If you decide you must get involved, attempt to have someone call 911 advising the Metro Communications that an off-duty officer is on scene. Have the caller inform the operator if you are armed. If possible, have them describe you and your clothing. This will affect the mindset of the responding officers. When uniformed police officers arrive, have your badge out and visible if possible.

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- 3.2.6. If you have cover, maintain it. You can communicate verbally from there.
 - 3.2.7. Verbally identify yourself as a police officer repeatedly (if needed) until you receive acknowledgment and directions as to what you should do.
 - 3.2.8. When commands are issued by the responding officers, follow them promptly and completely. Expect to be treated like a suspect until your law enforcement status is verified.
 - 3.2.9. Finally, the most important rule of all: If you have a gun in your hand, NEVER, EVER turn toward an on-duty officer.
4. Reporting / Compliance:
- 4.1. Whenever an officer of this department encounters or is dispatched to an incident involving an off-duty employee of this department, or a known employee of another law enforcement agency, that officer will request that a supervisor be dispatched to the scene to monitor the handling of the incident and to eliminate any possible perception of preferential treatment.
 - 4.2. At the conclusion of the call, the supervisor will forward a written report through the Chain of Command to the Chief of Police detailing the facts of the incident, the employee(s) involved, and actions taken by the on-duty personnel. If the off-duty action involved a response to resistance by the officer, a report will be made as directed by policy #602, *Response to Resistance Reporting Requirements*
 - 4.3. This policy will not apply to the following types of incidents involving off-duty members of this department, or other law enforcement agencies:
 - 4.3.1. The off-duty employee is making a report as the victim of a crime.
 - 4.3.2. The off-duty employee was an uninvolved witness to an incident.
 - 4.3.3. The off-duty employee was stopped for an equipment violation, or minor non-custodial traffic violation not involving alcohol or drugs.
 - 4.3.4. The off-duty employee is involved in a minor, non-injury, property damage traffic accident not involving alcohol or drugs.

4.4. A supervisor will **always** be notified and a written summary of the incident will be forwarded to the Chief of Police whenever an employee of this department, or another law enforcement agency is:

4.4.1. Named as a suspect in a criminal complaint.

4.4.2. Involved in a domestic dispute with that employee's spouse or other immediate family member.

4.4.3. Alleged to have violated a protection order.



Sioux Falls Police Department

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Policy: Police Training Officer (PTO) Program	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 118
		Effective: 2/2024
		Page 1 of 7
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to give guidance to members of the Sioux Falls Police Department tasked with training recruit officers. It puts forward the expectations of the department regarding the different aspects of the Police Training Officer (PTO) program.

2. Policy:

2.1. The Department’s principle recruit training program is a 15 week (PTO) Program, which is based upon the most common activities in which police officers engage and the skills that they use during the daily performance of their duties. It serves as an extension of South Dakota Law Enforcement Training and the department’s training curriculum, which all new officers must successfully complete.

2.2. The Department’s Certified Officer, Reciprocity Eligible (CORE) recruit training program is a 11-week PTO program. The PTO program can be extended to the 15-week program guidelines if training needs arise on a case-by-case basis. CORE officers must pass the South Dakota Law Enforcement Training reciprocity examination and possess prior certified experience as a law enforcement officer of no less than two years to be eligible to enter the CORE PTO program.

3. Definitions:

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- 3.1. **Rubric:** A rubric is a set of categories which define and describe the important components of the work being completed, critiqued, or assessed. Each category contains a gradation of levels of completion or competence with a performance label assigned to each level and a clear description of what criteria need to be met to attain the performance label at each level.
- 3.2. **Emotional Intelligence:** Describes a concept that involves the ability, capacity, and skill to identify, assess, and manage the emotions of one's self, of others, and of groups.
- 3.3. **The Theory of Multiple Intelligence:** A broader definition of intelligence proposed by Howard Gardner which attempts to more accurately reflect the differing ways in which humans think and learn. Categories of intelligences used to describe human cognitive abilities.

4. Procedure:

4.1. **Police Training Program:**

- 4.1.1. At the conclusion of academy and pre-service training, or the passing of the reciprocity examination and pre-service training, all recruit officers are required to complete a PTO Program. New officers will not be assigned to individual patrol duties until they have achieved successful completion of the program. During this period the new officer receives daily coaching from a Police Training Officer (PTO). They are evaluated mid-term and in the last week of the PTO program by the Police Training Evaluator (PTE) and the Board of Evaluators (BOE). They are also evaluated at the 12-month mark by a PTE to gauge continued progress. They will not be seen by the BOE unless the 12-month PTE observes serious regression in skills and abilities.
- 4.1.2. The Administrative Services Division Lieutenant serves as the PTO Program Manager and ensures that the program is compliant with department objectives.
- 4.1.3. The Training Sergeant serves as the Assistant PTO Program Manager and directly supervises the PTO Coordinator.
- 4.1.4. The PTO Coordinator is responsible for managing and facilitating the program on a daily basis. Their duties include:
 - 4.1.4.1. Assist in PTO selection.
 - 4.1.4.2. Coordinate / conduct initial and in-service classroom instruction for the PTOs.
 - 4.1.4.3. Monitor the training process and the recruit's performance.
 - 4.1.4.4. Maintain all program records and reports.
 - 4.1.4.5. Facilitate and schedule all training and evaluation phases.
 - 4.1.4.6. Coordinate regular PTO meetings.

4.2. **Police Training Officer (PTO) Selection:**

- 4.2.1. Selecting the right PTO is critical. PTOs help form the recruit's attitude and work habits. The recruit learns how to interact with the public, offenders, fellow workers and supervisors by observing the PTO. The PTO position is designated as a specialized assignment within the department and the selection process will be conducted as specified below.

4.2.2. Officers interested in applying for the PTO program will be selected based on the following process:

- 4.2.2.1. Applicants must submit a written application to their supervisor.
- 4.2.2.2. The officer's supervisory team will evaluate the candidate based on the criteria in section 4.2.3 below. The supervisory team will also complete a PTO Rubric to be submitted with the application to the PTO Manager.
- 4.2.2.3. Applicants will be interviewed by a PTO selection panel.
- 4.2.2.4. The PTO selection panel will submit its candidate recommendations to the Chief of Police for certification.

4.2.3. Criteria for selection as a Police Training Officer includes:

- 4.2.3.1. Two (2) years of Sioux Falls Police Department experience as a police officer, or
- 4.2.3.2. Be off of probation and have five (5) years of certified law enforcement experience.
- 4.2.3.3. Have the ability to coach and mentor recruit officers.
- 4.2.3.4. Possess good verbal and report writing skills
- 4.2.3.5. Be proactive in policing and have the ability to identify community problems. The officer must be able to solve these problems without constant supervision.
- 4.2.3.6. Have the ability to work in a team setting. The officers must also have a good professional working relationship with their respective supervisor.
- 4.2.3.7. Be accepting of feedback.

4.3. PTO Training:

4.3.1. New PTOs will receive training to prepare for the process of teaching and evaluating the recruit. All areas of training will include:

- 4.3.1.1. The role of emotional intelligence, multiple intelligence, and conflict resolution in new recruit training.
- 4.3.1.2. Problem Based Learning (PBL).
- 4.3.1.3. Evaluation methods and the proper use of evaluation forms.
- 4.3.1.4. Mentoring and coaching.

4.4. PTO Duties and Responsibilities:

4.4.1. The PTO is the individual primarily responsible for guiding the recruit through the program. The PTO provides daily coaching and training for the recruit, documents the training provided, and keeps the recruit's supervisors and the PTO Coordinator informed of any pertinent issues associated with the recruit and the program. During the training program, the PTO's duties include:

- 4.4.1.1. Coach and Train the Recruit.
- 4.4.1.2. Provide a learning environment for the recruit.
- 4.4.1.3. Act as a role model for the recruit.

- 4.4.1.4. Complete Core Competency Logs (CCL's) as required.
- 4.4.1.5. Prepare training material for the recruit.
- 4.4.1.6. Assist the recruit with their Problem Based Learning Exercise (PBLE).
- 4.4.1.7. Advise and counsel the recruit through each of the problems provided in the manual.
- 4.4.1.8. Record the teaching and coaching experiences with the recruit and bring forward any persistent concerns to the PTO's supervisor.
- 4.4.1.9. Maintain a Critical Skills Task List for each recruit and ensure that it is shared between the recruit's PTOs and PTEs. This task list is located on Insite under the recruit's PTO file.
- 4.4.1.10. Maintain a training journal that documents the recruit's progress.

4.5. Police Training Evaluator (PTE):

- 4.5.1. Police Training Evaluators (PTEs) are experienced PTOs who have been selected as evaluators by the PTO Coordinator and pertinent watch commander. The PTE will evaluate the recruit during the Mid-Term, Final, and 12-month evaluations. The PTE will evaluate the recruit during the Mid-Term Evaluation on training received during the first two phases of the program. For the Final Evaluation, the PTE will evaluate the recruit comprehensively on training received in all phases of the program. Lastly, in the 12-month evaluation, the PTE will evaluate the recruit's continued growth and development.

4.6. Board of Evaluators (BOE):

- 4.6.1. The Board of Evaluators (BOE) will consist of ten members. The PTO Program Manager (Administrative Services Division Lieutenant) will act as a facilitator and only have a vote in the case of a split decision of the BOE. The remainder of the BOE will be made up of the Training Sergeant and PTO Program Coordinator, a representative from the Investigative Services Division, and six Uniformed Services Division officers. The Uniformed Services Division officers and Investigative Services Division representatives may serve up to one full year on the board. The duties of the BOE will include:
 - 4.6.1.1. Review all recruit and PTO performances as directed by the PTO Coordinator, the Uniformed Services Division Commanders, or the Chief, or designee.
 - 4.6.1.2. Evaluate recruit and PTO performance.
 - 4.6.1.3. Provide written recommendations on action items for consideration by the training staff and management team regarding training, remedial training, or termination of a recruit or PTO from the training program.
 - 4.6.1.4. Conduct an exit interview of each recruit to assess the overall training experience.
- 4.6.2. If needed, the PTO, PTE, or any supervisor can request that the BOE convene at any time during a new recruit's training. The PTO Program Manager or designee will have final say on whether a BOE will be convened based on the information provided.

4.7. PTO Supervision:

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- 4.7.1. The Shift Supervisor and Shift Commander supervise the PTO and the recruit on a daily basis. To assist in this, the PTO Coordinator provides all supervisors with a basic understanding of the PTO Program.
- 4.7.2. The Shift Commanders will select and assign a Sergeant(s) from each shift to serve as Police Training Supervisors (PTSs). These PTSs will be responsible for assisting and supervising the PTOs on shift, helping to develop remedial training to assist recruit officers, and attending BOEs to assist in evaluating recruit officer performance. PTS is a secondary duty for the Shift Sergeant. Ideally, the position would be filled by former PTOs who have intimate knowledge of the PTO Program.

4.8. Training Components:

- 4.8.1. **Core Competency Logs (CCL):** CCL's document the trainee's performance in the core competencies established by the program. They are completed by the trainee and PTO. Once core competency will be chosen each day. For CORE recruits, one competency will be selected for each day in the first week of the phase. Two competencies will be chosen each day, the second week of the phase.
- 4.8.2. **Problem Based Learning Exercise (PBLE):** Trainees will complete one PBLE during their PTO training process. This will be assigned by the Phase C PTO and presented during Phase D. The PTO and Recruit will choose a meaningful problem as the basis for their PBLE. While there is a list of approved PBLE topics, they are encouraged to identify a problem and develop a solution based on their observations on shift. The PBLE will be presented in a format and setting, and at a time agreed upon by the trainee and the PTO. The PTO Coordinator will maintain a list of approved PBLEs and ensure they are accessible to the PTOs. PBLEs will require the completion of at least one evaluation rubric.
- 4.8.3. **Neighborhood Portfolio Exercise (NPE):** Trainees will complete one NPE during their training to be presented during the 12-month evaluation week. The goal of the NPE is to have the trainee make community contacts, identify problems in their patrol areas. Once trainees identify problems, they can then utilize their knowledge of the PBLE process to create solutions should the opportunity arise. The main goal is to engage the community. Each trainee will be issued an NPE booklet, which will be completed post-final evaluation and pre-12-month evaluation.
- 4.8.4. **Learning Activity Packages (LAP):** LAPs are learning tools designed to focus on the inexperience, weakness, or problems that the trainee is facing during training. They may be used as remedial training or as additional training based upon the circumstances. Normally, LAPs are assigned by the PTO, but they may also be assigned by the PTO Coordinator, the trainee's supervisor or the trainee's BOE.
- 4.8.5. **PTO Incident Form:** This form will be completed by any sworn department member who observes a Recruit Officer act in a manner that causes alarm, embarrassment, or concern for the recruit status as an officer with the Sioux Falls Police Department. This includes, but is not limited to the following: violations of policy and/or law, adherence to the Sioux Falls Police Department Mission and Value Statements, officer safety issues, dangerous driving, improper equipment use/care, attitude and motivation, and insufficient progress in any of the fifteen core competencies. This form is also to document any exemplary conduct by the Recruit Officer. Upon completion, this form is to be forwarded to a supervisor for review. A copy of the form will also be kept in the

Recruit Officer's training records. This form may be completed at any time during the Recruit Officers probationary status.

- 4.8.6. **Journal:** Journals are designed to be a training tool for both the PTO and the trainee to address learning issues and Emotional Intelligence development. The journal is available to the PTO, PTS, and PTO Coordinator anytime during the training process. When training is complete, the PTO's journal will be collected and placed in the trainee's training file. Two evaluative rubrics will be completed for the journals.
- 4.8.7. **Employee Assistance Program (EAP):** Each recruit will attend three (3) mandatory EAP sessions during PTO training. The purpose of these appointments is to assist Recruit Officers in the transition into a mentally and physically demanding profession and to familiarize them with the EAP process should they choose to utilize this program in the future. These appointments are scheduled during the Integration, Midterm Evaluation and Final Evaluation weeks of the program. If appointments are not available during those weeks, appointments will be made as closely to those weeks as possible. Recruits are responsible for keeping track of their EAP appointments. Recruits will forward EAP appointment dates to the PTO Coordinator. The content of those appointments is confidential and no information from those appointments will be shared. If a meeting is missed, the recruit and EAP provider shall contact the PTO Coordinator of the missed appointment. Missed appointments will be made up in a timely fashion. Refer to Policy #305 for further information on EAP.

4.9. **Evaluations:**

- 4.9.1. The trainee will be evaluated by their PTOs through the use of CCL's and the PBLE. The trainee will also be evaluated by the PTE during the Mid-Term, Final, and 12-month Evaluations. Daily journal writing is an important tool, but it is not a formal method of evaluation. All forms of evaluation shall be stored in the trainee's training file.

4.10. **Phases of Training:**

- 4.10.1. Prior to beginning the four phases of training, the recruit will be assigned a PTO for Integration Week. Integration Week will introduce the recruit to the PTO process. There is no evaluation or documentation for this week, and it is designed to provide coaching and immersion into the process.
- 4.10.2. There are four phases of training, each normally three weeks in length, or, for CORE officers, two weeks in length.
 - 4.10.2.1. Non-Emergency Incident Response (Phase A)
 - 4.10.2.2. Emergency Incident Response (Phase B)
 - 4.10.2.3. Patrol Activities (Phase C)
 - 4.10.2.4. Criminal Investigations (Phase D)
- 4.10.3. The trainee will be assigned PTOs for Phases A and B. At the conclusion of Phase B, the trainee will be assigned to a PTE in order to complete the Mid-Term Evaluation. Upon successful completion of the Mid-Term Evaluation, the trainee will be assigned to PTOs for Phases C and D. At the conclusion of Phase D, the trainee will be assigned to a second PTE in order to complete the Final Evaluation. At the 12-Month mark, the recruit will be assigned a final PTE for a one-week evaluation period.

- 4.10.4. The PTE will use the Learning Matrix developed by the Department as the basis for evaluating the trainee in the Core Competencies.
- 4.10.5. Prior to the recruit's advancement between phases, the out-going and in-coming PTOs will correspond with each other to discuss any weaknesses that may need to be addressed.
- 4.10.6. Phase training may be suspended any time the PTO identifies a significant problem in one of the critical Core Competencies. The PTO will collaborate with the PTs, PTO Coordinator and Training Sergeant to develop a plan to address the problem(s), which could include the assignment of LAPs or the placement of the trainee with a "subject matter expert" (SME). The plan will be forwarded to the PTO Program Manager for review who will consult with the Administrative Services and Uniformed Services Division Commanders for approval.
- 4.10.7. Phase training may be extended if the BOE determines that the trainee is not meeting the learning outcomes of the multiple Core Competencies. The BOE will develop a plan to address these learning deficiencies, which will normally include assigning the trainee to another PTO. During extended Phase training, CCL's will be completed.
- 4.10.8. Phase training may be concluded at any time if the BOE determines that the trainee has met the learning outcomes of the multiple Core Competencies.
- 4.10.9. Trainees shall not enter into solo patrol status until the BOE's recommendations have been approved by the Chief or designee.

4.11. **New Officer Probation:**

- 4.11.1. Upon successful completion of the PTO Program the recruit officer will report to the Uniformed Services Division for assignment. They will have a probationary period of fifteen (15) months from their date of hire. During this time, PTs will evaluate the officer's performance. When the probationary officer has completed the probationary period the Uniformed Services Division Patrol Commander will review all evaluations then confer with the PTO Program Manager or their designee. The Uniformed Services Division Patrol Commander will then recommend to the Chief of Police one of the following:
 - 4.11.1.1. The officer has satisfactorily completed the probationary period and is eligible for regular status;
 - 4.11.1.2. The officer is in need of an extension of the probationary period;
 - 4.11.1.3. The officer should be terminated. At any time during the probationary period, the PTO, Shift Sergeant, Shift Commander or Uniformed Services Division Commander may recommend to the Chief or their designee that the probationary employee's employment be terminated.



Sioux Falls Police Department

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Policy: Employee Nepotism	Related Policies:	Section #: 100 Standards and Conditions of Employment
		Policy #: 119
		Effective: 9/2023
		Page 1 of 3
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. The purpose for this directive is to establish Sioux Falls Police Department policy on personal relationships between department employees which give rise to an actual or perceived potential conflict of interest with professional responsibilities and/or which create the potential for an adverse impact on agency operations, safety, efficiency and morale.
- 1.2. As an organization that is heavily dependent upon its human resources, the Sioux Falls Police Department has a vital interest in the maintenance of harmonious, efficient, and productive working relationships between its employees. Personal relationships that cause unrest, lend themselves to the perception of favoritism, adversely affect morale, or otherwise disrupt the good working order of the agency are undesirable.

2. Policy:

- 2.1. The Sioux Falls Police Department believes that the most qualified candidates will be selected for positions in the department, for promotions and for assignment to specialized positions. Employees who are related to or who are engaged in a romantic relationship with candidates for hiring selection, promotion or assignment to specialized positions must ensure that all reasonable precautions are taken to avert any undue influence in the selection process or even the appearance of impropriety in the process.

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- 2.2. It further recognizes the rights of employees to become involved in personal relationships with their co-workers. However, it is the policy of the Sioux Falls Police Department to ensure that its employees carry out their duties with impartiality and fairness so that public and organizational confidence in the actions of our employees is maintained. Public trust, workplace safety, agency operations and agency morale require that employees avoid the appearance of or actual conflict of interest between their professional responsibilities and any involvement in a romantic or sexual relationship with other employees.
- 2.3. In order to promote efficient operation of the department and avoid misunderstandings, complaints of favoritism, sexual harassment and/or gender-based discrimination, and other problems of supervision, safety, agency operations, and employee morale, all employees are instructed to avoid situations that give rise to an actual or reasonably perceived conflict.

3. Definitions:

- 3.1. **Family relationship** – A relationship resulting from family ancestry or marriage. For this policy this includes spouse, parent (including foster, step, and in-law); children (including adoptive, foster, or step); brother or sister; grandparent or grandchild; aunt or uncle; niece or nephew; or any other relative living in the same household as the employee or another individual related by blood, marriage, or quasi-marriage in the same household as a Departmental employee. Relative includes a significant other or domestic partner.
- 3.2. **Personal relationship** – For purpose of this policy, personal relationship is a relationship involving employees who are dating, engaged in a romantic relationship or cohabitating.
- 3.3. **Supervisor** - An employee who has authority over another employee by virtue of their rank or job classification.
- 3.4. **Subordinate** – An employee who is answerable to another employee based on their rank or job classification.
- 3.5. **Dating** – One or more social meetings between employees under circumstances reasonably intended to lead to a romantic relationship.

4. Procedure:

4.1. Hiring, promotion and assignment to specialized positions:

- 4.1.1. Employees who are related to or involved in a romantic relationship with a candidate for hiring selection, promotion or assignment to specialized positions shall not be involved in the selection process. The Sioux Falls Police Department shall not depart from the procedures embodied in the City's personnel policy for

any reason other than one specifically approved by the City's Human Resources Director and Chief Executive Officer.

4.1.2. Should an employee related to or involved in a romantic relationship be required to participate in any of these selection processes due to an absence of available alternatives, the final selection decision is subject to approval of the Chief of Police.

4.2. **Supervisory procedures:** An employee generally shall not directly supervise or be assigned to the same shift/section as a relative or another employee where a personal relationship exists. It will be incumbent upon the subordinate to select assignments which will not put them under the supervision or management of a relative or someone with whom they have a personal relationship.

4.3. **Duty to notify:**

4.3.1. If a supervisor and a subordinate marry or cohabit, the Division Commander will review the working relationship of the two employees and determine if it creates a potential conflict of interest or an adverse impact on supervision, safety, operations or morale. The division commander will make reasonable efforts to transfer, reassign, or otherwise resolve the situation so that one of the employees is placed in a position where the conflict potential no longer exists. Prior to any reassignment, the department will receive input from the involved employees.

4.3.2. The division commander shall take appropriate steps to ensure that involved employees' working conditions are modified to eliminate potential conflicts of interest and adverse workplace performance problems.



Sioux Falls Police Department

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Policy: Civilian Employee Training and Probationary Period	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 120
		Effective: 9/2023
		Page 1 of 2
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. This policy is created to give guidance to members of the Sioux Falls Police Department tasked with training civilian employees. It puts forward the expectations of the department regarding the different aspects of the divisions and working with civilian employees.

2. Policy:

- 2.1. Training for civilian employees is customized within the division the employee is assigned and based on the most common activities in which the employees engage and the skills they use during the daily performance of their duties.

3. Procedure:

3.1. **Division Lead or Supervisor Responsibilities:**

- 3.1.1. The division supervisor may provide training or delegate the training responsibilities to the division Lead or other qualified employee. During training, duties include:
 - 3.1.1.1. Provide a learning environment for the employee.
 - 3.1.1.2. Act as a role model for the recruit.

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- 3.1.1.3. Complete Coaching and Training Reports as applicable or required.
- 3.1.1.4. Prepare training material for the employee.
- 3.1.1.5. Record the teaching and coaching experiences with the employee and bring forward any concerns to the supervisor.

3.2. **Phases of Training:**

- 3.2.1. Training will be customized to meet the needs of the division and conducted until the division leadership feels the new employee is performing their work assignments according to expectation. Training progress will be assessed on a regular basis and may be extended or reduced as needed to meet the goals of the division and the police department in general.

3.3 **New Employee Probation:**

- 3.2.2 New employees are required to serve a 12-month probationary period. During the probationary period, the supervisor will be evaluating the employee's ability to perform the required duties of the division. The new employee may decide they prefer a different kind of work, or the supervisor may observe the employee does not have adequate skills for the job, or for some other reason feels the employee cannot be retained. Probationary employees may be removed by the supervisor, without recourse, for any reason during this period. Employees while still in their probationary period, cannot appeal any disciplinary action, including termination, to the Civil Service Board.



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Policy: Biased Based Policing	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 121
		Effective: 4/2024
		Page 1 of 2
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference: 100 Policy 105		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose: The purpose of this policy is to prohibit the use of race, ethnicity, gender, or national origin as a reason to restrict liberty, or exercise any other police power upon an individual, except in those cases where one of the classifications above is a descriptive factor concerning a suspect.
2. Policy: The policy of this department is to respect the rights of all persons who officers come into contact with during any law enforcement operation.

3. Definitions:

Biased – Based Policing - using race, ethnicity, gender or national origin as a reason to restrict a person's liberty where race, ethnicity, gender or national origin is not a descriptive factor relating to a suspected criminal event.

4. Procedure:

4.1. All contacts made by members of this agency with any person must meet the requirements of the United States and South Dakota Constitutions.

4.2. Preventing Perception of Bias:

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- 4.2.1. Officers should act with courtesy and professionalism on all stops and contacts.
 - 4.2.2. At the outset of a stop or contact, where feasible, officers should introduce themselves and inform the person of the reason for the stop.
 - 4.2.3. A stop or contact can be prolonged beyond the reason which justified the stop so long as there is a reasonable suspicion or probable cause of additional criminal activity to prolong the stop. Where reasonable delays occur, the officer should keep the person informed of the reason for the delay.
 - 4.2.4. Officers should answer questions posed by the persons stopped to the extent that is possible.
 - 4.2.5. Provide his or her name and identification number when requested and feasible.
5. **Complaints regarding bias:** All complaints regarding bias, as defined by this policy shall be handled in accordance with the Citizen Complaints and Administrative Investigations Policy of this agency.
 6. The Sioux Falls Police Department shall conduct training for all personnel on this policy.

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Policy: Duty to Disclose	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 122
		Effective: 9/2023
		Page 1 of 2
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference: U.S. Supreme Court <i>Brady v Maryland</i> (1963) and <i>Giglio v United States</i> (1972)		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

- 1.1. An agency and its personnel could be subject to liability in federal court for failing to disclose to a prosecutor any evidence that may be favorable to a defendant. The purpose of this policy is to ensure that agency personnel comply with the landmark United States Supreme Court decisions of *Brady v Maryland* (1963) and *Giglio v United States* (1972) and their progeny.

2. Policy:

- 2.1. It is the policy of this agency to require that law enforcement personnel provide all potentially exculpatory evidence to prosecutors. This information should be made available to the prosecutor for a determination of whether said information is "Brady" material prior to officer appearance.

3. Definitions:

- 3.1. **Duty to Disclose:** The landmark decision of *Brady v Maryland* (1963) places an affirmative constitutional duty on a prosecutor to disclose exculpatory evidence to a defendant. This duty has been extended to police agencies through case law, requiring law enforcement agencies to notify the prosecutor of any potential exculpatory information.
- 3.2. **Exculpatory Evidence/Brady Material:** Evidence in the government's possession that is favorable to the accused and that is material to either guilt or punishment, including evidence that may impact the credibility of a witness.

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4. Procedure:

- 4.1. Officers are required to document all investigative activity involved in an investigation, including exculpatory information.
- 4.2. All official reports involving an investigation will be submitted to the prosecuting authority prior to actual prosecution of the case. The prosecutor will determine what information contained in the case file will be provided to defense counsel.
- 4.3. The department will meet with the prosecutor's office to establish a procedure whereby the intent of this policy is carried out.
- 4.4. Each employee who is notified to appear as a witness in a criminal case has an individual obligation under this policy to notify the prosecutor on the specific case of any sustained disciplinary history that may impact credibility and qualify as "Brady" material.
- 4.5. The Training Section will ensure that all sworn personnel are familiar with the requirements of this policy and will stress the importance of credibility as an essential requirement of being able to function as a police officer.



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Policy: Domestic Misconduct	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 123
		Effective: 9/2023
		Page 1 of 3
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is created to provide guidance to members of the Sioux Falls Police Department with respect to responses to family dispute/domestic violence investigations involving department members.

2. Policy:

2.1. It is the policy of the Sioux Falls Police Department to deal directly and positively with any employee involved in acts of domestic misconduct. The ultimate mission of the department is to assist employees in resolving these family/relationship problems, to ensure that these acts do not adversely affect the employees or the department during the period of resolution, and to ensure a safe work environment within the department for the employee.

3. Definitions:

3.1. **Domestic misconduct:** The department defines this type of conduct very broadly. This definition may be broader than State law, but it is intended to assure the continuation of positive performance within the department by the involved employee and other members of the department. A domestic relationship involves any employee who is or has been married to the other party, involves any member of the employee’s

household, who is living or has lived with the other party, has had a child with the other party, or is or has engaged in an intimate relationship with the other party. Misconduct refers to any physical assault or battery, vandalism, stalking, intimidation, coercion, or criminal act against a party within this form of domestic relationship.

- 3.2. **Collateral misconduct:** Any conduct by another member of the department to assist another department employee in the continuation of the act of domestic misconduct. This would also include any actions designed to shield the employee or impair the ability of the department to be informed of the domestic misconduct.
- 3.3. **Self-reporting:** It is the responsibility of the employee to provide the department with specific notice whenever he/she is involved in any acts of domestic misconduct. This is specifically true whenever the employee is the subject of any judicial proceeding concerning these types of acts. (Refer to 3.1. for definition of sexual misconduct.)
4. Procedure: The department shall take immediate action when notified of any act of domestic misconduct involving an employee of this agency.
 - 4.1. When the incident occurs within the jurisdiction of this department:
 - 4.1.1. The call will be assigned to two uniformed officers and a supervisor.
 - 4.1.2. The supervisor will assure that any violence is curtailed, all parties are protected, and any required medical assistance is provided.
 - 4.1.3. The supervisor shall ensure that all evidence is properly recorded and collected.
 - 4.1.4. Once the incident is contained, the supervisor shall consider summoning another agency to take over the investigation to alleviate any possible perception of preferential treatment.
 - 4.1.5. If no other agency is available the on-scene supervisor is responsible for overseeing the conduct of the criminal investigation, if warranted. In this case the decision to arrest a department employee involved in domestic misconduct shall be the responsibility of the on-scene supervisor with consultation of his/her commanding officer(s). When probable cause exists, the employee shall be arrested and processed the same as any civilian.
 - 4.2. The on-scene supervisor shall take immediate steps to ensure that there is no continuation of the domestic misconduct.
 - 4.2.1. Ensure that victim advocate assistance is offered and provided when necessary.

- 4.2.2. Ensure that an immediate safety plan is discussed with the victim of the domestic misconduct and assist in any manner to ensure this continued safety.
 - 4.3. When the incident involving domestic misconduct occurs in a jurisdiction other than that of this department:
 - 4.3.1. The department person notified of this incident shall immediately notify an on-duty supervisor who in turn shall notify his/her commanding officer(s).
 - 4.3.2. That on-duty supervisor shall make immediate contact with the involved agency to ensure that our department is kept on notice of the progress of the investigation.
 - 4.3.3. If possible that on-duty supervisor shall ensure that the employee and the persons involved are aware that the department will assist them during this process.
 - 4.4. Once a supervisor becomes aware that a department employee has been involved in any domestic misconduct situation a written summary of the incident will be written by that supervisor and immediately forwarded through their chain of command to the Chief of Police.
 - 4.5. Training:
 - 4.5.1. The Sioux Falls Police Department provides annual training in the area of domestic abuse.



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Policy: Sexual Misconduct	Related Policies:	Section #: 100 Standards / Conditions of Employment
		Policy #: 124
		Effective: 9/2023
		Page 1 of 3
<p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i></p>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose: Law enforcement officers are empowered with authority by their government to protect the public from criminal activity. When an officer abuses this authority for sexual purposes, and violates another person, the officer not only commits a crime against the victim, but also damages the credibility and trust of the entire law enforcement community with the public. The purpose of this policy is to caution all officers that any violation of the public trust involving sexual misconduct will result in severe consequences including prosecution to the fullest extent possible.
2. Policy: It is the policy of this department to train all officers concerning the potential for criminal sexual misconduct within law enforcement, how to recognize it, and the requirements for reporting any violation to the appropriate authorities.
3. Definitions:
 - 3.1. **Criminal Sexual Misconduct:** The abuse of authority by a law enforcement officer for sexual purposes that violate the law.
 - 3.2. **Sexual Misconduct:** Any sexual activity while on-duty which is influenced by an officer's authority. Sexual misconduct includes but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.

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3.3. **Intimate Part:** Genital area, inner thigh, groin, buttocks, or breasts of a person.

3.4. **Actor:** The person accused of sexual assault.

3.5. **Sexual Contact:** Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person.

4. Procedure:

4.1. Sexual activity of any nature while on duty is prohibited.

4.2. Sexual Misconduct is prohibited and shall be disciplined up to and including termination.

4.3. Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.

4.4. A police officer shall not engage in sexual contact with another person who is in custody and such officer has supervisory or disciplinary authority over such other person.

4.5. Training: All sworn officers of this department including supervisors will receive specific training about the elements of sexual misconduct involving law enforcement officers. The training will also include all elements of this policy.

4.6. Reporting Requirements: Any employee of this department, who is made aware of any violation of this policy, is required to report the violation to their supervisor. The supervisor will immediately contact command level personnel through their chain of command. An investigation will immediately ensue in accordance with established investigative policy. The investigation will involve other investigative elements of the department as necessary and any forensic evidence will be protected and processed immediately. The accused officer's supervisor will not attempt to resolve a complaint of this nature with the complainant.

5. Discipline:

5.1. Any officer found to be in violation of the provisions of this policy shall be disciplined up to and including termination and criminal charges where established.

5.2. Any employee having knowledge of a violation of this policy, who fails to report said violation should also be disciplined up to and including dismissal and criminal charges if appropriate. If the violation involves supervisory personnel, the reporting officer will

notify the appropriate command level officer and will not be strictly held to his or her chain of command.

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Policy: Duty to Intervene	Related Policies:	Section #: 100 Standards /Conditions of Employment
		Policy #: 125
		Effective: 9/2023
		Page 1 of 3
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference: South Dakota Administrative Rules 2:01:11:10, SFPD Policy and Procedures Section 100, Policy 101		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. It is the purpose of this policy to explain the legal and moral obligation members have regarding their duty to intervene. This duty is embodied in the law enforcement officer’s code of ethics, and in the law. Agency members shall have a clear understanding of this agency’s expectations pertaining to conduct and activities while on and off-duty.

A law enforcement officer has an affirmative duty to intervene on behalf of a citizen whose constitutional rights are being violated in his or her presence by other officers.

Officers of this agency also have a duty to intervene when they observe or hear conduct by a fellow member of this agency that clearly violates the law.

2. Policy:

2.1. This agency is committed to protecting officers who act on their duty to intervene to prevent or minimize misconduct by another agency member.

3. Definitions:

- 3.1. Intervene – to come between, whether verbally or physically, so as to prevent or alter a result or course of events.

4. Procedure:

4.1. Duty to Intervene

- 4.1.1. Use of Force: Officers of this agency have an affirmative duty to intervene when a fellow officer is subjecting a person to excessive force. Any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances shall, when there is a realistic or reasonable opportunity to do so, intervene to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.
- 4.1.2. Officers of this agency must recognize and act upon the duty to intervene to prevent or stop any member from conducting any act that is clearly unconstitutional, or that violates the law. Intervention may be verbal and/or physical. Failure to intervene may subject an officer of this agency to disciplinary and or legal action.

4.2. Required Action – Agency Member

- 4.2.1. When an officer observes another officer engaging in illegal behavior the officer, when presented with a realistic or reasonable opportunity to do so, should intervene verbally or physically, depending on the circumstances.
- 4.2.2. If verbal interventions are not sufficient to stop the act, an officer, when presented with a realistic or reasonable opportunity to do so, should come between the offending officer and the other individual involved.
 - 4.2.2.1.1. Members shall notify a supervisor, after conducting an intervention involving any act that is clearly unconstitutional, or that violates the law, when the officer has a realistic or reasonable opportunity to do so.
- 4.2.3. Render Aid: If any person is injured and requires medical attention, officers of this agency, when presented with a realistic or reasonable opportunity to do so, will render aid in accordance with their training and request medical assistance when necessary.

4.2.4. Supervisor Responsibilities:

- 4.2.4.1. Once learning of an incident involving an officer intervening with another officer, separate all officers involved in the incident.
- 4.2.4.2. Conduct a preliminary investigation to gather any pertinent information that would coincide with the reason for the intervention (e.g., witnesses, BWC footage, videos, area canvass, etc.).
- 4.2.4.3. Ensure all parties involved in the incident complete documentation detailing the circumstances that led to the intervention and what, if anything, occurred once the member intervened.
- 4.2.4.4. Determine whether the actions leading to the intervention constitute misconduct or potential criminal conduct, and then document the findings.
- 4.2.4.5. Report the incident, when the supervisor has a realistic or reasonable opportunity to do so, through the chain of command to the Chief of Police and document the findings.