

1. Sgt. Mason, the 41st Precinct Patrol Supervisor, responds to the following radio runs during her tour:
 1. A hijacking of a truck filled with electronic equipment in which the driver receives a serious injury from a switchblade knife, but is not likely to die
 2. A family dispute where the wife stabs her husband with a screwdriver and he is likely to die
 3. A 21 year old male who engages in sexual intercourse with a 16 year old female who has given her consent
 4. A burglary of a hardware store where the alarm is circumvented by the perpetrator.

In accordance with PG 212-04, "Crime Scene," for which of the above radio runs is Sgt. Mason required to request the Crime Scene Unit?

- A) 1 and 2 only
 - B) 1 and 3 only
 - C) 2 and 4 only
 - D) 3 and 4 only
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2. Sergeant Grant, the 19th Precinct Patrol Supervisor, has just arrived at the corner of 86th Street and Lexington Avenue, the scene of a robbery in the past where a serious physical injury was caused to the victim with a blackjack, which; according to the NYS Penal Law, is specifically as a defined deadly weapon. In accordance with PG 212-04, "Crime Scene," Sergeant Grant would be most correct in this situation to:
 - A) Request the Crime Scene Unit direct by telephone, or if landline is unavailable, through Communications and direct that "POLICE LINE DO NOT CROSS" BARRIER TAPE be utilized to secure the crime scene.
 - B) Request the Crime Scene Unit direct by telephone, or if landline is unavailable, through Communications and direct that "CRIME SCENE DO NOT CROSS" BARRIER TAPE be utilized to secure the crime scene.
 - C) Request the Crime Scene Unit direct by telephone, or if landline is unavailable, through Department issued smartphone and direct that "CRIME SCENE DO NOT CROSS" BARRIER TAPE be utilized to secure the crime scene.
 - D) Assess the crime scene and determine if services of Crime Scene Unit are required.

 3. You are a newly promoted sergeant assigned as the patrol supervisor in a patrol precinct. You have been called to the scene of a crime where the services of the Crime Scene Unit are mandated by P.G. 212-04. Of the following, which would be the least accurate statement regarding your responsibilities?
 - A) You should notify desk officer of details and request additional assistance, if required.
 - B) You should have "Crime Scene" signs posted.
 - C) If you cannot respond to the scene, a detective squad member on scene may request CSU.
 - D) You should request Crime Scene Unit direct, using your Department issued cellphone.

1. C) 212-04, Note after Step 8. You must know this list cold. It appears on almost every test.
 - #1, CSU not mandated. It says ‘hijacking’ which looks good at first but, a hijacking or a robbery must be coupled with and injury **caused by a firearm**.
 - #2, CSU mandated. For an assault you need a DI (Dangerous Instrument –could be anything) and, the level of injury is not mentioned (serious, etc), the victim must be **likely to die**.
 - #3, CSU not mandated. Rape must be **forcible**.
 - #4, CSU mandated. Burglary needs one of two things; safe involved or **circumvented alarm**.
2. D) 212-04, Note following Step 8, as well as the Definitions statement.
 - As noted in the previous question, since the robbery resulted in an injury that was caused by a weapon **other than a firearm**, CSU is not required so D) is the only correct answer.
 - Notice how A) gave you the wrong barrier tape to use and then B) gave you the correct tape; this is meant to cause B) to look correct BUT, both A) & B) and C) for that matter are wrong because you DON’T call CSU for this.
3. D) 212-04, Step 9. The procedure specifically directs **how** to call CSU. It says; by landline or, if none available, through radio. On test day, this wording precludes the use of a cellphone.
 - This sounds ridiculous but, ask the people in your command who have taken a promotion exam in the past; if it’s not in the P.G., on test day, it’s wrong

212-02 Meal Period

8 or 9 hour shift	ONE meal period lasting 1 hour
12 hour shift	TWO meal periods lasting 45 minutes each (non-consecutive)
General Rule	No meal during first or last 1½ hour of tour (except in emergency)

If taking lost time:

- Must be scheduled for 8 consecutive hours to be eligible for a meal.
- If scheduled for a full tour and request lost time of 3 hours or less, you ARE eligible for a meal as long as you request the lost time PRIOR to the start of the tour.

While on extended tour overtime for an arrest or other police necessity

🔑🔑🔑 Not in last **1½** hour generally, not in last **1** hour on extended tour.

- **Only** if assigned meal was denied during regular tour, a supervisor may grant meal.
 - If you got a meal you may be granted breaks commensurate with expected duration of OT.
- Meal on extended tour may NOT be granted if interferes with arrest process or needs of the service.
- Under no circumstances will rescheduled meal on extended tour be assigned during **last hour**.
- Once the event that necessitated the extended tour overtime ends, a member who has not yet taken a meal period is precluded from taking any meal thereafter.

Outside Details (e.g., parades, events, etc.)

- If denied a 1-hour meal, you're entitled to a credit of one 1-hour compensatory time at straight time.
 - However, comp time is NOT available if meal was denied due to exigent circumstances.
 - **Commanding Officers** of outside details are responsible to submit a written communication to the Office of Labor Relations detailing actual exigents. Police Commissioner makes final determination.

Out of precinct meal location:

- Pct C.O. may designate (**by 49 to Borough C.O.**) part of an adjoining pct where members may obtain meals during the hours a suitable eating facility is not available within the precinct of assignment.
- When so authorized, you must request and obtain permission from immediate supervisor to leave the command and advise that supervisor of the intended meal location.
 - If immediate supervisor is not available, notify bureau/borough operations/field operations desk of meal location. Notification must include **scheduled tour and expiration of tour**.
 - Enter in appropriate Dept. record (A/L, Movement Log, etc.) the name of the supervisor notified and the location where the meal was taken.

No Consuming Intoxicants in plainclothes

- On-duty, **uniform or civilian clothes**, strictly prohibited from consuming any amount of intoxicants
- This includes members during their meal period.
- However, in civilian clothes, Bureau Chief/counterpart may grant permission by nature of assignment.

UMOS

While on meal, you're still on duty so REMAIN ALERT!

- Take meal in a police facility, bonafide restaurant or Department vehicle.
 - Housing must be within PCT assigned to for that tour –can be PSA as determined by Chief of Housing.
- Notify radio dispatcher of location at beginning of meal –if at dept facility, notify D.O.
- Commence and end meal period on assigned post. Travel time not authorized.

Foot Post/Transit Post

- Obtain meal on assigned post, if possible, and in a place maintained for eating purposes.
- Make **ACTIVITY LOG** entry prior to leaving AND upon returning to post w. meal location address.
- Inform radio dispatcher upon return to post and make **ACTIVITY LOG** entry.

Do not park more than 1 Dept vehicle in same place at same time.

RMP

- Notify dispatcher (63) prior to commencing meal period and upon return to patrol and provide:
 - Address if restaurant, Nearest intersection if in RMP, “Stationhouse” when in command facility.
- If in cmd facility, remain in area designated by C.O.–be available for assignment by Desk Officer.
- Acknowledge calls directed to unit and remain within assigned sector, when practical
 - Comply with request for police service and make A/L entry.
- Notify Desk Officer when deprived of scheduled meal due to police service.

Transit & SOD remain within “geographic area of assignment.”

Desk Officer

- Take meal, when appropriate, providing another supervisor is assigned to cover desk.
- Make accommodations, if possible, so members are not deprived of meal, if their originally scheduled meal is delayed due to police services rendered.
 - Assign a P.O. for relief of RMP operator or recorder, when necessary.
 - Assign a P.O. to provide meal relief for member assigned to fixed post, if available

P.O. assigned as RMP meal relief

- Remain in view on post, assume duties as RECORDER
- Operator: Transport relieved member to meal location
- Relieved Member: Notify D/O if RMP fails to return within 15 minutes after end of meal.

Patrol Supervisor

202-17 says P/S notify TS.

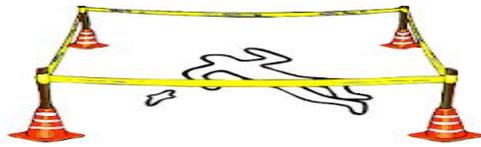
- Notify radio dispatcher, via landline, from meal location when commencing meal period.
- A/L entry at beginning of meal (include address) and upon conclusion of meal period.

UMOS in Civilian Clothes

- Request permission from Immediate Supervisor PRIOR to taking meal & inform of location.
- Call Borough/Bureau Operations desk/field ops desk if Immediate Supervisor not available.
- Put name of supv & meal location in appropriate Dept. record (A/L, movement log, etc.)

212-04 Crime Scene

UMOS



- Request response of Patrol Supervisor & PDS/ Specialty Unit required through dispatcher.
 - Advise P/S & Detectives of witnesses detained and other info regarding the case.
- Remove unauthorized persons, secure Crime Scene and do not disturb evidence found at the scene.
- Initially secure LARGE area when uncertain. Detain witnesses & persons with pertinent information.
- Utilize Barrier Tape(s) as appropriate.
- A/L: observations & ID, address, phone #s & statements (casual or formal) of suspect/witness

Patrol Supervisor

🔑 In 216-04, DOA, **detective** notifies CSU.

🔑 Key Note:

- On test day, DON'T use dept issued cell phone!!

- Assess the scene & determine if Crime Scene Unit services are required.
- Call CSU direct on landline or *if no landline available*, through dispatcher.
 - Be specific; cross streets, apt #, etc. also; time, date, crime, weapon, # of vics, hospital removed to.
 - If P/S can't respond to scene, detective **on scene** MAY request CSU & other req. notifications.
 - A member of the assigned investigative unit must be present upon arrival of CSU to outline the crime scene and discuss evidence collection and processing.
 - In their absence, the patrol supervisor or other ranking officer should perform this function.

Patrol Supervisor/Detective request CSU For **HARBOR**:

- **Homicide**. Aggravated assault w/dangerous instrument **and** victim likely to die.
Rape (forcible). **Burglary** involving forced safe or circumvented alarm. **Other** crime in which CSU services will assist the investigation. **Robbery** OR hijacking w/injury caused by firearm.
- Notify D/O of details & request add'l assistance if required. Have "Crime Scene" signs posted

Barrier Tapes

There are 2

Both tapes have this on them too:
...NYPD Crime Stoppers 1-800-577-TIPS(8744)

- POLICE LINE DO NOT CROSS –white tape with blue letters.
 - To establish a 'secure area' for police operations; close streets, secure transit facilities, etc.
- CRIME SCENE DO NOT CROSS –yellow tape with black letters.
 - For a specific area that must be safeguarded because objects within may be evidence, etc. possibly **within** areas secured by the Police Line tape.
 - Only authorized, trained, equipped, actively involved personnel whose presence is absolutely required will be permitted –absent exigents involving life or safety.
 - Deployment of tape for any other reason is strictly prohibited.

Whose duty is it to "Utilize barrier tape as appropriate"?

- In 212-04, Crime Scene, it's the UMOS.
- In 212-05, Transit Crime Scene, it's the Patrol Supervisor!!!

212-08 Activity Logs

UMOS below Captain keep an A/L except:

- MOS that work *permanent* administrative/clerical (unless assigned to parade, etc –then use one)

Record in ACTIVITY LOG:

- Information from roll call *before* start of tour including Day, Date, Tour, Assignment, Meal, Name of operator/recorder/partner –when applicable, School/Church Crossing –if applicable
- Operator, list vehicle inspection results (**COG**) Condition of vehicle, **O**dometer reading, **G**as
- Carry A/L in leather binder. Use black OR blue ink, use back side of page for notes, diagrams, etc. Do NOT erase –draw single line through error & initial, don't skip lines or pages, don't tear out pages, print legibly, may use abbreviations. Submit to boss upon request & direct att'n. to matters of concern.

Chronologically list (these are made ONLY by Recorder, Operator may write “See Recorder’s A/L”)

- Assignments with time received & given back with disposition –also location, origin, and code signal.
- Information pertinent to an assignment like action taken, narrative disposition, forms prepared with identifying serial numbers AND if any off-duty UMOS are involved in any off-duty incident, include their name, rank, shield and command.
- Task performed. Absences from post/sector. Rank & SURname of supv responding to assignment.
- Other entries required by Department directives.
- EOT entry to include odometer reading, signature and shield number, if any.
 - Though this list of ‘Chronological’ entries aren’t made by the Operator, operator must still make entries re; enforcement action taken to assist in recollection of the event at a later time.

Supervisors

- Comments relating to a members activity will be made known to member’s *immediate* supervisor.
- Sign cops ACTIVITY LOG to indicate inspection/supervision.

The sequence of entries when a boss scratches a cop’s A/L was asked on TWICE on past exams

- ... insert on the next open line, **Date, Time, Rank, Signature and Comment if any. (D, T, R, S, C)**

UMOS Permanently transferred

- Submit A/L to old supervisor who signs & notes in distribution record under remarks.
- Bring it to a supervisor at the new pct who signs & makes entry in **REAR** of distribution record.

No selling Activity Logs on E-Bay

- Even after you retire/quit you must still maintain A/L, they may be needed in court (criminal/civil)
- A/L contains confidential info, you CANNOT sell/give them to anyone except the Department
 - It’s against the law (NYC charter) & is punishable by fines and could be a MISDEMEANOR

212-11 Investigative Encounters (Stop, Question & Frisk)

Level 1	Level 2	Level 3
<u>Request for information</u> –based on “Objective Credible Reason”	<u>Common Law Right of Inquiry</u> –based on a “Founded Suspicion”	<u>Terry Stop</u> –based on “Reasonable Suspicion”
ID self verbally & display shield,if practicable.	ID self <i>by giving Rank, Name, Shield, Command</i> & display shield, <i>absent exigent circumstances.</i>	ID self <i>by giving Rank, Name, Shield, Command</i> & display shield, <i>absent exigent circumstances.</i>
Ask <i>only related</i> questions	May ask accusatory questions	May ask accusatory questions
xxx	xxx	Notify radio dispatcher
<ul style="list-style-type: none"> • May <i>not</i> use force • May <i>not</i> detain • May <i>not</i> ask to search 	<ul style="list-style-type: none"> • May <i>not</i> use force • May <i>not</i> detain • May ask to search 	<ul style="list-style-type: none"> • May use force • May detain • May ask to search
No Paperwork	Offer them a RIGHT TO KNOW BUSINESS CARD.	
	If you asked to search, make COMMON LAW RIGHT OF INQUIRY – CONSENT SEARCH REPORT.	STOP REPORT ACTIVITY LOG

Steps for Level 1 Encounter “A Request for Information”

- Approach person if there is an **objective credible reason** to do so.
- ID self verbally **and** by displaying your shield in a conspicuous manner, if practicable.
- DO NOT detain person, use or threaten the use of force, or request consent to search.
- You may seek information and ask general, non-threatening questions related to the reason for the approach. However, pointed and accusatory questions are not permitted.
- They may refuse to answer and are free to leave. False or inconsistent information at **any** level may escalate the encounter.
- May inform that they’re free to leave, but you’re not required to unless they specifically ask.
- Should explain reason for the encounter, unless it would impair a criminal investigation.
- May engage protective measures in **the rare** Level 1 encounter when you have a reasonable concern for your safety, either because of the nature of the approach or the individual’s behavior.

- **Protective Measures** defined: Even if no reasonable suspicion that a person is armed and dangerous, here are tactics, short of a frisk, when you reasonably perceive your safety is at risk. These include ordering;
 - hands out of pockets (you can even force them out if they refuse),
 - put down or step away from an otherwise lawful object that could be a weapon,
 - grabbing their hands, if circumstances suggest they may be grabbing a weapon,
- Return items lawfully possessed & removed at the conclusion of the encounter (unless they end up arrested).
- Can engage protective measures at Levels 2 & 3. In **rare** occasions, may do at Level 1.

Since the paperwork begins at Level 2, let's recap the 3 main documents now;

- **COMMON LAW RIGHT OF INQUIRY –CONSENT SEARCH REPORT (CLRI)**
- Only made in L2 –and not always made; only made **if** you request consent to search.
- Submitted through FORMS, **not** reviewed by a supervisor.

STOP REPORT

- Only made in L3.
- Submitted through FORMS and reviewed by Sgt **and** ICO –all electronically.
- Sgt documents corrections to incomplete or inaccurate **STOP REPORT** in FORMS.

RIGHT TO KNOW BUSINESS CARD (RTKBC) & RIGHT TO KNOW BUSINESS CARD –GENERAL (RTKBC-G)

- RTKBC is pre-printed with your Rank, Last Name, Shield # with blanks for command & phone #, the RTKBC-*General* has blanks for you to fill in your ID when/if your RTKBCs run out.
- Given out in Levels 2 **and** 3 when you ask accusatory questions and/or ask for consent to search.
- NOT submitted through FORMS, given to the person you question, so not reviewed by a supervisor.

Steps for a Level 2 Encounter “Common Law Right of Inquiry”

- Approach person if you have a founded suspicion of criminality.
- ID self by giving rank, name, shield, command & display shield conspicuously, absent exigents.
- DO NOT detain the person or use or threaten the use of force.
- You may seek information and ask questions, including pointed and accusatory questions.
 - Offer **RIGHT TO KNOW BUSINESS CARD (RTKBC)** or **RIGHT TO KNOW BUSINESS CARD–GENERAL**, as appropriate, as per 203-09, *Public Contact*
 - They may refuse to answer & are free to walk away BUT if they **run**, you may pursue
- You may request consent to search; the consent must be voluntarily given.
 - Ask to elicit a clear ‘yes’ or ‘no’ Make clear you won’t search if they don’t consent.
 - For example, in a non-threatening manner and without making promises, you may ask: “*I can only search you, if you consent. Do you understand? May I search you?*”
 - If you have a BWC, you **must** video record the request **and** the person’s response,
 - Document time, location, date, consent, refusal, search if performed, and apparent race, ethnicity, gender, & age of person, your name, pct, tax and/or shield # on **COMMON LAW RIGHT OF INQUIRY (CLRI) – CONSENT SEARCH REPORT.**
 - Offer a **RTKBC** in all cases and, if applicable, tell them how to obtain a copy of the video.

- **DON'T have to ask for consent to search (or make a CLRI) when;**

- ✓ Security search at a public building or facility, location, event, or gathering, including random security checks in MTA facilities
- ✓ Exigent circumstances require your immediate action
- ✓ You reasonably expect danger of physical injury, an imminent risk of property damage, the imminent escape of a suspect, or the imminent potential destruction of evidence.

- May inform them they're free to leave, but not required to unless they specifically ask.
- May engage protective measures, when you have a reasonable concern for your safety.
- Explain reason for encounter, unless it would impair a criminal investigation.
- DON'T offer **RTKBC**, if it ends in arrest or summons, unless requested.
- NOT required to ID self, explain encounter, or offer **RTKBC** when:
 - Engaged in undercover activity or operations.
 - Exigent circumstances require your immediate action.
 - Reasonably expect danger of physical injury, an imminent risk of property damage, imminent escape of a suspect, or the imminent potential destruction of evidence.
 - Doing a security search at a public building or facility, location, event, or gathering, including random checks in MTA facilities, unless requested by subject of the search
 - Verifying ID of a person seeking entrance to an area restricted due to a public health, public safety, or security concern, such as a terrorist attack or a natural disaster.

Moving from Level 1/Level 2 where you **can't** detain, to a Level 3 where you **can** detain:

- During a Level 1 or Level 2 encounter, you may not create a situation (either by words or actions) where a reasonable person would not feel free to walk away.
- May detain if a properly conducted Level 1 or Level 2 encounter yields **reasonable suspicion** that the person committed, is committing, or is about to commit a felony or PL misd –then it becomes a L3.

Steps for a Level 3, "Terry Stop"

- Upon reasonable suspicion of a Felony or PL Misdemeanor; stop, detain & investigate.
- Notify radio with location, # of persons stopped and if additional units are needed.
- ID self by giving rank, name, shield, command & display shield conspicuously, absent exigents.
- Question to see if there's probable cause to arrest.
- You may ask pointed and accusatory questions related to the reason for the stop.
 - Refusal to answer does NOT establish probable cause (PC).

"Terry" –Federal case (Supreme Ct) gives us authority to (forcibly) stop & *possibly* frisk based on Reasonable Suspicion.
"DeBour" –State case (NYS Ct of Appeals) spells out the 3 levels; 1. Request for info with no suspicion. 2. Common Law right of Inquiry with a founded suspicion. 3. Forcible stop based on Reasonable Suspicion {4. Arrest on Probable Cause}.

- Refusal to ID themselves, does NOT establish probable cause either but, request patrol supervisor to respond to verify refusal –and do NOT detain if investigation complete & no PC.
- Offer **RTKBC**, as appropriate, as per *203-09, Public Contact*
- You may request consent to search; the consent must be voluntarily given.
 - Substeps here are the same as in L2 (see last page) with one exception; document the request on a **STOP REPORT** instead of on a **CLRI** –but still offer a **RTKBC** in all cases, search or not.
- Reasonable force may be used to stop a person.
- May engage protective measures, when you have a reasonable concern for your safety.
- You may frisk if you have reasonable suspicion that the person is armed and dangerous.
- You may detain as long as necessary to confirm or dispel suspicion that she/he was committing, committed, or was about to commit a felony or Penal Law misdemeanor.
 - Authority to detain ends when the tasks tied to the reason for the stop are completed or reasonably should have been completed.
- Explain reason for encounter, unless it would impair a criminal investigation.
- Put suspect’s name, address, and any additional info that required in an A/L entry.
- Do not transport or otherwise move suspect unless they voluntarily consent or there is an exigency necessitating relocation (e.g., hostile crowd, threat to safety, hospital show-up, etc).
- Release person immediately after completing investigation if probable cause does not exist.
- DON’T offer **RTKBC** if it ends in arrest or summons, unless requested.
- Exceptions to ID self, explain encounter, & offer **RTKBC** are the exact same as in L2 (see last page).

Frisk and Search

- If you develop reasonable suspicion (RS) that a person is armed and dangerous, you may frisk for a deadly weapon (DW) or anything readily capable of causing *serious* physical injury and of a sort not ordinarily carried in public places by law-abiding persons.
- This reasonable suspicion can come from observations OR the facts and circumstances;
 - If the crime you stopped them for is violent (assault with DW, burglary, rape, robbery, etc.)
 - Observation of something you reasonably suspect is a weapon
 - Statement by the suspect stopped that she/he is armed
 - Info that the suspect may be carrying a weapon, like statement from victim or witness
- The purpose is to ensure your safety, not to locate evidence of a crime, such as drugs.
- There is no requirement to question a suspect prior to conducting a lawful frisk.
- Conduct the frisk by carefully running your hands down the outside of the person’s clothing.

- Where the frisk reveals an object that you reasonably suspects may be a weapon, you may search only those interior portions of the stopped person’s clothing to remove the weapon.
- To frisk a **bag or other** personal property need RS the bag/item could contain a weapon *and* is within the person’s reach. If the bag/item is soft, run your hands down the outside and open it *only* if you feel the contours of what you believe is a weapon. If it’s rigid and unlocked, you may open it to ensure it doesn’t contain a weapon. If locked, you need either a search warrant or consent.
 - This step does not apply to mass transit checkpoint inspections of backpacks, containers and other carry-on items that are capable of containing explosive devices.

CLRI-CONSENT SEARCH REPORT

- For EACH person you request consent to search in Level 2, make 1 **CLRI-CONSENT SEARCH REPORT**
 - Prior to EOT, input to FORMS & select “Check” to submit ...*PERIOD*

STOP REPORT

- For EACH person stopped at Level 3, make 1 **STOP REPORT**.
 - Prior to EOT, input to FORMS & select “Check” to submit **to Patrol/Unit Supervisor**
- If they refuse to ID themselves, check “REFUSED” in appropriate space.
- Select all relevant factors if more than one descriptive term applies.
- Describe in plain language (not the numeric Penal Law sec.) the specific felony or PL misd you suspected them of having committed, committing or was about to commit.
- In “Narrative” there are two captions where you *use your own words*...
 - “Narrative (Describe Circumstances That Led to **Stop**)” put the facts & info relied on to conclude there was reasonable suspicion of felony or PL misd.
 - “Narrative (Describe Circumstances That Led to **Frisk and/or Search** if conducted, include area searched)” put facts and info relied upon to conclude there was reasonable suspicion that person stopped was armed and dangerous.
 - In addition, if search conducted, describe basis for the search, specific area searched, and whether a weapon or other contraband was recovered.
- You’ll be prompted to identify the “Reviewing Supv” in FORMS.
- From the dropdown menu that appears, enter name OR tax of boss currently on duty & select them.
 - Pick *your immediate* supv if they’re assigned to duty with the squad/unit & available to review
 - If not assigned to an immediate supv OR they’re not available, put name or tax of another supervisor on duty with the squad/unit (eg: patrol supervisor, detail supervisor, etc).
- NOTIFY “Rev Supervisor” that Stop Report was submitted to their INBOX in FORMS for review.

FORMS times you out after
55 mins so click “Save”

‘Result of’ versus ‘Summary’

Summary arrest is where you roll up and observe the crime, not the *result* of an investigation –no Stop Report made for Summary arrest.

If an investigative encounter *results* in an arrest or summons

- Don’t offer an **RTKBC** if encounter results in arrest or summons, unless requested.
- DO make a **STOP REPORT** if encounter *results* in arrest or summons (but not for a “summary” arrest).
 - When they say summons, they mean “C” or OATH, not every mover –unless you frisked ‘em.

Activity Log Entry (Level 3)

- Date, time, location & ICAD number, if applicable.
- Pedigree (name, DOB, address, phone #), unless refused, and detailed description of person stopped.
 - Document refusal to provide pedigree. Pedigree is not captured electronically (STOPREPORT) so is only recorded in A/L –do NOT put pedigree in “narrative” of STOP REPORT either, wise guy.

Submit paper to boss

- Prior to EOT, submit **STOP REPORT & A/L** to patrol/unit supervisor for review.
 - Reviewing supervisor must be at least 1 rank higher than member.
- Inform the supervisor of facts of the stop and, if conducted, frisk, and/or search

Patrol Supervisor/Unit Supervisor

- Respond to the scene of stops when feasible.
- Discuss circumstances of stop and review **STOP REPORT** in FORMS using a Department mobile device (e.g., cellphone, tablet, etc.), or desktop, if available, by selecting “Signoff.”
- Determine whether all captions are completed and all relevant check boxes are checked.
- Confirm **STOP REPORT** states in plain language a specific suspected felony or Penal Law misd.
- Determine if the two “Narrative” captions (see cops’ steps) include the facts and circumstances relied upon to develop Reasonable Suspicion for the stop and for the frisk and/or search, etc.
- Complete “Supervisory Action (Must Complete)” caption and consider facts as conveyed by MOS and recorded on the **STOP REPORT** to determine 3 things;
 - Was stop based on RS of Felony or PL Misdemeanor
 - Was frisk supported by RS person was armed & dangerous,
 - Was there a reasonable basis for search?
- If appropriate, instruct MOS and/or refer for additional training/other remedial action, including, if appropriate, disciplinary action and indicate such in the “Follow-Up” caption.
- Complete all captions in the “Reviewing Supervisor” section.

STOP REPORT *not* Accurate or Complete

- If, based upon review of **STOP REPORT**, A/L entry and discussion with UMOS, the **STOP REPORT** requires additional information:
 - Following the question “Report Accurate and Complete?” check “No.”
 - Enter instruction to MOS in the “Note” section in FORMS.
 - Select “Check” to *return* report to MOS for correction.

STOP REPORT *is* Accurate and Complete *but* stop was not good

- If the report is “Accurate and Complete” (i.e., all captions filled out and narrative contains adequate details) but after review it is determined there was not a sufficient basis for the stop or frisk or search, indicate such by checking the appropriate field(s) on the electronic form.
 - Select action taken from “Follow-Up Action (If appropriate)” section, and **approve** the report.

STOP REPORT prepared in Error

- If **STOP REPORT** made in error (made for a Level 1 or 2 encounter or for an arrest/summons that wasn't the *result* of a level 3 stop, then “select the appropriate fields and **approve** it BUT note in “Comments” section that it was prepared in error and the reason.

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- Following the prompts in FORMS “Approve” and “Finalize” the **STOP REPORT**.
 - Review member's A/L entry and ensure the detailed description and the pedigree information of person stopped is included and legible, unless the person stopped refused to provide the information.
 - If force used, determine if force was reasonable under the circumstances of the encounter.
 - Prior to EOT, electronically “sign-off” on **STOP REPORT** & return A/L upon completion of review
- UMOS
- Upon rejection of **STOP REPORT** from the reviewing supervisor, access report from FORMS “Inbox,” go to the “Actions” tab, select “Edit” and make the directed corrections.
 - Select the “Check” icon to resubmit to supervisor for review and approval.
 - Prior to EOT, make copy of A/L entry detailing Terry Stop and submit to the desk officer/designee
- Desk Officer/Designee
- Log into FORMS and “SEARCH” for all **STOP REPORTS** prepared during tour.
 - Print out “approved” **STOP REPORT** from queue and attach to copy of A/L submitted by UMOS.
 - Put **STOP REPORT** and A/L copy in **STOP REPORT binder** maintained at the desk in sequential order.
 - Non-Pct/PSA/TD, maintain **STOP REPORT binder** with copies of **STOP REPORT** by your cops
 - Also **Stop Report Index** will be printed out daily and be maintained in the command binder.

ICO

- Personally conduct, as per QAD's self-inspection program, self-inspection of **STOP REPORT**.
- Ensure patrol/unit supv reviews **STOP REPORT & A/L** & that appropriate actions are taken when nec.
 - Determine if supv appropriately reviewed stop, frisk, search, force -if used, by considering if they examined the info on the **STOP REPORT** and evaluated if it supports conclusion of R/S.
 - Take appropriate remedial action if warranted, including discipline if appropriate.
 - Inform C.O. & Training Sgt of matters of importance including deficiencies/patterns.

XO

- Personally conduct, in conformance with the Quality Assurance Division's self-inspection program, the command self-inspection of "POLICE INITIATED ENFORCEMENT.

C.O.

- Assume responsibility for the integrity of the administration of this procedure.
- C.O. of other than PCT/PSA/TD, designate a Supv to perform duties of D.O. in this procedure.
 - Photocopies of **STOP REPORTS** will be sent via Department mail to precinct of occurrence daily who will then place them in sequential order in their **STOP REPORT** command binder.
 - Quarterly (Jan 1, April 1, July 1, Oct 1) ensure binder is cleared & reports filed by year.
- Consult with XO, ICO, SOL, platoon commander, training sgt, patrol/unit supervisors to ensure the constitutionality/effectiveness of stops & to ID training needs and remedial/disciplinary action req'd.
 - 49 to C.O, Legal Bureau requesting remedial training for MOS identified as having a deficient understanding of the law pertaining to street encounters –**But Wait!**;
 - Mostly, instruction and training should be at command level. Application of the law in this area can be complicated, and investigative encounters are fluid where one event or observation can alter the level of suspicion or danger. A single erroneous judgment will not generally warrant referral to the Legal Bureau for retraining. However, MOS who evince a lack of comprehension of the core concepts of the law governing this procedure should be referred.

Training Sergeant

- Conduct command level training to help ensure compliance with this policy.
- Periodically review and ID command and individual training needs & necessary remedial actions.
- Record sessions in TACTICS (Training Attendance Certification Transcript Integration Collection System) to assist with future review and analysis of command's compliance and training in investigative encounters.
- ID MOS who have been referred for training in Stop Reports and ensure that training is conducted. Also, track, record and report such training to C.O. on a quarterly basis.

Legal Tactics

Requesting identification documents

- At any level, you can ask them to verbally ID themselves or present ID document to verify.
- At L1 or 2 you can't create a situation where they don't feel free to leave.
- Other than motor vehicle/motorcycle operator, people are not required to possess/present ID.
- Refusal or inability to produce ID alone will not elevate the encounter.
- Absent probable cause the person committed an offense, they may not be arrested or removed to Dept facility for further investigation just because she/he refused to produce ID.

Reasonable Suspicion

There are many facts and circumstances that may lead you to conclude there is reasonable suspicion a person has committed, is committing or is about to commit a felony or PL misd. Each situation is unique and the information available will vary but may include;

- Information received from third parties.
- Actions of the suspect. Suspect's physical and temporal proximity to the scene of a crime.
- Suspect's resemblance to specific description of a perp (based on more than just race, age and gender)
- Information known to you about the suspect or particular location, among other factors.

Furtive Movements and High Crime Area

- "Furtive movements" or mere presence in "high crime area," alone, are *insufficient* for a stop or frisk
- Even in combination with other stop factors, you must be able to specifically describe suspicious nature of "furtive movements" and must not define "high crime area" too broadly, such as encompassing an entire precinct or borough.

They matched the description...

- Person may *not* be stopped merely because they match a generalized description of a crime suspect, such as an 18-25 year old male of a particular race.
- If a physical description is the only factor relied on, it must be more specific.
- Individuals may not be targeted for stops and frisks because they are members of a racial or ethnic group that appears more frequently in local crime suspect data.
- Race may only be considered where stop is based on a specific and reliable description that includes not just race, age and gender, but other identifying characteristics and information.
- When a stop is based on reasonable suspicion that a person fits such a description, you may consider their race just as you would consider the suspect's height or hair color.

When performing patrol in uniform, all UMOS below Captain are required to carry A/L inserts;

- **Investigative Encounters and Supplemental Instructions For Preparation Of Stop Report**