

TOPEKA POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL
4.30 PATROL FUNCTION AND CALLS FOR SERVICE

Standard Operating Procedure: Patrol Function and Calls for Service		
4.30	EFFECTIVE: 01-22-2020	<i>William Cochran</i> William Cochran, Chief of Police
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4.30.1 PURPOSE

The Department maintains patrol services that provide immediate response to crimes, traffic problems and community needs. Field Operations shall provide law enforcement response to emergencies and other service calls 24 hours a day, seven days a week, in the incorporated area of the City.

4.30.2 POLICY

To provide policies, procedures and guidelines to members of Field Operations and any other employees involved in patrol related functions.

4.30.3 PATROL FUNCTION

A. The following are the primary functions of Field Operations:

1. Respond to calls for service, both routine and emergency in nature;
2. Investigation and accurate reporting of crimes, incidents and conditions;
3. Arrest of criminal offenders;
4. Patrol directed at the prevention of criminal acts, vehicle related violations and accidents, the maintenance of public order, and the discovery of hazardous situations;
5. The sharing of information with other members of the Department, as well as other governmental agencies;
6. Crime prevention activities such as residential checks, business inspections, and community presentations.
7. Community relations activities such as citizen assists and individual citizen contacts of a positive nature; and
8. The application of the community policing to establish a partnership with citizens to improve their quality of life and provide a sense of safety and security to community members.

B. In order to provide continuous service, Field Operations operates on a 24 hour basis. Shifts are designed to provide sufficient staffing during days and times of peak activity. Shift assignment determines days off.

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- C. The minimum shift strength in Field Operations is established by the designated Commander with the approval of the Chief of Police in accordance with workload assessments. These levels will be reviewed regularly to determine current needs.
- D. Shift supervisors are responsible for considering leave requests based upon staffing needs in accordance with current union contract.

4.30.4 BRIEFINGS

- A. Daily briefings shall be held at the beginning of each shift both as an information exchange period and as a training period. Briefings should generally be 10 minutes or less.
- B. At a minimum, briefings shall be used to accomplish:
 - 1. Inspecting and evaluating officer's readiness to assume patrol;
 - 2. Notifying officers of assignments;
 - 3. Providing officers the opportunity to exchange information;
 - 4. Providing officers the opportunity to receive information from the previous shifts; and
 - 5. Training.

C. Additional Review

At the beginning of their shifts or as soon as practical, officers shall review the following items:

- 1. Briefing materials (if unable to attend briefing); and
- 2. E-mail.

D. Shift Supervisor Responsibilities

Shift supervisors shall be responsible for reviewing the information in the briefing folders and removing any outdated information.

4.30.5 CALL RESPONSE

- A. Calls for service shall be dispatched by SCECC based on their nature and seriousness.
 - 1. TPD supervisory personnel may direct personnel to a particular incident as he or she deems necessary.

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- B. Normally two or more officers will be assigned to respond to crimes in progress or any call with a heightened potential for violence (i.e. - disturbances, domestic complaints, suicide attempts, etc.).
1. Officers shall use back-up officers when dispatched information indicates the possibility of a violent situation. In these cases, officers will not advise to disregard a back unit until they have arrived and assessed the actual need for one.
- C. Patrol supervisors shall respond to the scene to assume command or closely monitor the Department's response of major incidents including:
1. Any crime scene of a violent felony;
 2. The scene of fatality traffic crashes;
 3. All traffic crashes involving a Department vehicle or employee;
 4. All unattended death and suicide calls;
 5. Bomb threats; and
 6. Any other major incident in which patrol officers may require supervisory assistance or when requested to respond by an officer.
- D. Responding to Injury Traffic Crashes
1. Officers arriving on scene of a reported injury traffic crash will request a patrol supervisor to the scene when the injuries sustained are determined to be of a serious nature; i.e. medical triage "code red" or higher.
- E. Patrol officers are responsible for the preliminary investigation of all reported incidents. Patrol officers shall conduct thorough preliminary investigations and follow-up investigations within the constraints of time, expertise, and geography unless advised to do otherwise by a supervisor.
- F. On calls in which officers respond to assist other agencies (i.e. - fire assist, emergency medical service assist, etc.) officers will be diligent in assessing the scene or patient for signs of a criminal act being the cause of the call and making an appropriate investigation and notifications.
- G. The responding officer or supervisor shall call for CSI on the following:
1. Any call involving a deceased human body no matter what the circumstances may be;
 2. Offenses involving life threatening injuries;
 3. Rape where a crime scene has been located; and
 4. Fatality accidents, after the accident reconstruction supervisor determines the need to process the crime scene.

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- H. The responding officer or supervisor should evaluate the crime scene closely to determine the need to contact CSI when the following conditions exist: <42.2.1c>
1. Specialized photography or photographs other than general crime scene photos are needed;
 2. There is need to collect evidence which is beyond the training of the uniformed officer and the uniform officer's supervisor; or
 3. Any other special circumstances which may require CSI.
 - a. The officer will request assistance from a supervisor when there is a question whether to call CSI.

4.30.6 COMMUNICATIONS

- A. Patrol officers shall have constant access to radio communications. Each patrol officer will be equipped with a portable radio.
- B. All radio traffic by patrol units shall be brief and concise. Units shall use plain language or 10-codes and signals in transmissions.
- C. While on patrol, officers should monitor the appropriate channel for the assignment or area of city they are assigned unless otherwise instructed or requested to use another talk group.
- D. Officers shall notify the SCECC of their status when:
1. Called by SCECC to assign a call, the officer will respond with their current location;
 2. Arriving at the scene of an incident;
 3. Making vehicle stops;
 4. Approaching suspicious persons;
 5. Completing an assignment;
 6. Calling in or out of service; and
 7. Changing radio talk groups.
- E. Officers should keep the SCECC informed regarding changes in the nature of a call in order to ensure officer safety and to expedite the efficient handling of incidents.

4.30.7 HANDLING SPECIFIC CALLS FOR SERVICE

- A. Homicide/Suspicious/Fire Death Procedures
1. Obtain witness information when possible by conducting brief witness interviews before allowing witnesses to leave. This information should be passed along to the assigned investigator or to the supervisor upon their arrival at the scene;
 2. Clear the crime scene of all possible suspects, additional victims, and witnesses

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- present. Move them outside the crime scene and separate them, so they can be debriefed after the scene is secure;
3. Request all law enforcement personnel and civilians to exit the crime scene unless actively involved in the investigation;
 4. Secure the crime scene with barricade tape;
 5. The responding officer or supervisor shall notify CIB;
 6. No one shall enter the crime scene until a search warrant has been issued unless there is justification and it will not jeopardize the outcome of the investigation;
 7. A crime scene log should be initiated, recording those persons who enter within the barricade tape area;
 - a. Officers assigned to guard the crime scene who do not cross the crime scene tape will still sign in on the log to document chain of custody. A note can be made on the log that the officer did not enter the crime scene.
 8. The detective shall assume responsibility for the investigation at the scene and shall brief CSI upon arrival at the crime scene.
 9. The detective will work with the Homicide Unit Sergeant and/or Lieutenant to coordinate case management (Note: This includes assigning a lead detective, assigning investigation leads, applying for a search warrant, notifying the District Attorney, and assigning other detectives);
 10. When the search warrant is received, CSI shall be responsible for the preservation, collection and processing all items of evidentiary value and for the integrity of the crime scene area while working with the lead investigator;
 - a. The senior CSI officer or the lead detective at the scene shall decide who enters the crime scene.
 - 1) Only those necessary to the investigation shall be allowed to enter the crime scene;
 - 2) No one shall be allowed to enter the crime scene regardless of rank or title unless permitted to do so by the senior CSI officer or lead detective; and
 - 3) Everyone entering a crime scene will be required to complete a report.
 - b. The CSI officer should allow the detective to walk through the crime scene if there is no danger of evidence being destroyed.
 11. The CSI officer at the scene may make a brief video tape of the scene, or arrange to have it made and brought to detectives at the LEC, so they can use it to brief other detectives who will work the case;
 12. Only the lead detective, or a supervisor familiar with the investigation, will release the crime scene;
 13. Any problems with the above procedures should be discussed with command staff;

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14. Fire Death Procedure;

- a. Police personnel will check in with the Fire Department's Incident Commander for conference and status of incident.
- b. The first officer or supervisor will notify the Field Commander so that a Unified Command can be set up on the scene.
- c. If a crime scene is declared, Law Enforcement will take command of the criminal investigation and investigate as per applicable policies. Police and Fire resources including personnel will be shared.

15. Homicide/Suspicious Death Crime Scene Checklist

- a. Record the exact time and type of call received;
- b. Record the exact time of arrival at the scene;
- c. Enter the crime scene to determine the condition of the victim. Use one path of entry and exit;
- d. Arrest the suspect if still present and probable cause exists. If the officer has information on a suspect who may have fled the scene, the officer shall make the dispatcher and fellow officers aware of that information;
- e. If there is a possibility the victim is alive, summon medical assistance and provide medical aid as trained, equipped and certified when possible until help arrives;
- f. If circumstances indicate the victim is dying, obtain a dying declaration if possible;
- g. If medical personnel are present prior to arrival, the officer shall try to determine if they moved or disturbed anything. If anything was disturbed, find out what was disturbed, when it was disturbed, why it was disturbed and find out who was involved;
- h. Record the names of the ambulance attendants present at the scene;
- i. The officer should record initial observations of the condition of the crime scene with examples such as;
 - 1) Doors open, shut, locked, unlocked or damaged;
 - 2) Lights turned on or off;
 - 3) Windows opened, closed, locked or unlocked;
 - 4) Furniture items moved, broken or out of place;
 - 5) Note unusual odors (Example: natural gas, marijuana, etc.);
 - 6) Appliances turned on or off; and
 - 7) Vehicles running or off. Ignition switches on or off.
- j. Record the names, addresses, dates of birth, and telephone numbers of anyone at the crime scene. Isolate and separate witnesses or suspects if possible. Hold witnesses if possible for Detectives;
- k. Request additional units as needed to protect the scene, to transport witnesses, suspects, etc.;
- l. Do not touch, move, or alter anything in the crime scene if possible. If the

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officer does, he or she shall make investigators aware of those things when they arrive;

- m. Do not smoke in the crime scene;
- n. Do not use toilet facilities, phones, appliances, sinks or anything else in the crime scene;
- o. Refer all media inquiries to the ranking OIC at scene, or the Public Information Officer; and
- p. The officer shall stand by to assist investigators and provide them with any information they may have collected since their arrival at the crime scene. Expedite all case reports by completing before end of shift or using priority transcription.

B. Alarms

- 1. Two officers should respond to alarm calls.
- 2. Officers who are assigned to an alarm will respond using caution, being aware of vehicular and pedestrian traffic along the route.
- 3. Alarm Search Procedures:
 - a. Officers shall not make entry into a private residence unless there is valid consent or an exigent circumstance exception to the search warrant requirement which will be documented by the supervisor;
 - b. A supervisor must be on scene prior to an entry unless there is immediate danger to life or property which will be documented by the officer;
 - c. Building searches should be conducted by a K-9 team whenever possible; and
 - d. When no K-9 is available, no less than two officers should conduct building searches.
- 4. Officers should note any unusual vehicles or persons in the area of the alarm.
- 5. Officers should park in a location near the alarm, but not directly in front of the building.
- 6. False Alarms
 - a. If dispatch advises responding officers that an intrusion alarm is false prior to their arrival, the officers may disregard the call and return to service. Officers should note this on the Activity Log.
 - b. If a robbery alarm is reported as false, responding officers are still required to respond to the scene and verify with persons on the scene that the alarm is false.
 - c. If the dispatcher or citizens advise officers the alarm is false after arrival, officers will complete an Alarm report and turn it in to Records. No copies are required.
 - d. Officers should refer citizen questions concerning false alarm reports to the alarm clerk in Records during normal business hours.

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7. Alarm Call Back

- a. The alarm company must notify dispatch if a citizen is responding to the alarm scene.
- b. Officers should stand-by until the call back person arrives.
 - 1) Officers should assist the citizen to ensure that the alarm is false, if practical.
 - 2) If call load allows, officers should standby a reasonable time for the call back to arrive. Generally this will not be longer than 20 minutes.
 - 3) If the call back person is unable to respond in a reasonable amount of time the officer may clear and notify SCECC to notify the alarm company that we will return if needed.

8. Financial Institutions

- a. After arrival at scene officers should maintain cover and concealment until the dispatcher calls the financial institution.
- b. The dispatcher will call the financial institution and get preliminary information indicating whether the alarm is false, a hostage situation, or the suspects have left the area.
- c. Upon confirmation of the situation by the dispatcher, and when the assigned officer is satisfied it is safe to approach, he or she should meet with an institution security officer before entering.
 - 1) The dispatcher should give a description of the person coming out of the financial institution to meet the officers.
 - 2) All back officers will maintain their positions of cover and concealment until the assigned officer advises otherwise.
- d. Responding officers should not enter the financial institution until they are satisfied that it is safe.
- e. If the alarm is false, take the appropriate reports.
- f. After hour alarms and alarms on mechanical tellers will be handled using normal alarm procedures.

C. Robbery

- 1. A minimum of two officers shall respond to a robbery in-progress call.
 - a. The first officer should handle the report, while the second officer serves as a backup.
 - b. Unless directed otherwise by the supervisor, as soon as the officer realizes that cover is no longer needed at the scene, the officer shall clear the scene and conduct a search of the area with other assigned officers.

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2. The safe response and arrival of an officer is of primary importance. At the scene of a robbery it is important to gather and transmit additional information as soon as practical.
3. Supervisor's Responsibility
 - a. Coordinate the establishment of interior and exterior perimeters.
 - b. Coordinate personnel responding to assist, such as officers, detectives. Crime Scene personnel and other agencies, equipment, etc.
 - c. Review and approve all necessary paperwork.

D. Prowler Calls

1. Upon arrival, a thorough search of the immediate area including but not limited to front and back yard (care taken for pets that may be present), adjoining yards and exterior of building should be made. The primary officer shall contact the reporting person to gain more detailed information, when possible.

E. Calls Involving fire – When officers arrive at a scene where evidence of fire exists and Fire Department personnel have not arrived they shall:

1. Make an analysis of the situation;
2. Alert and evacuate persons from fire and smoke danger to the extent possible;
3. Render aid to the injured as trained, equipped and certified when possible;
4. Use the fire extinguisher from the patrol vehicle when;
 - a. It can safely be used so that persons can be evacuated;
 - b. It can safely be used to keep the fire away from immobile persons;
 - c. It is reasonable to extinguish small property fires that pose a threat to other persons or property; and
 - d. Evidence of fire in a vehicle exists and can be safely extinguished.
5. Request additional personnel as required; and
6. Assist fire personnel with traffic and crowd control at the scene;

F. Civil Matters/Disputes

1. Examples of matters that may be civil in nature may include, but are not limited to, child custody issues, landlord/tenant disputes, lease/rental or service contract infractions, keep-the-peace calls and repossessions. Upon arrival, the officer shall:
 - a. Make an analysis of the situation;

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- b. If it is determined to be a civil matter, the officer will advise the person(s) involved that they may want to obtain legal assistance through a private attorney of their choice or through the courts; and
- c. If the situation is determined to be criminal in nature, the officer will initiate the proper offense report or incident report.

2. Bail Bonds

- a. Officers shall assist in bail bond revocations only where there has been an arrest warrant issued for the bailee.
- b. Officers shall not do civil standbys for bail bondsmen when they wish to revoke an individual's bond without a court order. The law does allow bail bondsman some latitude in revoking an individual's bail with just cause and permits them to turn the person over to the custody of the Sheriff's Office. This authority, however, does not extend to law enforcement personnel.

3. Parental Custody

- a. Interference with Parental Custody under KSA 21-5409 is the taking or enticing away of any child under the age of 16 years with the intent to detain or conceal such child from the child's parent, guardian or other person having the lawful charge of such child. Failure by a parent/custodian to conform to the boundaries of a court ordered visitation, or less clear evidence of intent to permanently deprive custody, shall not constitute parental abduction.
 - 1) Lawful Custodian means a person or persons granted legal custody of a child or entitled to physical possession of a child pursuant to a court order. It is presumed that the mother has legal custody for parties who have never been married unless otherwise stated in a valid court order.
 - 2) It is not a defense to a prosecution under KSA 21-5409 that the defendant is a parent entitled to joint custody of the child either on the basis of a court order or by virtue of the absence of a court order.
- b. When an officer receives a call of Interference with Parental Custody, he/she shall proceed to the location and determine if there is a valid complaint.
- c. The officer should try to settle the complaint to the satisfaction of all parties, taking into account the welfare of the child and any lawful court orders.
- d. When the parties cannot agree to a lawful settlement of the complaint, or when one of the parties has left the scene prior to the arrival of the officer so the court order cannot be enforced, the officer may complete an Incident or Offense report and encourage the reporting party to refer the matter to the court that issued the original order.
- e. The reporting officer shall closely inspect all available court generated paperwork (i.e. custody or visitation order) for validity and:

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- 1) If the paperwork clearly shows the offending party to be in violation then an Offense report should be completed;
- 2) If the offender is not on scene, the incident may be detailed on an incident report and forwarded to investigations for follow up. If no paperwork is available at the time of the report, the reporting officer will document the allegation but no further action will be taken until the court generated paperwork can be inspected.
- 3) In the event the court generated paperwork is in anyway ambiguous or otherwise not clear about times and dates regarding visitation, the incident will only be documented and no follow up investigation will be conducted. The officer should encourage the parties to have the court generated paperwork re-issued to eliminate any ambiguities.

4. Lease, Rental and Service Contract Infractions

- a. Officers shall consider the facts and circumstances of the complaint very carefully before taking a report.
- b. The officer should request to see a copy of the lease, rental agreement or contract and record the date the property was to be returned.
 - 1) If the property is past due, advise the complainant that no theft or criminal deprivation report will be taken until the complainant gives notice to the defendant to return the property within seven (7) days of the receipt of the letter.
 - 2) If the property is not past due, the complainant should be advised to issue the defendant a certified letter when it becomes past due.
- c. The officer should document the nature of the property dispute and the parties involved in their daily log or on an incident report detailing the results of the preliminary investigation.

G. Abatement of Common Nuisances

1. Officers who learn that real and personal property is being used to maintain and carry on a common nuisance may notify the owner of such property of the need to abate the nuisance activity.
2. Notification shall be made via certified mail using a nuisance abatement letter to the owner of the property detailing the activity that constitutes a nuisance.
3. Officers sending a nuisance abatement letter will make a copy and forward it to the legal advisor where it will be stored for reference.
4. Rental Property
 - a. If real property used for nuisance activity is rental property, the nuisance abatement letter shall be addressed to the owner of the property and sent by certified mail, return receipt requested.

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- b. The nuisance abatement letter should give the landlord 10 days in which to inform the officer of what steps have been taken to abate the nuisance activity.
- c. Officers may inform landlords that if a court determines that an unlawful act occurred, the act shall render void any lease under which a tenant holds possession, and shall cause the right of possession to revert to the owner, who may evict the tenant, but should otherwise refrain from giving the landlord legal advice.
- d. If, at the end of the landlord's ten (10)-day response period, the landlord has not responded or has not taken any activity to abate the nuisance condition, the officer shall package all relevant information regarding the property and forward it to either the City Attorney's Office or the District Attorney's Office along with a request to consider the matter for abatement of a common nuisance.
- e. If the appropriate prosecutor files an action regarding the property, officers shall appear and testify in support of the action as in other cases.

5. Owner Occupied Property

- a. If real property used for nuisance activity is owner occupied property, officers should first visit with the owner about the ramifications of carrying on nuisance activities on the property.
- b. If the officer's visit with the owner is not successful in resolving the nuisance conditions, a nuisance abatement letter shall be addressed to the owner of the property and sent by certified mail, return receipt requested.
- c. The nuisance abatement letter should give the owner ten (10) days in which to inform the officer of what steps have been taken to abate the nuisance activity.
- d. If, at the end of that ten (10)-day period, the owner has not responded or has not taken any activity to abate the nuisance condition, the officer shall package all relevant information regarding the property and forward it to either the City Attorney's Office or the District Attorney's Office along with a request to consider the matter for abatement of a common nuisance.
- e. If the appropriate prosecutor files an action regarding the property, officers shall appear and testify in support of the action as in other cases.

H. Emergency Messages and Check Welfare Calls

The Department is often called upon to assist with contacting citizens and delivering emergency messages. The Department will ensure that such messages are delivered promptly and in a considerate manner.

When making death notifications, assistance should be obtained from a police chaplain. <55.2.6>

1. Emergency Messages <55.2.6>

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- a. All requests from other agencies and the public to deliver emergency messages will be referred to the Field Commander.
 - 1) The Field Commander will make every effort to comply with all reasonable requests. The Field Commander will determine the action to be taken and who will be assigned based on the situation, current personnel resources and call load.
 - 2) If the emergency message is in reference to a death(s), the police chaplain should be contacted for assistance.
- b. Notification of next of kin of seriously injured or seriously ill persons is normally handled by hospital staff. If the hospital is unable to contact next of kin, the hospital staff may request TPD assistance.
- c. Notify the chaplain to make continued attempts when notification by officers has failed.
- d. All requests from other jurisdictions to notify local citizens should be made through the teletype.

2. Death Notifications

- a. Responding officer responsibilities include:
 - 1) Notifying the SCECC to contact the police chaplain on all death calls, as soon as possible;
 - 2) If CIB is not called back, work with the chaplain to make certain next of kin is notified;
 - 3) In all death cases where next of kin cannot be determined or identified, CIB or the Accident Reconstruction Unit is to be notified to conduct the investigation to locate relatives; and
 - 4) The coroner may be contacted to assist in getting any information that may exist from area hospital records. The officer may also provide information to the coroner such as the selected funeral home, or other information needed for the coroner's report.
- b. The on-call chaplain shall:
 - 1) Respond to all death calls;
 - 2) Notify SCECC of the need for a uniformed officer to stand by for safety purposes. The chaplain shall release the officer once the notification has been made and the situation is under control;
 - 3) Report back to either the officer assigned or the detective in charge once notification has been made;
 - 4) Notify the coroner's office of information received from the family relative to funeral home desired and other information needed for coroner's report; and

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- 5) A Chaplain's Death Notification Report form will be filed in the chaplain's office with original being given to the detective assigned to the case. The original report will be attached to other files obtained by the detective.

3. Welfare Checks

- a. Requests to check on the welfare of individuals who have not been seen recently or who cannot be located may require checking their personal residence or domicile occasionally by means of forced entry.
- b. Entry into the residence should be accomplished by the least intrusive means. A family member or authorized person should be present if possible.
- c. A field supervisor should be on the scene to approve the entry, assist the officer(s), and assist the family, in exigent circumstances a supervisor may approve entry via radio but must respond to the scene.
- d. After entry and the necessary checking of the residence, officers should:
 - 1) Notify a relative or other authorized person if one is not present; and
 - 2) Photograph the entry point if damage occurred upon entry and complete written narrative reports detailing the circumstances of the incident.
 - 3) Make every effort to secure the residence or release it to a family member.

4.30.8 DISROBING FOR PHOTOGRAPHIC EVIDENCE

- A. An officer of the same sex as the victim, in an area allowing privacy, shall take photographs of injuries that are located in intimate areas.
- B. Unless it will result in evidence being lost or a case being placed in jeopardy, no member of this Department will ask another person to disrobe unless a member of that persons same sex is present in the room as a witness. The person to be a witness may be a police officer, a member of the office staff or any other seemingly responsible adult. If a witness of the same sex cannot be located, another officer shall be present.
- C. The person who acts as a witness shall be an adult.
- D. The reason for having the person disrobe shall be explained to the person who is being asked to disrobe in front of the witness. The witness's name shall be included in the report.
- E. In the rare event that no person can be located to witness the event, the officer may proceed only if not doing so is likely to cause serious damage to the case. If practical, a supervisor shall be contacted prior to continuing. In this case, the officer shall make notes in the report of the facts and circumstances surrounding the event.

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- F. When taking photographs of a victim's injury, the photographs shall contain overall photographs of the victim. Close-up photographs shall use a suitable ruler to indicate size/scale of the injury.
- G. Several close-up photographs shall be taken of the injury with and without the evidence ruler present in the photograph.
- H. After taking digital photographs of the victim's injuries, the photographs shall be viewed on the camera's LCD screen to verify the photographs effectively illustrate the victim's injuries. If additional photographs are needed, all previous photographs must still be retained as evidence.