



TOWN OF PRESCOTT VALLEY STAFF REPORT

DATE: December 8, 2022

TO: Mayor & Town Council

THROUGH: Gilbert Davidson, Town Manager

FROM: Bob Ticer, Police Chief

DEPARTMENT: Police Department

AGENDA TYPE: Consent Agenda

SUBJECT: Update High-Risk Police Policies 300, 305 & 313 - Consideration & Possible Action (Authorize Signature) [Bob Ticer, Police Chief]

STRATEGIC PLAN FOCUS AREA: Prosperous Community means creating an environment where our residents can thrive for a lifetime via job opportunities, a variety of housing options, and a safe and healthy lifestyle with a diversified and growing economy.

SUMMARY/BACKGROUND:

It is proposed that the Town Council adopt Resolution No. 2022-2285 approving updated Police Manual Policies 300 "Use of Force", 305 "Officer-Involved Shootings and Deaths", and 313 "Temporary Custody of Juveniles". These policies are among the "high risk" PVPD policies that have required Council approval since 2002.

BACKGROUND: In January 1992, the Town Council (on behalf of the Prescott Valley Police Department) adopted a series of General Orders that replaced the Department's earlier policy manual. On September 12, 2002, the Council adopted Ordinance No. 530 amending Town Code 4-01-040 to authorize the Chief of Police and Town Manager to adopt and amend department policies without Council action...but requiring formal Council approval to adopt or amend certain designated "high risk" policies. The purpose was to provide legislative immunity

to that adoption process.

In 2017, PVPD undertook a review of its General Orders and decided to return to a policy manual format. In the process, policy numbers and titles changed and the policies deemed to be "high risk" were no longer the same as those listed at the time in Town 4-01-040. So, on October 12, 2017 the Council adopted Ordinance No. 834 amending 4-01-040 to update the "high risk" designations. It then adopted Resolution No. 2013 approving all the newly-designated "high risk" policies for inclusion in the new PVPD Policy Manual.

Since then, PVPD staff has (from time to time) presented those policies to the Council for approval of further amendment. This is typically based on recommendations from the outside legal service (Lexipol) that maintains the PVPD policies to ensure they comply with state and national standards. In that regard, it is requested that the Council now approve an amendment to (a) Policy 300 "Use of Force" to remove the term "excited delirium" (no longer considered an appropriate term), (b) Policy 305 "Officer-Involved Shootings and Deaths" to reflect a change in underlying state administrative regulations, and (c) Policy 313 "Temporary Custody of Juveniles" to add additional advisements to juveniles in custody. These changes would be approved by adopting Resolution No. 2022-2285.

RECOMMENDED MOTION:

Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 2022-2285, adopting updated high-risk Police Manual Policies 300 "Use of Force", 305 "Officer-Involved Shootings & Deaths", and 313 "Temporary Custody of Juveniles". **VOTE.**

STAFF RECOMMENDATION:

Staff recommends authorizing signature of Resolution No. 2022-2285 approving and adopting updated high risk PVPD Manual Policies 300 "Use of Force", 305 "Officer-Involved Shootings & Deaths", and 313 "Temporary Custody of Juveniles".

FISCAL ANALYSIS:

These updated high-risk policies are typically initiated by professional law enforcement advisory organizations. They are subsequently reviewed by internal staff in an effort to fit them to the local context. This process helps avoid legal liability for the Town organization.

Council Action at the Meeting: N/A

ATTACHMENTS: Yes