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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT: 1 – GENERAL CONDUCT | | CODE# 1.V.1 |
| Initiated: September 01, 2006 | | Revised: 07-01-2016 |

A. PURPOSE

To outline the basic standards of general conduct expected of Fire Department members, both on and off duty.

B. POLICY

1. All Fire Department members are expected to operate in a highly self-disciplined manner.
2. Members shall abide by the standards of personal conduct outlined within the policy.

C. PROCEDURE

1. General Conduct – On Duty

- a. Courteous and respectful bearing is indispensable to good discipline, and members/employees of the department will be expected to act at all times in a manner that will reflect credit upon themselves and upon the department.
- b. Members/employees shall perform their duties promptly and efficiently.
- c. Members/employees shall refrain from altercations, disorderly conduct, and the use of profane, abusive or improper language.
- d. Lounging on beds in daytime is prohibited. Beds shall not be used between the hours of 8:00 A.M. and 5:00 P.M. except on weekends or holidays.
- e. Members/employees under the influence of prescribed medications, which may influence their ability to operate machinery, must inform their officer of the use of the medication.
- f. Members/employees shall not engage in gambling activities while on duty.
- g. Members/employees while on duty shall wear the regulation uniform and shall keep themselves in a clean and well-kept appearance.
- h. Obedience to orders of Officers shall be faithfully and promptly observed. Failure to promptly carry out orders shall be deemed refusal on the part of the members/employee so ordered.

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- i. Avoidance of duties at fires or in the station shall subject the offender to disciplinary action.
 - j. Members/employees shall not use fire station premises for personal gain.
 - k. Each member/employee shall have courtesy and respect for other member/employee vehicles in station parking areas. Personnel vehicles shall be parked in the designated parking area.
 - l. Company Officers will be responsible for promoting a positive and harmonious environment within their respective company.
 - m. Members will not engage in any activity that is detrimental to the department.
 - n. Members will keep themselves physically fit.
 - o. Members will not conduct themselves in a manner detrimental to the department.
2. General Conduct – Off Duty
- a. Members/employees of the Broken Arrow Fire Department will conduct themselves in a self-disciplined manner that will reflect credit upon themselves and the department.
 - b. Conduct unbecoming a member/employee of the Broken Arrow Fire Department will be subject to disciplinary action.
 - c. Members/employees convicted of minor moving traffic offense or misdemeanor crimes may be subject to written reprimands or up to three shifts off without pay. (Examples of minor traffic offenses are a series of speeding tickets within a short period of time.)
 - d. Members/employees convicted of major traffic offenses or felony crimes may be subject to up to ten shifts off without pay or to dismissal. (Examples of a major traffic offense are D.W.I., reckless and careless driving.)
 - e. Any off duty members/employee doing minor repair work to personal property or vehicles, washing personal vehicles or doing any personal business (phone calls, station tours, etc.) shall first have the permission of the Station Captain and shall leave the station and equipment in the clean and orderly manner in which they found it.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 2: GROOMING REQUIREMENTS | | CODE# 1.V.2 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2020 |

A. PURPOSE

To establish guidelines concerning personal appearance standards which will enable Fire Department members to present a neat and professional appearance at all times.

B. POLICY

1. Fire Department members shall maintain a high standard of dress and personal appearance.
2. Members (while on duty) shall abide by departmental grooming standards.

C. PROCEDURE

1. Haircuts

- a. Firefighters will keep hair properly cut and neatly fashioned in a style that is professional in appearance and in keeping with normal business standards; hair longer than the bottom of the collar shall be pulled up so as not to impede any protective equipment or negatively impact the safety of personnel when responding to emergency incidents or in public view.

2. Facial Hair

- a. Members/employees will be clean-shaven by 8 a.m. on each shift.
- b. Moustaches shall conform to the following:
 - 1) Moustaches shall be kept neat and closely trimmed.
 - 2) With the mouth closed, moustaches may extend ½ inch outward and below the corner where the lips meet.
 - 3) Moustaches will be trimmed in such a manner as to when the lips are closed the mouth line is visible.
 - 4) Foo-Man-Chew, ~~Handle Bar or other similar styles~~ are not permitted.
 - 5) Beards and goatees and all other types of facial hair will not be permitted except as follows.
- c. Facial hair directly beneath the lower lip may be worn, but must be neatly trimmed and may not extend more than one (1) inch in horizontal width and ½ inch in vertical length.

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3. Sideburns

- a. Sideburns will be kept neatly trimmed and close to the face.
- b. Sideburns may extend halfway between the lower part of the ear and the corner of the jawbone.
- c. Pork chop type sideburns will not be permitted.

4. Tattoos, Body Art, Brands, Mutilation, Body Piercing

- a. There shall be no tattoos, body art, brands, mutilation, or body piercing that are visible while wearing any work or dress uniform representing the BAFD.
 - Exception: Tattoos that do not bring embarrassment or discredit to the department or are determined to be prohibited under sexual harassment policy may be uncovered so long as they do not extend below the wrist, or on the neck, or face.
- b. Members may comply with this policy by wearing flesh colored NFPA compliant covers-ups.
- c. Tattoos, body art, brands, mutilation, or body piercing on other areas of the body that are prejudicial to good order, discipline, and morale, or that are of a nature to bring discredit upon the BAFD are prohibited.

5. Dental Ornamentation

- a. The use of gold, platinum or other veneers or caps for the purposes of ornamentation are prohibited.
- b. Teeth, whether natural, capped, or veneer, will not be ornamented with designs, jewels, initials etc.

NOTE: The intent of this policy is to enforce Department uniform standards of appearance and also to prohibit members/employees from having tattoos, brands, mutilation, or body piercing that are indecent, racist, sexist, or that exhibit an alliance with extremist organizations.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 3: CODE OF ETHICS | | CODE# 1.V.3 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2016 |

A. PURPOSE

1. To establish broad behavioral guidelines within which all employees are expected to conduct themselves while working for the City of Broken Arrow.
2. To declare and define the moral obligations of all members of the Broken Arrow Fire Department.

B. POLICY

1. Employees will conduct themselves at all times in such a manner as to create respect for themselves, as public servants, and the jurisdiction they represent.
2. Employees will place public interest above individual, group, or special interests and will consider their jobs as an opportunity to serve the citizens of Broken Arrow.
3. Employees will not discriminate because of race, color, religion, age, sex, handicap, political affiliation, or national ancestry. In his/her job capacity, each employee works to prevent and eliminate such discrimination in providing services, assigning work schedules, and in executing all personal actions.
4. Employees will not have any material, financial interest in any private business or professional activity that would be in conflict with their job responsibilities. Employee will not engage in any business activity or professional activity that would appear to be in conflict with their job responsibilities or that would tend to impair independence of judgment or action in the performance of official duties.
5. Employees will not accept any personal gift, favor, service, money, or anything of value from the public that might reasonably tend to influence or might reasonably be inferred to tend to influence the impartial discharge of duties.
6. Employees will at all times, when in contact with the public, be fair, courteous, respectful, and impartial.
7. Employees will refrain from using their position for personal gain and will keep confidential all information not available to all citizens, which is required by virtue of their position in the organization.
8. The same shall apply to interdepartmental information not available to all employees of the department.

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9. Use of department telephones will be allowed for local calls as long as employees are reasonable in their use. Use of department telephones for unofficial long distance calls will not be permitted without prior approval.
10. Employees will observe all work schedules as established by the department and will not deviate from them.
11. Employees will not drink any alcoholic beverage or take any drug that might incapacitate an individual while on duty or in uniform.
12. Employees will, when in public, clearly distinguish/identify between all statements and actions made as an individual and as a representative of the department.
13. Employees will, when requests are made upon the department by those not directly connected with the department (i.e. City Council, City Manager, Media, etc.), handle these requests as quickly as is practical and as accurately as possible. All requests made shall be brought to the attention of the next higher official within the department.
14. It is expected that all employees of the department will follow these policy statements as stated herein.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT: 4 – DISCIPLINARY ACTIONS | | CODE# 1.V.4 |
| Initiated: Sept. 01, 2006 | Revised: : 07-01-2016 | |

A. PURPOSE

To express Fire Department policy regarding offenses that may lead to possible disciplinary actions against Fire Department members/employees, and provide mechanisms to employ corrective action as a first resort.

B. POLICY

Members/employees who may be subject to disciplinary actions will be given a copy of the Broken Arrow Fire Department Notification of Firefighter's Rights listed below, as well as being afforded all Garrity Rights.

BROKEN ARROW FIRE DEPARTMENT NOTIFICATION OF FIREFIGHTERS' RIGHTS

1. The bargaining unit member shall be informed of the name of all complainants, if known.
2. Preliminary discussions with supervisory personnel within the Fire Department in relation to complaints received shall not be considered an interrogation.
3. The bargaining unit member under investigation shall be informed of the rank, name and command of the individual in charge of the investigation and all persons present during the interrogation. All questions directed to the bargaining unit member under investigation shall be asked by and through one interrogator at any one time.
4. The bargaining unit member under interrogation shall be informed of the nature of the investigation prior to any interrogation. The bargaining unit member will receive written notice if they are the subject of a complaint which has been forwarded to the Fire Chief for Category II or III violations.
5. Interrogating sessions shall be for reasonable periods and shall be timed to allow for such personal necessities and rest periods as are reasonably necessary. Management shall strive to complete investigations within 60 days.
6. The bargaining unit member under interrogation shall not be subjected to offensive language or threatened with transfer, dismissal or disciplinary action. No promise or reward shall be made as an inducement to obtain testimony or evidence.
7. The bargaining unit member shall be completely informed of his /her rights pursuant to this procedure prior to the commencement of the interrogation and of his responsibility to answer all questions, and this notification shall be included on the record of the session.

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8. At the request of any bargaining unit member under investigation, he/she shall have the right to be represented by counselor any other representative of his /her choosing. If a union representative is requested, it shall be coordinated through the union president or his designee.
9. Interrogation of bargaining unit members under investigation may be taped or recorded in written form at the discretion of the investigating officer. Bargaining unit members may record the proceedings with his/her own equipment or record at his/her /expense.

**Broken Arrow Fire Department
Internal Disciplinary Investigation – Garrity Interview Rights**

You are advised that you are being questioned as part of an official investigation of the Broken Arrow Fire Department. You will be asked questions specifically and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and constitution of this state and of the constitution of the United States, including the right not to be compelled to incriminate yourself and to have an attorney (or any other representative) of your choice present during questioning.

You are further advised that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to departmental charges which could result in dismissal from the Broken Arrow Fire Department. If you do answer, neither your statements nor any information or evidence, which is gained by reasons of such statements, can be used against you in subsequent criminal proceedings. However, these statements may be used against you in relation to subsequent departmental charges.

This investigation is confidential and all parties involved are hereby ordered not to disclose any information discussed during the investigation or interviews, and to maintain the highest levels of confidentiality.

As an employee of the Broken Arrow Fire Department, you have a duty to be forthright, honest and truthful during questioning and all components of the investigation. Giving false statements is in and of itself a separate criminal act. Therefore, you are not immune from criminal prosecution if you lie during this investigation. Lying during an internal investigation shall subject you to departmental disciplinary action, up to and including termination, as well as possible criminal charges.

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It is the policy of the City of Broken Arrow to provide a high quality of service by the safe, efficient and orderly operation of all City departments. Work rules listed below are not intended to be all-inclusive, but to serve as guidelines for personal conduct. Failure to comply with these work rules may result in disciplinary action including a warning, reprimand, suspension, demotion or dismissal:

1. Reporting late to work;
2. Habitual tardiness or absence;
3. Absence without notification;
4. Not immediately returning to work after being released from doctor's care;
5. Abuse of any leaves or other City benefits;
6. Abuse of any policies regarding employee leaves or other City benefits;
7. Falsification of records;
8. Loss of required license or certification;
9. Discourteous conduct to citizens or to coworkers;
10. Immoral, indecent or obscene conduct;
11. Failure to meet standards for personal appearance;
12. Acceptance of a fee or gift given with the intent of influencing the employee in the performance of his or her official duties;
13. Violation of a safety rule;
14. Violation of any City policy or procedure or interdepartmental regulation;
15. Use of alcohol or drugs on the job or reporting to work under the influence of alcohol or drugs;
16. Taking more than specified time for meals or breaks;
17. Insubordination;
18. Destruction, theft or misappropriation of City property;
19. Repeated failure, refusal or neglect in performance of duties;
20. Fighting with, intimidating or coercing other employees on the job or engaging in horseplay, scuffling or other disruptive actions;
21. Concealment or failure to report a significant error, mistake or unsafe working condition or injury;
22. Improper use of authority by using official position for personal profit or advantage;
23. Wasting time, loafing or sleeping on the job;
24. Commitment of acts, on or off the job, which would bring embarrassment, distrust or discredit to the City of Broken Arrow;
25. Removal of any City property or materials from the work premises without proper authorization;
26. Violations of the City Code and/or state law regarding political activity;
27. Negligence, inefficiency, or incompetence in the performance of job duties;

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28. Excessive garnishments levied against an employee's wages;
29. The destruction, theft or misappropriation of the personal property of another, through the unauthorized use of City authority;
30. Bringing firearms or weapons of any sort, concealed or not, onto City property. Police officers authorized by the chief of police and fire marshals authorized by the fire chief are exempt from this policy;
31. Making a threat of violence or actually displaying violent behavior within the workplace. For law enforcement personnel, following the use-of-force modes, shall be exempt to the extent that the officers in good faith perform the duties of the office;
32. Any other reason, which the City Manager believes, in good faith, to be for the good of the service.

The severity and type of discipline is dependent on the specific incident or violation of the City's work rules and the employee's work history with the City. When appropriate, the City believes that a progressive system of discipline may be helpful to correcting employee performance or behavior issues. The City, however, reserves the right to determine the level and severity of discipline that is appropriate in each circumstance. By providing these examples of types of discipline in this handbook, the City is not indicating that it must follow a progressive system of discipline for all disciplinary situations.

Warning or Reprimand:

1. Whenever an employee's performance or conduct falls below the City's standard of service or whenever an employee violates any of the rules and regulations that are City policy, disciplinary action will normally be initiated in the form of an oral warning or written reprimand by the immediate supervisor.
2. In circumstances where performance or behaviors have resulted in an oral or written reprimand, all applicable Officers in the employee's chain of command, up to and including the Fire Chief will be notified previous to the reprimand.
3. In situations where an oral warning has not resulted in the correction of the condition or where more severe action is warranted, a written reprimand shall be given to the employee and a copy placed in the personnel file.

Suspension: In those cases where one or more written reprimands have not proved to be effective, or in those cases where the seriousness of the elements or conditions warrant it, the Department Director may recommend suspension without pay of an employee as defined under the Fair Labor Standards Act (FLSA) for up to thirty calendar days in any twelve-month period. The Department Director must receive the permission of the City Manager to issue a suspension prior to the actual issuance of the suspension. The Department Director or applicable supervisors will give the affected employee notice of the department's intention to discipline with a detailed summary of the evidence used against the employee as a foundation for the discipline. The employee will have an opportunity to respond prior to the imposition of the suspension. Imposition of the suspension can

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be grieved under appropriate procedures following the effective date of the discipline. A Department Director may request a longer suspension period from the City Manager, pending the investigation or trial of any criminal charge against the employee.

Demotion: In cases where warranted, the City Manager may demote an employee to a lower class position and pay grade that he or she deems suitable as disciplinary action subject to the provisions outlined in Demotions, within the employee handbook.

Dismissal: When other forms of disciplinary action have proved ineffective or where the seriousness of the offense or condition warrants it, the Department Director may recommend dismissal of an employee for any violation of the rules or regulations or any other reason, which will be for the good of the service. In the event the Department Director believes that immediate action is required to protect City interests, he or she has the authority to suspend an employee with pay pending a hearing, which shall generally take place within two business days.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Jeremy K. Moore |
| SUBJECT 5: HARRASSMENT/HOSTILITY/VIOLENCE | | CODE# 1.V.5 |
| Initiated: Sept.01, 2006 | | Revised: 07-01-2016 |

A. PURPOSE

To express Fire Department policy regarding harassment, discrimination, retaliation and or violence/hostility in the work environment.

B. POLICY

Sexual harassment and harassment based on gender, race, national origin, age, religion and other protected classes are prohibited. It is the policy of the City of Broken Arrow to abide by the federal and state laws, which prohibit harassment, and to maintain an employment atmosphere free of harassment, intimidation or coercion. The supervisory and management personnel of this City and its Trusts are responsible for implementing this policy and their success in their jobs depends, in part, on its successful implementation.

Harassment of any employee of the City by any other employee or officer of the City will not be tolerated. If investigation of a complaint of harassment produces evidence that such harassment has occurred, appropriate disciplinary actions will be taken.

“Sexual Harassment” is not limited to conduct of only a sexual nature. In fact, the inclusive term of gender harassment covers improper conduct, even though not overtly sexual. Sexual harassment is defined as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive environment.

The following are some examples of conduct, which may be legally actionable gender harassment if such conduct interferes with the ability of any employee to do his or her work or creates an intimidating hostile or offensive working environment:

1. Use of any offensive or demeaning terms, which have sexual connotation.
 - a. Objectionable physical proximity, physical contact, deliberate staring or noises (e.g. wolf whistles).
 - b. Unwelcome suggestions within the work place regarding, or invitations to, social engagements or social events (whether or not work related).
 - c. The deliberate or careless expression of jokes or remarks of a sexual nature in the presence of employees who may find such jokes or remarks offensive.
 - d. The display of materials (such as cartoons, articles, pictures, etc.) of a sexual nature in the presence of employees who may find such materials offensive.

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| Initiated: Sept.01, 2006 | | Revised: 07-01-2016 |

Note that the person interfered with does not have to be the focus of the conduct if a sufficiently hostile environment is created. In other words, verbal or physical conduct of a sexual nature which may be entirely consensual between the participants may nonetheless become gender harassment due to an unreasonable interference with a third party's work performance. Gender harassment may also occur when third parties such as private citizens, customers, suppliers and delivery personnel create a hostile, intimidating or offensive working environment within the City's workforce. Explicit sexual conduct may exist, but is not required under this form of harassment.

The following are some examples of conduct, which could be considered to be sexual harassment, even if there is no actual interference with the work of the person who is the focus of the conduct:

1. Any indication, express or implied, that an employee's job, work assignment, conditions of employment or opportunities for advancement depend or may depend on the granting of sexual favors to any other employee, supervisor or manager.
2. Any action relating to an employee's job status which is in fact affected by consideration of the granting or refusal of social or sexual favors.
3. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.
4. The deliberate or careless expression of jokes or remarks of a sexual nature to employees who find such jokes or remarks offensive.
5. The deliberate or careless dissemination of materials (such as cartoons, articles, pictures, etc.), which have a sexual content and which are not necessary for our work, to employees who find such materials offensive.

Harassment based on other protected classes may occur in similar ways. Any conduct or words, which create a hostile, intimidating or offensive work environment due to a person's race, national origin, age or religion, is prohibited.

All employees shall treat their coworkers, subordinates and supervisors with respect at all times and should report improper conduct by non-employees to appropriate authority.

Personal disagreements of content not addressed in this policy between two or more employees are not considered harassment.

All City of Broken Arrow personnel, particularly supervisors, are responsible for maintaining a workplace free from sexual harassment and harassment based on gender, race, national origin, age, religion or other protected characteristics. All supervisors and department directors are responsible for providing confidential investigations, analysis and recommendations for preventing improper conduct or for correcting

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the conduct when it occurs. The Legal Department in conjunction with the Human Resources Division shall provide annual training to all employees.

Any report of improper conduct as discussed in this policy shall be documented and investigated by the person receiving the complaint or by the appropriate designee who is of equal or higher authority than the alleged offender. An investigation shall be conducted to determine the existence, nature and extent of any improper conduct. The investigation shall further include written recommendations as to how to prevent a recurrence of such improper conduct or to remedy any harm caused by the conduct. A copy of the investigative report, including any recommendations or conclusions reached, shall be forwarded to the appropriate department director and the City Manager simultaneously.

The department head, upon receipt of an investigative report dealing with harassment, shall review the report and make recommendations for the disposition of the complaint, including changes in policy and procedure and suggested discipline needed to correct any complaints found to be substantiated. Discipline, based on the extent, pervasiveness and seriousness of the conduct in light of past history of the offending employee, may include oral reprimands, written reprimands, suspension without pay or termination of employment.

Any discipline involving loss of pay, employment or other benefits, will be reviewed by the City Manager prior to implementation. Any discipline involving oral or written reprimands may be implemented by the department director, but will not be considered final until reviewed by the City Manager.

Any employee who feels that he or she is being subject to harassment in any form or who believes he or she has witnessed such harassment should contact anyone in his or her supervisory chain of command, the City Manager or the Human Resources Director who is the designated ombudsman to deal with the issue of harassment.

If you believe you have been subjected to harassment as described, you may also contact the Oklahoma Human Rights Commission or the Equal Employment Opportunities Commission.

No retaliation of any kind will occur because you have reported an incident of suspected sexual harassment or other harassment. We encourage you to help us keep Broken Arrow free of such harassment.

C. WORKPLACE VIOLENCE

The City is committed to providing a safe environment for employees, citizens and visitors. If you display any violence in the workplace or threaten violence in the workplace, you are subject to immediate

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termination. No talk of violence or joking about violence will be tolerated. “Violence” is defined to include physically harming another, shoving, pushing, harassment, intimidation, coercion, brandishing weapons and threats or talk of violence. The only exception concerns law enforcement personnel in the course of making an arrest in good faith, and then only to the extent that the force used to accomplish the arrest is reasonable in light of the circumstances known to the officers.

It is everyone’s business to prevent violence in the workplace. You can help by reporting what you see in the workplace that could indicate that a coworker is in trouble. Often, you are in a better position than management to know what is happening. You are encouraged to report any incident that may involve a violation of our policies that are designed to provide a comfortable and safe workplace environment. Concerns may be presented to your supervisor, the Assistant Chief and or Fire Chief. All reports will be investigated and information will be kept confidential, except where there is a need to know in order to correct a problem.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 6: PERSONAL VEHICLES | | CODE# 1.V.6 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2016 |

A. PURPOSE

To establish Fire Department guidelines covering the parking and maintenance of private vehicles at the Fire Stations by Department members.

B. POLICY

1. Members shall park their private vehicles in authorized parking areas at Fire Department facilities.
2. Members wishing to wash their own vehicles shall request permission from the Officer-In-Charge.
3. Members wishing to perform maintenance or repairs of a minor nature on their own private vehicle shall request permission from the Officer-In-Charge.
4. Officers-In-Charge, at their discretion, may allow members to perform minor maintenance or repairs on and/or wash their own vehicles providing that the following criteria are observed.
 - a. The maintenance and/or repairs are to be of a minor nature that will not interfere with the Company's response to alarms or with the security of the Fire Station and/or its equipment.
 - b. The members must use their own equipment and products to wash their private vehicles.
5. Repairing and/or washing private vehicles shall be done in authorized areas only.
6. Minor repairs may be performed inside with permission from the Officer-In-Charge.
7. In the event of City water shortage, the washing of private vehicles at the Fire Stations will be suspended.
8. Injuries incurred while performing maintenance and/or repairs on private vehicles while on duty will not be considered a compensable injury, and, as such, any maintenance and/or repairs performed are at the individual's own risk.
9. Washing private vehicles while on duty shall be considered as maintenance.
10. Due to limited parking facilities, employees are not to leave private vehicles parked at any fire station for any extended period unless involved in business directly related to one's employment with the department.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 6: PERSONAL VEHICLES | | CODE# 1.V.6 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2016 |

11. Firearms will be allowed in locked cars in accordance with Oklahoma State laws.

12. Personal vehicles will not be parked in front of any apparatus bay doors.

NOTE: The portion of this policy concerning maintenance of private vehicles is designed to allow department members (those with permission only) the opportunity to perform minor maintenance or repairs on their private vehicles. It is not intended as a means for providing Fire Department facilities and/or equipment to be used for major or extensive repairs or maintenance on private vehicles.

END

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 7: INTERNET AND EMAIL POLICY | | CODE# 1.V.7 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2016 |

A. PURPOSE

The purpose of this policy is to formally establish and define appropriate use of the Internet, Intranet and other forms of electronic media, including electronic mail (E-mail). City employees with access to these electronic communication tools are required to review and abide by this Policy and Procedure to ensure privacy and security, as well as for the protection of the City and the individual employee.

B. POLICY:

The Internet access system, Intranet access system and E-mail system are owned and provided by the City to assist employees and other users in conducting City business. Violation of the provisions of this policy may result in disciplinary action up to and including termination and/or other appropriate legal action as concerns both employees and other users.

1. Information accessed and transmitted over the Internet, Intranet and E-mail may be subject to disclosure under various provisions of the Open Records Act. There is no guarantee of privacy, nor should there be any expectation of privacy with regard to any Internet, Intranet, or E-mail transaction. Any Internet, Intranet, or E-mail information accessed or transmitted may be considered a business record of the City and accordingly may be used in administrative, judicial or other proceedings to the extent allowed by law. Communications which constitute attorney-client privilege and work product are exempt from these provisions.
2. The Internet, Intranet and E-mail systems may not be used to solicit, communicate, promote, endorse, support or advertise commercial ventures, religious causes, political causes, organizations not connected to City business or other non-job-related solicitations.
3. The Internet, Intranet, and E-mail systems are not to be used to access, view or transmit any offensive or disruptive messages, or contents that violate City or internal department policies. The E-mail system shall not be used to harass, threaten, slander or defame employees or other users. Offensive messages include, but are not limited to, messages which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses age, sexual orientation, religious belief, political belief, national origin or disability.
4. The Internet, Intranet and E-mail access systems shall not be used to knowingly send (upload) or retrieve (download) copyrighted materials, trade secrets, proprietary financial information, chain letters, or similar materials or free products or services that are not directly related to your work (i.e.

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weather bugs, music, etc.) Employees shall not attempt to access any system they have no authority to access.

5. The City has the right to review, audit, intercept, access, disclose, delete, and purge all messages or contents created, received or sent over the Internet, Intranet and E-mail systems for any purpose. An employee's use of the Internet, Intranet or E-mail system grants management permission to review any and all transactions or sites. As a result, the confidentiality of any message, other than those from the Legal Department, should not be assumed due to possible audit or Open Records process. Employees should be aware that the City has an Internet tracking system in place. Department Heads will be provided monthly reports detailing the amount of time an employee spends on the Internet and all activities conducted.
6. The Internet access systems may be used for personal communications or transactions only before or after regularly scheduled work periods. Employees shall not access the Internet systems for personal use during lunch hours or during breaks from work. After 5:00 p.m., and on weekends and holidays firefighters may access the Internet system. Such use shall not interfere with the conduct of City business, cause system cost increases, unreasonably interfere with the employee's duties or work time, or violate any provision of the City's workplace rules.
7. It is understood that occasional and limited use of the E-mail system for personal messages to other individuals will occur. Employees' personal use of E-mail shall be subject to review for inappropriate or excessive use. The E-mail system may not be used to solicit, communicate, promote, endorse, support, or advertise for outside commercial ventures, religious or political causes or organizations not connected to City business, or other non-job-related solicitations without the advance approval of the City Manager. All messages composed, sent, or received on the E-mail system are and remain the property of the City. Messages are not the private property of any employee or user and may be monitored, intercepted or copied to backup tape.
8. While management reserves the right to retrieve and read E-mail messages, such messages should be treated as confidential by other employees/users and accessed only by the intended recipient or other authorized individual. Employees are not authorized to retrieve or read any E-mail messages that are not sent to them. Any exception to this provision must receive prior approval from a Department Head and/or the City Manager as appropriate.
9. Employees shall not use the Internet, Intranet or E-mail systems for any illegal activity or purpose. Employees shall not transfer, transmit, receive, view or store any type of obscene, sexually explicit or pornographic materials.

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10. Employees shall not intentionally use invasive software such as viruses or worms, nor shall they transmit or participate in sending chain letters or spamming.
11. Accessing the Internet, Intranet or other software programs shall be done on city computers only. Accessing these services and programs through the city with a personal computer is prohibited. Employees are prohibited from attaching non-city equipment to the networks, unless advance written approval is provided by the department head (laptops, PS2, X-Box, etc.).
12. Any employee who discovers a violation of this policy shall notify his or her immediate supervisor as soon as reasonably possible.

C. PROCEDURE:

To prevent potential liability to the City, employees should not represent their opinions as those of the City, thereby compromising the integrity of the City in any way. The City’s Internet host computers are traceable to the City, so persons using the City-provided Internet should not assume they are provided any degree of anonymity. All outgoing messages which do not reflect the official position of the City should include a disclaimer such as “The opinions expressed here are my own and do not represent those of the City of Broken Arrow.” In general, City employees have an obligation to use their access to the Internet, Intranet and E-mail in a responsible, ethical, and informed way, and in accordance with relevant laws. City employees should represent the City in a positive manner and conform to network etiquette, protocols, practices and courtesies. Use of the Internet by City employees constitutes acknowledgment and agreement to abide by this policy. Employees are further required to sign a copy of this policy prior to access and comply with provisions included in this policy, as well as those in other policies related to the topics included.

There is a wide variety of information on the Internet. Some individuals may find some of the information found on the Internet offensive or otherwise objectionable. Individual users should be aware the City has no control over information found and therefore cannot be responsible for the content of information available on the Internet.

Ownership:

All electronic systems, hardware, software, temporary or permanent files and any related systems or devices are the property of the City of Broken Arrow. These include, but are not limited to, computers, network

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equipment, software, documents, spreadsheets, calendar entries, appointments, tasks, notes and E-Mail which reside in part or in whole on any City electronic system or equipment.

Violations:

The use of the Internet, Intranet and E-mail is a privilege, not a right, which may be revoked at any time for unacceptable use. Anyone found to have engaged in illegal, unauthorized, or unethical practices in E-Mail or on the Internet is in violation of the City’s Policies and Procedures and workplace rules and will be subject to disciplinary action which could result in termination of system access, possible termination of employment, and/or criminal prosecution, if appropriate.

NOTE: This material is taken from the City of Broken Arrow Employee Handbook.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 8: COMPLAINTS AGAINST FIRE DEPARTMENT PERSONNEL | | CODE# 1.V.8 |
| Initiated: July 01, 2006 | | Revised: : 07-01-2016 |

A. PURPOSE

To provide policy, guidelines, and procedures relative to the investigation and management of complaints against Fire Department personnel. Issues that rise to management’s attention from normal departmental operations may be investigated as deemed appropriate by the Fire Chief. Policy infractions observed by a supervisor may not need a full departmental investigation conducted under this policy, but may instead be dealt with by a supervisor under AOP 1.V.4 Discipline.

B. POLICY

1. All complaints lodged against Fire Department personnel shall be received promptly and investigated.
2. All complaints against Fire Department members shall refer the complaint to the on-duty Battalion Chief who may forward it to the Fire Chief depending upon the category of the complaint.
3. Complaints of a serious nature shall be referred to the Fire Chief.
4. Information concerning all aspects of an investigation of a complaint against a Fire Department member shall be considered confidential and due respect for the rights and dignity of all parties concerned shall be afforded by those involved in the investigation process.
5. Any member who is assigned by the Fire Chief to investigate allegations against another member of the Fire Department shall investigate said allegations fairly and impartially in an effort to determine the truth of the matter and arrive at factual conclusions.
6. Members/employees who may be subject to disciplinary actions will be given a copy of the Broken Arrow Fire Department Notification of Firefighter’s Rights as well as being afforded all Garrity Rights.

C. AUTHORITY

1. The Fire Chief shall have the authority to conduct an internal investigation relative to complaints that may have been filed against any member of the Fire Department.
2. The Fire Chief or City Manager shall have the authority to designate an investigator to conduct an internal investigation relating to complaints against Fire Department members.

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- Where appropriate the City Legal Department may become involved to assist in an investigation within the Fire Department.

D. RESPONSIBILITY

- The Fire Chief is responsible for investigating complaints against Fire Department members.
- Battalion Chiefs are responsible for receiving complaints against Fire Department members depending on the category of the complaint or immediately forward the complaint to the Fire Chief.
- All Fire Department members are responsible for receiving complaints promptly and courteously and ensuring that all complaints are forwarded through channels expeditiously to the appropriate next level officer.
- Any member who has been designated as an investigator shall conduct said investigation in a professional manner, seeking to fairly and impartially determine the facts involved.
- All members have an obligation to cooperate fully with an investigation.
- Member(s) who are found to have either lied or provided purposeful deception during the investigation, to either protect themselves or other members will be subject to disciplinary action up to and including termination.

E. COMPLAINT STATUS

- Investigations are initiated in response to an allegation of misconduct from a complainant.
- Complaints will be deemed either Category I, Category II, or Category III.

| Category I | Category II | Category III |
|-------------------------|------------------------------|--|
| Demeanor | Biased Treatment | Criminal Allegations |
| Quality of Service | Inefficiency or Incompetence | Civil Rights Violations |
| Validity of Enforcement | | Serious rule infractions |
| Minor Rule Infractions | | Any that may result in Suspension or Termination |
| | | Any Involving injuries |

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3. Anonymous Category I complaints may be investigated at the discretion of the Battalion Chief.
4. Complaints classified as Class II or III will be assigned to an investigator by the Fire Chief.
5. One or more of the following findings shall be determined in each completed investigative report.
 - a. Unfounded: The investigation indicates that the act or acts complained of did not occur or failed to involve the Fire Department personnel.
 - b. Exonerated: Acts reported did occur but were justified, lawful, and proper.
 - c. * Not sustained: Investigation fails to discover sufficient evidence to clearly prove or disprove the allegations made in that complaint.
 - d. Sustained: The investigation disclosed sufficient evidence to clearly prove the allegation(s) made in the complaint.
 - e. Not involved: Investigation establishes that the individual named in the complaint was not involved in the alleged incident.

* In the event of a “Not Sustained Status” report finding, the Fire Chief may elect to employ a polygraph for the employee(s) in question to more fully determine the true findings within a given complaint.

F. ARRESTED EMPLOYEE

1. Whenever it becomes known that a member of the Fire Department has been arrested by a law enforcement agency, the Fire Chief and City Legal shall be notified immediately and a formal investigation initiated.
2. The Fire Chief, or his/her designee, shall make contact with the law enforcement agency involved and shall endeavor to obtain as much information as possible concerning the case.
3. When Police reports are obtained and a Police investigation is conducted, affected member may be subject to polygraph tests.

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4. Whenever a member of the Fire Department is arrested in connection with alleged, on-duty criminal activities, the Fire Chief shall be immediately notified and a formal investigation shall be initiated.

G. CRIMINAL ALLEGATIONS

1. Whenever a Police Report has been filed against a Fire Department member, the Fire Chief shall be notified immediately and a formal internal investigation may be initiated.
2. Whenever a complaint lodged against a Fire Department member indicates a criminal act and there is sufficient corroborating evidence to the extent that an arrest of said member seems likely, the Fire Chief shall be notified immediately.
3. When Police reports are initiated and an investigation is conducted, affected member may be subject to polygraph tests.

H. PROCEDURE

Complaints may be received by any of the various components of the Fire Department. Depending on the nature and Category of the complaint, it shall be expeditiously routed to the appropriate officer to ensure prompt and efficient handling. The following illustrates the system used for handling complaints against Fire Department personnel:

- a. The affected employee will receive written notice if they are the subject of a complaint which has been forwarded to the Fire Chief for Category II or III violations.
- b. Prior to any interrogation stemming from the complaint, employees will be advised of their rights as provided by law.
- c. When the Fire Chief becomes involved, he/she may decide (based on the facts) to handle the investigation or to delegate the investigation to another member. Investigators will strive for completion of the investigation within sixty (60) days.
- d. At the conclusion of the investigation, the investigator will prepare a report and submit it directly to the Fire Chief. Said report will indicate the appropriate standard finding based on the conclusions drawn by the investigator.

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- e. The Fire Chief will review the report. If the Fire Chief is not in agreement with the report, the investigator will be re-contacted and additional investigation may be warranted. If the Fire Chief is in agreement with the report, he/shall initiate the appropriate actions to conclude the matter based on the findings within the report.
- f. If the report indicates a finding other than “sustained”, the involved member and the complainant will be informed of the disposition of the matter: and a copy of the report will be placed in an administrative file for a period not to exceed one year.
- g. If the approval report indicates a finding that sustains the allegations against the involved member, then the Fire Chief shall make a decision as to whether or not immediate corrective action should be taken.
- h. If immediate action is indicated, the type of action shall be determined by the Fire Chief. Both the involved member(s) and the complainant will be informed of the disposition of the matter, and the formal disciplinary action process will be activated.
- i. If necessary, the Fire Chief may decide to consult with other supervisory members before deciding the type of disciplinary action to take.

END

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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 9: USE OF FORCE | | CODE# 1.V.9 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2021 |

A. PURPOSE

The purpose of this policy is to provide the Prevention Division Personnel with guidelines on the use of deadly and non-deadly force as well as appropriate use of firearms and other weapons.

B. POLICY

It is the policy of the department that all CLEET certified personnel assigned to the Prevention Division will be knowledgeable of and comply with all current Broken Arrow Police Department policies and procedures related to firearms or other weapons, self-defense tactics, use of force, use of deadly force, response to resistance, less lethal force, and any policies related to the restraint or detainment of others.

All applicable and current Broken Arrow Police Department policies as described above shall be updated as necessary to ensure consistency with the police department and placed in Chapter 6 of the Administrative Operating Procedures.

END

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| | CHAPTER: II –DEPARTMENT ORGANIZATION | APPROVED BY: Chief Jeremy K. Moore |
| 07-01-16 | SUBJECT: 10 Firearms | CODE# 1.V.10 |

A. PURPOSE

This policy specifically prohibits the carrying or possessing of a weapon on or within the City of Broken Arrow Fire Department property, facilities or equipment.

Pursuant to Title 21, Section 1289.7a of the Oklahoma State Statutes, this policy does not have the effect of prohibiting any person, except a convicted felon, from transporting and storing firearms or ammunition in a locked privately owned motor vehicle, or from transporting and storing firearms or ammunition locked in or locked to a privately owned motor vehicle on any property set aside for motor vehicles.

As used in this section, "motor vehicle" means any automobile, truck, minivan, sports utility vehicle, motorcycle, motor scooter, and any other private vehicle required to be registered under the Oklahoma Vehicle License and Registration Act.

Law enforcement officers, and certified peace officer members, assigned to, and on-duty are exempt from this procedure.

Within its responsibility to protect employees, citizens, and public property, City officials may open and search lockers, desks and containers (except privately owned motor vehicles) on City property if there is reasonable suspicion that weapons may be in the search areas.

END

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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 11- SAFE PLACE PROCEDURES | | CODE# 1.V.11 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2016 |

A. PURPOSE

To establish procedures for the prompt activation of a SAFE PLACE at BAFD Fire Stations when requested by members of our youth who are seeking refuge; to ensure that youth utilizing the Safe Place Program are handled correctly and that the emergency operations of the BAFD are not compromised.

B. POLICY

1. When a youth comes into the station asking for help, members immediately notify dispatch and the Battalion Chief in order to place a unit out of service to stay with the youth. Through dispatch or their own devices, members will make contact with Youth Services (918-582-0061) to apprise them of the situation and relay pertinent information, such as the youth's gender, age, and the location of the youth.
2. **Youth Service of Tulsa's phone number: 582-0061.** This number is staffed and or forwarded to the appropriate personnel 24/7.
3. A Safe Place volunteer will arrive within 30 minutes and will present a Safe Place I.D. card with a number that will correspond to the name and number on the master volunteer list at each station. Also, the volunteer should present a valid Oklahoma Driver's License.
4. The volunteer will provide transportation to the Youth Services of Tulsa shelter or will arrange safe transportation home for the youth.

Note: It is **not necessary** to call a police officer to the station, unless a violent or dangerous situation exists. If a youth is in need of medical attention, EMS should be provided as appropriate.

5. When Safe Place is used, the dispatcher will make appropriate notation on the Safe Place log for the month. The dispatcher will also record the assistance given to the youth by completing an interoffice memorandum. The memorandum will contain the date and time assistance was provided, the name, address and phone number of the youth, their age and gender, the basic circumstances surrounding the incident. The name of the volunteer and where the youth was taken should also be recorded in the memorandum.

The memorandum will be forwarded to the Police Chief's Office for review. The Police Chief's Office will then forward the documentation to Professional Standards Unit for statistical purposes.

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| SUBJECT 11- SAFE PLACE PROCEDURES | | CODE# 1.V.11 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2016 |

C. PROCEDURES

- I. Assignment of personnel to attend to the youth: The station Captain will assign two (2) members to the youth. Two members will be with the youth at all times.
 - A. The Attending Members will take the youth to an area in the station that will not interfere in the operation of the station.
- II. Attending Members will:
 - A. Introduce themselves. Assure the youth about the situation and surroundings.
 - B. Assess the youth by:
 1. Observation:
 - for medical need.
 - emotional and behavioral clues.
 2. Non-threatening inquiry:
 - How are you?
 - Can you tell me what happened?
 - Can you say what brought you here?
 - C. Tell the youth that you will call Youth Services of Tulsa who will send someone out to help.
- III. Notification of the Broken Arrow Police Department
 - A. The on-duty Patrol Supervisor will be notified that a youth is in a fire station requesting help. This is to ensure the youth can be accounted for in case of an emergency.
 - B. Anytime the youth, youth's family, or youth's friends become violent or the dispatcher feels that the incident may become hostile, a Broken Arrow Police Officer must be assigned to the station.
- IV. Notification of Youth Services of Tulsa:
 - A. Attending Members will contact Youth Services of Tulsa and advise them that there is a youth requesting to use the Safe Place Program.
 - B. Youth Services of Tulsa will give the Attending Members the following information about the volunteer they are sending:

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1. Name
2. Type of Vehicle
3. Estimated time of arrival.

V. Transfer of youth to Youth Services of Tulsa.

- A. If the Youth Services of Tulsa volunteer does not present all of the needed information (a Safe Place ID card with a number that will correspond to the name and number on the master volunteer list and a valid Oklahoma Driver's License), the youth will not be allowed to go with the volunteer. Also, Broken Arrow Police Watch Commander/Supervisor and Youth Services of Tulsa will be notified.
- B. If the volunteer from Youth Services of Tulsa has all the needed information, and the youth is still wanting to use the Safe Place Program, the Attending Members will turn the youth over to the Safe Place volunteer and notify the on-duty Patrol Supervisor that the youth has been transferred to a Youth Services of Tulsa volunteer.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: CHIEF DENNIS MCINTIRE |
| SUBJECT 11- SAFE PLACE PROCEDURES | | CODE# 1.V.11 |
| Initiated: May 01, 2006 | | Revised: |

VI. Age Requirements: The Safe Place Program is designed to help youth from the ages of 12 years to 17 years old.

- A. Youth Services of Tulsa can give the Attending Members referral numbers to other agencies for youth over age 17.
- B. Children under age 12 usually seek a Safe Place if they are abused, abandoned, lost, injured, threatened and/or followed. In most of these cases, Youth Services of Tulsa can be contacted to send a Safe Place volunteer to the police station to wait with the youth until either a parent picks up the youth **or** in the case of abuse/abandonment*, a Broken Arrow Police Officer and the Domestic Violence Counselor arrives at the station.

***If a youth is abused or abandoned, Attending Members need to notify a Broken Arrow Police Officer and the Domestic Violence Counselor.**

VII. Special Circumstances: In case the Attending Members feel that the youth is in danger or that an angry parent/family member is in the station, Broken Arrow Police must be notified.

VIII. Important telephone numbers:

Youth Services of Tulsa (918) 582-0061
Broken Arrow Police Department (918) 259-8400

***Questions or Emergencies:**
Sarah Beers ~ Safe Place Coordinator (918) 382-4479 Work
316-734-0016 Cell

END

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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 12- JURY or COURT LEAVE | | CODE# 1.V.12 |
| Initiated: Sept. 01, 2006 | Revised: : 07-01-2016 | |

A. PURPOSE

To establish provisions and policy when employees are subpoenaed, summoned, or otherwise called to jury duty or testify in court.

B. POLICY

Jury and court service, legally summoned, allows an employee absence with pay for the time actually required by such service. If the jury service ends more than one hour prior to the end of a regular work shift, the employee is required to report immediately to the usual place of work; otherwise, the employee is required to report for work the next regular work period. The employee shall present his or her Department Director with a receipt from the Court Clerk verifying the hours of such service. An employee granted civil leave is compensated at his or her regular rate of base pay. The employee may retain any compensation in the form of fees paid to the employee by the court system. The above stated policy does not apply to sworn police officers, except when police officers are testifying in a personal matter. An employee subpoenaed to testify in his own case will not receive his regular salary but may use vacation or be granted a leave of absence without pay for the length of service.

END

This language is taken from the City of Broken Arrow Employee Handbook

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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 13- CITY VEHICLE ACCIDENTS | | CODE# 1.V.13 |
| Initiated: Sept. 01, 2006 | | Revised: : 07-01-2016 |

A. PURPOSE

To establish policy and procedures when employees are involved in an accident while operating City owned fleet vehicles.

B. POLICY

Employees involved in a vehicular accident while operating City owned fleet vehicles are responsible to ensure that proper care is rendered (where applicable) proper forms are completed, the accident is properly documented, and appropriate level supervisors, as well as loss control and fleet maintenance personnel have been notified. This policy is applicable to any accident that involves damage to a city owned vehicle.

C. PROCEDURE

1. Treatment of injured people and or personnel will be the first priority.
2. Call Police Department or other Law enforcement having jurisdiction if damage is over \$300 and or there may be personal injury to any occupant and or pedestrian to complete a police report.
3. Call/notify on duty Battalion Chief or respective supervisor, employee safety/ risk management of the incident. They will determine if the accident warrants their response to the scene.
4. Be prepared to exchange driver information, (city vehicles are self-insured).
5. Complete the City Vehicle Accident Form in its entirety
6. Arrange for the towing of any City vehicle that is unsafe or cannot be driven. Typical towing will be to the Fleet Maintenance Parking lot @ 1700 W. Detroit for accident occurring within and around the City.
7. Avoid making any statement concerning fault or liability. Parties demanding more information or provisions beyond this policy will be referred to the City Legal Department.
8. Battalion Chiefs or their designee will be responsible to go to the accident scene and complete an accident report involving operations personnel.

D. OTHER REQUIRMENTS

1. City employees are required to maintain a current and valid Oklahoma Driver's License commensurate with the equipment that they are operating.
2. City employee involved in vehicular accidents may be subjected to immediate drug testing.

END

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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 14: LIGHT DUTY | | CODE# 1.V.14 |
| Initiated: Sept.01, 2006 | | Revised: 07-01-2021 |

A. PURPOSE

To establish a fair and equitable policy for personnel to continue to contribute to the mission of the department while convalescing from service and non-service connected injuries or illnesses.

B. POLICY

Employees who are unable to perform their basic job functions due to a temporary disability, or non-contagious medical condition may qualify for an assignment to a staff position until they are able to return to full and regular duty. Light duty is not a right, which any member can invoke. Light duty assignments are given and determined by the Fire Chief based upon legitimate work needs within the department on an as needed basis. When medically capable, members recovering from service connected injuries or surgeries may be assigned to a light duty position. Members wishing to conserve sick leave for non-service connected injury or illness may request light duty, but no assurances can be made for such an assignment nor can a specific length of time be promised for light duty.

C. PROCEDURE

1. Members recovering from service connected injuries or surgeries may be assigned to light duty provided they have been released to such an assignment by a physician or Health Care Professional (i.e. Physician, Physician Assistant, or Nurse Practitioner) of the City's choosing.
2. The Fire Chief will be the sole determiner of who will get a light duty assignment, what those duties will be and who will supervise the member in question during the light duty assignment.
3. Members wishing to conserve sick leave while convalescing from a non-service connected illness or injury may request to be placed on light duty provided their attending physician or Health Care Professional (i.e. Physician, Physician Assistant, or Nurse Practitioner who shall not be current employees of the City of Broken Arrow) is in agreement with such an assignment.
4. Members who become pregnant and are placed on limited restrictions by either the city medical provider or the member's medical provider prior to the birth of their child shall be placed on light duty for up to six (6) months, or until such time they become medically released, whichever is less. Members who have a medical need that exceeds the six (6) months of light duty may use their accumulated sick leave or vacation per the collective bargaining agreement.
5. Non-service connected requests for light duty will be made to the Fire Chief in writing. (Electronic format is acceptable).
6. Non-service connected ill or injured members on light duty may elect to utilize their sick leave provided they do not attempt to continually opt in and out of a light duty assignment in an effort to extend their time off the job.
7. Service connected ill or injured members on light duty may use sick leave for non-service connected illnesses that precludes them from fulfilling their light duty assignment.

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8. Service connected ill or injured members on light duty may use their vacation leave if they so desire.
9. Non-service connected ill or injured members on light duty may use their vacation leave if they so desire.
10. Light duty assignments must include a measurable objective component to ensure complete accountability, maintain the public trust and to maximize the abilities of the individual.
11. It is incumbent upon the affected member to provide the documentation from the applicable physician or Health Care Professional (i.e. Physician, Physician Assistant, or Nurse Practitioner who shall not be current employees of the City of Broken Arrow) that states the member can perform light duty functions as well as when the member is released to full duty.
12. Light duty will be granted for periods not to exceed one week. The Fire Chief can extend the light duty assignment for additionally weekly periods based upon existing department needs.

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| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 15- REPORTING SERVICE CONNECTED INJURIES | | CODE# 1.V.15 |
| Initiated: Sept.01, 2006 | | Revised: 07-01-2021 |

A. PURPOSE

To establish a fair and equitable policy for personnel to assist in the determination and proper documentation of injuries that occur during the course of employment as a result of performing one's regular duties, and to ensure the proper and expedient treatment of same.

B. POLICY

The City may require the employee to submit to a medical examination by a medical doctor or Health Care Professional (i.e. Physician, Physician Assistant, or Nurse Practitioner) designated by the City for the purposes of determining whether the claim of injury is proper. The City may require periodic physician's or Health Care Professional's statements describing the employee's condition. If an employee refuses to submit to the examination by a physician or Health Care Professional designated by the City, the refusal shall result in terminating all benefits provided in Article XIX of the Collective Bargaining Agreement.

No injury leave will be paid for any injuries that occur as a result of the following: 1) willful intention to bring about injury to yourself or another, 2) where the injury results directly from the willful failure to use a guard or protection against accident furnished for the employee's use, 3) where the injury results directly from intoxication while on duty, 4) where the injury results directly from horseplay, playing or pranks engaged in by the injured employee, alone or with others, and/or 5) if the employee fails to follow prescribed reporting procedures.

C. PROCEDURE

1. If you are injured at work, no matter how minor it may appear, report the injury to your supervisor. Failure to immediately report the injury may result in disciplinary action and/or loss of injury leave benefits.
2. Employees needing medical treatment will be provided appropriate medical forms from their supervisor. This authorization is to be presented by the employee to the attending physician, or Health Care Professional, or medical facility at the time of the treatment. Unauthorized medical treatment may result in nonpayment of the employee's medical expenses and/or injury leave benefits. (Unauthorized treatment is medical treatment not approved by the City of Broken Arrow, prior to receiving the treatment or the failure to provide the proper forms.) The medical forms will be completed by the physician or Health Care Professional and returned to the employee upon completion of the initial treatment. The form is then immediately returned to Employee Safety/Risk Management.
3. Injured employees requiring immediate emergency medical treatment (i.e. profuse bleeding, broken bones, unconsciousness, shock, etc.) will not need the medical forms. For all emergencies of this nature, utilize Fire Department EMS for treatment and transportation to the nearest emergency medical facility.

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| Initiated: Sept.01, 2006 | | Revised: 07-01-2021 |

4. The injured employee is expected to follow prescribed medical treatment and keep all appointments with the physician or Health Care Professional. Failure to do so may result in nonpayment of injury leave benefits and/or disciplinary action. The employee must keep their supervisor notified of their temporary disability status, after each medical appointment, by providing a new medical form.

5. It will be the responsibility of the person directly in charge of such employee to prepare an accident report concerning such injury, containing how, where and when the injury occurred, together with all pertinent information available. The report will also contain the names and addresses of all witnesses and fellow employees that were at the scene of the accident and a general outline of the extent of injury sustained. All written accident reports shall be transmitted not later than twenty-four hours after the occurrence thereof utilizing the Supervisor Accident/Injury Investigation Report form. The supervisor shall submit all forms to Employee Safety/Risk Management within twenty-four hours of the injury.

6. An employee shall not be allowed to return to work prior to receiving a written medical release from the treating physician or Health Care Professional. Rules governing accidents and injuries will be strictly enforced for your own protection. Even the slightest of injuries may cause serious infection. Safeguard your own health by following the rules. An employee on occupational injury leave benefit cannot work for another employer during the time he or she is drawing this benefit from the City.

7. For greater detail on the provisions of Injury Leave, refer to Article XIX of the Collective Bargaining Agreement.

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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 16 - Digital Imaging | | CODE# 1.V.16 |
| Initiated: 07-01-2017 | | Revised: NA |

The Broken Arrow Fire Department recognizes that photographs can be an important tool in the investigation and successful prosecution of criminal offenses. Digital images are the preferred medium for fire scene documentation. All images captured by any member of the BAFD in the course of official duty may be considered evidence; therefore, care should be exercised when taking any photographs while on duty.

To aid investigators in obtaining usable photographs, the Broken Arrow Fire Department has obtained digital cameras for use by fire investigators. The preservation and storage of digital images has been addressed by NFPA® 921 Guide for Fire and Explosion Investigations.

Digital images can be enhanced using available computer technology. Typical image enhancement can be used to correct brightness, color, and contrast. If an image has been enhanced, it is incumbent upon the investigator to preserve the original image and to document the extent to which the image was enhanced, should enhancement become an issue.

Steps should be taken to preserve the original image and establish a methodology to allow authentication. A procedure should be established for the secure storage of images. The original photographs as well as any digital data should be secured and maintained.

The Broken Arrow Fire Department recognizes technology will continue to change; however, the systematic approach to provide a secure chain of custody for storage of photographs and digital data will remain constant.

All digital image evidence obtained during a fire investigation shall be processed, stored, and disseminated following current procedures. Any images captured during the course of an investigators fire investigation are considered “evidence.”

Chain of Custody:

Under no circumstances may evidence images from a camera card be deleted, copied, transferred, emailed, or printed prior to downloading and storing the images following the established procedures of the BAPD Crime Lab Administrator.

A. All digital images taken by Broken Arrow Fire Investigators during the fire investigation will be stored following procedures established by BAPD Crime Lab Administrator.

B. All digital image evidence shall be downloaded following procedures established by BAPD Crime Lab Administrator.

C. No department media should be used for personal reasons without the approval of the Supervisor.

D. The use of *personal cell phone cameras* for fire investigations is prohibited.

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|  | BROKEN ARROW FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES | |
| | CHAPTER: V – RULES AND REGULATIONS | APPROVED BY: Chief Jeremy K. Moore |
| SUBJECT 17 - Unmanned Aerial System (UAS) | | CODE# 1.V.17 |
| Initiated: 07-01-2021 | | Revised: NA |

A. PURPOSE

To establish protocol on the deployment and use of Unmanned Aerial Systems (UAS) including the retention and or destruction of media obtained in accordance with applicable Federal, State and City of Broken Arrow.

B. SCOPE

All sworn Broken Arrow Fire Department personnel.

C. POLICY

It shall be the policy of the Broken Arrow Fire Department (BAFD) to use UAS to enhance the Department's mission of protecting lives and property. Any use of the UAS will be in strict accordance with constitutional and privacy rights, FAA Regulations and department policy.

D. DEFINITIONS

1. **Unmanned Aerial System (UAS)** – A small unmanned aircraft weighing less than 55 lbs., the command system, a secure control link and other safety and support systems for the operation of the UAS.
2. **Certificate of Authorization (COA)** - Given by the FAA granting permission to fly the UAS within specific boundaries and perimeters. **A copy of the current COA will be maintained with all UAS for reference**
3. **Unmanned Aerial Vehicle (UAV)** – A small, unmanned aircraft weighing less than 55 lbs.
4. **Observer** – A member of the Broken Arrow Fire Department trained and authorized to maintain visual observation of the UAV while in flight, who may also be a pilot.
5. **Pilot** – A member of the Broken Arrow Fire Department that is trained, certified and authorized to control a UAV during flight.

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E. PRIVACY

The use of the UAS potentially involves privacy considerations. Personnel will consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the UAS. Pilots will take reasonable precautions to avoid inadvertently recording or transmitting images that infringe upon an individual's right to privacy. This includes consideration by the pilot on deciding to turn on/off the recording function and the route of the UAS during deployment. Issues pertaining to Pilots and/or Observers in violation of constitutional and privacy rights, FAA Rules and Regulations and/or BAFD UAS policy shall be investigated and reviewed as directed by the Fire Chief.

F. USE OF THE UAS

- 1) It shall be the policy of BAFD that a UAV may be deployed under the following circumstances:
 - a) Fire Suppression
 - b) Mass Casualty Incidents
 - c) Disaster Management
 - d) Fire Investigation
 - e) Missing/Lost Person
 - f) Hazardous Materials
 - g) Rescues Operations
 - h) Special Events or other circumstances approved by the Fire Chief
 - i) Training
 - j) In support of BAPD when the underlying mission meets the use criteria outlined in the BAFD UAV Operations policy.
 - k) Mutual Aid (County, State or Federal) when the use meets the criteria outlined in this policy.

- 2) It shall be the policy of BAFD to PROHIBIT the use of a UAS in the following circumstances:
 - a) To conduct random surveillance activities.
 - b) To target persons based solely on individual characteristics, such as race, ethnicity, national origin, religion, disability, gender or sexual orientation.
 - c) To conduct any personal business other than official Department business.
 - d) To be weaponized.
 - e) In any way that contradicts constitutional and privacy rights, FAA Regulations and Fire Department policy.

- 3) If the UAV Pilot, Incident Command, or additional personnel deem that the utilization of a UAV is unsafe, not beneficial to the Incident, or beyond the pilot's abilities then the UAV is to remain grounded. If the decision is made, by the UAV Pilot, that the mission is beyond the pilot's ability, then a more experienced pilot may be contacted to perform the flight.

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G. DIGITAL MEDIA COLLECTION AND RETENTION

- 1) Following a UAS operation by BAFD the digital media recorded will be uploaded into the approved digital management system.
- 2) Digital media files collected by the UAS shall be retained as record in the BAFD UAS file or retained as evidence of a crime. Upon request/change of custody of a Data storage device (SD card, mini SD, USB Storage device, etc.) the relinquishing party and the receiving party shall be documented in the UAS log.
- 3) **Unauthorized use, duplication, and/or distribution of UAS digital media files are strictly prohibited.** Personnel shall not make copies of any UAS digital media files for their personal use and are prohibited from using recording devices (such as a personal camera, tablets, or smart phone) or any secondary video camera to capture UAS systems media including the retention of video cached on the web. All recorded digital media; images and audio are property of BAFD and shall not be copied, released or disseminated in any form or manner outside the parameters of this policy without expressed written consent.

H. REQUESTS FOR DIGITAL MEDIA FILES

- 1) Departmental request for a UAS digital media, including requests from the District Attorney’s Office or City Attorney’s Office, shall be forwarded as a written request via e-mail, to BAFD Headquarters, with sufficient information to locate the UAS camera system file.
- 2) Non-Departmental Requests (open records requests) for UAS digital media shall be accepted and processed in accordance with Federal, State, and local laws, and City of Broken Arrow policy (discovery, media inquiries, subpoenas, Public Records Act requests, etc.).
- 3) When practical, department personnel will be advised prior to any release of UAS digital media files.

I. DELETING ACCIDENTAL RECORDINGS

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- 1) In the event of an accidental activation and/or recording, the recording employee may request that the UAV digital media file(s) be deleted. The employee shall provide sufficient information to locate the UAS system file to be deleted. The Deputy Chief of Training shall review the file and affirm that the file does not contain images that represent a breach of privacy or have evidentiary value and make a recommendation to approve or deny the deletion request.

J. DIGITAL MEDIA USE FOR TRAINING

- 1) UAS and the recorded digital media files may be utilized as a training tool for individuals, specific units, and the department as a whole.
- 2) Fire Department personnel requesting utilization of a UAS digital media file for training purposes shall submit the recommendation through the chain of command to the Deputy Chief of Training.
- 3) Upon the completion of training exercises the captured media shall be uploaded to the UAS Training file. This file will hold all training recordings. Recordings **will not** be moved to other files, copied or sent beyond this file without consent from the Deputy Chief of Training
- 4) Personnel involved in the UAV training shall log all UAV training hours and complete the appropriate Pre-flight and Post Flight check off forms.

K. RESPONSIBILITIES

1) Pilots

- a) Pilots shall be proficient with all BAFD UAV's and Equipment.
- b) Pilots shall obtain and maintain a FAA part 107 UAS Remote Pilot Certification.
- c) Pilots interacting with Air Traffic Control (ATC) shall have sufficient expertise to perform task readily. Pilots must have an understanding of, and comply with, FAA regulations applicable to the airspace where the UAS will operate.
- d) The Pilot's primary duty is the safe and effective operation of UAS in accordance with the manufacturers approved flight manual, FAA regulations and agency's policy and procedures.
- e) Pilots must remain knowledgeable of all FAA regulations, UAV manufacturers' flight manual and BAFD policy and procedures.
- f) Pilots shall be fully trained and versed in Pilot/Observer verbal and nonverbal communication.
- g) The department's Pilots shall maintain a file which shall include copies of FAA certifications and training records and shall be accessible at all times during UAS operations per FAA requirements.
- h) The Pilot shall document all deployments in the FAA Logbook, including training missions.

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2) Observer

- a) Observers shall be sufficiently trained to communicate clearly to the pilot any instructions required to stay clear of conflicting traffic. Observers shall receive training on rules and responsibilities expected of holding the position. This training shall include right of way rules, cloud clearance, in flight visibility, ATC terminology, verbal and non-verbal Observer/Pilot Communications.
- b) The Observers primary duty is to operate the UAS equipment, including cameras, FLIR, radio communications, as well as, be an observer for anything that may affect the Pilot’s primary duty.
- c) Observers shall use “see-and-avoid tactics” for any obstacle that will lessen safety during the mission.
- d) Observers shall operate any attachments to the UAS, allowing the Pilot to maintain complete focus on the operation of the UAS.
- e) Observers shall remain alert for persons or activities on the ground that could distract the Pilot.
- f) Observers shall monitor the radio and keep the pilot informed as to incident information.
- g) Observers shall assist the Pilot in the main objective of safe operations of the UAS.

3) Public Information Officer

- a) Inquiries from the news media will be forwarded to the public information officer or the Assistant Fire Chief.
- b) Pilots/Observers shall follow currently established department policy regarding interactions and inquiries from the media.

L. UAV LOSS / DAMAGE / ACCIDENT

- 1) In the case of an accident or in-flight emergency the pilot must follow the appropriate procedures listed in accordance to the FAA Jurisdictional COA.
- 2) Pilot must contact their direct supervisor and/or Incident Command and follow the procedures outlined in the BAFD Administrative Operating Procedures 1.V.3 Vehicle Accidents.

END