



State of Indiana
Indiana Department of Correction

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Number

02-03-117

POLICY AND ADMINISTRATIVE PROCEDURE

Manual of Policies and Procedures

Title

CORRECTIONAL POLICE OFFICER

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Replaces:
IC 11-8-2-5; IC 11-8-9-1 through IC 11-8-9-4; IC 35-47-2-2	00-01-103 02-03-103 01-02-107 02-03-110 01-05-101 03-02-103 02-01-109 03-02-108 02-01-112 03-02-109 02-01-113 04-03-103 02-03-101 04-03-104 02-03-102	02-03-117 Eff. Date 9/1/2013 / ED # 13-60

I. PURPOSE:

The purpose of this policy and administrative procedure is to establish the duties and responsibilities of staff appointed to serve as Correctional Police Officers in the Department of Correction.

II. POLICY STATEMENT:

In accordance with IC 11-8-9-1 through 11-8-9-4, the Commissioner may appoint staff of the Department of Correction to serve as Correctional Police Officers. In this position, the staff person shall have the authority to:

- Make arrests;
- Conduct searches and seizures of a person or person's property;
- Carry a firearm;
- Exercise other police powers with respect to the enforcement of Indiana laws and Department of Correction policy and procedures.

The intent of the appointment of Correctional Police Officers is to provide a trained force of staff to enforce applicable laws as they relate to the operation of the Department. Correctional Police Officers shall only carry out those duties and responsibilities as prescribed by Federal/State statute, local ordinances, and this policy and administrative procedure. Correctional Police Officers possess arrest powers.

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The staff person appointed shall meet the qualifications for a Correctional Police Officer and successfully complete a training program approved by the Department of Correction and the Indiana Law Enforcement Training Board.

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. ACTS WITHIN THE SCOPE: Any act that involves parolees, offenders, or staff under the supervision of the Indiana Department of Correction. This includes any person who is involved in the commission of a crime involving an offender, Department property or contractual facility, including criminal activity occurring on facility property or in conjunction with an official Department function authorized by the Commissioner or Department policies and procedures.
- B. CHIEF OF POLICE: The staff person designated by the Commissioner to oversee the operation of the Department of Correction Police Force.
- C. DEPUTY CHIEF OF POLICE: The staff person assigned to assist the Chief of Police in the operation of the Department of Correction Police Force.
- D. COMMANDER (S): The person responsible for ensuring Correctional Police Officer's in their division are completing their State-mandated training in a timely manner. When Correctional Police Officers are needed for Parole Sweeps, Warrants, etc., the Commander shall coordinate these assignments with the Chief and/or Deputy Chief.
- E. CORRECTIONAL POLICE OFFICER (CPO): A Department staff member who has been appointed and who meets the qualifications and training requirements of the Department of Correction and the Indiana Law Enforcement Training Board.
- F. ON DUTY: Authorized work hours, including overtime hours, in accordance with the policies of the Indiana State Personnel Department while performing those job duties assigned by the Department.

IV. CORRECTIONAL POLICE OFFICER'S AUTHORITY:

In accordance with IC 11-8-9, the Correctional Police Officer's authority extends to any place in the State of Indiana while engaged in the performance of the duties of employment and for the purpose of carrying out the primary function of the Indiana Department of Correction.

A CPO may:

- A. Make an arrest;

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- B. Conduct a search or a seizure of a person or property;
- C. Carry a firearm; and,
- D. Exercise other police powers with respect to the enforcement of Indiana laws.

A CPO may not make an arrest, conduct a search or a seizure of a person or property, or exercise other police powers unless the arrest, search, seizure, or exercise of other police powers is performed:

- In connection with an offense committed on the property of the Department;
- In connection with an offense involving an offender who is committed to the Department;
- In connection with an offense committed in the presence of the officer; or,
- While assisting another law enforcement officer who has requested the assistance of the CPO.

The Commissioner may additionally limit the exercise of the powers of the Department's CPOs as indicated in Procedure VII below.

V. ORGANIZATION OF DEPARTMENT OF CORRECTION POLICE FORCE:

The Commissioner shall appoint a staff member to serve as the Chief of Police to have direct oversight of the Department of Correction Police Force. The Chief of Police shall report directly to the Deputy Commissioner of Operations.

The Chief of Police shall ensure overall compliance with Department policies and administrative procedures and Law Enforcement/Police guidelines.

VI. QUALIFICATIONS AND TRAINING:

Department of Correction staff members who meet the following qualifications may apply to serve as a CPO:

- Must be a citizen of the United States
- Must have at least five (3) years of corrections and/or law enforcement experience, the Commissioner or their designee would have authority to waive this requirement.
- Must have had no disciplinary action taken against them for the previous 12 months
- Must submit to and pass a drug/alcohol screening upon request
- Must submit to an annual Criminal History (NCIC/IDACS) and Vehicle Operator's License (BMV) check
- Must possess a valid license to operate a motor vehicle
- Must have earned a High School Diploma or a GED or equivalent
- Must pass a written test with a score of 75%
- Grammar, Vocabulary, and Spelling
- Memorization

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- Incident Report Writing
- Video
- Reading Comprehension
- Mathematics
- Must pass an Oral Interview
- Must pass a Psychological Test
- Must attend Department Office of Investigations and Intelligence Academy prior to becoming a CPO
- Must Pass CPO physical fitness standards

Assignment to a CPO position shall be voluntary and shall be considered an ancillary duty to the staff person's regular duty assignment.

A CPO must successfully complete the training requirements set forth by the Indiana Law Enforcement Training Board, the Indiana Law Enforcement Academy, and the Indiana Department of Correction.

The Commissioner, Deputy Commissioner, and/or the Chief of Police has the ability to decommission a CPO. Any reporting of discipline will be evaluated by the Commissioner, Deputy Commissioner, and/or Chief of Police.

CPO's must have a minimum of 3 years as a Police Officer before they can become an ILEA General Instructor. They must attend the ILEA Instructor Development course before they can become a Psychomotor Skills Instructor (Physical Tactics, EVO, Firearms, and STOPS)

Veteran CPO's must pass a CPO Physical Fitness test on a yearly basis. This test shall be administered by the Chief of Police or their designee.

VII. DUTIES AND RESPONSIBILITIES:

Acts within the scope of employment of CPOs include, but are not limited to:

- A. Arresting any person committing a felony or misdemeanor while on State property or aiding an incarcerated offender in the commission of a felony or misdemeanor. The misdemeanor has to be witnessed by the CPO. Detaining, arresting, and taking into custody any person for felony criminal offenses (i.e. trafficking cell phones, the possession, use, or trafficking of narcotics or weapons). Misdemeanor offenses may result in criminal information or probable cause to be prepared for presentation to the appropriate County Prosecutor.
- B. Arresting of any person who has a verified outstanding felony or misdemeanor warrant while on state property or during the performance of duties.

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- C. Conducting searches and seizures in accordance with Department policy and administrative procedure and Indiana law.
- D. Providing temporary protective custody until proper authorities are notified and assume custody for minor(s) who are present when a civilian is arrested and no authorized responsible person is present to assume the care and custody.
- E. Transporting Department High Risk offenders to include arrest and detaining anyone who interferes with such a transport to the extent they jeopardize the security of the transport detail.
- F. Responding to escapes from Department facilities or facilities under contract to house Department offenders, including arresting and detaining any person who is participating or acting as an accomplice in an escape in accordance with State statutes. (This includes pursuits and apprehensions of said individuals as well as collaborating with local law enforcement to effect an arrest.)
- G. Assisting with perimeter control of all Department facilities and surrounding areas during emergency situations (e.g., riots, executions, natural disasters, demonstrations, etc.).
- H. Retention and storage of narcotics or controlled substances for: evidentiary reasons; transportation to laboratories, courts, other law enforcement agencies; and, the destruction of narcotics or controlled substances obtained in relation to a Department investigative case once the case is resolved.
- I. Provide assistance to outside law enforcement agencies upon approval of the Chief of Police or designee.
- J. Emergency assistance may be provided without prior approval in response to incidents that may involve the protection of others from the use of deadly force, loss of life or serious bodily injury, and only if the CPO believes he/she can successfully stop or control the situation, without personal injury to the Officer.
- K. Parole Agents that are CPO's when out in the field are assisting traditional Parole Agents. They shall not enforce parole stipulations as stand alone. They will either have parole or police displayed on their uniform, vest etc.; they cannot have a mixture of the two. They cannot have Parole displayed and be wearing their CPO badge.
- L. CPOs shall adhere to Policy and Administrative Procedure 02-01-109, "The Use of Physical Force." The Department maintains that the use of choke holds, except in situations where the use of deadly force is allowed by law, are strictly prohibited.

VIII. UNMARKED POLICE VEHICLES:

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Several facilities will have an unmarked vehicle available. The vehicle shall be registered and plated as a Police vehicle and equipped with communications equipment, siren, and red/blue emergency lighting (front and rear). The primary function for the vehicle shall remain in control of the facility; however, it should be available to the facilities Correctional Police Officer, when needed for official correctional police business.

The facility may continue to use the vehicle for facility needs but with the strict understanding that only a sworn Correctional Police Officer is allowed to operate the vehicle as a police vehicle and operate the emergency lights and sirens in responding to emergencies.

Correctional Police Officers shall be required to undergo and pass emergency vehicle operation training that is instructed by an ILEA certified psychomotor skills EVO instructor, before they will be permitted to operate a State-owned vehicle as an emergency vehicle.

IX. ARREST AND TRANSPORT OF PERSONS NOT UNDER SUPERVISION OF DEPARTMENT OF CORRECTION:

Under the circumstances indicated below, the arrest and transportation of persons not committed to or under the supervision of the Department is authorized, provided all applicable Departmental policies and procedures pertaining to arrests and transportation are followed. The arresting Officer shall maintain custody of the arrestee in order to complete the booking process.

While on duty it is discovered that a person not under supervision has an outstanding felony warrant, the person may be detained and the issuing agency contacted to determine if that person is still wanted and that agency makes suitable arrangements for pick up.

A CPO who is on duty, upon witnessing the commission of a crime, other than a traffic violation, by someone not committed to or under the supervision of the Department may arrest the person for the commission of that crime. The Correctional Police Officer shall provide any additional support requested by the local law enforcement to effect the arrest.

X. IMPOUNDED/ABANDONED VEHICLES

- A. Vehicle inventory – When a motor vehicle is lawfully taken into custody or impounded, an officer shall conduct an inventory of the contents of the vehicle as required by applicable Department policies. An inventory involves an examination of the items in a motor vehicle and may include items found in an accessible container, the contents of which cannot be readily ascertained by an examination of the container's exterior.
- B. An inventory may extend to locked areas of a vehicle when access may be gained without damage to the vehicle.

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- C. When an inventory is performed, a CPO shall prepare a list using the Police Officer/Abandoned Vehicle Report (State Form #4166 – multi-copy report/not available online) identifying the various items observed during the examination.

XI. LIMITATIONS ON AUTHORITY OF CORRECTIONAL POLICE OFFICER:

- A. Correctional Police Officer appointment by the Commissioner does not authorize any action(s) that fall outside the scope of employment, i.e. moonlighting or performing police services for private business entities. In addition, CPOs who are off-duty are authorized to act as police officers on behalf of the Department under exigent circumstances only to pursue, arrest, or detain any person where criminal activity is afoot, and/or imminent danger to themselves or public. The CPO must disengage if there is too much risk. The CPO shall make contact with local law enforcement as soon as possible regarding the situation.
- B. CPOs are not authorized to pursue, arrest, or detain any person for a violation of traffic laws.
- C. CPOs are not authorized to conduct criminal investigations of persons not committed to or under the supervision of the Department, except as authorized in this policy and administrative procedure.
- D. Secondary employment shall be authorized only in situations in which the staff person is not presenting themselves as a Department of Correction Correctional Police Officer.

XII. COMMISSIONING OATH:

Correctional Police Officers shall be appointed by the Commissioner of the Department of Correction. Appointed Department of Correction CPOs shall commit to upholding this policy and administrative procedure, as well as the overall mission and goals of the Department through the administration of the following oath:

I, (officer says name), do solemnly swear to support the Constitution and the laws of the United States of America and the Constitution and the laws of the state of Indiana, and that I will faithfully discharge, according to the best of my abilities, the duties of my office as a Department of Correction Police Officer for the Indiana Department of Correction and the citizens of the State of Indiana.

This oath shall be administered after the staff person has been appointed and successfully completed all initial training required for CPOs.

XIII. BADGES AND IDENTIFICATION CARDS:

- A. CPOs shall be issued special badges and identification cards by the Department which will

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identify them as authorized Department of Correction Correctional Police Officers. Only those badges authorized and provided by the Department shall be used by CPOs in the performance of their duties.

1. There will be only one (1) identification card issued to each CPO.
2. The badges and identification cards may not be copied or reproduced.
3. All identification card replacement requests must be presented to the Chief of Police.
4. Replacements of identification cards will be issued only with the written approval of the Chief of Police.

- B. Lost or stolen identification cards and/or badges shall be reported immediately in writing to the respective Facility Head, Chief of Police, and local law enforcement. The circumstances of the lost or stolen identification card and/or badge shall be reviewed to determine if negligence precipitated the loss. If so, the CPO may be subject to disciplinary action and / or costs of a replacement identification card and / or badge.
- C. CPO s may display the badge on their person while on duty, on facility grounds.
- D. The Badge shall be removed from the belt and shall not be displayed off grounds unless it is displayed in conjunction with a departmentally-issued side arm.
- E. The badge is to be worn on the same side the weapon is carried.
- F. Badge shall not be visibly worn when off duty.

XIV. USE OF FORCE:

The use of physical force by CPOs shall be in compliance with the use of force continuum in the administrative procedure for Policy 02-01-109, "The Use of Physical Force," and Policy 03-02-109, "The Use of Physical Force in Juvenile Facilities." CPOs shall only use that amount of physical force necessary to control the situation and ensure the safety and security of all persons involved. The Department maintains that the use of choke holds, except in situations where the use of deadly force is allowed by law, are strictly prohibited.

Additionally, CPOs shall comply with the administrative procedures for Policy 02-01-112, "The Use of Restraint Equipment," Policy 03-02-108, "The Use of Restraint Equipment with Juveniles," and Policy 02-01-113, "The Use of Firearms and Chemical Agents."

Any CPO involved in the use of physical force, including the use of restraints and firearms/chemical agents shall report the use of force in accordance with the applicable policy and administrative procedure.

XV. UNIFORM AND ADDITIONAL EQUIPMENT:

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A. Uniform

1. Tactical Pants;
2. Polo with Correctional Police insignia;
3. Tourniquet;
4. Medical Kit; and,
5. Chest Seal.

B. Less Lethal Options

CPOs deploying out to the field must have and be certified on at least one of the following Less Lethal Options on them:

1. Oleoresin Capsicum (OC)
2. Conducted Energy Weapon

C. Body Armor

If Body Armor is worn on the outside the word "POLICE" must be displayed on the front and back of the vest.

XVI. APPLICABILITY:

This policy and administrative procedure is applicable to all Department Correctional Police Officers and potential Correctional Police Officers.

signature on file
Robert E. Carter, Jr.
Commissioner

Date