

BILL NO.: 5100

ORDINANCE NO.: _____

Introduced by: Acting City Manager April Walton

**AN ORDINANCE REPEALING AND REPLACING BERKELEY POLICE
DEPARTMENT GENERAL ORDER POLICY #9, 10, 13, 24, 28, 31, 36, 38, 48, 52,
AND 56**

Now, Therefore, be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

Section 1. Findings: CALEA (The Commission on Accreditation for Law Enforcement Agencies, Inc.) has revised their standard numbers and varies language. This information has to be revised on the General Orders passed by the City of Berkeley, to be in compliance with the CALEA rules and regulations.

Section 2. For ease of reference, the following General Orders will be repealed in its entirety and replaced with the attached General Orders, by the approval and adoption of the Council.

Repealed GO	Ordinance #	Date Passed	New GO	Title
#09	4731	10-17-2022	#09	Use of Force
#10	4287	05-16-2016	#10	Use of Pepper Spray
#13	4674	06-07-2021	#13	Department Authorized Weapons
#24	4878	08-19-2024	#24	Code of Conduct and Appearance
#28	4731	10-17-2022	#28	In-Car & Body Worn Audio and Video Recordings
#31	4345	11-21-2016	#31	Recruitment
#36	4586	12-02-2019	#36	Personnel Early Warning System
#38	4631	08-25-2020	#38	Motor Vehicle Pursuits
#48	4529	03-18-2019	#48	Records
#52	4731	10-17-2022	#52	Holding Facility and Processing
#56	4498	11-19-2018	#56	Crime Scenes

Section 3. This Ordinance shall be in full force and effect from and after its passage.

1st Reading this _____ day of _____ 2025

2nd Reading this _____ day of _____ 2025

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2025

Rita Crawford-Graham, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as to Form:
Phillp C. Boyd, City Attorney

Final Roll Call:

Councilwoman Holmes
Councilwoman Williams
Councilman Hoskins
Councilwoman Anthony
Councilman Hindeleh
Mayor Crawford-Graham

Aye ___ Nay ___ Absent ___ Abstain ___
Aye ___ Nay ___ Absent ___ Abstain ___
Aye ___ Nay ___ Absent ___ Abstain ___
Aye ___ Nay ___ Absent ___ Abstain ___
Aye ___ Nay ___ Absent ___ Abstain ___
Aye ___ Nay ___ Absent ___ Abstain ___

Berkeley Police Department General Order Revision Form

SUMMARY OF CHANGES

2/06/2025

G.O. 9

Use of Force

Page 4- Escalation and De-escalation, CALEA definition update: **“Officers are encouraged to use purposeful action, verbal communication, and body language to restore order or calm a potentially dangerous situation. De-escalation techniques should be used when a situation is starting to escalate, showing signs of potential aggression or conflict, and before the situation becomes violent”** and **“Employees, officers, or civilians are required to intervene within their scope of authority and training and notify the appropriate supervisory authority if they observe another agency employee or public safety associate engage in unreasonable use of force or if they become aware of any violation of department policy, state or federal law, or local ordinance.”**

Page 4- Medical Consideration CALEA update to read as Officers using any degree of force on an individual shall make medical treatment available **as quickly as possible, when safe to do so, when safe to do so**, to that individual when:

Page 6- #13 Investigation and Review of Use of Force Incidents #3 updated the analysis will **“be conducted within the second quarter of the”** calendar year by a designee of the Chief of Police.

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SUMMARY OF CHANGES

02/07/2025

G.O. 10 -Use of Pepper Spray

Page 1: Definitions updated for Pepper Spray to read, a “**non-flammable product that uses 10% oleoresin capsicum (O.C)**”, which is an extract from the cayenne pepper plant.

Page 2: Added to Post Use: Follow-up Procedures #B The officers at the scene are responsible for ensuring that the appropriate medical care is provided “**as quickly as possible when it is safe to do so.**”

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SUMMARY OF CHANGES

02/07/2025

G.O. 13 -Department Authorized Weapons

Page 2: Paragraph two (2) added the description of the Pepper Spray **10% oleoresin capsicum (O.C).**

Page 3: Added a description #3 **“Handguns: Ammunition will be .40 caliber ammunition duty grade factory-loaded ammunition, not to exceed 180 grains.”**

Page 4: Added to Ammunition #8 Less Lethal Shotgun: Only department-issued less lethal **12-gauge “Bean Bag”** style ammunition shall be used.

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SUMMARY OF CHANGES

02/11/2025

G.O. 24 – Code of Conduct and Appearance

Page 7- Standard Uniform **REMOVED** #4 Traffic Officers are required to wear the uniform campaign hat during duty. The department no longer wears campaign hats.

Page 11-12- This was updated to include the City of Berkeley Computer Policy and direction regarding Personal Recording Devices

1. Members of the Berkeley Police Department are prohibited from using personal recording devices to photograph, record (including audio), share, or stream sensitive and confidential situations on social media platforms, including but not limited to;
 - A. Crime Scenes, motor vehicle, crashes, medical emergencies, meetings, or other sensitive situations

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SUMMARY OF CHANGES

07/16/2025

G.O. 28 – IN-CAR AND BODY WORN AUDIO AND VIDEO RECORDINGS

Page 6-

Criminal and Administrative Use

The terminology and procedure were updated.

- A. **“In instances** when an arrest is made, the audio or video recording **may be used as** evidence. The officer **will save the recording(s) on a storage device (DVD, Discs, SSD, ect.)** and place the recording into Property & Evidence following departmental policy to maintain the security and integrity of the evidence.
- B. Disposition of audio or video recordings following the end of evidentiary value or case completion will be determined by Property and Evidence Procedures. These **storage devices (SD)** may be erased and reissued to officers.

Respectfully Submitted,

Captain Evelio Valdespino, DSN 419

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SUMMARY OF CHANGES

04/29/2025

G.O. 31 – Recruitment

Added on page 3 was a section to outline a path for personnel retention

Retention

The Berkeley Police Department understands that a talented and experienced workforce is vital to the success of the department. The experience, intangible knowledge, and skill set that personnel provide to the agency are often irreplaceable. The Berkeley Police Department strives to retain its department personnel by focusing on compensation, training, promotions, lateral moves, special assignments, and work-life balance.

- A. Compensation – Annual salaries are to be competitive with regional and industry standards, and access to the City of Berkeley’s health benefits.
- B. Discretionary benefits provided by the City of Berkeley should include paid holidays, PTO (Personal Time Off), and access to the Berkeley Police and Fire Pension to help facilitate a better work-life balance.
- C. Equipment – The department will strive to issue and provide modern patrol essential equipment and job-related computer programs.
- D. Training – The department will provide up-to-date training to improve personnel skills and knowledge to perform their job and duties effectively.
- E. Recognition – is to be given to reinforce positive actions, behavior, and work ethic.
- F. Promotions and lateral moves – Rank promotions and lateral moves will be done when openings arise to facilitate career growth.
- G. Specialized Units/Task Forces - The Berkeley Police will strive to participate in specialized units and task forces with federal agencies (FBI, DEA, US Marshals, etc.), Greater St. Louis Area Major Case Squad, and/or other multijurisdictional task forces.

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SUMMARY OF CHANGES

02/11/2025

G.O. 36 -Personnel Early Warning system

Page 5: Annual Evaluation- added “A report will be submitted to the Chief of Police annually, by his designee.”

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SUMMARY OF CHANGES

02/11/2025

G.O. 38 -Motor Vehicle Pursuits

Page 6 #E- Updated to state, The Chief of Police “**designee**” will conduct an annual review and analysis of motor vehicle pursuits, and The analysis “**should be submitted by the end of the first quarter of the calendar year.**”

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SUMMARY OF CHANGES

05/08/2025

G.O. 48 – Records

Added on page 6 under Uniform Crime Reporting

#C. Starting July 1, 2025, pursuant to Governor Mike Kehoe's Executive Order 25-05, Immigration Status will be submitted for all arrestees with an Arrest Type of "T" – Taken into Custody or "O" – On View, through the Uniform Crime Reporting program.

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SUMMARY OF CHANGES

08/27/2025

G.O. 52 – Holding Facility and Processing

Page 4 and 5: Added the procedure for FIT for Confinement

FIT FOR CONFINEMENT

- A. All detainees involved in a resisting where the possibility of injury could have occurred will be examined by emergency medical services (EMS) and taken to a medical facility, either by an officer or ambulance, to be examined by a medical professional to determine if they are FIT for Confinement.**
- B. Inmates who report an injury or other medical needs while in custody will be examined by emergency medical services (EMS), and determine if the inmate's condition requires them to be transported to a medical facility via ambulance. If ambulance transport is not necessary and the inmate requires medical attention, the supervisor will assign an officer to transport the inmate to a medical facility to obtain an FIT for Confinement.**
- C If the inmate is required to be transported by ambulance, or they are not determined to be FIT for Confinement, the supervisor will release the detainee from custody, and in the care of medical personnel.**

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SUMMARY OF CHANGES

02/11/2025

G.O. 56 – Crime Scenes

Page 9: Laboratory Submissions added **“Evidence required to be sent to the crime laboratory will be sent to an accredited laboratory, such as the St. Louis County Police Department Crime Laboratory, Missouri State Highway Patrol Crime Laboratory, or other accredited laboratories.”**

#B added **“Evidence to be submitted to the crime laboratory will be taken by the Evidence Custodian, or requesting officer as needed.”**