

RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jim Weston /s/		
Legal Advisor: Karen Fraley /s/		
Approving Deputy Chief:		
General Order No: E-150-04	Issued: September 16, 2004	Supersedes: 5/340.000
General Order Title: DOCUMENTATION OF LEGAL ADVICE		

POLICY

Employees may request legal assistance from the offices of the District or City Attorney with reference to seizures of property and/or evidence by employees engaged in the initial report and/or arrest.

PROCEDURES

1. The following information will be recorded by employees when receiving legal advice/assistance:
 - a. The name and title of the prosecutor contacted.
 - b. The agency the prosecutor is representing.
 - c. The date and time the prosecutor was contacted.
 - d. The specific question(s) or circumstances that were presented to the prosecutor.
 - e. The advice/guidance as received from the prosecutor.
 - f. The name or names of any prosecutor(s) either on scene or who respond as a result of the case in question.
2. If the advice is obtained during the initial investigation, it will be included in the body of the assigned employee's report.
3. If the advice is obtained during the follow-up investigation, it will be included in the body of the investigator's supplemental report, or appropriate divisional documentation.
4. Police personnel may not be immune from litigation resulting from implementation of the advice or guidance given by an attorney, if a reasonable person would have known it was in

violation of a person's constitutional rights.