

**A-7**  
**NON-EMERGENCY INCIDENT RESPONSE**  
**CORE POLICING COMPETENCY: LEGAL AUTHORITY**

LEARNING ISSUES:

- Fair and equitable treatment based on constitutional protections
- Search and seizure issues
- Reasonable suspicion vs. probable cause
- Case laws and their application in non-emergency calls for service
- Medical attention for suspects
- Prisoner rights while in hospital care
- Duties to respond, report and remain when necessary at non-emergency scenes
- Profiling (using discretion during non-emergency calls for service)
- Adult / juvenile custodial rights
- Confidentiality vs. public information (i.e. HIPA, gang data, sex offenders)
- Demonstrate fair and equal treatment of all persons
- Non-Custodial contacts
- Explain Terry-stops
- Miranda warnings, when are they administered
- Search and Seizure issues
- What is Implied consent?
- Other constitutional rights issues that surface during non-emergency calls for service

RESOURCES:

- Constitution of the United States
  - U.S. Constitution 4<sup>th</sup> amendment
- NC General Statute 15A-401
- NC General Statute 50B
- DPD G.O. 1005, R-2: Physical arrest alternatives
- DPD G.O. 4004: Warrantless searches and seizures
- DPD G.O. 4005: Constitutional Considerations in the criminal process
- DPD G.O. 4006: Search and Frisk members of the opposite sex
- DPD G.O. 4011, R-1: Special Processing Requirements
- DPD G.O. 4036, R-3: Juvenile Handling Procedures
- DPD G.O. 4044, R-R-1: Towed and Stored Vehicles
- DPD G.O. 4050, R-1: Misdemeanor Arrests
- DPD G.O. 4054, R-2: Service of Legal Process
- DPD G.O. 4065, R-1: School Principal Notification
- DPD G.O. 4068, R-1: Strip and Body Cavity Searches
- DPD G.O. 4074: Bias-Based Policing
- DPD G.O. 4077, R-1: Eyewitness Identification
- DPD Rules and Regulations 2.1: Responsibility for knowing Law, Procedures and Department Directives
- DPD Rules & Regulations 2.4: Responsibility to Respect the Rights of Others
- North Carolina Crimes, a guidebook on the elements of crime, 4<sup>th</sup> edition
- Arrest, Search and Investigation in North Carolina, by Robert Farb, 3<sup>rd</sup> edition
- Supplement to Arrest, Search and Investigation in North Carolina, by Robert Farb
- SR&S Roll Call Training internet site (<http://policehelp.net/rollcall.html>)

LEARNING OUTCOMES:

1. The trainee is able to describe laws, SOPs and policies, and explain how they relate to individual rights.
2. The trainee is able to analyze and apply what laws, SOPs and regulations relate to individual rights in a variety of situations.
3. The trainee is able to evaluate the effectiveness of their use of the reference material listed in this competency.