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COMPLETING INTERIOR PATROL

Officers should notify the “Communications Section Dispatcher,” upon exiting the building and make an **ACTIVITY LOG** entry indicating the time the building inspection was completed and any conditions noted.

Some examples of your legal authority during an interior patrol are illustrated below:

SITUATION A:

During an interior patrol of a NYCHA building, an officer notices someone standing near the elevators. The officer has been assigned to this development fairly regularly over the past several months and has gotten to know many of the residents of the building. The officer has never seen this person before. When requested, the person voluntarily shows valid identification, establishing a right to be in the building. An **ACTIVITY LOG** entry was made and no further action is required. Neither a **FIELD REPORT**, nor a **STOP REPORT** was prepared.

Why is this action appropriate?

The officer had an objective credible reason to approach the person at the **Request for Information** level because the officer was familiar with the residents. If the officer was not familiar with the residents, there would be no objective credible reason to approach the person.

Same facts as above, except the officer questions the person in an accusatory manner, as if the person is suspected of doing something wrong. The officer demands identification and holds onto it while he/she asks additional questions about the person’s authority to be in the building.

Why is this action inappropriate?

Given the circumstances, the officer had only an objective, credible reason to make a **Request for Information**, which means questions must be asked in a non-accusatory manner. While the officer was allowed to request identification, she was not permitted to *demand* identification at this level of inquiry. Additionally, a reasonable person would not have felt free to leave when the officer held onto the identification during the continued questioning, requiring at least reasonable suspicion of criminal activity.

SITUATION B:

While conducting an interior patrol in a NYCHA building, an officer notices someone sitting with no reasonable purpose in a staircase that is known to be



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a popular area for illegal drug use in the building. The officer approaches the person and asks if he is either a resident or visiting someone in the building. The person tells the officer to “take a hike.” The officer tells the person he must either establish his reason for being in the building or leave the location. He complies by leaving the location. A **FIELD REPORT** was prepared, an **ACTIVITY LOG** entry was made and no further action was needed (i.e., No **STOP REPORT**, *etc.*).

Why is this action appropriate?

The officer’s approach at **Request for Information** was reasonable given the circumstances; the officer had an objective credible reason for requesting information from the person

SITUATION C:

Upon entry into a NYCHA building to conduct an interior patrol, an officer becomes aware that the front door lock is broken and she stops in the lobby for several minutes to prepare a **FIELD REPORT**. While in the lobby, the officer observes through the lobby windows that a person -- a male -- has approached the front door of the NYCHA building, but has not attempted to enter the building. As the officer prepares the **FIELD REPORT**, she continues to observe the man standing outside near the front door of the building with no apparent purpose. After the officer has completed the **FIELD REPORT**, she observes a second person, also male, approach the building with a key in hand. As the male begins to insert his key into the front door, he realizes that no key is required because the lock is broken, so he removes his key and enters the lobby. The officer then observes the other male, who had been observed for more than five minutes waiting outside near the front door with no apparent purpose, run towards the front door and enters the lobby without attempting to use a key.

The officer approaches the male, who had been waiting outside for some time before running into the building, and explains the concern of unauthorized persons entering the building due to the broken front door lock, and asks in a non-accusatory manner whether he is a resident of the building. The person says he lives in Apartment 6C. The officer politely asks the person if he has identification or a key to the front door and reiterates the concern of unauthorized persons in the building given the broken lock. He says that he left both in his apartment. The officer then asks the man if he would mind coming with her up to 6C. The man complies, and the officer accompanies him to his apartment where the man’s wife confirms he is a resident of the building. An **ACTIVITY LOG** entry was made, and no further action was needed.



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Why is this action appropriate?

The officer had an objective credible reason to approach the person at the **Request for Information** level.

Same facts as above, except when the officer asked the man if he would mind coming with her up to 6C, the man refuses. The officer advises the man he must establish a right to be in the building or leave the location. The man refuses to exit the building and informs the officer, “I’m not leaving the building.” The officer arrests the person for criminal trespass. A **STOP REPORT** was completed following this stop, in addition to all required arrest paperwork including a **TRESPASS CRIMES – FACT SHEET** and **SUPPORTING DEPOSITION**. An **ACTIVITY LOG** entry was made, detailing the encounter.

Why is this action appropriate?

The officer had **Probable Cause** to arrest the man for criminal trespass because she was unable to verify the man’s authority to be in the building after undertaking a reasonable investigation, and the man refused to exit the building or promptly establish a right to be in the building.

Same facts as above, except the officer’s questions are not polite, but accusatory with no context as to the officer’s legitimate concerns about unauthorized persons getting into the building through the broken lock. The man gets upset when asked for identification or a key and states that, as a resident, he should not have to prove anything to anybody. The officer calmly and politely states that he did not intend to accuse the man of doing anything wrong, but instead wanted to make sure that residents, like himself, are safe from unlawful trespassers since the lock is broken. The officer then explains that he has no way of knowing whether or not the man is actually a resident, which is why he is asking for identification or a key. The man voluntarily shows his identification, indicating that he is a resident. An **ACTIVITY LOG** entry was made, and no further action was needed.

Why is this action appropriate?

The officer’s accusatory approach was not appropriate at the initiation of the encounter because only a Level 1, **Request for Information**, was justified. During Level 1 encounters, questions must be non-accusatory and officers must not act in a threatening manner. Here, the officer recognized that he escalated the situation by questioning the man in an aggressive, accusatory manner. Moreover, any incriminating evidence ascertained from the unlawful questioning would be subject to suppression. In this situation, the officer changed his tone to speak more politely and carefully explained the purpose of his questions and his overall concerns for the man’s safety as a resident in order to achieve the primary goal of confirming the man’s residency.



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SITUATION D:

An officer on an interior patrol in a TAP building observes a woman approach the front door with a set of keys in her hand. The woman uses her key to enter the door and walks towards the elevators. As the door is closing, another woman walks up, catches the door, and props it open with a brick before entering the building.

The officer approaches the second woman and asks whether she is a resident of the building. The woman responds by saying she does not think she needs to answer that question. The officer politely explains that he is just trying to make sure that everyone in the building is safe and explains the concern of unauthorized persons in the building. The officer then asks whether the woman has identification. The woman produces her identification that shows her as a resident of the building. The officer thanks the woman, removes the brick from the door, and reminds her that propping the door open could leave the building vulnerable to trespassers. An **ACTIVITY LOG** entry was made, and no further action was needed.

Why is this action appropriate?

The officer had an objective credible reason to approach the second woman at a **Request for Information** level. The woman entered the building without using her key and then was observed propping the door open with a brick. Further, the officer correctly did not approach the first woman due to the lack of an objective credible reason to approach, as that individual was observed using her key to enter the building and did not prop the door open with a brick.

SITUATION E:

Upon entry into a NYCHA building to conduct an interior patrol, an officer becomes aware that the front door lock is broken and she stops in the lobby for several minutes to prepare a **FIELD REPORT**. While in the lobby, the officer observes through the lobby windows a man sitting on a bench near the front door with no apparent purpose. The officer then sees an elderly woman approaching the building carrying several shopping bags filled with groceries. The man the officer previously observed sitting on the bench stands up as the elderly woman walks past him and catches the door behind her, following her into the building.

The officer approaches the man, explains the concern of unauthorized persons entering the building, and asks in a non-accusatory manner whether



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he is a resident of the building. The man says he is visiting a friend. The officer asks the man which apartment he is visiting and is told Apartment 5D. The officer then uses the intercom to communicate with the resident in Apartment 5D, who tells the officer that the man is visiting him. An **ACTIVITY LOG** entry was made, and no further action was needed.

Why is this action appropriate?

The officer had an objective credible reason to approach the man at a **Request for Information** level. The man only attempted to enter the building after catching the door when an elderly woman who was clearly a resident of the building had opened it.

SITUATION F:

While conducting an interior patrol, two officers observe a group of 9-10 persons congregating in the lobby of a building. As the officers approach, one person abruptly leaves the group and begins walking in the opposite direction. The officers approach the person and ask her whether she lives in the building. She responds that she lives there. The officer asks her what apartment she lives in. She changes her answer and says she was visiting her friend Barbara in apartment 7B. One officer detains her while the other officer investigates and learns that no one named Barbara lives in 7B. The residents of 7B state they did not have a visitor. The person is arrested for criminal trespass. A **STOP REPORT** was completed following this stop in addition to all required arrest paperwork including a **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION**. An **ACTIVITY LOG** entry was made noting the presence of “No Trespassing” signs in the lobby and functioning door locks.

Why is this action appropriate?

The officers initially had an objective credible reason to approach the person at the **Request for Information** level. When she abruptly changed her story, the officer developed **Reasonable Suspicion** to temporarily detain her to conduct an investigation. When subsequent investigation revealed that the person’s story was false, the officer had **Probable Cause** to arrest for trespass.

- **NOTE:** Inability to immediately verify a person’s explanation does not necessarily mean that the person is trespassing. Individuals may honestly be mistaken as to the specific apartment number or may know only certain individuals, but not others, residing in an apartment. Officers should take into consideration these possibilities when conducting investigations and prior to making a decision to arrest.



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Same facts as above, except Barbara does reside in apartment 7B and recently had a visitor, but does not recognize the name you provided of the person being detained. The officer asks Barbara the name of her visitor and she admits not knowing her full name, but rather just her nickname. The officer returns to the person and asks if she has a nickname. The nickname provided is the same nickname provided by Barbara. The officer instructs the person to leave since she is no longer visiting Barbara and she complies. A **STOP REPORT** was completed following this stop, as well as an **ACTIVITY LOG** entry, and no further action was needed.

SITUATION G:

While conducting an interior patrol at 23:30, an officer observes two persons he does not recognize talking in the lobby of a building for an unreasonably long period of time. The officer is aware that the building lobby has recently been afflicted by trespassing and drug activity. The officer approaches the persons and asks one of the persons if he lives in the building. The person says he does not. The officer then asks the person if he is visiting or has just recently visited a resident of the building. He says he is not. The officer then asks what he is doing in the building and he replies, "Hanging out." The suspect is arrested for criminal trespass. A **STOP REPORT** was prepared for this stop in addition to all required arrest paperwork including a **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION**. An **ACTIVITY LOG** entry was made noting the presence of "No Trespassing" signs in the lobby and functioning door locks.

Why is this action appropriate?

The officer initially had an objective credible reason to approach the person at the **Request for Information** level. When the suspect admitted that he had no legitimate reason to be in the building, the officer had **Probable Cause** to arrest for trespass.

- **NOTE:** An officer always has the discretion not to arrest this person, but instead instruct that person to leave, given the appropriate circumstances.

Same facts as above, except when the officer returns to the stationhouse and runs the person's name for a warrant check, she sees that he is in fact a resident of the building. The officer should follow appropriate police procedures to void the arrest pursuant to P.G. 210-13, "Release of Prisoners."



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SITUATION H:

An officer on an interior patrol observes a person on the roof landing of a NYCHA building in violation of conspicuously posted sign forbidding access to the roof landing, including for residents. The sign additionally explains what the roof landing is. The officer asks the person if he is a resident. The person says he is not. The officer then asks why he is on the roof landing, and the person is unable to give any valid justification for his presence. The officer arrests the person for trespass and makes an **ACTIVITY LOG** entry noting the presence of the sign. A **STOP REPORT** was prepared for this stop in addition to all required arrest paperwork, including a **TRESPASS CRIMES – FACT SHEET** and **SUPPORTING DEPOSITION**.

Why is this action appropriate?

There was **Probable Cause** to believe the person was trespassing.

- It is important that the content of the sign gives sufficient notice that being on the roof landing is prohibited, including a clear explanation as to what the roof landing is. In some circumstances, a non-English speaker may not be able to read a sign that is not written in his or her native language. If there is uncertainty as to the sufficiency of the sign, give the person an opportunity to leave before making an arrest for trespass.

Same facts as above, but the person observed on the roof landing identifies as a resident, who states that she did not know that it was illegal to be on the roof landing. The officer asks the person if she has identification or a key to the building and she shows him an identification stating that she resides in apartment 7C. The officer has never encountered this person before, and has no reason to believe she is lying about not knowing that her presence on the roof landing is prohibited. Although there may be **Probable Cause** for a trespass arrest, the officer should exercise the discretion to instruct the resident to leave the roof landing rather than make an arrest.

SITUATION I:

A sector team receives an assignment of a man selling drugs inside the lobby of a NYCHA building. The caller provides the 911 operator with his name and phone number and gives a detailed description of the suspect. Upon entering the building, the officers see the suspect in the lobby and forcibly stops the person. Investigation based on **Reasonable Suspicion** reveals that the person did not live in the building nor was he there for any legitimate reason. The suspect is arrested for criminal trespass. A **STOP REPORT** was prepared for this stop in addition to all required arrest paperwork, including a



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TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION.
An **ACTIVITY LOG** entry noted “No Trespassing” signs in the lobby and functioning door locks.

Why is this action appropriate?

There was **Probable Cause** to believe the person was trespassing.

- In the above example, if the scenario were changed to state that the complainant was anonymous, the officers would NOT automatically be at **Reasonable Suspicion**. In order to rise to the level of **Reasonable Suspicion**, a more thorough investigation (observations) would need to be conducted.

SITUATION J:

Two officers are on patrol and enter the lobby of a TAP building to conduct an interior patrol. While in the lobby, which has a functioning magnetic lock door, the officers observe an individual force open the door without a key. Having “reasonable suspicion of criminal trespass,” they stop the individual. Investigation reveals the individual is not a resident, and claims to be visiting a friend in apartment 3C. The individual appears nervous and is holding his hands over his waist area. The officers see a suspicious bulge in the shape of a firearm in his waist area and a frisk reveals a loaded firearm. With **Probable Cause**, the individual is placed under arrest for “Criminal Possession of a Weapon.” Later investigation reveals that no one in apartment 3C knows the individual, and the charge of “Criminal Trespass” (Felony) is added to the charges. The officers prepares a **STOP REPORT**, all applicable arrest paperwork, including a **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION**, and a comprehensive **ACTIVITY LOG** entry is made, including a notation regarding the functional door lock.

Why is this action appropriate?

Seeing an individual force their way into a lobby through a locked entrance door provides “reasonable suspicion of criminal trespass.” This permits a forcible stop and in this case, the officers were justified in conducting a frisk because they reasonably believed that the suspect was armed and dangerous. An arrest based on **Probable Cause** is effected.

Police officers in public housing developments and TAP buildings must remember that conducting approaches, forcible stops, or arrests without the appropriate legal authority may face the possibility of the suppression of any evidence obtained during such stop and subject themselves to Departmental disciplinary consequences, including substantiated Civilian Complaint Review Board allegations of abuse of authority, prosecution by the Department Advocate’s Office, and appropriate penalties.



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Unjustifiable interactions also contribute to community distrust of the police and poor relations with the very community we are trying to serve and protect. A single negative interaction can make a lasting impression on a community member that will taint future interactions with all police officers. Consider the examples below:

EXAMPLE 1:

While patrolling a TAP building known for its drug activity at 23:30, an officer sees a person exit the building. The officer approaches the person and asks if he is a resident of the building he just visited.

What was wrong with the above scenario?

There was no objective credible reason for the approach because the person merely left the building. The person had already left a TAP building and when the purpose of an approach is to verify a person's justification for being in a TAP building, officers should not approach a person if the person has already exited the building, unless there are other indications of criminality or an independent objective and credible reason for the approach. That the property is known for its drug activity does not alter the analysis.

EXAMPLE 2:

While conducting an interior patrol of a NYCHA building, an officer notices someone enter the building using a key. The officer approaches the person and asks him if he is a resident.

What was wrong with the above scenario?

First, there was no objective credible reason for the approach because the person had merely entered the building. Moreover, the person had established their right to be in the building by using a key. Absent any other objective and credible reason, the officer was not authorized to approach the person.

EXAMPLE 3:

While conducting an interior patrol in a NYCHA building, police officers observe a group of five teenage boys entering the building together. One of the teenagers uses a key to enter the building, and it is clear from their interactions that all of the teenagers are friends. The officers approach the teenagers and ask if they are residents of the building.

What was wrong with the above scenario?

First, there was no objective credible reason for the approach because the boys had merely entered the building. Moreover, one of the teenagers had established a right to be in the building and it was clear that the other teenagers



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were authorized guests, if not residents themselves. Absent any other objective and credible reason, the officer was not authorized to approach any of them.

EXAMPLE 4:

A sector team observes two individuals exiting the elevators in the lobby of a NYCHA building. The officers note the smell of marihuana in the elevator. The officers approach the two individuals and ask them their reason for being in the building. The individuals mention that their aunt lives in the building. The police officers *forces* the two individuals to take them to their aunt's apartment, to verify that they belonged in the building before they let them leave.

What was wrong with the above scenario?

The level had never risen to **Reasonable Suspicion**; therefore, a forcible stop was not authorized.

What would have made the scenario acceptable?

If the brothers *called* their aunt in the apartment to verify the legitimacy of their presence in the building or if they voluntarily offered to take the officer to their aunt's apartment would have made the scenario acceptable would have made the scenario acceptable.

EXAMPLE 5:

An officer on an interior patrol observes a person standing in the lobby for several minutes. Upon seeing the officer, the person looks nervous and evasive. The officer approaches the person and asks if he is a resident of the building. The person replies, "I'm just passing through." The officer then arrests the person for criminal trespass.

What was wrong with the above scenario?

According to the N.Y. Appellate Division in *People v. Sanders* (1991), the person's comments did not establish **Probable Cause**, and, therefore, an arrest was not authorized. An officer can only arrest when the officer has probable cause to believe that the person is neither a resident, nor visiting someone in the building, nor otherwise authorized to be in the building.

What would have made the scenario acceptable?

The officer should have asked the person if he was visiting someone in the building or otherwise authorized to be in the building. If the person said he was not visiting someone in the building or otherwise authorized to be in the building, there would have been **Probable Cause** to arrest.



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Same facts as above, but the person says that he is visiting a resident in the building. The officer accompanies the person to the apartment, but no one is home. The officer then arrests the person for criminal trespass.

What was wrong with the above scenario?

The fact that a resident is not home does not necessarily mean that the person was not authorized to be in the building. An authorized visitor should not be arrested for trespassing simply because the resident happens not to be at home when the person is trying to visit.

What would have made the scenario acceptable?

Since the person's stated purpose for being in the building was to visit a resident and that resident was not home, the officer should have asked the person to leave the building. If, after giving the person the opportunity to leave the building, the person still refused to leave, the officer may have arrested the person or issued a summons for criminal trespass.

As stated in the above examples, if an officer develops probable cause during the encounter, an arrest may be effected or a summons may be issued. A uniformed member of service may approach and question persons who may be violating Housing Authority rules and regulations, including potentially unauthorized persons found in NYCHA buildings. However, an officer may not stop (i.e., temporarily detain) a suspected trespasser, unless the officer *reasonably suspects* that the person is in the building without authority. Whenever a reasonable person would not have felt free to end the encounter and walk away, a **STOP REPORT** must be prepared.

NYCHA TRESPASS NOTICE PROGRAM

In an effort to reduce crime in NYC Housing Authority Developments, the Department has created the NYCHA Trespass Program. Under this program, any individual who is arrested for felony criminal sale of controlled substance or marijuana on all NYCHA development properties is permanently excluded from entering all NYCHA property. To ensure the effectiveness of this program, the following procedures must be adhered to.

NYCHA "On-Development"

(See map below for visual example of "on-development" boundaries)

- All NYCHA buildings, apartments, offices, maintenance areas, etc.
- All walkways, streets, grounds, and parking areas located within NYCHA developments



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- All stores, laundries, community centers, childcare centers, senior centers, health stations, etc., within NYCHA developments
- From the center line of the street inward towards NYCHA buildings
- All NYC parks and all NYC school playgrounds within or immediately adjacent to NYCHA grounds
- Piers or bulkheads immediately adjacent to NYCHA grounds

When effecting the arrest of an individual “on-development” for felony sale of controlled substance or marihuana, in addition to normal arrest procedures, do the following:

- Prepare a **NYCHA TRESPASS NOTICE (“NOTICE”)**
 - Enter the Notice log number, obtained by calling the Housing Bureau wheel
- Have the defendant sign and date the notice
 - If defendant refuses, so state on signature line and initial and date
- Make five copies of the Notice
 - Personally serve the defendant with one *copy* of the notice
 - The remaining four copies are for the desk officer
- Fax a copy of the notice to the Housing Bureau Wheel and call to confirm receipt
- Prepare a “Trespass Notice Package” containing:
 - Original signed **NOTICE**
 - Computer copy of **ON-LINE BOOKING SYSTEM ARREST WORKSHEET** and **COMPLAINT REPORT**
 - Copy of **PROPERTY CLERK INVOICE** and **REQUEST FOR LABORATORY EXAMINATION REPORT**, if applicable
 - Copy of “Search Warrant,” if applicable
- Deliver the package and four copies of **NOTICE** to the desk officer Police Service Area (PSA)/precinct of arrest

If the defendant claims that he or she is a NYCHA resident, confirm that the address given by the defendant is a NYCHA location by contacting any PSA or Housing Bureau Wheel. A NYCHA resident will still be served with the **NOTICE** and will not be allowed in any NYCHA area other than their resident building and “common areas” of that development.



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- “Common areas” include most areas within the resident’s development; does not include apartments other than their own or areas where residents are not normally allowed (e.g., rooftops).

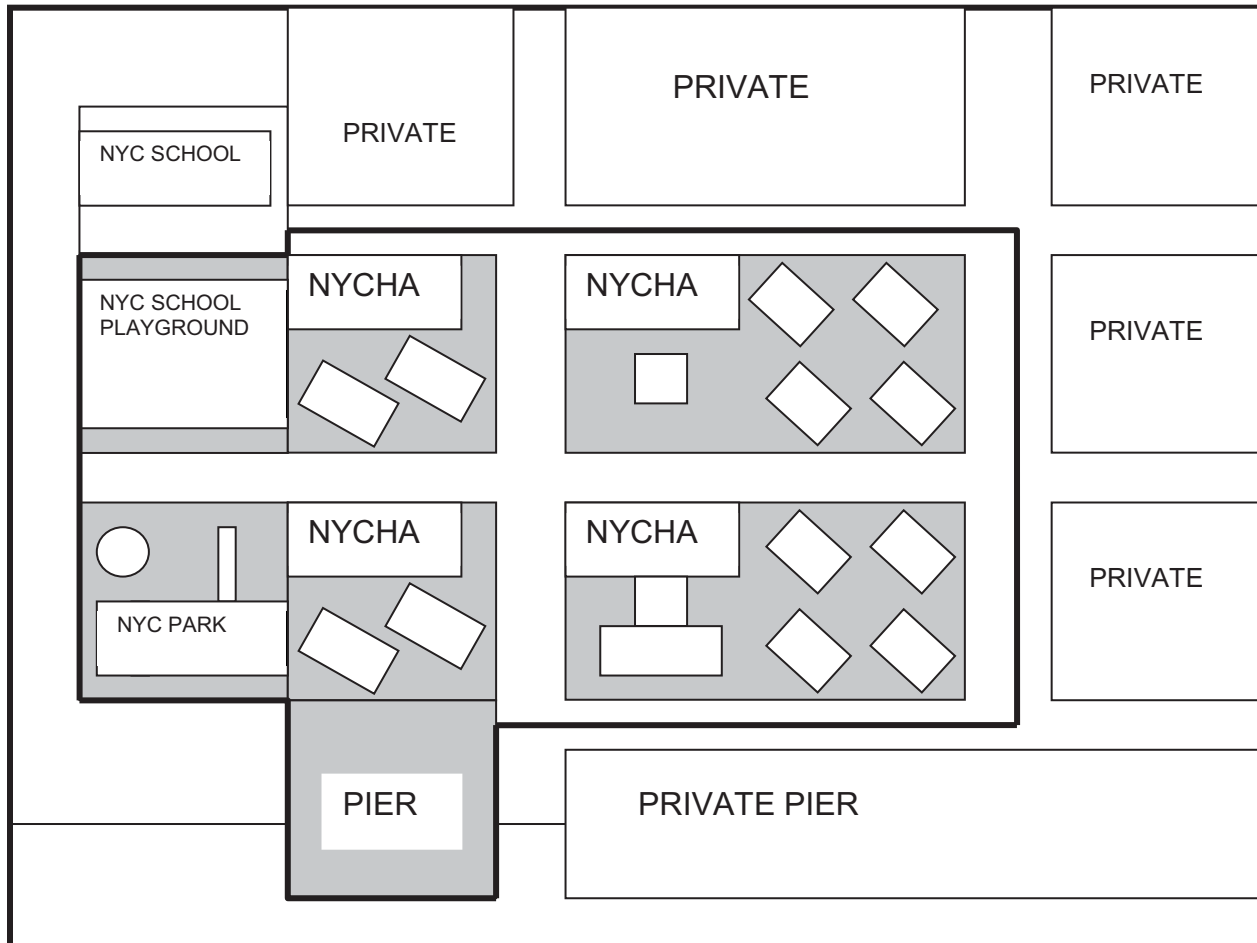


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ON-DEVELOPMENT BOUNDARIES FOR FELONY DRUG SALE ARREST



PROCESSING ARRESTS MADE PURSUANT TO NYCHA TRESPASS NOTICE PROGRAM

NYCHA Property Defined
(See map for visual example)

- All NYCHA buildings, apartments, offices, maintenance areas, etc.
- All walkways, streets, grounds, and parking areas located **within** NYCHA developments
- All stores, laundries, community centers, childcare centers, senior centers, health stations, etc., **within** NYCHA developments

When taking enforcement action against an individual on NYCHA property, in addition to normal procedures, do the following:



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- Conduct a warrant check via communications or call the precinct or PSA and request a check of the NYCHA Trespass Database for the individual stopped.
 - If the individual is in violation of the **NOTICE** (either as the primary or additional charge), *arrest* the individual for trespass.
 - Communications will advise if the person does not have a warrant, but has been issued a **NOTICE** and maybe subject to arrest if found on “NYCHA Property.”

When effecting the arrest of an individual for violation of the **NOTICE**:

- Process as an on-line arrest (no summons or Desk Appearance Ticket will be issued), regardless of the level of the trespass charge
- Charge the defendant as follows:
 - Trespass - Violation (PL 140.05), if the individual was found to be on **NYCHA property** (not in a building)
 - Criminal Trespass 3rd Degree - “B” Misdemeanor (PL 140.10), if the individual was found to be inside a **non-residential NYCHA building**
 - Criminal Trespass 2nd Degree - “A” Misdemeanor (PL 140.15), if the individual was found to be inside a **residential NYCHA building**
- Prepare a package with the following documents:
 - Trespass Notice Report generated from NYCHA Trespass Database
 - Copy of **TRESPASS NOTICE**, if available
- Notify Housing Bureau Wheel of arrest
- Deliver all paperwork to the desk officer

The Trespass Notice Program should not be enforced if the individual was found passing through the development *en route* to, or leaving from police facilities, parole offices, medical facilities, or stores and it can be determined that they were using a direct route between the location and the nearest City street.

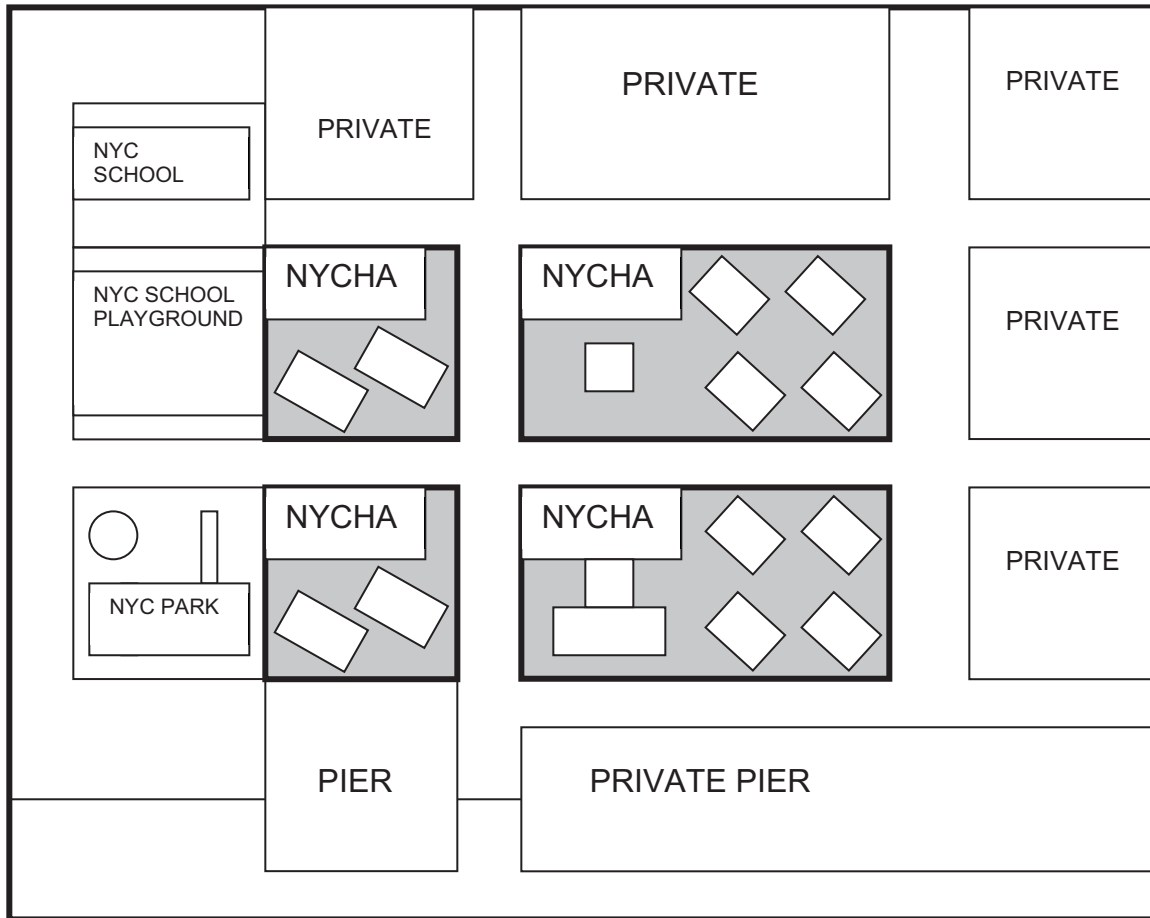


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NYCHA PROPERTY BOUNDARIES FOR TRESPASS ARRESTS



PART IV: DISABLED ELEVATORS

UNOCCUPIED DISABLED ELEVATORS

If, during interior patrol of a NYCHA building, you come across an **UNOCCUPIED** disabled elevator, your obligation would be to notify Housing Authority Emergency Service Department maintenance personnel by calling (718) 707-5900. You must also inspect elevator doors on each floor, notify Housing Authority Emergency Service Department maintenance personnel or NYPD Emergency Service Unit immediately, and remain at scene and secure location until unsafe condition has been corrected if:

- The elevator door glass is missing or if the outer elevator door opens when elevator is not present; or



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- There are any other dangerous conditions concerning elevators.

DISABLED HOUSING AUTHORITY ELEVATOR CAR WITH PASSENGERS

If, during interior patrol of a NYCHA building, you come across an **OCCUPIED** disabled elevator, your obligation would be to notify the radio dispatcher and request the response of Housing Authority Emergency Service Department maintenance personnel. Also, notify the NYPD Emergency Service Unit and ambulance, if the situation requires the immediate removal of passengers in cases involving, but not limited to a cardiac condition, a seriously ill passenger, etc.

- *Note:* If a delay in the response of Housing Authority Emergency Service personnel is expected, a request for NYPD Emergency Service Unit personnel will be made even in situations deemed to be of a non-emergency nature.
- *Note:* Members of the service shall **NOT** attempt to remove passengers from a disabled elevator car without the assistance of Housing Authority and/or NYPD Emergency Service Unit personnel who are trained in the removal of passengers from disabled elevators.

The officer must prepare a **FIELD REPORT** and **AIDED REPORT**, if necessary, upon completion of assignment. Include names and addresses of passengers and names and shield numbers of responding Emergency Service personnel.

PART III: BUILDING FIRES

The patrol officer's job at the scene of a fire is to protect life and property, as well as to assist the Fire Department. If arriving at the scene by "radio motor patrol" (RMP), park RMP to prevent interference with firefighting operations. Transmit signal 10-84 upon arrival and ensure that the Fire Department of the City of New York (FDNY) is responding, if not on-scene, and inform dispatcher of any pertinent details. Ensure area in front of building is secured for responding FDNY personnel and all fire hydrants are free of vehicles.

Uniformed members of the service should be aware that some modern buildings are fireproof and may not exhibit conditions that are commonly believed to be observable from outside a building on fire. ***Uniformed members are not trained in, or equipped for, fire suppression or fire rescue operations and should avoid entering any building that is on fire. Absent exigent circumstances, uniformed members of the service should not operate on any floor above the fire and not***



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attempt to navigate through a smoke-filled or fiery environment. If there is imminent danger to life and members determine that entering the building is necessary and prudent, comply with the following:

- Notify radio dispatcher of all observations made in connection with fire prior to entry.
- Communicate to FDNY personnel at the scene the number of members of the service who entered the building, including last known location, if possible.
- Maintain communication with radio dispatcher and frequently relay location and ascertain estimated time of FDNY arrival.
- ***Use stairs (NOT elevators) to reach fire location in teams of two.***
- Advise radio dispatcher of labeled staircase being used or of any other identifying characteristics of staircase, if not labeled.
- Conduct a visual inspection of stairwell for smoke or flames prior to ascending staircase and inspect each floor below reported fire floor for smoke and/or fire and note location and distance of other stairways, exits, and/or potential areas of refuge.
- DO NOT hold elevator cars on any floor as FDNY units will seek to recall elevators to move personnel and firefighting equipment into position.
- Conduct a visual inspection of hallway of reported fire floor through the stairwell/hallway door window, if available.
 - Place back of hand on door that separates stairwell from affected floor to detect the presence of heat. An unusually warm door or the presence of smoke, are indicators that there is a fire in the hallway or in an apartment where a door has been left open. This can be an extremely dangerous condition requiring personal protective equipment to enter and is considered “immediately dangerous to life and health.” In these cases, members *should not open the door or enter the hallway* as such action can draw smoke/fire toward the stairwell.
 - If smoke and heat are suddenly present, tactically retreat/evacuate by assuming a prone position and crawl or stay as low to the ground as dictated by the situation,



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moving close to the wall so that wall may be used as a guide to predetermined exit.

Members of the service establishing police lines outside the building should set up beyond the fire apparatus and hydrants in use. Ensure a clear path of access and egress is established and maintained for ambulances. Permit only the following persons and vehicles to enter fire lines:

- Ambulances
- Police and FDNY vehicles
- The mayor and vehicle
- Members of governmental agencies and their vehicles, in performance of duty
- Employees of public service corporations and their vehicles, in the performance of emergency duties
- Persons holding valid unexpired press credentials
- Red Cross personnel in performance of duty

Members of the service will ensure premises are secure once firefighting operations have concluded and record activity pertaining to building fires as follows:

- In their **ACTIVITY LOG**, relevant details surrounding the fire, including the location, time, and persons displaced or injured;
- Prepare a **COMPLAINT REPORT WORKSHEET**, if the fire is suspicious; and
- Prepare **AIDED REPORT** for each injured person.