

**Wichita Police Department Policy Manual**Approved by: *William L. Malley***Policy 106 - Police Legal Advisor**

Page 1 of 1

Maintained by: Information Services

Issue/Rev.: R 02-02-2015

- 106.01 The City of Wichita Department of Law is available to the Wichita Police Department to provide proactive and reactive legal services on a full-time basis. The Department of Law will be available during both normal business hours and after hours.
- 106.02 The Department of Law shall prepare regular and special legal bulletins for the Wichita Police Department concerning current court opinions, pending court cases, contemporary enforcement or investigative issues, and other legal issues pertinent to Department operations.
- 106.03 Any supervisor may request verbal legal assistance from the Department of Law for specific field situations. Requests for written legal opinions will follow the chain of command.
- 106.04 The Department of Law shall provide the following legal services:
R
- A. Informal/formal legal opinions concerning the interpretation or application of City, State, or Federal laws;
 - B. Legal evaluation and advice concerning pending investigations, cases, or incidents under review by the Department;
 - C. Policy review, development and training
 - D. Amendment of ordinance as requested by Wichita Police Department Command Staff;
 - E. Be available to confer regarding critical incidents, including Officer Involved Shootings
- 106.05 Upon declaration of an Alert III under the Emergency Mobilization Plan, the on-call member of the Department of Law shall be responsible for reporting to the Emergency Operations Center.
- 106.06 A member of the Department of Law shall be available to prepare and present training sessions on a regular basis, in coordination with the Training Bureau, on such topics as police liability, domestic violence policy, bias crime policy, civil liability, supervisory liability, report writing, and other issues as deemed necessary.
- 106.07 A member of the Department of Law shall be available, as needed, for Staff Meetings, squad meetings, special project meetings, or to provide advice to Watch Commanders in specific field situations.
- 106.08 A member of the Department of Law will be available to monitor and review situations involving the use of deadly force by, or against, any member of the Department in which the deadly force results in death or severe bodily injury. When this type of situation arises, the Duty Chief at the scene shall ensure that a member of the Department of Law is notified.
- 106.09 Due to legal constraints and liability issues, a member of the Department of Law shall not be assigned to provide on site legal services, except when authorized and directed by the Director of Law/City Attorney.
- 106.10 A member of the Department of Law will not provide legal services that duplicate services provided by, or are statutory functions of the District Attorney's Office or the U.S. Attorney's Office. However, a member of the Department of Law shall coordinate legal services and consult with the District Attorney or the U.S. Attorney as needed.
- 106.11 The Director of Law/City Attorney shall be responsible for providing the Emergency Communications Center with a roster showing the name and phone number of the on-call Assistant City Attorney outside of normal business hours.
- 106.12 All legal protections afforded to the Department of Law in this policy shall be extended to any legal service that is retained by the Department of Law for legal advice and/or general council (i.e. contract law firms).
I