

WINONA POLICE DEPARTMENT

NUMBER: 106-13 PAGES: 2

EFFECTIVE DATE: July 27, 2004

SUBJECT: RESPONSE TO CRIMINAL INCIDENTS ON SCHOOL BUSES

1.0 PURPOSE:

The purpose of this General Order is to adopt a written policy regarding procedures for responding to criminal incidents on school buses, as required by MSS 169.4581.

2.0 POLICY:

2.1 It is the policy of the Winona Police Department to respond to all alleged criminal incidents on school buses within our jurisdiction.

2.2 This policy is not intended to interfere with, or replace school disciplinary policies which relate to student misconduct on school buses.

3.0 PROCEDURE:

3.1 Violent crimes (misbehavior causing an immediate and substantial danger to self, or surrounding persons, or which result in physical injury) shall immediately be reported by the bus driver.

3.1.2 Violent crimes include: Terroristic threat; Assault; Sexual Assault; Arson; Possession of a weapon, explosives, ammunition or flammable substance.

3.1.3 A law enforcement officer shall respond directly to the crime scene.

3.2 Other violent crimes that can be immediately controlled by the bus driver (such as physical fighting, sexual misconduct, bias crimes, disruptive behavior, or impairing the driver's ability to operate the bus) shall be reported to the School District and Law Enforcement agency, as per District 861 policy.

3.2.1 A law enforcement officer shall respond directly to the scene if requested by the bus driver.

3.3 Non-violent and property crimes (Criminal damage to property, theft, possession of alcohol, tobacco and other drugs) will be reported to the School District and Law Enforcement agency as directed by School District Policy.

3.3.1 If requested, a law enforcement officer will respond directly to the scene, or arrange to meet with the bus driver/owner at a later time.

WINONA POLICE DEPARTMENT

NUMBER: 106-13 PAGES: 2

EFFECTIVE DATE: July 27, 2004

SUBJECT: RESPONSE TO CRIMINAL INCIDENTS ON SCHOOL BUSES

3.4 Law enforcement officers can issue citations and release pending further investigation, or apprehend and transport individuals to the extent authorized by law. All law enforcement officers shall follow criminal investigation procedures and submit reports as required by their department.

3.5 Law enforcement officers may arrest a person without a warrant if the officer has probable cause that the person, within the preceding four hours has committed a fifth degree assault (MS 609.224) on school property. School property includes the area within a school bus when being used to transport one or more students.

3.6 When authorized by law, law enforcement officers will provide information to the School District regarding the incident.